





THE SOCIAL MOBILITY AND CHILD POVERTY COMMISSION

FRAMEWORK DOCUMENT

Effective from:

DECEMBER 2012

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1. Introduction

- 1.1. This Framework Document has been drawn up by the Department for Education (DfE), the Department for Work and Pensions (DWP) and the Cabinet Office (CO), in consultation with the Welsh and Scottish Devolved Administrations. The document sets out the broad framework within which the Social Mobility and Child Poverty Commission (the Commission) will operate, and does not convey any legal powers or responsibilities. It has been signed and dated by each respective Department and the Commission.
- 1.2. The Framework Document and the operation of the Commission will be reviewed after one year from the date of this document, under arrangements agreed between the Deputy Prime Minister, the Secretary of State for Education, the Secretary of State for Work and Pensions, and the Chair of the Commission.
- 1.3. The period of the next review will be agreed after the initial review, and will not exceed three years, in line with HM Treasury guidance. The document however can be amended at any time providing cross Departmental and Commission agreement is reached, involving HM Treasury as necessary.
- 1.4. Copies of the Framework Document, and any future subsequent amendments, have been placed in the libraries of both Houses of Parliament, and will be published on each Department's websites.

2. Purpose of the Commission

- 2.1. The Welfare Reform Act 2012, which amends the Child Poverty Act 2010, provides for the establishment of a body called the Social Mobility and Child Poverty Commission (the Commission).
- The Commission's main statutory objective is to report annually to Parliament on progress towards reducing child poverty and improving social mobility.
- The Commission's purpose is to monitor progress, by the UK Government and others in society, against the objectives of improving social mobility and reducing child poverty.
- The Commission will achieve these objectives through carrying out its functions as set out in legislation and its annual Business Plan.
- 2.5. The Commission's aims are set out in the Terms of Reference (Annex A).

3. Governance and Accountability

3.1. The Commission is a joint sponsored body between DfE and DWP, and

also part funded by CO. For the purpose of the Commission's financial accountability to Parliament, in line with HM Treasury Managing Public Money principles, the lead Department is DfE which will act on behalf of the joint sponsor Departments.

3.2. Ministerial Accountability

- 3.2.1. There will be clear Ministerial accountability across the three Departments:
 - DWP Secretary of State will report to Cabinet on Child Poverty issues;
 - Deputy Prime Minister will report to Cabinet on Social Mobility issues; and
- The Minister of State for Schools (DfE) will have responsibility for the day to day business directly relating to the Commission (including the Commission's activities such as parliamentary business, performance against objectives, and financial management) and will report to:
- The Secretary of State for DWP via the Social Justice Cabinet Committee; and
- The Deputy Prime Minister via the Informal Ministerial Group on Social Mobility.
- 3.2.2. The Minister of State for Schools will specifically consult and seek the agreement of the other Ministers and Departments in relation to agreed matters of shared strategic interest. This arrangement does not detract from the responsibility and accountability of each Department and Ministers to hold the Commission to account for its activities. Additionally, each Department and Minister will liaise directly with the Commission on certain bilateral issues.
 - 3.2.3. The Secretaries of State for DfE and DWP are accountable to Government on all matters concerning the Commission.

3.3. Departmental Responsibility

Responsibility of the Principal Accounting Officer

- 3.3.1. The DfE Permanent Secretary is the responsible Principal Accounting Officer, who must ensure that the Commission maintains a high standard of financial management.
- 3.3.2. The Principal Accounting Officer is responsible for advising the Secretary of State for DfE on how well the Commission is performing against its statutory and strategic objectives and whether it is delivering value for money within the appropriate Cabinet Office Government wide spending controls.¹

¹ "Spending Controls" Cabinet Office 2012 http://www.cabinetoffice.gov.uk/sites/default/files/resources/Cabinet-Office-Controls-guidance-v3-1-full-document.pdf

- 3.3.3. The Principal Accounting Officer's main responsibilities are:
 - Acting on behalf of all the joint sponsors in accounting to Parliament for the spending of funding allocated to the Commission;
 - Ensuring that the Commission uses it resources efficiently, economically and effectively;
 - Being satisfied that the Commission:
 - has adequate financial management systems and procedures in line with Government standards; and
 - operates with propriety and regularity, and is using its funds for the purposes intended by Government;
 - Scrutinising where appropriate on how well the Commission is achieving its strategic objectives and whether it is delivering value for money; and
 - Addressing any significant problems in the Commission, making such interventions as are judged necessary.
- 3.3.4. The Principal Accounting Officer may be asked to appear before the Public Accounts Committee concerning any issues that bring into question the integrity of the management of public funds spent by the Commission. He/she will be supported in his/her responsibilities by the Principal Accounting Officer in DWP.

