

Work and Pensions Committee

Oral evidence: Children in poverty: No recourse to public funds, HC 603

Wednesday 19 January 2022

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Members present: Stephen Timms (Chair); Shaun Bailey; Siobhan Baillie; Nigel Mills; Selaine Saxby; Dr Ben Spencer; Chris Stephens; Sir Desmond Swayne.

Questions 45 - 140

Witnesses

I: Tom Pursglove MP, Parliamentary Under-Secretary of State, Home Office; Will Quince MP, Minister for Children and Families, Department for Education; David Rutley MP, Minister for Welfare Delivery, Department for Work and Pensions; and Alison Samedi, Deputy Director, Compliant Environment and Enforcement Unit, Home Office.

Examination of witnesses

Witnesses: Tom Pursglove MP, Will Quince MP, David Rutley MP and Alison Samedi.

Q45 **Chair:** Welcome, everybody, to this meeting of the Work and Pensions Select Committee. We are taking evidence from Ministers about no recourse to public funds and children in families where that condition is applied to their immigration status. Can I ask everybody to say very briefly—in one sentence—who they are so that those who are watching our proceedings know, starting with Alison Samedi?

Alison Samedi: Good morning. I am one of the deputy directors in the Home Office responsible for migrant access to work benefits and services.

Tom Pursglove: I am the Minister for Justice and Tackling Illegal Migration at both the Home Office and the Ministry of Justice.

David Rutley: I am Minister for Welfare Delivery.

Will Quince: I am Minister for Children and Families at the Department for Education.

Q46 **Chair:** Thank you all very much for joining us this morning. Can I start with a very quick point? Your letter to us—and thank you for that letter—said that the list of benefits and services classed as public funds was

attached, but in fact it was not. Do any of you happen to have a copy that you might be able to leave with us? We would be quite interested to see that.

David Rutley: We will ensure that happens. I am sorry that that was not attached.

Q47 **Chair:** If it turns out that somebody does have it and you are able to leave it, that would be great.

A more substantive question: as Will will recall, when lockdown hit, 3 million people claimed universal credit because they were not eligible for any of the pandemic schemes. Of course, families with no recourse to public funds cannot claim universal credit, so if they were in the position of those 3 million who did, they had no support at all.

At the Liaison Committee in May 2020, I told the Prime Minister about a hard-working, law-abiding family with two children, who are both British citizens, being forced into destitution for this reason. Their work had stopped and there was no help. In his answer to me, the Prime Minister said, "Clearly people who have worked hard for this country, who live and work here, should have support of one kind or another," which is a point I very much agree with.

I would like to ask each of the Ministers here if they agree with the Prime Minister about that and what steps their Department took to provide help once the lockdown hit. I will start with Will.

Will Quince: Thank you very much, Chairman. It is a pleasure to be back before the Select Committee after many previous appearances.

Ultimately, this is a Home Office lead and I know that Minister Pursglove will be able to talk more to this. I was not a Minister at the Department for Education at the time. However, broadly, yes, of course, I do agree with the Prime Minister. As a Department, we quickly put into place a package of support. That included an extension of free school meal provision, an extension of pupil premium to support schools and, of course, the early education entitlement to disadvantaged two-year-olds, which includes some groups with no recourse to public funds. As you know, Chairman, there is an ongoing review as to the future of any extension of that, but the temporary measure remains in place.

Chair: We will come back to that later in the session. Thank you.

David Rutley: Obviously, we were very concerned when the pandemic came through and we worked very closely across Government to support people in work. Most of the people on NRPF are in work or have the opportunity to work, and they were made available—I know that Tom will talk more about this—to get the furlough scheme and the equivalent within self-employment.

Within our Department, we worked very closely with other Departments to put in place the household support fund most recently, but predecessor schemes like the covid winter grant and the covid local

support grant were available for people who are vulnerable. As I am sure the Committee is aware, those funds were or are available through local authorities to people who are in an immigration status that is no recourse to public funds.

The other thing I think it is worthwhile saying is that as we look forward now to where we are at, the labour market is buoyant. When you look at the labour market statistics that came out yesterday for December, with record vacancies of 1.25 million and employment rising over 400,000 over the last quarter, we need to make sure that we make people who are on NRPF aware of the opportunities that are there so that they can continue to look after their own family and stand on their own two feet.

It is that balance between making sure that people get the support they need, but at the same time—they came into the country aware that the primary purpose often was for work or study or whatever it might be—in the case of work, there are plenty of opportunities now as we come out of the pandemic.

Q48 Chair: I think we are going to come back to this in one of the questions later on, but you made the point that a family with no recourse to public funds could get help through the household support fund and the previous package.

David Rutley: Or predecessors, yes.

Chair: Isn't that legally not entirely clear what the position is, or are you saying it is clearcut and they are entitled?

David Rutley: I think that it is important to take a look at the guidance, and I will gladly forward this on to the Committee and to you, Chair, after the meeting. It says very clearly in section 19 of the guidance: "Authorities can provide a basic safety net support to an individual, regardless of their immigration status". It goes on to say: "The rules around immigration status have not changed. Authorities must use their judgement to decide what legal powers and funding can be used to support". So it can be. Authorities need to use their experience and their judgment on what powers and support can finally be given in any individual circumstance, but they can be. We will forward those guidance notes on to you.

Tom Pursglove: I appreciate the opportunity to appear before you today. To build on the points that have been raised, I think the Prime Minister is right in what he said in normal times, and I would argue that there is a consistent safety net. No doubt we will get into some of this. It takes different forms depending on the circumstances of individuals.

Particularly in relation to the pandemic, it is fair to say that significant support was made available for individuals who find themselves in a no recourse to public funds position when you consider the job retention scheme, the self-employment income support scheme, the statutory sick pay help, some of the issues around evictions, and the self-isolation payments.

There was a comprehensive package that was put in place, and of course that was a universally available package that people could access where their circumstances permitted. It was right to put that in place, recognising that the pandemic was an unexpected event that meant that people would be very dramatically affected through absolutely no fault of their own and in a way that they simply could never have envisaged.

From a Home Office perspective, clearly the biggest role that we play in relation to these matters is through the change of conditions applications. The way that I look at that is it is rather like the key in the door that helps to unlock wider support for individuals where their cases are judged to meet the criteria. That is the single biggest enabler that we have as the Home Office in terms of helping people to access support where they require it.

- Q49 **Chair:** I entirely take the point that people with no recourse to public funds were able to get on the furlough scheme, if their circumstances made that appropriate, or the self-employment income support scheme. However, as I said at the start, there were 3 million people who had to apply for universal credit because they were not eligible for either of those programmes. Families with no recourse to public funds could not apply for universal credit. If you are agreeing with the Prime Minister's point that they should have help of one kind or another, why was no help provided for that group?

Tom Pursglove: I would go back to David's point about the discretionary help, for example, that was available for individuals to access. All of this is a matter of balance, isn't it? When it comes to no recourse to public funds this is a long-standing approach that Governments of successive sides have been committed to, recognising the need to be fair to taxpayers while also welcoming people to our country.

It is fair to say that, broadly speaking, the Government were very nimble, when it came to the onset of the pandemic, in putting in place a package of support that has helped many millions of people around the country to navigate through a very difficult time for them and their families.

- Q50 **Nigel Mills:** This was a unique situation. Did the Government consider just suspending NRPF for the duration of the pandemic?

Tom Pursglove: That is a very good question. I will make two points. First, not everybody who is subject to no recourse to public funds would necessarily require that support. For example, people whose jobs were affected would perhaps require support, whereas individuals whose jobs were not affected would not require that state help. To simply suspend it would be quite an arbitrary thing to do. I would argue that the approach that was taken was the right approach—making the packages of support available for people to be able to access so that they could then come forward and do so accordingly.

One of the other things I would say—of course, this is not really a matter for debate today—is that when the word “temporary” gets involved in things, it seems to me that it perhaps creates challenges and confusion. I

would argue that not taking that temporary approach, sustaining the long-standing position that has been taken in relation to no recourse to public funds for the duration of the pandemic and beyond it, but at the same time having that support available for people to access, largely met the needs that existed while maintaining the broad policy position that we believe as a Government is an important one.

- Q51 **Nigel Mills:** The Government now regret taking temporary measures during the pandemic. Is that a lesson for future times and we will not do temporary changes, or is that a personal—

Tom Pursglove: In the circumstances, there was no choice but to put in place the package of support that was put in place. It was the right thing to do. I think that, as a Government, we should be very proud of the support that was made available for families, but we took the view in the Home Office that a temporary suspension of NRPF was not the right approach. The right approach was to make sure that the support that I have outlined was available for people.

- Q52 **Nigel Mills:** Rather perversely, you thought that a temporary suspension of no recourse to public funds did not make sense but creating some sort of public funds that they were allowed to have recourse to did make sense. Isn't that just incredibly confusing?

Tom Pursglove: I think that doing right by people makes sense in the circumstances that people faced with the onset of the pandemic, through absolutely no fault of their own. For example, somebody coming to this country to work could never have envisaged it at the point at which that happened. I just think that it was the right approach to take to make sure that support was available, because people could not have anticipated a global pandemic.

- Q53 **Nigel Mills:** Do you accept that, rather than temporarily suspending no recourse to public funds, you temporarily made it "recourse to some public funds but not all"? That is the position, isn't it?

Tom Pursglove: I think the position is very clear and the Government did the right thing in the circumstances.

- Q54 **Nigel Mills:** The position is clear, isn't it? You gave people recourse to some public funds. You did change the situation.

Tom Pursglove: I am not sure what the alternative would be, Mr Mills.

- Q55 **Nigel Mills:** You could have just lifted the full block on no recourse to public funds and accepted that people who came here to work were not able to work because, quite rightly, the Government shut down chunks of the economy—and I agree with that. That was a fundamentally different situation. Even for some people who could still work themselves, if their children had no schooling and no childcare, they could not go and do the work. You did leave some people in an impossible position, didn't you? That was the impact of that choice.

