

Defence Committee

Oral evidence: Armed Forces Covenant, HC 572

Tuesday 4 February 2025

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Members present: Mr Tanmanjeet Singh Dhesi (Chair); Mr Calvin Bailey; Alex Baker; Lincoln Jopp; Jesse Norman; Ian Roome; Michelle Scrogham; Fred Thomas; Derek Twigg.

Questions 1-55

Witnesses

I: Mark Atkinson, Director General, Royal British Legion; and Lt Gen. Sir Nick Pope, Chair, Confederation of British Serving and Ex-Service Organisations.

II: Rebecca Lovell, Head of Policy, Naval Families Federation; Collette Musgrave, Chief Executive, Army Families Federation; and Vanessa Plumley, Acting Director, RAF Families Federation.

Examination of witnesses

Witnesses: Mark Atkinson and Lt Gen. Sir Nick Pope.

Chair: I call to order our public evidence session in the Defence Committee's inquiry on the Armed Forces Covenant. I warmly welcome both of our guests. It is a pleasure to have with us Mark Atkinson, director general at the Royal British Legion, and Lt Gen. Sir Nick Pope, chair of the Confederation of British Serving and Ex-Service Organisations, Cobseo. We are very much looking forward to this evidence session. Without further ado, I will hand over to my colleague Alex Baker to delve further into this issue.

Q1 **Alex Baker:** The reason we have launched this inquiry is that the Government have set out to put the Covenant into law, and we feel as a Committee that we need to understand why the Covenant is failing in its current form to inform what we need that legislation to do going forwards, and to contribute to the debate on that. How well is the existing Covenant delivering on its aim of preventing the Armed Forces community from experiencing disadvantage?

Mark Atkinson: Thank you for the question, and for the invitation to be with you today. From an RBL perspective, our history with the Covenant goes back some way, because the charity was campaigning back in 2011 through our Honour the Covenant campaign for the Armed Forces Covenant to be introduced. When we step back and look at the progress that has been made over the last 12 or 13 years, the presence of the Covenant has had a really positive impact in tackling disadvantage and, where appropriate, introducing special treatment.

Having said that, our view would be that there is a lot to do given the changing needs of the Armed Forces community, and the changing needs of public service delivery. One of the areas we are particularly interested in is making sure that the Covenant continues to be seen as a promise from society to the Armed Forces community, and not just from the state. In order for that to happen, a lot more needs to happen to drive public awareness of the Covenant.

Back in 2018, Forces in Mind Trust did some research about public awareness of the Covenant and found that only 16% of the general public were aware of it. RBL did research in 2021 and found that only 17% of the general public were aware. Part of the challenge here is how we make sure that the Covenant, and that promise that society is making to the Armed Forces community, is better understood. That is one of the things that we have a responsibility for, but so do the MOD and others.

Lt Gen. Sir Nick Pope: Thank you for the opportunity to be here again to talk on what is a very important subject. Could I start, Alex, by gently pushing back on the assumption that the Covenant is failing in its current form? I think that is a rather stark judgment. It would be fair to say that there may be evidence of aspects of failure, but we need to balance that against the idea of success. I come at this as someone who has sat on



HOUSE OF COMMONS

either side of the MOD boundary, having seen this at its genesis 10 or 12 years ago, and now, from the charity side, seeing it as a deliverer from the third sector.

My analogy here would be rather like a Roman eagle or a regimental colour: what the Covenant has provided over the last 12 or 13 years is something to rally around. It has given us a headmark. It is a useful—more than useful—piece of rhetoric. From an ideological perspective, it is very difficult to argue with the premise that if somebody has signed up to potentially put their life in danger for the nation, there is a covenant—a contract—between the nation and the individual that is deserving of recognition. When I say “individual”, it is more than the individual, because of course we talk about the Armed Forces community here, recognising the breadth of the stakeholder community, from those who are serving and those who have served to their families and dependants and those who are bereaved. It is quite a large group. At its maximalist, you are talking about probably 10% of society. It is quite broad.

So ideologically, it is a great vehicle. From translation of ideology to policy, we have seen an enormous shift, I think, from all aspects of Government over the last 12 years, from a document that arguably at the start was an MOD-owned document and the sole purview of the MOD, to something that over the last five, six or seven years has broadened out into other aspects of Government. So, good from ideology; pretty good from policy. It is when you get into implementation that it starts to become slightly trickier, at the local level, with the interpretation of policy or the ability to measure the impact and outcomes of policy. In that area, it is probably fair to say that there is good work done but, crikey, a lot more still to do.