Responsibility of the Departmental Sponsor

- 3.3.5. The Principal Accounting Officer will be supported in exercising his/her responsibilities through a Departmental Sponsor and Sponsor Team. The Departmental Sponsor is the Head of the Child Poverty Unit, which is a discrete joint funded and staffed business unit within DfE, with funding and staff provided equally by DfE and DWP. Funding for staff within the Child Poverty Unit is separate from the funding that will be provided to the Commission.
- 3.3.6. The Departmental Sponsor is the main point of contact between the Commission and the respective Departments, and will act as the main source of advice to the Minister of State for Schools.
- 3.3.7. The Departmental Sponsor is responsible for:
 - Managing the process for appointing the Commission and establishing the secretariat, including the size, resources, location and recruitment;
 - Development of all relevant documents including the Framework Document (in consultation with the Devolved Administrations);
 - Producing, in conjunction with the Commission, a monthly finance report, applying challenge and scrutiny where appropriate;
 - Providing the annual allocation letter confirming the budget;
 - Organising and providing for the Secretariat six monthly performance

- reviews between the Commission and Ministers:
- Agreeing and monitoring an appropriate framework of objectives and targets for the Commission;
- · Periodically carrying out an assessment of the Commission's risks;
- Informing the Commission of relevant Government policy in a timely manner;
- Bringing concerns about the activities of the Commission to the Members board, requiring explanations and assurances that appropriate action has been taken; and
- Managing the ongoing relationship with the Commission.
- Holding the Commission's research budget and commissioning research on its behalf once agreed by Ministers.
- 3.3.8. To facilitate agreement on the key decisions between the three Departments, a governance group will be established, to include the Head of the Child Poverty Unit; the Director of the Families Group (DfE); the Director of the Social Justice Directorate (DWP); and the Deputy Director from the Deputy Prime Minister's Office (Cabinet Office). This governance group will liaise with the relevant officials in the Devolved Administrations where appropriate.

3.4. Commission Responsibilities

Responsibility of the Chair

- 3.4.1. The Chair of the Commission will be directly accountable to:
 - DWP Secretary of State on Child Poverty issues;
 - Deputy Prime Minister on Social Mobility issues; and
 - The Minister of State for Schools (DfE) for the day to day business directly relating to the Commission.
- 3.4.2. The Chair will ensure the Commission fulfils its remit, as set out in legislation, by:
 - Establishing the Commission, identifying and securing Ministerial agreement to the key priorities for the Commission, and setting them out in an annual Business Plan;
 - Leading the Commission, setting its agenda and chairing meetings to provide the best possible progress report/s on the Social Mobility and Child Poverty Strategies and targets;
 - Ensuring the Commission responds appropriately, effectively, and in a timely manner to requests for advice by the responsible Ministers and other Ministers in the UK Government;
 - Being an advocate for the Social Mobility agenda: making the case for organisations across the wider society to play their part in improving life chances and challenging them to continue to make progress (for example considering the role of the professions, other employers, universities and the voluntary sector in improving social mobility).

Where this impacts upon devolved responsibilities, the Chair will need to take account of the policies and views of Welsh and Scottish Ministers.