Tom Pursglove: I think it was the right approach to adopt the stance that we took. Support was readily made available for individuals who found themselves in very difficult circumstances. At the same time, as a Government, we very strongly believe that no recourse to public funds is the right approach. We think that it strikes the right balance in terms of fairness to taxpayers but also welcoming people to our country for various reasons.

Q56 **Sir Desmond Swayne:** A policy of extending free school meals to some children from families that have no recourse to public funds is under review. It has been under review for over a year. Why is it taking so long and when can we expect a conclusion?

Will Quince: That is a fair question, Sir Desmond. The first point to make is that the extension is still in place. Children are getting support. Schools are getting support via pupil premium. In terms of where we are at the moment, the Department has concluded its internal work. We have worked with other Government Departments at an official level.

To be frank, it is very complex. Mr Mills touched on that a little bit with Minister Pursglove just a moment ago. These things are not straightforward. They are not easy. It is important that, on issues like this, you have a consistent approach that is then defensible, and that you do not have consequences, unintended or otherwise.

Once we have reached a final conclusion, we will update our guidance accordingly. In the meantime, as I said, the temporary extension remains in place so families and children are getting the support that they need. I hope that in the near future we will be able to report back accordingly.

Q57 **Sir Desmond Swayne:** How do schools and local authorities distinguish between those children from NRPF households who are entitled to a free school meal and those who are not, and ensure that they get it? Is that process sufficiently transparent for parents, for example, to understand it and be able to make representations?

Will Quince: It is a relatively straightforward procedure. There is a form, or schools can use their own forms or mechanisms. It is somewhat self-identifying. Schools know best their school population and which children and families are going to need that additional support.

Any NRPF group could qualify for free school meals under the temporary extension if receiving support under section 17 of the Children Act. That is around the general duty to safeguard and promote children's welfare. We have clear guidance on gov.uk. We work with charities and other organisations to promote what is available. If there is more we can do to help reach more children and families and ensure they are getting the support that is out there and they are entitled to, then, of course, I am always willing to look at that and go further if we can.

Q58 **Sir Desmond Swayne:** We have had evidence from parents with no access to public funds who are having great difficulty with childcare, having to take their children with them to work or leave them in

unsuitable environments. Often enough, that has led to the involvement of social services. What is available to NRPF families who will become destitute if they are not able to work? What childcare is available?

Will Quince: Some groups within NRPF can already access the 15 hours of universal childcare for two-year-olds. All three and four-year-olds, regardless of immigration status, are entitled to the 15 hours of free early education. Then you also have the two-year-old disadvantage offer, which would be available too. The eligibility criteria is, again, on gov.uk. We work with local providers and others.

Specifically on access to the market, we have not received any reports of substantial sufficiency or supply issues that local authorities are not able to manage locally. Again, if there is more we need to do around ensuring that people are aware of the eligibility criteria and that they may be entitled to childcare support, we will do so.

Q59 **Sir Desmond Swayne:** To be clear, they are not entitled to the 30 hours?

Will Quince: It will be the 15 hours and then the universal disadvantage offer for two-year-olds.

Q60 **Sir Desmond Swayne:** Children under four of parents with low income are entitled to the Healthy Start vouchers. Has that policy been evaluated, and what are the prospects of it being extended to those children who are currently excluded? It is available to British children of NRPF families, so what evaluation of the effectiveness of that policy has there been, and is there any prospect of it being extended to the non-British children of such families?

Will Quince: You are tempting me into the realms of another Government Department. Healthy Start vouchers come within the remit of the Department of Health and Social Care. You are right; the Department of Health and Social Care recently agreed to extend the eligibility criteria for the Healthy Start vouchers for British children aged under four whose parent or guardian meet the eligibility criteria. As you rightly point out, this is currently being delivered by the ex gratia scheme. I know that the Department of Health and Social Care is going to consult shortly on options to bring this into legislation and it will be exploring whether to extend that further.

Q61 **Chair:** Can I go back to the free school meals point? What is the annual cost of the concession that was made that free school meals could be available for children with no recourse to public funds?

Will Quince: The honest answer to that, Chairman, is we do not know. In part, that is because there are two elements. There is the free school meal element and then there is the pupil premium element. We do not differentiate between children who are receiving free school meals as a result of their immigration status or any other status. We do not have those figures.

Q62 **Chair:** You have been reviewing this policy for 15 months. You have told

us that you have completed your internal analysis but you do not know what the cost is.

Will Quince: You can make guesstimates in this field. For example, we will know how many schools have applied for pupil premium. We believe that is in the region of 1,800 split across primary and secondary. Of course, when somebody applies for free school meals, not all schools will then apply for pupil premium, so it does not give you an accurate picture of how many children are in receipt of free school meals. Yes, it has made it somewhat challenging in approaching the Treasury in terms of identifying the additional costs that it might bear.

Q63 **Chair:** What is the value of the additional pupil premium that is being paid to those 1,800 schools?

Will Quince: I do not have that figure but it will be 1,800 additional pupils in receipt of pupil premium.

Q64 **Chair:** Sorry, I thought you said 1,800 schools. It is 1,800 pupils, is it?

Will Quince: I believe so. Let me check that figure, Mr Chairman, because I do not have it in front of me. I will write to the Committee with that.

Q65 **Chair:** The fact that after 15 months of review there still is not a decision suggests strongly to me that there is—

Will Quince: It is pupils, Chairman.

Chair: Eighteen hundred pupils. It suggests strongly to me that there is a disagreement between the Departments. That would not be surprising and one might guess which Department takes which of the two views, I suppose. As things stand at the moment, if, as is suggested, lockdown restrictions are to be lifted in March, will the concession lapse at that point or will it continue until there is an announcement one way or another?

Will Quince: That is a very good question. The extension will remain until a permanent decision has been taken.

Q66 **Chair:** If the decision was made to take the concession away, in practice, can the Department stop schools giving a free meal to children coming to school without having eaten?

Will Quince: The answer to that is no. I do not want to predetermine or prejudge what the outcome or decision will be, but supporting the most disadvantaged families is at the heart of what this Government do. Certainly, in our Department we want every child to achieve and reach their potential regardless of their background. I took that approach when I was a Minister at the Department for Work and Pensions; I continue to take that approach at the Department for Education. It is why we are improving support for families and investing in local services.

Whatever the decision may be—I may have given you an inkling as to my thinking, at least, on this—any NRPF group could qualify for free school

meals. Under section 17 of the Children Act 1989, there is a general duty on local authorities to safeguard and promote the welfare of children within their local area. That also applies to schools, and schools have always been able to give free school meals or give meals to children where they believe it is appropriate to do so. We very much support schools in their autonomy to do that.

- Q67 **Chair:** Even if the concession was nominally withdrawn, schools could continue to provide free school meals to needy children even if they had no recourse to public funds?

Will Quince: Yes, they could do so.

Chair: That is helpful. Thank you very much.

- Q68 **Shaun Bailey:** Minister Quince, could you talk through the Government's engagement work with children's organisations, particularly around children and families with NRPF, and how you try to ensure that issues around safeguarding and support are dealt with?

Will Quince: Yes. That is a good question. Serious case reviews are absolutely critical to our understanding. We take any serious incident and safeguarding incredibly seriously and I know that local authorities do. There is no great differentiation between children in families with no recourse to public funds and any other. The duty to protect and promote the welfare of children is universal, and I am not aware of any local authority that takes a different view.

We look very carefully—whether it is at local safeguarding partnership reviews or whether it is at the national review—at the circumstances around serious incidents. I have to tell you that it is one of the most harrowing parts of my job, reading a report where there have been serious incidents relating to children. They do look at things like whether the families had no recourse to public funds.

I did ask the officials to take a look back over safeguarding cases or serious incidents that the national panel has looked at. I thank officials for doing so because it was an overnight job. Out of somewhere in the region of 368 national reviews, under five involved families that had no recourse to public funds. Of course, we keep a very watchful eye on matters like that, but I expect local authorities to always take the right approach to protect and promote the welfare of children regardless of immigration status.

- Q69 **Shaun Bailey:** That is helpful to know. Could we look at the lessons learned approach from serious case reviews? Chair, we have certainly had evidence to this Committee around where there perhaps has not been a join-up between agencies. We have heard examples where, particularly because of NRPF conditions, people perhaps have not been able to access childcare; as a result of having to escape particularly difficult conditions, people have had the risk of their children being taken off them by social services. How are you ensuring—particularly in that lessons learned phase—that you are joining up different organisations

and finding the balance between the consistency that you talked about before, but also giving the operational flexibility for organisations to make those decisions as and when they need to?

Will Quince: It is a great question and it is not really an NRPF question. If you look at the vast majority of reviews into serious incidents involving children, there is a lack of join-up at the root—different Government agencies and authorities not sharing information and best practice, sometimes under the guise of GDPR and for other reasons, too.

That is one of our biggest challenges but it is not exclusive or unique to NRPF families; it is across the board, and it is one of my biggest priorities within this area of the Department. We have to get far better at organisations, both public and voluntary sector, joining up, to join those dots and to make sure that, where there are concerns around children's welfare, neglect and abuse in particular, organisations are talking to each other.

I can give you some assurance that, as part of every local and national review, this is something that is looked at very closely. If there are elements that are related to immigration status and if immigration status has been a causal factor in terms of different agencies not talking to each other, we will look to address those.

Q70 **Shaun Bailey:** That is useful to know, Minister. To paraphrase the Northern Ireland Children's Commissioner, there need to be clearer pathways between agencies in terms of the support and the approach they take. From your response there, would it be fair to say that it is certainly acknowledged by the Department that perhaps we do need to clear up those pathways between agencies and ensure that there is that one approach to how we deal with these instances of serious cases?

Will Quince: Yes, that is absolutely right. There is a big piece of work that I kicked off relatively recently, partly in response to two very recent tragic cases that have hit the headlines, around how we get local organisations and partners involved in safeguarding to talk to each other far more often. I am also looking at what more we can do around big data and artificial intelligence to get at the systems of those organisations. Yes, you have to do it at a human level, and in part we are going to do that with things like family hubs. At the same time, we have to make sure that we are using the data that all of these organisations are collecting.

