

Written evidence submitted by Cobseo to the Select Committee on the Armed Forces Bill

SECTION 8: CONSOLIDATING THE ARMED FORCES COVENANT IN LAW

1. Thank you for the opportunity to contribute to contribute to the Committee stage of the Armed Forces Bill and, in particular, Section 8, which addresses the Government's intent to consolidate the Armed Forces Covenant in legislation.
2. The Confederation fully-supports the Government's intent to strengthen the delivery of the Covenant, and we have worked closely with MOD officials to ensure that the Service Charity Sector perspective is understood and reflected as policy proposals are developed. This included the establishment of a Joint Working Group comprising MOD, Cobseo, and Sector representatives, which convened regularly during 2020; and which was also complemented by regular opportunities to engage with the Veterans Minister. This informal consultation was constructive, and helped to improve policy proposals, as well clarifying the issues where there will be a need for continuing oversight as we move forward.
3. While we believe that our engagement has had a positive impact on the draft legislation, there are still some areas where we would have liked to see more progress, and some issues that will require careful monitoring once the legislation is implemented. These include:
 - Scope. Limiting the scope of the legislation to Healthcare, and some aspects of Housing and Education, means that many issues of vital concern to veterans, such as social care, pensions, compensation, employment, benefits and support within the criminal justice system, are not included. We would have preferred a broader scope, but note the intent to facilitate future upgrades, and we will be looking to see progress on this as we move forward.
 - Special Consideration. We welcome the inclusion of the principle of special consideration for those that have sacrificed the most, and recognise that it is difficult to capture this commitment in legislative language, but it will be in how we look after those who gave so much that the public will judge the success of the Covenant. We will be seeking evidence to demonstrate how the good intentions set out in the legislation translates into practical support for those in need.
 - Enforcement. The ultimate resort in terms of enforcement is Judicial Review; however, given the resource implications this is not likely to be a practical option for charitable organisations; so where issues arise, we will be looking at the efficacy of other measures, such as engaging with the appropriate Ombudsman.

- Consistency. Finally we are concerned that by setting a legal standard in some areas, hard pressed Public Sector providers may compensate by reducing support elsewhere. We note that it is the Government's intent that this legislation builds on the progress already made, but care will be needed to ensure that there are no unintended consequences.

4. It is clear that proposals set out in Section 8 represent a work in progress, and will need to be followed up by further legislation to capture the full scope of the Covenant, and what it means to the Armed Forces Community. Cobseo will continue to monitor developments, including seeking evidence from members, and service providers, on the impact on the ground. We will also utilise Covenant and Veterans Strategy reporting processes to highlight any difficulties, and hold Government to account.

5. Cobseo will continue to work closely with MOD, including regional engagement to promote understanding of, and support for, the Covenant and its underpinning principles.

Chairman of Cobseo
General Sir John McColl KCB CBE DSO

5th March 2021

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