- Building and sustaining effective working relationships with a range of stakeholders, including Ministers, senior Government officials, representatives from local communities and experts in the field;
 - Being the public spokesperson for the Commission;
 - Utilising the expertise and experience of Commission Members and securing Ministerial agreement to its research commissioning; and
 - Ensuring active engagement by all Members in the work of the Commission, including encouraging them to sustain their knowledge and understanding of the issues, reviewed through an annual appraisal of each Member.
 - 3.4.3. The Chair may be asked to appear before the Public Accounts Committee concerning any issues that bring into question the integrity in the management of public funds spent by the Commission.
 - 3.4.4. The Chair of the Commission is responsible for leadership of the Commission Members, and will:
 - Advise the Department Sponsor and Ministers about Member appointments and the performance of Members including the Deputy Chair;
 - Ensure that Members have a proper knowledge and understanding of their role and responsibilities;
 - Be responsible for undertaking an annual assessment of the Members' performance in a timely manner, prior to Members being considered for re-appointment; and
 - Ensure there is a code of practice for the Members in place and is consistent with the Cabinet Office model.

Responsibility of Individual Members

- 3.4.5. Members of the Commission will provide the experience and expertise (including of devolved regions where appropriate) required to support the achievement of the Government's goal of improving social mobility and ending child poverty by:
 - Supporting the Chair and Deputy Chair by building and maintaining effective working relationships with them, other Members of the Commission and the Secretariat, to ensure that the remit of the Commission is fulfilled fully, promptly and properly;
 - Maintaining and continuously updating their knowledge of policy developments, research evidence and/or delivery issues that have implications for improving social mobility and tackling child poverty;
 - Acting as an advocate for the social mobility agenda, taking into account the policies and views of Welsh and Scottish Ministers;
 - Not misusing information gained in the course of their public service for

personal gain or for political profit, nor seek to use the opportunity of public service to promote their private interests or those of connected persons or organisations;

 Complying with the Board's rules on the acceptance of gifts and hospitality, and of business appointments;

· Acting in good faith and in the best interest of the Commission;

- Complying with terms of appointment, duties, rights and responsibilities; and
 - Safeguarding the good name and values of the Commission by upholding the Nolan principles of public life (Annex B).
- 3.4.6. All Members will make sure that high standards of corporate governance are observed at all times, ensuring that the Commission operates in an open, accountable and responsive way.

Commission Secretariat

- 3.4.7. The role of the Commission Secretariat will be to support the Commission in carrying out its functions, and will consist of no more than seven staff. Staff recruited into the Commission Secretariat will do so on DfE terms and conditions.
- 3.4.8. The Secretariat Director will, as a civil servant, be formally line managed by the Departmental Sponsor Head of the Child Poverty Unit.

The Devolved Administrations

- 3.4.9. Scottish and Welsh Ministers must each appoint a Commission Member.
- 3.4.10. UK, Scottish and Welsh Ministers will consult each other before making appointments to the Commission.
- 3.4.11. The Commission will share the sections of its report impacting on and covering Wales and Scotland with Welsh and Scotlish Ministers respectively, on a confidential basis, prior to publication.

4. Structure of the Commission

4.1. Structure of the Commission

- 4.1.1. The Welfare Reform Act 2012, states that the Commission is to be made up of:
 - A Chair appointed by a Minister of the Crown;
 - · A Member appointed by the Scottish Ministers;
 - A Member appointed by the Welsh Ministers,
 - After the appointed day for Northern Ireland, a Member appointed by the relevant Northern Ireland department, and

- Any other Members appointed by a Minister of the Crown.
- 4.1.2. A Minister of the Crown may also appoint one of the Members as the Deputy Chair.

4.2. Appointments

- 4.2.1. For the set up of the Commission the joint sponsoring Department's Ministers will agree all the Commission Members appointments as well as the size, location and nature of the Secretariat.
- 4.2.2. The Chair's appointment will be for no longer than five years, subject to satisfactory annual reviews.
- 4.2.3. All Members appointed by Ministers, including Scottish and Welsh Ministers will be for up to five years subject to satisfactory annual reviews.
- 4.2.4. Appointments will comply with the *Code of Practice*² of the Office of the Commissioner on Public Appointments.
- 4.2.5. The duties, role and responsibilities, terms and conditions, and expenses reimbursement of the Chair and Members will be set out clearly and formally defined in writing. Terms and conditions must be in line with Cabinet Office guidance³ and with any statutory requirements.
- 4.2.6. Appointments will be made by following an OCPA regulated competition.