I always think about children's safety as a bit like a jigsaw puzzle. With hindsight, it is very easy when you read the serious case review to see the overall picture. However, where you are an individual within an organisation you only see your piece or maybe a couple of other pieces. You need to be able to start seeing what the picture looks like before you can say, "We have a problem here and we need to act." We can use things like data and artificial intelligence to link that up and we are doing that work now.

The point is well made. It is something we accept and acknowledge that we need to do far better on, but it is not exclusive or unique to families with NRPF. It is across the board.

- Q71 **Shaun Bailey:** Finally, this is one for Minister Rutley. In your opening remarks, you talked about the job market as it is—the 1.2 million vacancies, the 400,000 new jobs. Clearly, for children with NRPF, we want to ensure that in the longer term they have those opportunities to succeed and ultimately to thrive, to combat against those vulnerabilities. From your perspective within the Department for Work and Pensions, what work are you doing, perhaps in partnership with the Department for Education, to ensure that children from NRPF backgrounds can access this market? What conversations are you having to ensure that some of the most vulnerable children are getting those opportunities afforded to them?

David Rutley: There is an NRPF forum; no doubt the Home Office lead will talk about that more when we look at co-ordination. Departments are represented there as well, and we work together. There is an opportunity to discuss that moving forward.

What I can say is that there are now 1.25 million vacancies, so it is increasing and the market is vibrant. Those who are NRPF can get access to DWP sites like Job Help, for example, or work with other online recruitment agencies, such as Find a Job, Reed, Jobsite or National Careers Service. They are ways to find support. I understand that immigration teams are also able to signpost to these resources that are available if people get into a difficult situation. That helps with writing CVs, interview practice and that sort of thing. There are resources available. However, it is a good point and we will make sure that the forum can pick that up and make those opportunities fully aware across the system.

- Q72 **Chair:** Can I put a question to Ms Samedi? Last year the Home Office will have given a substantial number of people with no recourse to public funds leave to remain. Does the Home Office know what that number is?

Alison Samedi: As you will be aware, Mr Chairman, the Home Office does not have a total number of those in the UK at any one time with no recourse to public funds. That is for a range of reasons.

- Q73 **Chair:** I understand that point entirely and we may come on to that, but in terms of, for the sake of argument, last year, does the Home Office know how many people it gave leave to remain with no recourse to public funds to?

Alison Samedi: Again, we do not have a total figure for that. What we do know is those here on student visas with leave to remain will have no recourse to public funds. Those with work visas will have no recourse to public funds. Those on the spouse route will have no recourse to public funds. We do know that for those granted extensions in country, the figure is around 80% for those on the family and human rights routes with no recourse to public funds.

Q74 **Chair:** If I go through that list and look at the Home Office's published statistics, can I work out from that how many—

Alison Samedi: No, you cannot at the moment. It is internal management information. We are looking at our databases to see what more information we can put into the public domain on a regular basis. At the moment you will not be able to tell that from published information.

Q75 **Chair:** Internally within the Home Office, do you know how many people were given leave to remain with no recourse to public funds last year?

Alison Samedi: We know the first time they were given leave to remain with no recourse to public funds. What we do not do is follow that through on a case-by-case basis if somebody comes back to the Department and says, "Now I have applied to have my change of conditions lifted." I could not give you an exact figure for any given time because people and their situations change.

Q76 **Chair:** For argument's sake, if I was to table a parliamentary question, "How many people were given leave to remain with no recourse to public funds for the first time last year?" would I get a number in the answer?

Alison Samedi: Hopefully, yes, you would.

Q77 **Chair:** That is very helpful; thank you. I ask the question because a couple of years ago I tabled the question, "How many people were given leave to remain in the UK subject to the no recourse to public funds condition in 2019?" and the answer came back, "The information you have requested is not assured to the standard required by ONS for publication and, as it would be too costly to do so, we are unable to provide it." That sounded like, "We don't want to tell you that so we have come up with a ridiculous excuse." Is it possible for you to drop us a line to let us know over the last five years what that number of first time—

Alison Samedi: I will definitely take it away. I will say, Mr Chairman, your interest has helped with our curiosity. As you know, from 2019 to now we have started publishing change of conditions data. We have added to that. Originally, we were just publishing headline data; now we are looking at gender, nationality and age. The team back in the Home Office is looking at what more we can do.

Obviously, we want to give information that is accurate and helps inform the debate. As I am sure you are aware, the systems in the Home Office are sometimes legacy and old and being updated, so that is probably what has happened over the period of time. However, I will definitely take that away and come back to you.

Q78 **Chair:** I very much welcome the additional information that is now being published but it does always seem to me that the fundamental data—how many people are given this condition—ought to be known.

The Office for Statistics Regulation has corresponded with the Home Office about the statistics you were just referring to on change of condition outcome. I notice that a letter from Ed Humpherson from last

September refers to improvements due with a new casework system that "should be operational before the end of this calendar year". Can you tell us where that new casework system has got to and when you think it is going to be operational, if it isn't already?

Alison Samedi: I am afraid I do not have that information. There are lots of upgrades happening across the Home Office and it would probably be best if we came back to you on that in writing.

Q79 **Chair:** Are you familiar with the system that Ed Humpherson is referring to in his letter?

Alison Samedi: The casework information database?

Chair: He refers to a new casework system.

Alison Samedi: Yes. We have an old system, the casework information database, and it is being upgraded to something called Atlas. Like I say, I am not across all of the detail on where each bit is so let me come back to you on that.

Q80 **Chair:** You will drop us a line about that, will you? Thank you. The Director General, Ed Humpherson, also makes the point in his letter: "It would be helpful if the Home Office would make public its plans for developing the published statistics." Is that likely to happen? Are you able to tell us what the plans are to develop the published statistics?

Alison Samedi: I can talk a little bit about it. I do not have a definite answer on when or if we will make those plans public. The Minister may want to comment on that.

As well as looking at our own internal databases to see what further information we can glean—the conversation we have just had about grants of leave to remain and extensions—we are looking at the census data when that comes out. We are working with the Department for Work and Pensions on its family resources survey. That looks at a sample of about 20,000 people. We are working with third sector organisations. They often have first-hand experience, as you know, of working with people and looking at the data that they hold and pulling all of that together. In terms of publishing a plan, I do not have an answer on that.

Q81 **Chair:** Let me try the Minister on that one. Can you give us a commitment that you will publish a plan for developing the statistics in this area?

Tom Pursglove: I am not going to give you a concrete commitment to give you a plan. Clearly, there are some challenges around collecting data in this area. It is difficult to aggregate, for example, what are often complex individual circumstances that are relevant to these issues. It is often very difficult to know precisely who is here subject to no recourse to public funds at any given point in time, by the nature of the fact that people come here in different ways who are subject to no recourse to public funds; for example, people who are here visiting, people who are

here for work purposes, and people here as students. There are many routes that are relevant to all of this.

There are things we are doing that I hope will help to improve the picture. For example, one of the things we are introducing through the Nationality and Borders Bill is the ETA scheme, which is similar to the ESTA scheme in the US, which I hope will help us to build up more data around people coming to and leaving the UK.

I know that the Home Office analysts are working with the ONS at the moment to see what more we can do to try to gather reliable data and to improve insights. This is something I am keen to have a look at. Perhaps that is something we can revisit in due course with you as a Committee, because this is an area that I am genuinely interested in and keen to build up a greater picture that is more accurate. Clearly, it is helpful for us to be able to do that, to understand the needs that exist, to understand the circumstances that people find themselves in, and just to be able to comment more authoritatively on the picture as it stands at any given point in time.

- Q82 **Chair:** I entirely take the point that it is difficult to work out how many people there are at the moment in the UK with no recourse to public funds, because people come and go and you do not necessarily know and so on.

Tom Pursglove: For example, you get clandestine arrivals who are here illegally but who are, of course, by virtue of that, subject to no recourse to public funds.

- Q83 **Chair:** Yes. Of course, we are talking here about people with leave to remain with no recourse to public funds. That is the focus of our discussion. It should surely be possible for the Home Office to say how many people it has given leave to remain with no recourse to public funds to in the course of the last year—the number actually issued.

Tom Pursglove: As my Home Office colleague has said, we will take that point away and come back to the Committee. It is also worth pointing out, for context for the Committee's benefit, for example, that we are looking at what more we can do around census data to try to help inform some of this work. There is also the NRPF-related question in the family resources survey that is set for April 2022. Again, that will hopefully help to build a picture. I do not know if any of my colleagues want to comment on that, but that will hopefully be a helpful tool as part of this work.¹

- Q84 **Dr Ben Spencer:** Minister Pursglove, picking up on your answer to the Chairman, the implication I got from what you were saying is that effectively the Home Office does not know who is coming and going and

¹ The Government later informed the Committee that there will not be an NRPF-related question in the Family Resources Survey in April 2022. Instead the Family Resources Survey is being boosted to 45,000 participants. Ministers provided more information about this in a [letter to the Committee](#).

who are on these temporary visas, so it cannot look at it across the piece. Isn't that something that is quite important in making sure that people who do have temporary or short-term visas do not overstay and as part of your enforcement duties?

Tom Pursglove: I would refer back to the difficulties that there are in aggregating what are very difficult and quite often very varied circumstances that people have. That is a barrier to collecting data in this area. The point that I would make around numbers and people being here in the UK subject to no recourse to public funds is, of course, we are trying to improve the situation dramatically around the collection of that data to know who is coming and going more accurately.

For example, I made the point—and I take the Chairman's steer, but I think you will recognise some of the pressures that we are experiencing as a Government around clandestine arrivals. Some of that is very difficult to quantify. As a consequence of that, it is virtually impossible to give an accurate figure of precisely the number of people in this country at any given point in time who are subject to no recourse to public funds conditions.

Q85 **Dr Ben Spencer:** The question is not about clandestine arrivals; it is about people who already have a legitimate visa or whatever to be here. It strikes me as bizarre that you are not able to take a look across the piece and see how many you have of each different type that have recourse to public funds or not, and at what point their conditions end.