The other aspect, on which I can reinforce what Mark said, is that if we look at what we put into Parliament, with the Ministry of Defence mandated through legislation to provide a Covenant annual report, it concentrates very much on what the state is doing: initiatives of the state to support those who have served or their partners or children. It is less good at recognising what is happening in society, either through industry or through the third sector. I suppose my answer would be that it is a bit of a curate’s egg: in some areas good, and in some areas work still to do.

Q2 Alex Baker: I join you: I am a fan of the Covenant and I can see the progress that it has made, but I have an inbox of correspondence from constituents in Aldershot and Farnborough who are feeling the pain of that implementation. I am really keen for us to look at how we can strengthen the implementation through legislation.

It seems to me that one of the challenges is that there are lots of different organisations out there. You have touched on the breadth of the sector. There are lots of different types of organisations setting out to deliver the Covenant. How well is the Covenant understood by those that are required to deliver it?

Lt Gen. Sir Nick Pope: It is patchy. Like a graphic equaliser, we have factors going in different directions. From one perspective you could argue



HOUSE OF COMMONS

that in central Government the idea of a slightly more muscular Covenant through “due regard” or extension of scope is well known, but at the local level you see substantial differences in understanding and delivery, at a time when the parts of the graphic equaliser that are going in the wrong direction are possibly resources and finances at local authorities, NHSE service providers and the same in devolved regions or Administrations, and, at the same time, arguably, the Armed Forces community is less well understood by society. Particularly as we start to lose the world war two generation, the national service generation, our touchpoints into society are fewer, and there is a real challenge for us as a nation to try to work out how we think about understanding and engagement, and the idea of collective vision and the value of service, not just for the military community, but more broadly for all first responders. It is a challenge.

If I look across the statistics that we have on the understanding, it is extraordinarily varied. If you go to Scotland—Falkirk—or Aldershot, which is a good example, there are very different stories about how we do Covenant delivery, or support to the Armed Forces community more generally, through the various statutory service providers, and also through the charitable sector and industry. It is a bit of a hotchpotch.

Q3 Alex Baker: You have both touched on the importance of public engagement. In a perfect world, what would you like to see the Government or others doing to have that conversation?

Mark Atkinson: As I said before, I think that is a shared responsibility. Yes, the Government have part of that responsibility, but so do we and so do local authorities and others, to draw attention to the Covenant. As I said in my opening remarks, the Covenant was very much introduced as a promise from society and from the nation to the Armed Forces community, so we all have a responsibility in that regard.

On your question about application, one of the things that we found at RBL, when we did a 10-year review of the Covenant’s application, is the very wide distribution of how it has been applied in local authorities. For example, some local authorities have taken the Covenant duty and gone top to bottom and thought about how that duty should be applied across the statutory services that they provide, with really clear, visible leadership and accountability for that, whereas other local authorities have said to us, “Actually, in the absence of any particular funding to support the Covenant, we are doing an absolute minimum,” and there is some content on the website but not a lot more. Nick’s characterisation of it being patchy is absolutely what we have seen when we have engaged with local authorities.

There are some brilliant examples. I was saying to Nick earlier that I was in Norfolk at the weekend, seeing what Norfolk county council has been doing through that top-to-bottom review to make sure that the Covenant sits really strongly across all its public service areas. But there are other public bodies and local authorities that are not doing that.



Lt Gen. Sir Nick Pope: It is a patchwork in terms of delivery. If you go to Manchester, there is a relationship at the combined authority level. If you go to Wales, they have created Armed Forces liaison officers. If you go to the Solent, there is money flowing through local government funds. If you go to Glasgow, there is a collaborative relationship between SSAFA and the local authorities. Similarly across the country, you have military champions and Armed Forces co-ordinators. So you have a smorgasbord of ways of connecting with society.

You could superimpose on that the fact that the Covenant is about having no disadvantage by dint of service, and special recognition, or special consideration, for those who have given the most. Actually, at the local level, quite a lot of the support framework is about needing to provide support to individuals who have needs driven not by service at all, but by socioeconomic conditions, hardship or multifactorial dependencies. So you are using the Covenant as a sticker to put service provision around, but it is not exclusive. When we get into causation, effect and evidence, working out at the local authority level whether it is the Covenant that has been the vehicle to drive better support frameworks is quite tricky. The fact that the support frameworks are happening is fantastic, but I cannot necessarily give you evidence to say that it is due to the Covenant.