4.3. Performance

- 4.3.1. The Chair's performance will be appraised annually by the Minister of State for Schools.
- 4.3.2. The Chair is responsible for assessing the performance of its Members including the Deputy Chair.
- 4.3.3. Ministers have the power to appoint the Chair and Members of the Commission and to terminate their appointments. Appointments may be terminated in accordance with the legislation set out in Schedule 1 of the Welfare Reform Act 2012.

https://update.cabinetoffice.gov.uk/content/public-bodies-and-appointments

²Code of Practice, Office Commissioner for Public Appointments (2012) http://publicappointmentscommissioner.independent.gov.uk/the-code-of-practice/ ³ "Making and Managing Public Appointments", Cabinet Office, 2006

5. Financial Arrangements

5.1. Annual Funding

- 5.1.1. Funding for the Commission will be provided on an annual basis by DfE, DWP and the CO (with departmental contributions currently split at 44 percent, 44 percent and 12 percent respectively).
- 5.1.2. DfE, DWP, and CO will confirm their contribution to funding for the commission for each financial year. This will take the form of a letter from the relevant Departmental Finance Director to the Departmental Sponsor. It will be the responsibility of each Departmental sponsor to bid and secure funding to cover their contribution as part of their respective business planning rounds. Funding will be confirmed once planning is concluded and cross Departmental agreement has been reached on the future costs of the Commission. The financial outturn position will be confirmed by the Secretariat to all sponsors by the end of the April following the financial year-end.
- 5.1.3. Once all three letters are received, the Departmental Sponsor will then issue one formal allocation letter to the Commission Secretariat confirming its budget allocation for the year. The formal allocation letter will give the Commission Secretariat the authority to spend up to the value of the allocation letter, subject to any ring fenced elements of the budget, and not beyond. Any under spends recorded cannot be rolled forward into the following financial year, and the expectation is the DfE will not use any under spends that may emerge from the Commission to redirect against their DEL Admin budget.
- 5.1.4. The Commission must adhere to the Government wide Cabinet Office spending controls and the principles of Managing Public Money.
- 5.1.5. The payment of the funding to DfE from DWP and CO will be in the form of a DEL Administration payment, recorded as a contribution to a co-funded NDPB in both COINS and OSCAR, and expected to be paid into DfE's bank account by the end of December 2012 for 2012-13 and by the end of June in future years. This will not be subject to VAT.

5.2. Financial Reporting

- 5.2.1. The Sponsorship Team, in conjunction with the Commission Secretariat, will produce a monthly finance report monitoring spend against budget, which will cover staff and non staff costs. The report will be shared with the sponsoring Departments and the Commission to enable them to ensure that spending is kept within budget and supported by DfE controls on authorisation of commitments and payments by the Departmental sponsor.
- 5.2.2. Internal and external audit activities will be covered under existing DfE arrangements in line with Treasury guidance, with potential scrutiny of

- activities and transactions by the Department's Internal Audit team and the National Audit Office.
- 5.2.3. The reporting of transactions under the Transparency Agenda will be covered under existing DfE arrangements. This will include publishing information on spending for transactions over £25,000, ICT contracts over £10,000 and any tender documents or new contracts over £10,000.

6. Business Plan and Reporting

- 6.1. The Commission shall identify its key milestones at the start of every financial year and set these out in its Business Plan, and report its progress against these to DfE, DWP, CO and where appropriate the Devolved Administrations.
- 6.2. The Scottish Minister and the Welsh Minister of the Devolved Administrations may write to the respective UK Ministers with any requests or views on setting the annual priorities for the Commission, for the UK Ministers to consider in the usual way.

6.3. The Commission shall:

- Publish annual report assessing the progress made towards improving social mobility and reducing child poverty in the United Kingdom;
- Provide advice at the request of ministers on how to measure socioeconomic disadvantage, social mobility and child poverty. This advice must be published; and
- To undertake at the request of Ministers other activities relating to the goals of improving social mobility and reducing child poverty in the UK. The activities of the Commission will need to be agreed between Ministers and the Chair and set out in an annual Business Plan.
- 6.4. A Minister of the Crown must lay the annual report before Parliament.
- 6.5. The Secretariat will maintain risk registers and issues identified with ownership and any actions agreed with the Commission Chair. The registers will be updated on a monthly basis, and shared with the Sponsor Team. Those risks and issues requiring DfE escalation, will be reported under existing arrangements on a six-weekly cycle.