Tom Pursglove: As I say, I think there is a need to continue to look at what more we can do to improve the reliable collection of data. As the Minister for Tackling Illegal Migration, I can assure you that I am thoroughly committed to doing everything possible to ensure that the terms of individual visas that people have are upheld and that individuals with no right to be here—because their visa has lapsed or for whatever reason—make the effort to leave our country without delay. That is a piece of work that we continue to focus on and, of course, is a priority for the Home Office and for me as the Minister in charge of this area.

Chair: To clarify, you are going to come back to us on how many people were given leave to remain with no recourse to public funds for the first time in each of the last five years, and whether you can publish a plan to say something publicly about developing the published statistics in this area. Thank you very much.

Q86 **Chris Stephens:** Let's stay with the Home Office and some questions around data. My questions are around the change of conditions application process, Minister. Could you tell us the average time that it takes for the Home Office to process a change of conditions application?

Tom Pursglove: The point that I would make—I hope that it gives a little bit of comfort to the Committee—is that, on average, 80% of change of conditions applications are granted. One of the things that we have sought to do is to try to improve the situation and, particularly in the

context of coronavirus, to work quite intensively to try to streamline processes to improve processing rates.

I do not have a precise figure to hand in answer to your question but I will very gladly go away and see if I can obtain an answer for you on that point. There is this evidential flexibility in place. That means that where people have particular barriers to providing some of the evidence—for example, if they do not have a rent book—we try to work with them to come up with alternative forms of evidence, which helps them to meet the requirements that there are through the casework process.

The point I would make again is that clearly, during the pandemic, we have very much recognised that this has been a challenging period for people. It is important that we are as flexible as possible. We recognise that people applying for these often find themselves in very difficult circumstances. We need to be responsive to that. Perhaps I could bring Alison in to give a little bit more colour on this.

Alison Samedi: The statistics that we publish on change of conditions applications show that, for example, in quarter 3 of 2021, the average decision time was 31 calendar days. It has been around 30 days, give or take, for a while now. Quarter 1 of 2020 was 30 days. Quarter 3 of 2020 was 23 days. Quarter 2 of 2021 was 32 days. That is the average time to take a decision.

Q87 **Chris Stephens:** How does that compare with previous years? Do we know that information?

Alison Samedi: The furthest back that the information I have in front of me goes is quarter 4 of 2019. That was 18 calendar days, so that was quicker. We can go back further and have a look at that.

Tom Pursglove: That is published data. Hopefully, we can go back and provide you with a little bit more or certainly signpost you to previous years.

Q88 **Chris Stephens:** You mentioned that you were streamlining processes. What steps are we looking at to perhaps look at reducing that average time?

Tom Pursglove: We are seeing fewer cases overall but we are tending to see more complex cases coming forward. Of course, that presents challenges around processing. This issue of evidential flexibility and trying to work constructively with people to identify alternatives where, for example, they do not have a rent book, is helpful in that regard. We will always continue to look at what we can do to try to process cases as quickly as possible, to try to give people the certainty and the help that they require in the challenging circumstances that they face.

I hope that it gives some comfort to the Committee that 80% of these applications are granted. That shows that, while getting a thorough examination of individual cases under way and that that is carried out, as people would rightly expect, there is recognition of the difficulties that

people face, often through no fault of their own, so a sympathetic approach is taken and support is made available to those individuals.

Q89 **Chris Stephens:** Of the 20%, Minister, what would be the reasons for not granting a change of conditions? Do you keep that information?

Tom Pursglove: There is obviously the caseworker guidance, which governs the requirements that people must meet in order to be able to access this help. A key area is where the welfare of children is involved. That invariably triggers a safety net at various places. I think everyone would accept and expect that to be the case. Those are important factors, but the guidance governs the overall process and decisions are made against that guidance.

Q90 **Chris Stephens:** Thanks, Minister. We have heard from a number of people that those on the five-year route to settlement risk moving on to the 10-year route when applying for a change of conditions to gain access to public funds. What is the justification for that? From the outside looking in, that does look like a punitive measure.

Tom Pursglove: Since the early 1970s, the general principle behind the no recourse to public funds policy is that people coming to this country on these various routes should be in a position to sustain themselves and to have the resources to be able to do so. The Government and I think that that is broadly the right approach. We think that it is fair to taxpayers, while also allowing people to come to this country and to contribute and to add to life in this country, which is something we can all be very proud of.

On this issue around the change from five years to 10 years for people who end up accessing help and then the route being changed, what I will say is that that is something I am willing to look at. It is something that I am conscious of. I recognise the concern that some express that that is quite a significant change for individuals who find themselves perhaps in difficult circumstances for a short period of time through no fault of their own. That is something that it is right that we keep under review, and that is precisely what we are doing. It is something that I am willing to look at, as I say.

Most people who find themselves in difficult circumstances come forward for this help. For example, if you are on a worker visa, invariably you have come here because you want to work and you want to contribute. Presumably, you then want to get back into work. I think that we should have a look at that in that context and see if the policy continues to be, going forward, the right approach to these matters.

Q91 **Chris Stephens:** I would certainly welcome that, Minister, if you are looking at that. Obviously, there is another concern here. Applicants who are then placed on 10-year routes have to reapply for access to public funds every two and a half years and, in conjunction with that, an application for limited leave to remain. People who are placed in that situation are then subjected to very high application fees. The concern I have is: is the policy designed simply to reduce the number of grants of

settled status? When you are doing this review and looking at placing people and moving them on to the 10-year route, are you going to look at the high application fees part of it as well?

Tom Pursglove: In terms of fee waivers, for example, there is quite a lot of flexibility, and the affordability test is clearly a factor that is taken into consideration when those applications are considered. Of course, that is relevant when it comes to the family, to a private life and the human rights routes. It is means tested. The welfare of a child is clearly a key consideration in all of this, as you would expect. The point that I would make, for example, is that in relation to indefinite leave to remain there is an exemption there from the health surcharge.

It is not a blanket policy. We see sensible discretion applied by caseworkers that takes into account the circumstances of individual cases and the circumstances with which people are coming forward. I think that that is an appropriate way to approach these matters.

Q92 **Chris Stephens:** Again, I would welcome that, Minister. You touched very nicely on the next point I was going to make, and that is about the discretion that Home Office staff have on keeping someone in a five-year route. Could you say a bit more about that? Is there guidance that is published for applicants to access about that or could you provide the Committee with information about the discretion that is open to Home Office staff to keep them on a five-year route?

Tom Pursglove: I am always very happy to try to be as helpful to the Committee as possible. I will gladly take away that request and see what information we can provide for you, Mr Stephens. I do not know if Alison wants to come in on any of this.

Alison Samedi: The five-year route is obviously for those who meet the rules. Where somebody does not meet the rules, including the minimum income requirement, that is when we would look to move them on to the 10-year route. As the Minister said, that is something that he is keen to look at, so we can consider flexibility as part of that.

Q93 **Chris Stephens:** This is my final question, Minister. Applicants have the right to a review of their application for a change of conditions refusal. However, I understand that a pilot has been introduced. Could you give us an update on the pilot, and are there other ways an applicant can challenge an unsuccessful application?

Tom Pursglove: My understanding is that, at the moment, we are assessing the outcomes of that pilot and hope to be able to say more in due course.

Chris Stephens: Hopefully, the Committee will be updated on that as well. Thank you.

Q94 **Chair:** Minister, when do you think you might be in a position to tell us the outcome of your reflection on the five-year/10-year point?

Tom Pursglove: That is an active policy consideration that is ongoing. I am afraid I cannot give you a definitive timescale around that.

Q95 **Shaun Bailey:** Minister, can I pick up the review point again? My understanding is that the Home Office does not hold data centrally in respect of the review pilot at the moment. Is that correct?

Tom Pursglove: I am not sure. That is the honest answer to that question.

Alison Samedy: I am not sure either, so we will need to come back to you on that.

Q96 **Shaun Bailey:** Yes. Further to the right for change of condition, we have heard that quite a lot of families are not aware that this is an option open to them. Could you perhaps talk through how you are trying to ensure that people who have no recourse to public funds are at least aware that they have the right to apply for change of condition and what the balance for you, Minister, and the Department is in terms of trying to make sure that information is out there?

Tom Pursglove: I am always very keen that people can be signposted to guidance, information, help and advice as readily as possible. It is worth mentioning that one of the resources that we help to provide as the Home Office is local partnership managers. They are Home Office staff who work with local authorities to clarify aspects of individual cases, to see if cases can be pushed to the top of the queue if there is a particularly pressing need, and, where there are pressing circumstances, for example, to discuss voluntary returns if that is an appropriate mechanism for individuals in the circumstances that they are in. It is about providing that information.

My colleague referred to the working group—the committee—where individuals from across Government come together. There is always more that can be done around sharing information, making sure that there is a join-up between the Home Office and DWP advice services, for example, to make sure that that information is available.

I often am aware of the fact that significant guidance is provided in Home Office correspondence quite readily to individuals, but this is an area where I am always keen to hear more in terms of suggestions and ideas that people have. The stakeholder forum, as has been alluded to, is an important aspect in all of this, but the help is there.

I hope that it gives confidence that there is that 80% grant rate on these applications that we see, which means that we do take into account the difficulties that people face and the support is available and provided. As I said at the beginning, it is like the key that unlocks the door that then means that people are able to access that help from other parts of Government. It is right that we work collectively to signpost that means of support.

Q97 **Shaun Bailey:** Absolutely, Minister. I just want to check, though, because

the Committee has heard that those who are using the system are finding it to be quite cumbersome at times. They are going through an online process that is dozens of pages. From your perspective, is the Department looking at refining that at all to make it slightly more accessible, being cognisant also of specific needs that people may have—access to language issues that people may have and accessibility issues? How are you ensuring that people are getting that fair throw of the dice when they are making these applications?