- Q4 **Lincoln Jopp:** To join two dots, Mark, I think you said there was 16% knowledge of or recognition of the Covenant, and General, I think you said that the state seems to understand it, albeit delivery is patchy, but you were more concerned about industry and the third sector. That seemed to jump over one part. Although they might be outside the 16%, I am blown away by the extent to which schools are fulfilling the Covenant, albeit they might not know that they are. In a way, would it not be wonderful if everyone did what schools did in pushing this agenda, so that when someone walks into a GP surgery, they say, "Oh my goodness, you're a former member of the Armed Forces. Here's a petal-strewn path"? Schools are doing a phenomenal amount in fulfilling the Covenant, albeit they may not know that they are doing so.

Lt Gen. Sir Nick Pope: I will give a little bit of an answer back to that, if I can, Lincoln. Yes, I would agree that schools do a respectable amount. In fact, the service children's premium is a vehicle for a school to recognise the fact that it gets additional funding for the children of those people who are still serving, and for a number of years, those who have served.

I was discussing a statistic about children—about SEND—the other day. Nationally, 18% of the children in this country now have a SEND characteristic, whereas for the serving Armed Forces community, 24% have a SEND characteristic. You might say, "Golly, what is it about service that is causing disadvantage?" We do not have the evidence to work out whether that is distinctly a cause of service—in other words, mobility, potentially, as a cause—or whether there are more socioeconomic or family factors that lead to this level of causation, but we know that there is a difference.



HOUSE OF COMMONS

What does one do to mitigate the fact that you have this large SEND population in the military serving community? The education, health and care plan provides an ability to support SEND children in the military community as they move across England, but EHCP does not exist in Scotland, so if a young military family is posted from Aldershot up to Caithness or Faslane, they lose that support. There are areas there, which you could argue are in some respects tactical, where in policy terms we ought to be able to get after some of these issues. But your overall point that the service children's premium has helped at the school level is true.

Q5 Mr Bailey: I would like to pull you up on a couple of points that you have made, and perhaps go after an understanding of the patchwork. On no disadvantage by dint of service, on our recent visit to Lossiemouth we learned that service personnel in Scotland should almost be subject to a status of forces agreement, so different is their service experience from that anywhere else in the UK. That is perverse, because were they on exchange overseas, they would have remuneration to redress the things that were impacting them. Their pay is different from that in the rest of the UK, and more broadly—this is something that the Covenant really should capture—the childcare support that is provided to them is materially different. Those things should be captured by the Covenant.

That is not necessarily a Scottish issue; it is a Defence issue. There is a divergence in service experience across our nation, let alone elsewhere. With that in mind—I would like specifically to go into the Scottish issue—what are the reasons for this? How can it be remedied, and what, if any, other challenges do the devolved Administrations have?

Mark Atkinson: Part of what I understand the Committee is looking at is how the Armed Forces Covenant duty might be extended, and I would make two points on behalf of RBL in that regard. One is that it needs to apply to the devolved Administrations and to the UK central Government. That is not the case at the moment. Also, to your childcare example, we do not believe that the breadth of policy areas that are covered by the duty is sufficient. Childcare is a good example, but so are adult social care and welfare benefits. There are other examples of where the Covenant duty does not deal with the everyday experiences that people have, whether of childcare, social care or welfare benefits.

There is something about the breadth of the duty, and ensuring that it applies to central Government Departments, devolved Administrations and a broader range of policy areas. At the moment, the risk is that some of the issues you are describing, around geography and childcare, fall between the gaps, and the Covenant has no value in tackling the disadvantage that people face.

Q6 Mr Bailey: Just so that we hear it from you and not from me, and we can take it as evidence, could you describe the childcare issue?

Mark Atkinson: At the moment, the application of the Covenant duty in respect of education, housing and health does not deal with childcare. It does not deal with some of the SEND issues that Nick was describing, and it certainly does not deal with welfare benefits and compensation or

immigration issues. There is a debate for Government about how broad the Covenant duty should be. Our position would be that it is necessary to broaden it out from health, housing and education and, importantly, that it needs to apply to devolved Administrations as well as to UK central Government.

Q7 **Mr Bailey:** And on pay?

Lt Gen. Sir Nick Pope: I will pick up on the pay issue, as well as this issue about the difference between devolved Governments and the English position. It is a tricky one, which I faced when I was supporting Rick Haythornthwaite on the Armed Forces incentivisation work a couple of years ago. For the serving community, an individual who is posted from England to Scotland arguably has no choice in that decision. As you move across the boundary, you come up against the different policy frameworks between England and Scotland. In some cases, that may be to your advantage, in which case you stay curiously silent on the issue; in some cases, it is to your disadvantage, in which case you become very vocal.