7. Communication

- 7.1. The Commission should be open, transparent, accountable and responsive in its communications, and this will be set out in their Business Plan.
- 7.2. The Secretariat will be responsible for the management and delivery of communications which are required to carry out its core business.

- 7.3. The Commission will operate in line with the statutory requirements and spirit of the Freedom of Information Act 2000.
- 7.4. The Commission will make an explicit commitment to openness in all its activities. Where appropriate, it will establish clear and effective channels of communication with key stakeholders e.g. Ministers, senior Government officials, representatives from local communities and experts in the field. It will engage and consult with the public on issues of real public interest or concern.
 - 7.5. There will be robust and effective systems in place to ensure that the Commission is not, and is not perceived to be, engaging in political lobbying. There will also be restrictions on board members attending Party Conferences in a professional capacity⁴.

8. Conduct and Behaviour

- 8.1. Members should work to the highest personal and professional standards. They will promote the values of the Commission and of good governance through their conduct and behaviour.
- 8.2. A Code of Conduct must be in place setting out the standards of personal and professional behaviour expected of all Members. This will follow the Cabinet Office Code⁵. All members should be aware of the Code. The Code will form part of the terms and conditions of appointment.
- 8.3. There are clear rules and procedures in place for managing conflicts of interest. There is a publicly available Register of Interests for Members.
- 8.4. DfE travel and subsistence rules will apply and govern the claiming of expenses. The Commission Chair, Deputy Chair, Members and Secretariat will be provided with details on appointment, with changes to this guidance provided by the Secretariat team.
- 8.5. There are clear rules and guidelines in place on political activity for Members and there are effective systems in place to ensure compliance with any restrictions.
- 8.6. There are clear rules in place for Members and senior staff on the acceptance of appointments or employment after resignation or retirement.

9. Review and Winding Up of the Commission

9.1. The Commission will be subject to a triennial review⁶ to provide a robust

⁴ Public Bodies Reform, Cabinet Office, 2011

http://www.cabinetoffice.gov.uk/resource-library/public-bodies-reform-proposals-change

^{5 &}quot;Code of Conduct for Board Members of Public Bodies", Cabinet Office, 2011

http://resources.civilservice.gov.uk/wp-content/uploads/2011/09/code-of-conduct_tcm6-38901.pdf

⁶ "Guidance on Reviews of Non Departmental Public Bodies", Cabinet Office, 2011 http://resources.civilservice.gov.uk/wp-content/uploads/2011/09/triennial-reviews-guidance-

chailenge of the continuing need for its existence and to review the governance and control arrangements in place to ensure compliance with the recognised principles of good corporate governance.

9.2. The Departmental Sponsor shall put in place arrangements to ensure the orderly winding up of the Commission. In particular it should ensure that the assets and liabilities of the Commission (which we expect to be minimal) are passed to any successor organisation and accounted for properly (in the event that there is no successor organisation, the assets and liabilities should revert to DfE for disposal in consultation with the other Departments). Any costs associated with the winding up of the Commission will be shared propertionally amendst DfE. DWP, and GO.

Signed on behalf of the Social Mobility and Child Poverty Commission

Signature: Sum Blake

Name: SIMON BEAKE

Position: DIRECTOR OF THE SECRETARIAT

Date: 18/12 /12

Signed on behalf of the Department for Education and Department for Work and Pensions

Signature;

lelle

Nama: EUM SHINODA

Position:

HEAD OF CHILD POLICETY UNIT

Date:

IS DECEMBER 2012

Signed on behalf of the Cabinet Office

Signature:

Name: SIOSHMN JONES

Position: DEPUTY PRINCIPAL PRIVATE SECRETARY

TO THE DEPUTY PRIME VIINISTER

Date: 17 December 2012

Terms of Reference for the UK Social Mobility and Child Poverty Commission

Nov 2012 - Nov 2013

The following terms of reference for the UK Social Mobility and Child Poverty Commission capture the legislative requirements as set out in the Child Poverty Act 2010 (as amended through the Welfare Reform Act 2012) and the commitments set out in the Social Mobility Strategy "Opening Doors, Breaking Barriers" published on 5 April 2011.