Tom Pursglove: Through the forum we quite regularly receive feedback on where things could be improved in these areas. One of the big advantages of moving to a technological approach in recent years is that it allows you to be iterative quite easily in terms of web forms, whereas perhaps with paper forms it is more complicated to have that development.

Again, I hope it gives some reassurance that I am keen that, wherever possible, we look at making these processes as straightforward as possible, particularly given the fact that sometimes people will come forward seeking help because they are in very difficult circumstances through no fault of their own. I would want to make sure and be satisfied that we are making that process as seamless as possible. The evidential flexibility, which I referred to earlier, demonstrates quite vividly for the Committee the work that has gone on to try to work with individuals to overcome barriers that there are to accessing that help and that we have been responsive to the feedback in that sense.

Q98 Shaun Bailey: Minister, could we talk about pending applications? I can see that in quarter 3 of 2021 there were 396 pending applications. There are still pending applications from quarter 2 of 2020. What is the Department doing to try to ensure that these pending applications are dealt with swiftly? I might know the answer to the question, but what is the rationale? Up until quarter 2 of 2020, we can probably ascertain why. The Department seems to be doing very well in terms of clearing these like for like, so what learnings are you taking from clearing those pending applications in terms of processes?

Tom Pursglove: My colleague will be able to give you an insight from officials on the processing of those applications.

Alison Samed: I do not have the specifics as to why those cases are still pending, but it could be for a variety of reasons: if we are trying to get more information from people, or we are working with them. Part of the evidential flexibility is that we try to get as much as we can up front so we can take the decision quickly without having that backwards and forwards. However, there will be some occasions where we have to go back to the individual—which is absolutely the right approach—rather than refusing people outright. That is perhaps what the Home Office has done previously, as part of that learning to work with the individual. I can take it away and get you some more specifics on why they might be pending.

Q99 **Shaun Bailey:** That would be helpful. I am conscious that the figures seem to vary. Particularly in quarter 3 of 2020-21, there has been a real uptick in pending applications, so I am keen to understand why that is. On lessons learned, I would be very keen to understand—again, touching on refining processes, Chair—how the Department is doing that. Making sure these things can be dealt with as swiftly as possible is absolutely vital.

Alison Samedi: In the last quarter, it could be the application was just received as the data was taken. If it was received at the end of the period and it is taking on average 31 days to take a decision, you will see that decision taken and reflected in the next publication of the data. That is why you would always have a large number of pending applications for the final quarter. I will take away the point you asked around why there are a few that are still pending from previously.

Q100 **Siobhan Baillie:** On this point, I was struck by the charities that are supporting people to make their change of conditions applications and their experiences. You are completely right, Minister, that there is quite a lot of information out there—there are the support people, there are the local partnerships—but it is not rocket science that these people who have no recourse to public funds are quite suspicious. They do not want to go to authority figures. They do not want to go anywhere near the Home Office unless they absolutely have to.

I am interested to know whether you are able to put in place a model similar to the DWP model, where you are funding CAB to help people with application processes or you are funding these charities. They are funded very much by local communities at the moment. That means the support is not spread across the country, and I think that needs to be an action point if it is not already. Or are you funding charities specifically for change of conditions applications? As far as we could see, it is mainly in the cities that people are getting help, and that is not the spread of people that are in receipt of no recourse to public funds status.

Tom Pursglove: I would refer back to the points I have made previously. I would encourage individuals who find themselves in those circumstances that would qualify to come forward and seek help in lodging a change of conditions application. I would hope the 80% grant rate would give confidence to people that there is nothing to fear in coming forward in those circumstances where they require help to seek that support.

In terms of how advice is disseminated, and the idea you put forward, I am very happy to consider suggestions from colleagues about what more can be done to try to improve that. I would make the point that there is the NRPF group, where charitable organisations are represented and come forward and engage with us on these matters. They put forward ideas and suggestions, and invariably make good suggestions, many of which are no doubt taken up and looked at and reflected in some of the outcomes that are then delivered.

David Rutley: I suggested we proactively bring forward some suggestions from the Committee to the forum as appropriate. There are lots of good ideas.

Q101 **Selaine Saxby:** My question is around support for families with NRPF and it is mostly for you, Mr Rutley. Can you explain the justification for not giving parents access to child benefit if their children are UK citizens and the parents have no recourse to public funds?

David Rutley: Child benefit is an HMRC and Treasury lead, but the focus for us is recognising that, when people come to the UK and with their visa have no recourse to public funds, their primary focus in most cases is about work. We want to help those people find work or have work and, if their circumstances change, we want to make sure that they have the advice available to find new opportunities.

As I said in answer to Mr Bailey earlier on, there are a number of facilities and services available. They cannot work with work coaches in the way somebody on universal credit could do, but they can seek different advice, either from charities, private sector recruitment agencies or Government online sources.

As has been highlighted during the hearing, we recognise that people are facing challenges. Mr Quince has already highlighted that we have free school meals available for the first time. No Government has done that before as far as I am aware. They have access to Healthy Start and to the HAF—the holiday activities and food programme. As far as I understand it, this is the first time. We have moved significantly to try to figure out those needs and how we can help within the constraints and guidelines of a well-worn and well set out immigration policy.

As the Chair highlighted, we have set out and put in place a series of discretionary hardship funds. The most recent one is the household support fund, which people who are in an immigration status with no recourse to public funds can access. That is the rationale. Hopefully that answers the bulk of your question.

Q102 **Selaine Saxby:** You touched on some of the special funds there. We have had evidence from families whose circumstances have changed while they have been here. They find they are a single parent household, potentially, with no recourse to public funds. Are there then additional benefits those families can access? As we know, it is slightly harder for single parents to get to work if they have childcare issues as well.

David Rutley: If the circumstances change, they can go back to the local authority to figure out how those funds can help them. The guidance is there and the flexibility is there with the local authority as well. We may be getting on to this, but there is a huge amount of collaboration and close working that goes on between the Department for Work and Pensions and local authorities at a national level, but also locally between jobcentres and local authorities, through our partnership teams within the local jobcentres, which hopefully many of you have come to know in your work locally. There is a degree of co-ordination and support there, but

local authorities are able to look at people's changing circumstances and adjust what is provided through those discretionary hardship funds as a result.

Q103 Selaine Saxby: People in work with a low income who have no recourse to public funds are not eligible for the universal credit top-up that other workers who are on exactly the same income would receive. Is the Government comfortable with the fact that two people doing the same job will have different incomes as a result?

David Rutley: People came to the UK with a visa that was very clear about the expectations on both sides: what the Government would do and what they would do under the visa they received with no recourse to public funds. We are now in a situation where we have a very buoyant labour market. We have vacancies in hospitality, tech, health and social care. There is a huge number of opportunities out there for people either to find new jobs or to progress in work. I have already highlighted to the Committee a number of resources and support mechanisms available for people to get access to that. Hopefully, that will help them with their career objectives and also their ability to better support their family.

Q104 Chair: To press you a little bit further on that, families can be in the situation we are discussing for 10 years. If they have children who are born here, they may well become British citizens but they will then be brought up for those 10 years without the top-up that Selaine has referred to, without child benefit or any of the other things that British children of British families can expect. Are you comfortable about that?

David Rutley: As we have already said, we do provided support—most recently through the coronavirus pandemic—around free school meals, Healthy Start and the holiday activities fund. That has never been done by a Government before.

The conditions you are highlighting, Chair, were set out pretty clearly in the Immigration Act 1999, when I think you were a Minister—not dissimilar from us—trying to work through challenges facing the Government at that point in time. There is always the balance between immigration priorities, the needs of those migrants and also the constraints in place because of the taxpayer. That was true in 1999 and it is true now.

Chair: That was true in 1999 but the large scale of the NRPF phenomenon started in 2012 and the changes that were made there. I think it is quite surprising for people to discover that children who are British citizens have been brought up without any child benefit. I have made the point. Let us move on to Chris Stephens.

Q105 Chris Stephens: I am going to ask some questions of the Home Office again on its relationship with local authorities. Minister, local authorities have a statutory duty to support children in need, and that would include children and families with no recourse to public funds. How does the Home Office work with local authorities to ensure that children get the help and support they need?

Tom Pursglove: The relationship with local authorities is a very important part of all this, and the point has been made several times now that where children are involved—perhaps my colleague might pick up on that in greater detail—local authority involvement is significant if there are safeguarding and welfare concerns with respect to the circumstances people find themselves in relating to children.

There are a number of areas where we engage with local government. I set out one of those earlier in terms of the Home Office staff support we provide, working with local authorities to try to ensure that people are able to access the right help and support. I mentioned that if there are particularly pressing needs in individual cases, those are reflected and we try to bring forward those cases to make sure they are rapidly looked at. The evidential flexibility comes in there as well. Having strong working relationships with local authorities is helpful in that regard because they may be able to assist individuals in meeting the evidential requirements and identifying alternatives.

There is also the NRPF Connect service, which is a paid service. Local authorities pay to participate in that, but it is an additional resource that can be drawn upon and that we engage proactively with. The on-site immigration officials in some locations are very relevant to all this as well. It is about making sure people are signposted to the right help and support and the advice they are getting is appropriate to their circumstances.

Q106 **Chris Stephens:** The number of families with no recourse to public funds varies hugely between local authorities, for reasons of the asylum dispersal policy, for example, which local authorities buy into. Why is support for no recourse to public funds families funded at a local authority level rather than centrally? Earlier, Minister, you used the phrase “reducing burdens on the taxpayer”, but is it not simply breaking up a joined-up central Government process and dumping the costs on to the local authorities and local charities?

Tom Pursglove: I do not accept that. You will appreciate that local authorities receive significant grant funding from Government. I would make the point—I was a local councillor for eight years so I feel this quite strongly—that local authorities best understand the needs and issues that are experienced in their communities. I think it is helpful that that partnership working is going on in this space, which involves local authorities, DWP and the Home Office as well. As I have mentioned several times—I think it is relevant and worth repeating—change of conditions applications are an important part of all this because they help to unlock other forms of support.

I would also make the point that the vast majority of people who are subject to no recourse to public funds are not affected by any of this in any way. We are talking about a relatively small number of people in relation to the whole context of this issue and the number of people subject to no recourse to public funds. I would argue that local authorities

are well placed to meet those needs and provide tailored support that addresses the circumstances that individuals find themselves in.

Chris Stephens: As someone who worked for a local authority for 25 years, I feel strongly about these issues too.

Tom Pursglove: Nobody has a monopoly on that.

Q107 **Chris Stephens:** No, indeed. Do areas with high numbers of no recourse to public funds families, such as Southwark Council, which we are going to come on to, and Glasgow, receive extra funding from the Home Office because of the high numbers of no recourse to public funds families they have? If not, why would they not?

Tom Pursglove: I can certainly say, in terms of Home Office resource and engagement, that a significant amount of that engagement and the work done in partnership with local authorities is inevitably targeted at those areas where we have higher numbers of individuals subject to no recourse to public funds conditions. As you would expect, on the point about local authority funding, I will gladly take that away and ponder it and come back to you perhaps with some further reflections.

Q108 **Chris Stephens:** Thank you, Minister. Given that we both have passions about local authorities and local government, I welcome that.

We have heard from Southwark Council, which alone spends £6 million supporting families with no recourse to public funds, and Glasgow City Council has said it is spending £500,000 on accommodation costs alone, excluding subsistence costs. Has the Department done any analysis on the cost efficiency of the no recourse to public funds policy?

Tom Pursglove: We do not plan to carry out a cost-benefit analysis on NRPF. It would not be feasible to do so meaningfully, not least for the reasons that we have alluded to previously. Also, to make the point on the issue we have just discussed about local authority support, there are other forms of support we have not touched on. For example, the voluntary return scheme is a Home Office-funded scheme that allows us to assist individuals who meet the criteria to be able to return home, if that is appropriate and if there is an issue or barrier to doing so.

It is important to recognise the breadth of support available that meets different circumstances that, inevitably, different people find themselves in, not least because of their original reason for coming and the purpose for their visa, and also circumstances that perhaps develop when people are here. It is right that we are flexible and responsive to that.

Q109 **Chris Stephens:** We have heard from colleagues a number of times this morning about reducing the burden on the taxpayer. Would that not suggest that it would be more efficient and more cost-effective for the Government to grant access to means-tested public funds, rather than waiting for people to fall into destitution?

Tom Pursglove: As I say, I think there is an appropriate set of arrangements in place that are comprehensive and help to meet the needs that individuals find themselves in.

Q110 **Chris Stephens:** Finally, we have heard that many people who are eligible for support do not present to the local authorities for help because of fear around their immigration status. How can the Government help parents of children get the help they are entitled to?

Tom Pursglove: That point has already been touched on and we provided some comments around that. I would re-emphasise the point I made in my earlier response on that. That people who require help should come forward for that help. I hope the 80% grant rate there is around these change of conditions applications demonstrates the seriousness and sensitivity with which those applications are treated. I think that is also demonstrated by the fact that we have developed this evidential flexibility to try to help people to access that support should they require it. I would remind the Committee that, in terms of no recourse to public funds, the vast majority of people are not affected by any of this.

David Rutley: I am not a person who has worked in local authorities for 25 years or been a councillor for eight years, but I still feel strongly about local authorities, and obviously DWP is working closely at a local and national level on those points.

It is worth highlighting that during the pandemic £13 billion of funding went to local authorities and £6 billion was not ringfenced. Over £1 billion was put into discretionary hardship funds. I want to put that on the record. There are substantial funds there. I am sure that Mr Stephens, my good friend, will have a view on that, but there is substantial funding that was put into local authorities during the pandemic.

Chris Stephens: If there is any evidence that money you referred to went to help families with no recourse to public funds, the Committee would like to know that, and we would certainly welcome the Minister writing to us to confirm that.

Q111 **Dr Ben Spencer:** Since we all seem to be doing self-disclosures about previous experience, in my previous career as a mental health doctor, I looked after loads of people with no recourse to public funds for whom we had statutory obligations for a variety of reasons, such as being under section 117 of the Mental Health Act. I have to say that in every single case it was an absolute nightmare.

My question relates to what guidance DWP give to local authorities around their discretion. My understanding is that they do not; they say that local authorities have to take their own legal advice on what powers and funding they can use to support individuals who are ineligible for public funds. Why is it not possible for central Government to give clear guidance on that?

David Rutley: I will forward the guidance through to the Committee. I have it in front of me here and I will gladly leave it with you, Dr Spencer,

and you can see it. To me, the guidance is clear and there is clarity—particularly around the household support fund—that it is available in these situations. Local authorities have experience and can use their own judgment around legal powers and the funding that can be used. Points can be clarified at a local level between DWP officials and local authorities as well.

One thing to come out of this is that there is a need for greater co-ordination in this space, and the forum we talked about has a role here as well. I will take that away, but I want to reassure the Committee that there is guidance in place.

Q112 Chair: May I interrupt there? The second part of the guidance you referred to earlier makes exactly the point that Dr Spencer has raised—that, in the end, it is down to the councils to use their own judgment and legal advice to decide what to do. Why can the Government not just spell out, “This is what you can do with this money”?

David Rutley: Because, ultimately, people who are dealing with the individual circumstances at a local level will be local authority officials. There will need to be a judgment, or an assessment, made at that local level, so that is why that is the case. I can give further chapter and verse through to you, Chair, and the Committee on that.

Tom Pursglove: It is also worth making the point that, for example, the Home Office worked with the DWP in developing the covid winter support grant guidance and the project as it stood when it was delivered. I think that was the right thing to do. We have also been supportive of the free school meals offer that my colleague set out in detail earlier, so there is quite a bit of cross-Government engagement going on over these matters to make sure that these sorts of issues, circumstances and challenges are picked up.

Q113 Dr Ben Spencer: When you are going through the process cross-departmentally of deciding whether a support fund should be available to people with no recourse to public funds, what factors do you take into account?

David Rutley: At the beginning of the pandemic we did not know a lot of situations, so these funds had to be set up quickly, not knowing all the facts—how long the pandemic was going to last and what its severity would be, for example. If you look at the overall package the Government provided, it was delivered very quickly at an appropriate and massive level. Universal credit came under a lot of scrutiny. Some people—no doubt even from this Committee—wondered whether it could cope with that sort of influx, and it did. It was a very agile system.

The Government had to look at a lot of unknowns and come up with their conclusions as to how to help support different groups of people. Similarly, the discretionary hardship funds that were put in place were quite broad. They did include people with no recourse to public funds. That was appropriate because these funds needed to be flexible and there would be different needs, as Mr Stephens talked about, between different

local authorities and that funding could be used in different ways; we encouraged local councils to be imaginative in the way they did this.

In terms of engagement, when the household support fund came into play and was about to be announced, I made sure that I engaged with the LGA and other stakeholders so they were aware of this, and talked about the flexibilities and the priority and the focus and the guidance to those groups.

Could we have done more? Always, but all I can say is that, as soon as I became a Minister, that engagement was high. I know, from the conversations I have had, that my predecessor at DWP, who is sitting beside me, did a fantastic job and we are held in high esteem because of that engagement he put in place. All I needed to do was to step into his shoes and continue that engagement with stakeholders and the LGA and other bodies.

Will Quince: Is it worth me adding a little bit, in part from past experience? In response to your question, I scribbled down some of the thought process—some things we need to think about when looking at support. The words that sprang to mind were, “What is the need? What is the scope of what you are trying to put in? What are the criteria you need to set? What are the numbers of people who need to be helped? Where are they in the country? What are the design outcomes you are trying to achieve? What is the cost of that measure? Does it represent good value for money for taxpayers?” The key one, especially in the context of the pandemic, is, “How deliverable is it and how quickly can you operationalise it?” They are the sort of things—and then getting Treasury approval, which is arguably the hardest part. That is the thought process of any Minister when they are looking, alongside officials, at putting in a package of support in response to need.

Tom Pursglove: That is not dissimilar to the expectations that I have around the fee waivers that I set out earlier on—the fact that there is flexibility there, affordability is taken into account, that it is means-tested. Case workers need to have appropriate discretion to be able to take appropriate decisions that take into account all the relevant facts in an individual case.

Q114 Dr Ben Spencer: Building on this and some questions you answered earlier, when a child or an adult finds themselves in a situation where there is a statutory duty of care—that could be child safeguarding, or the Mental Health Act follow-up that I mentioned—do you think the system in place is robust enough in terms of supporting people in that situation, or would it be easier if there was a presumption that, in those situations, the NRPF condition is lifted, particularly in terms of helping vulnerable people in those situations to go forward and be looked after?

Tom Pursglove: You and I are set to meet on another matter at some point in the next few weeks that we discussed in a Bill Committee last week. You have mentioned some of your experiences in your professional life around people trying to access support, and I would be keen to talk to

you about that and hear some of those experiences directly, so that I can take that away and reflect on it.

I want to make the point that I genuinely think that the change of conditions approach we have in place is nimble and responsive, and—again, I have said this quite regularly, but I make the point again—that the 80% grant figure shows that people applying are getting access to the help they need. That is not to say there are not steps we need to take to improve that to make sure that we are responsive to emerging circumstances and changes as they come along. That is why the evidential flexibility changes have been very welcome. As a concept and a model, I think it is a good model that helps to allot support.

Will Quince: Specifically talking about children's social care and safeguarding, I would be very concerned if there were any evidence or reports of anyone's immigration status being taken into consideration in any way in a safeguarding case. It is important to point out that children's services and community care are both deemed to be not public funds, so someone's immigration status is irrelevant. Any concerns regarding safeguarding, or concerns of welfare abuse and neglect of children, should be taken seriously regardless of immigration status, which should never come into it.

Dr Ben Spencer: I meant support for the parents more generally. If you imagine there is a safeguarding issue and the parents are NRPF, that is going to be a family in difficulty and there will be added pressure in terms of whatever is going on. Fair enough, though; thank you for your response.