The Report

The Social Mobility and Child Poverty Commission must publish an annual report:

- A. setting out its views on the progress made towards the goals of:
 - (a) improving social mobility in the United Kingdom, and
 - (b) reducing child poverty in the United Kingdom, and in particular-
 - (i) meeting the targets in sections 3 to 6 of the Child Poverty Act 2010 in relation to the target year, and
 - (ii) implementing the most recent UK strategy;
- B. describing the measures taken by the -
 - (a) Scottish Ministers in accordance with a Scottish strategy;
 - (b) Welsh Ministers in accordance with a Welsh strategy.

The Commission will share the sections of its report impacting on and covering Wales and Scotland with Welsh and Scottish Ministers respectively, on a confidential basis, prior to publication.

The annual report will be published as one document on Social Mobility and Child Poverty.

The first annual report must be published by 8 May 2013 unless the Commission requests and the Secretary of State for Work and Pensions and the Deputy Prime Minister agree to extend the publication deadline. The deadline can be extended by not more than nine months

The report will be laid before Parliament by the Deputy Prime Minister and the Secretary of State for Work and Pensions.

Advice

The Secretary of State for Work and Pensions, the Deputy Prime Minister, and the Minister of State for Schools will jointly agree if they wish to direct the Commission to carry out any other activity relating to the goals of improving social mobility in the United Kingdom, and reducing child poverty in the United Kingdom, and in particular - meeting the targets in sections 3 to 6 of the Child Poverty Act 2010 in relation to the target year, and implementing the most recent UK strategy.

The Secretary of State for Work and Pensions, the Deputy Prime Minister, and the Minister of State for Schools will jointly agree if they wish to direct the Commission to

provide advice on how to measure socio-economic disadvantage, social mobility and child poverty. Any such advice must be published.

Any advice produced by the Commission should cover the impact upon Devolved Administrations to reflect policy and legislative responsibility in both devolved and non-devolved matters.

Requests for advice and other activity will be made via the Departmental Sponsor who is the Head of the Child Poverty Unit.

For 2012-13 Ministers initial requests are that:

- The Commission respond to the consultation on better measurements of child poverty before the consultation deadline of Friday 15 February 2013
- The Commission should advise on the 3 or 4 most impactful steps the government could reasonably take to improve social mobility

Research

The Head of the Child Poverty Unit will hold £100,000 budget for the Commission for research (see finance section below). The Commission may request that Ministers (the Secretary of State for Work and Pensions, the Deputy Prime Minister, and the Minister of State for Schools) carry out or commission research for the purpose of the carrying out of the Commission's functions. Agreement to any such requests will be required from all three Ministers.

Social Mobility Advocacy

The Commission will need to undertake activities to act as an advocate for social mobility: making the case for organisations across wider society to play their part in improving life chances and challenging them to continue to make progress (for example considering the role of the professions, other employers, universities and the voluntary sector in improving social mobility). Where this impacts upon devolved responsibilities, the Commission will need to take account of the policies and views of Welsh and Scottish Ministers.

Finance

The Head of the Child Poverty Unit will issue a formal allocation letter each financial year to the Commission to confirm its budget allocation and headcount limit. This will give the Commission the authority to spend up to the value of the allocation letter, with the exception of the research budget which is ring fenced and can only be accessed through prior agreement with the Departmental Sponsor. The headcount limit must also not be breached. The Commission Secretariat, in conjunction with the Sponsor Team, will need to monitor and report on expenditure against budget on a monthly basis.

Departmental Sponsor

The Head of the Child Poverty Unit is the main point of contact between the Commission and the respective Departments, and will act as the main source of advice to Ministers.

Seven Principles of Public Life

All members of the Commission will be required to show commitment to the Seven Principles of Public Life, as recommended by the Nolan Committee. These are:

Selflessness

Holders of public office should take decisions solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family, or their friends.

Integrity

Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might influence them in the performance of their official duties.

Objectivity

In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.

Accountability

Holders of public office are accountable for their decisions and actions to the public, and must submit themselves to whatever scrutiny is appropriate to their office.

Openness

Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

Honesty

Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

Leadership

Holders of public office should promote and support these principles by leadership and example.

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