Q115 **Nigel Mills:** Can I ask about how these rules apply to EU nationals with pre-settled status granted under the EU settlement scheme? It probably is one for you, Tom. We probably all assumed that they had come here pre-Brexit, it was perfectly legal for them to come in, we wanted them to stay and contribute, and they would broadly continue with the same rights they had before. However, in theory, we now have 2.4 million people who have to pass the right to reside test; even though they are entitled to be here, they have to pass the right to reside test to get any support. Is that a rule that we intended to be in place and is being enforced, or is this a technical quirk that probably will not ever come into force? Do we know how many people are in that situation?

Tom Pursglove: This particular aspect—EEA—broadly speaking sits within the portfolio of Minister Foster, who has obviously been very involved in the EU settlement scheme work, as well as my colleague here. What I can say is that clearly, rights are guaranteed for those who were here pre-EU exit as long as the qualifying conditions are met.

Perhaps what I will do is take away the specific point you have raised, Mr Mills, and have a conversation with Minister Foster and come back to you on that, if I may. I know that Minister Rutley has a few reflections on the work he has been doing in this area.

David Rutley: Mr Mills, I do not know where you are heading next with the question, but one of the key thrusts of the questioning here is about joined-up working. I can reassure you and the Committee that the DWP, the Home Office and, in fact, HMRC are working really closely on EU settled status issues and access to benefits. It is a huge piece of work.

The good news is that, through the EU settlement scheme, 6 million people have been reviewed. That is positive progress. What has been happening is that we have been interrogating our database at DWP—as have HMRC—to determine who is receiving benefits and does not have settled status. The data-matching exercise has been going forward. In fact, I am sure Mr Quince has painful experience of a lot of this work as well. This data-matching exercise took place in May. In August and September letters were sent out to people on three occasions. All manner of communications have gone out—text messages, face-to-face meeting appointments—to drive that agenda forward and to make sure people can continue to get access to benefits. However, to do that they need to have EU settled status.

Q116 **Nigel Mills:** Did we think to do that matching sufficiently far in advance of the June deadline last year so we could help people make the application if, for some reason, they did not realise they had to, or has this been a process that has been done afterwards?

David Rutley: We have made good progress. As I said, the exercise has been really comprehensive and the communication has been very clear. It is ongoing. There has been a particular focus on people who are vulnerable, going above and beyond to make sure they have communication and face-to-face appointments as required to help them through that process.

Q117 **Nigel Mills:** How many people do the Government think are now in NRPF status who are EEA nationals under the settled status scheme? Is it a large amount of people or is it quite a small number?

David Rutley: The exercise has not been completed in terms of the final review around suspension. The immigration status we can come on to, but in terms of access to benefits we still have not finished that exercise. There is still further work required.

Q118 **Nigel Mills:** You have done lots of data matching. You have sent out lots of texts and had lots of meetings. You must know whether this is 10 people, 1,000, 10,000 or more.

David Rutley: As far as I am aware, that information is not in the public domain, but the exercise is being worked through.

Q119 **Nigel Mills:** You can give an indication; we know how many people have settled status. Is it thousands, is it tens of thousands or is it a million?

David Rutley: It is certainly not a million. It is well short of that.

Q120 **Nigel Mills:** Hundreds of thousands?

David Rutley: Let us get through this exercise. The key message is that anyone who has still not made an application should, so that they can regularise their status, and if they stand in need and currently have benefits, they can continue to access them.

Q121 **Nigel Mills:** Do we know how many people have regularised their status but are not entitled to benefits because they are not working and, therefore, do not meet the habitual residence right to reside test?

David Rutley: I do not have information on that. I do not think the Home Office will either.

Q122 **Nigel Mills:** Last summer, it looked as if your Department was rejecting about 9,000 people a month for failing the habitual residence test. Is that what we now see in EU settled status driving that number or is that something completely separate?

David Rutley: I think that is something I need to come back to the Committee on, in terms of the reasons.

Q123 **Siobhan Baillie:** Thinking about the Nationality and Borders Bill, the Children's Society, the Unity Project and IPPR are really clear that they expect that the number of families in the position of no recourse to public funds will go up once that Bill is enacted. Do you expect that is the case? What analysis and numbers do you have around it? I know there are changes to the groupings of immigrants, which will have an impact on this situation.

Tom Pursglove: I think your question relates to the differentiation policy that we are introducing through the Nationality and Borders Bill. It is important to make the Committee aware that, of course, policy development is ongoing in that space and therefore I am not in a position at this point to be able to comment authoritatively. The detail of that will be set out in due course.

I also draw the Committee's attention to the fact that, through the Bill, one of the key areas we have highlighted and focused on—this is key to the new plan for immigration as well—is that one of our aspirations is to help refugees to come to the UK where there is genuine need and to make sure that they succeed, prosper and have thoroughly productive lives that contribute to the community of this country. That is a very positive thing. We will say more in due course when we have worked through the remainder of that policy development around differentiation specifically.

Q124 **Siobhan Baillie:** Do you give a commitment that, as you learn more about how the different clauses of the Bill land and are finalised, there will be an assessment of likely increase or possible increase? It has a knock-on impact for everything we have been talking about today: cost to local authorities and the potential need to fund charities to give support. Is that on the radar of the Home Office as part and parcel of the Nationality and Borders Bill?

Tom Pursglove: Yes. It is important, as you would expect, during policy development and consideration of policy that we take into account all of these factors. As I say, in relation to the differentiation elements within the Bill, they will come forward in due course once that policy development has been completed and we have agreement within Government to proceed.

Q125 **Siobhan Baillie:** Alison, do you have any views on this, considering that complaints may go up?

Alison Samedi: To add to what the Minister has said, obviously the policies within the Bill are subject to an impact assessment. Part of the work we do is looking at the impact on different businesses, third sector organisations and so on, so that will form part of that.

Q126 **Siobhan Baillie:** I think that would give some reassurance to all the different people involved in this.

How will child refugees or children born in the UK to refugees be protected from poverty? I think we can go over to the Minister for Education to start off.

Will Quince: In terms of poverty, in what respect?

Siobhan Baillie: We are thinking specifically about the Nationality and Borders Bill and the increase of refugees. In the event that they are not protected, and in the event that they are in schools, is there going to be a review off the back of this new legislation coming through with an education hat on?

Will Quince: At the moment the extension remains. That will be in place until a permanent position is taken. Although that does not fall strictly under my remit, I work very closely with DWP, which has the responsibility for poverty measures, although, I have to say—having sat in David's shoes—not all the levers with which to address it. We do work very closely, and that is why numerous support packages are in place.

Ultimately, the extension will remain in place to ensure that the pupil premium, or access to free school meals, or the childcare offer, remain available until the position as it stands at the moment is regularised one way or another.

Tom Pursglove: Let me add—this is an important point to make—that the differentiation policy, as I say, is under active consideration and will come forward.

You mentioned refugees specifically and, for example, the Afghan cohort we are currently facilitating. The evacuation saw thousands of individuals brought from Afghanistan over the summer months. It is important to be very clear that they are not subject to no recourse to public funds. They have indefinite leave to remain. There is no "no recourse to public funds" condition imposed upon them. That means they are able to access support and services and hopefully find work, and David's comments

about having a buoyant labour market give me much encouragement that they are going to make a huge success of it.

I know that there is a desire among those individuals who have come across—it was absolutely right that we, as a country, provided sanctuary to them—to get on and prosper. That is the message I am hearing from across the country when speaking to colleagues and speaking to people conducting that work, which is really encouraging. There is no barrier to them at all in that regard.

David Rutley: The level of support they are receiving under the Afghan resettlement route is quite incredible. Having spent time with some of the Afghan community in Southwark recently at the jobcentre there, I know that there is real engagement and real support. So yes, we want to help them.

Will Quince: There is a huge amount of work going on behind the scenes specifically for that cohort. I appreciate that there is—in the eyes of the public, at least—a crossover between those who come over illegally and those who come over via legal routes. However, in relation to the Afghan resettlement scheme, yes, we discuss things like school placements but we also have to look at things like places in children's social care and others. Therefore, inevitably, Government Departments have to work very, very closely on these issues.

Q127 **Chair:** Can I follow that up a bit? It is the case that, under changes in the Nationality and Borders Bill, in the future there will be refugees with no recourse to public funds. Whereas up to now, with Afghanistan, that has never been the case, in the future that will be the case under the differentiation policy changes the Bill is introducing. Can you confirm that?

Tom Pursglove: I am not going to be drawn on the specifics of the differentiation policy. We will come forward in due course, once policy decisions have been made, around precisely what that involves.

Q128 **Chair:** The Nationality and Borders Bill has completed its passage through the House of Commons already. Surely we ought to know what the implications of that Bill are.

Tom Pursglove: Again, I make the point that the equality impact assessment is available for people to take a judgment and to reflect on the provisions in the Bill. However, specifically in relation to differentiation, it is important to say that the policy work is ongoing and we will come forward with our intentions when we are able to.

Q129 **Chair:** I do not know if there is any secret about the changes in the Bill. They will mean that some refugees coming to the UK in the future will be subject to no recourse to public funds, will they not?

Tom Pursglove: I make the point again that we will come forward in being specific and clear about the differentiation policy, and what is involved within that differentiation policy, once we are able to.

Q130 **Chair:** Right. Therefore, it is still possible, is it, that refugees in the future will not run the risk of having no recourse to public funds?

Tom Pursglove: You can continue to ask me, Mr Chairman, but I am not going to be drawn on the specifics of the differentiation policy. We will come forward with our intentions as soon as we are able to.

Q131 **Chair:** That is helpful. I thought that was a straightforward consequence of the Bill but, in a way, I am encouraged to know that it isn't.

Can I pick up a couple of other points, Minister, going back to the free school meals discussion we had earlier? We heard from the Minister for Children and Families that, in reality, schools cannot be prevented from giving a free meal to a child who comes and has clearly not had any food at home. Should the Home Office not concede on this? It has been under review for 15 months. It will have to be decided pretty soon because we all hope the pandemic will shortly come to an end. Should that not just be conceded? Should we not just move on and make the extension permanent?

Tom Pursglove: I am not aware that the Home Office is holding up a policy decision being taken in that area. I refer to the comments that my colleague made earlier on, at the start of the session, about next steps in that area.

I will add that in terms of the policy that has been adopted over the last 15 months, as the Home Office we have been supportive of that policy and we wanted to see that support in place. Again, I think that shows you the kind of work that goes on, on a cross-Government basis, to try to get the solutions right to make sure that help and support is available.

Q132 **Chair:** Will made clear to us how he is leaning on this. If it is not the Home Office holding it up, I cannot imagine who else it would be. Would it be the Treasury holding it up?

Alison Samedi: May I come in at this point? There has been a lot of very good joint working across Departments, not just the Departments that are represented here today. Obviously, we have touched on the responsibilities that the Department of Health and Social Care has. We have been looking at the issues in the round, for all the reasons the Committee has heard today, and working through the different issues to try to make sure we get to the right outcome, not just on free school meals but with Healthy Start and so on. It is a big piece of joint work. I do not think there is any sense that any Department anywhere is holding it up; it is just to try to work through everything and make sure that we get the right outcome.

Q133 **Chair:** The intention is for the outcome of that major piece of work to be announced before the final covid restrictions are lifted. Is that correct?

Alison Samedi: I defer to the Minister in the Department for Education, as it is a DfE responsibility, in terms of the announcement.

Will Quince: I can understand why you are pushing for certainty on this. In effect, there is certainty at the moment because the temporary extension remains in place. I want to be able to announce an outcome to this as soon as possible. It is not a matter of different Government Departments dragging their feet. You will know from your time in Government, Mr Chairman, that sometimes the processes within Government—right around to getting sign-off and other things—can be complex. Because we have to ensure there is a consistent approach to these issues across Government, it does take longer than any of us would like. However, rest assured that it is an absolute priority for me. I hope to be able to make an announcement on this at the earliest available opportunity and I hope that is sooner rather than later, Mr Chairman.

Q134 **Chair:** Thank you; we look forward to that. Let me turn to another topic. The Government appointed Nicole Jacobs as the first Domestic Abuse Commissioner in 2019, getting on for three years ago. In October, she published her report “Safety Before Status” about the pretty dire situation of domestic abuse victims trying to escape a violent relationship if they have no recourse to public funds. The Home Office response to that report was published two weeks ago. I thought it was striking that it rejects, or partially rejects, over two thirds of the Commissioner’s recommendations in her report. Are you comfortable about the Department rejecting so much of the Commissioner’s advice on this?

Tom Pursglove: What I will say is that, of course, absolutely without question, these are issues with which we are very concerned, and quite rightly so, because domestic abuse is a horrendous crime. It is essential that people are protected and that those who commit that sort of criminality face the full force of the law.

You and the Committee will recognise, Mr Chairman, that this is an area the Government quite rightly, with support from across the House, has really set as a priority. There is a lot of work going on. In fact, in the Ministry of Justice side of my work, I am the victims Minister, so I am responsible for the victims Bill, and these issues are very much at the forefront of my thinking.

It is important to recognise that there is quite a lot of work going on to address these issues. In April last year we launched a £1.5 million support for migrant victims scheme pilot, which provides accommodation and support for victims of domestic abuse with no recourse to public funds. As part of that we are working closely with Southall Black Sisters, the delivery partner, and the external evaluation team to ensure that this scheme provides both immediate protection for these victims and information regarding the often complex needs of such individuals. Therefore, I hope the Committee is reassured that there is work going on.

It is fair to say that in my Ministry of Justice capacity I regularly come across Nicole Jacobs, and of course the Victims’ Commissioner as well. I have no doubt that when we next meet, this is an area that we will perhaps touch on in our discussions.

I want the Committee to be absolutely reassured that we take this incredibly seriously. I think that the whole direction of travel across Government is to take a tough approach to domestic abuse, to make sure that the punishment fits the crime and to make sure that those affected by this are supported appropriately and get the help that they quite rightly require and deserve.

Q135 Chair: I very much welcome the priority the Government have given to this area and the legislation that we have seen. However, the Home Office response to the Commissioner's report does read in quite a dismissive way.

I will read you one recommendation. This is a recommendation that the Home Office says it is accepting. The recommendation was: "Publish a clear timetable for the final evaluation and implementation of policy recommendations following the pilot"—which you have just mentioned—"given that any gap in policy will result in a decline in support for migrant survivors of domestic abuse after the completion of the...pilot." The Home Office response is: "accepted. We have been clear that the...pilot is due to end on the 31st March 2022. The external evaluators are expected to complete their contract on the 31st August 2022. We anticipate the external evaluators to deliver a report and recommendations for consideration by the Home Office by the end of July 2022. We cannot provide a timeline for when any policy recommendations will be implemented at this time, as this will be heavily dependent on the nature and complexity of any policy decisions that are taken forward. However, we will seek to publish timelines around implementations of any policy change as far as is practicable." That is not a very robust acceptance. It sounds to me like a rejection, actually.

Tom Pursglove: In terms of the work through the scheme pilot, it is fair to say that we are committed to taking on board the findings of the evaluation. If I may, Mr Chairman, I will take away your comments and certainly make sure that the Safeguarding Minister is aware of them, as well as other Ministers within Government who are dealing with these matters that we quite rightly treat with the utmost seriousness.

Q136 Chair: The support for migrant victims pilot that you referred to—the £1.5 million, which I very much welcome—will end in March. Will there be any comparable support for migrant domestic abuse victims from April onwards?

Tom Pursglove: I think that, to be able to give you an authoritative response, I will need to pick that up with my ministerial colleagues who lead on safeguarding work.

Q137 Chair: I think the Commissioner is very much concerned that there will not be anything there from April onwards, until there has been a lengthy evaluation and deliberation.

Tom Pursglove: I am hopeful that evaluation work will be done as quickly as possible, because I think all of us will want to see what the outcomes from that project work have been. If there is learning that

comes out of it, it needs to happen. Of course, it is important that there is the appropriate provision in place to deal with these issues. I would like to think that will be a matter of months, not a long drawn-out process.

Q138 **Chair:** By the sound of it, in April/May time there will not be anything. Is that right?

Tom Pursglove: As I said, I need to take that away and ask the Safeguarding Minister what the thinking is around that.

Q139 **Chair:** That is certainly the Commissioner's understanding at the moment.

Let me turn to a final point, in a way stepping back from the detail of all this. In September 2020 the Home Office published its response to the Windrush lessons learned review, which is called a "comprehensive improvement plan". It sets out five themes, including a more compassionate approach and openness to scrutiny. In her foreword to that document the Home Secretary writes: "My ambition is to build a fairer, more compassionate, Home Office... I expect to see nothing less than a total transformation of our culture". Has that new approach been applied to the policy on no recourse to public funds? If so, what changes have been made to the policy?

Tom Pursglove: I think the Home Secretary's remarks there and the sentiment she expressed are absolutely right. I have to say, as a Minister who joined the Department in September—I am still relatively new in the Department—that it has struck me in the time I have been there just how seriously everybody, Ministers and officials alike, are taking this. Clearly, there were issues that should never have happened, which date back over many years. It is right that the Home Office takes that on board and that moving forward we have a culture that addresses those issues in full. I think that is quite rightly what people expect and is simply the right thing to do. There is a determination, as I say, at both official and ministerial level that that is precisely not just what should happen but what must happen and will happen.

In terms of this issue of no recourse to public funds, I am mindful of the fact that this is a long-standing area of policy, which successive Governments have been committed to, where there is a balance to be struck between welcoming people to this country for a whole host of reasons while at the same time being fair to the taxpayer. That is a worthy principle and I think it is the right principle. However, there must always be proper, sympathetic consideration of individual cases and individual circumstances and the difficulties people invariably get into in their lives, in many circumstances through no fault of their own.

That is why I think that some of the work we have been able to set out around the change in conditions, and some of the improvements we have been able to make there—the evidential flexibility to try to bring the application process to a close for people as quickly as possible so they can unlock and access the help they require; the 80% grant rate; the fee waivers; the comprehensive support that has been made available across Government in the course of the pandemic; and, of course, the

collaboration to deliver that, as well as the consistent engagement, particularly through the forum, in respect of which we should always look at whether there is more we can do to build on that, to develop it and to bring ideas forward—really demonstrates that there is a willingness and a track record of learning from issues and challenges that have arisen and of responding to those in a policy and practical sense.

Therefore, I am confident that the whole set-up around no recourse to public funds is responsive on a case-by-case basis. That is important. It is right that that case-by-case basis—making sure you get the right decision in an individual case in a timely way—is at the forefront of our thinking. It is certainly at the forefront of my mind as the Minister responsible for this area of policy in the Home Office.

Q140 Chair: We met virtually during our inquiry with a group of parents with no recourse to public funds. One of the members of the Committee, who is here, described the evidence we heard of their accounts of what had happened to them as “harrowing”. One mother told us that, in despair, she had gone to her GP and the GP had given her £100 in cash to tide her over. She said she will be eternally grateful for his kindness. I wonder if you agree with me that we should have a system that does not put law-abiding migrant families in that kind of position.

Tom Pursglove: I think it is right that where people find themselves in very difficult circumstances, particularly through no fault of their own, we have a structure in place that means people can apply for help and get it as quickly as possible. Life is complex, isn’t it? People do have challenges and issues that arise that you could never have expected or anticipated. It is right that in those circumstances we make that support available.

I hope I have been able to demonstrate today, through the responses I have given to various questions, that these are matters that I am thinking quite a lot about and that there is a willingness to constantly keep under review aspects of the policy while still upholding that general principle that we do think is right and that has been upheld under successive Governments. Again, I make the point that there is that co-operation and co-ordination across Government to try to make those sorts of challenging situations that little bit easier for people when they arise.

Chair: That is an encouraging note on which to conclude our meeting. We will certainly follow with great interest the policy development you are referring to.

I thank all four of you very much for the two hours you have given us this morning. It is very helpful evidence that we will reflect on as we prepare our forthcoming report. That brings our meeting to a close.