It is difficult to work out how one could use the Covenant itself as a vehicle for exemplifying that disadvantage—not impossible, but difficult. To me that is much more about the terms and conditions of service within the MOD, and the way that the MOD has a conversation with its workforce and gives its workforce choice and agency in the decision about where they might wish to be posted. We have seen this on a number of issues over the last 10 or 15 years—taxation issues, or the cost of schooling, for instance, where we had a real issue about seven or eight years ago when the Scottish Government chose to change the position and it disadvantaged those members of the Armed Forces community serving north of the border, and we found it difficult to get young men and woman to agree to be posted in Scotland. To my mind, therefore, the MOD would do well to decouple a singular pay structure, to have more flexibility in offering bespoke terms and conditions of service to those who are abroad, but we are not there yet.

Q8 **Mr Bailey:** In the US, as personnel move across state lines, service is uniform. It is uniform in the US and it is uniform globally. We have heard from other parties that when US servicepeople come here, they are exempted from our tax, and of course they would be because “no disadvantage by dint of service” is something that they apply. It is perverse that only the UK chooses not to do that.

To move on to non-UK passport holders—this is a massive area that the Cobseo has been doing work on, and I have sat on the Cobseo. Why is there a difference in the application of service, not “by dint of service”, for those people of non-UK passport-holding status?

Lt Gen. Sir Nick Pope: I am not going to defend Government here—I think they have made some changes to the immigration status of those from foreign and Commonwealth countries and from my alma mater, the Gurkhas and Nepal, coming into the country over the last 10 or 15 years to normalise the relationship more and, in some instances, to put those who are serving ahead of the queue in terms of their relationship with the



HOUSE OF COMMONS

Home Office. From the sector perspective, we have pushed back against Government on, "That's very good for those who are serving; less good for the families and dependants of those who are serving." I would argue that there is more work to do in that area to remove disadvantage.

That follows through into employment. Arguably, it is more difficult for foreign and Commonwealth and Nepalese members of our community to get work than it is for their UK-based equivalents.

Q9 Mr Bailey: And there is significant disadvantage as they exit the service. Perhaps that is something you could explore or maybe the next panel will bring it up. Are there some examples you could help us with?

Lt Gen. Sir Nick Pope: I will give you some examples. Let me revert to the serving community, particularly those based abroad. If we take Brunei, or Kenya, or the United States—I am sure that the families federations will pick this up later—the ability of spouses to gain employment is minimised and marginalised by the way our status of forces agreements are put on the table. There is a lot of work to be done in that area to level the playing field, to enable spouses and partners to gain employment abroad.

With regard to the UK position, I would argue that our career transition partnership arrangements with Reed in Partnership provide a framework for serving members of the Armed Forces to gain initial employment, but much less so for their partners and dependants. It is an issue for the spouses particularly.

Q10 Mr Bailey: Well, it is a significant issue. I will give you an example. If you are a non-UK passport holder, you cannot apply for indefinite leave to remain, which causes you loss of about six months of income. That has a massive impact on personnel, most of whom come from the US.

Lt Gen. Sir Nick Pope: I recognise that.

Mr Bailey: I know Tan will want me to move on, but I will wrap up by saying that we have seen massive divergence in our service across the UK and significant divergence in the impact on non-UK passport holders, ethnic minorities and the people of the Gurkha regiment. That does not look like success to me.

Q11 Lincoln Jopp: We have concentrated a lot on the serving issue, and it has been very helpful to talk about it, because we obviously do not get to invite those serving to come and give evidence to us. We have also looked at some of the veterans' issues. Generally speaking, that seems to be the world that we look at: bifurcated between serving and veterans. Of course, as you well know, there is a third group who are covered by the Covenant: the bereaved.

As I understand it, the lump sum given to families of deceased Armed Forces personnel is currently tax-free, but changes brought in in the Budget mean that the children and partners of unmarried men and women could pay death duties on that benefit from 2027, where the death occurs off duty. My interpretation of that is that it is outwith the letter and the



HOUSE OF COMMONS

spirit of the Armed Forces Covenant, but others will take a view. Is this an issue which has been raised with you? Which bit of your organisation is particularly on this to lobby for that particular group of people with respect to this one issue?

Lt Gen. Sir Nick Pope: Can I add another issue, which is very similar? This is where there is a policy change from the Government, which has an impact more broadly across the Armed Forces community.

The issue you have raised there is one that the Forces Pension Society is very much on point for. Neil Marshall, the chief exec, has been very clear in working up advice to both Ministers and the MOD. More broadly, he is advocating now for an exemption clause—that is the wrong expression, but he wants an exemption—for members of the Armed Forces community, who clearly will be disadvantaged, I would argue, by this change in policy.

A similar one, which I suspect the families federations will pick up on, is an issue around stamp duty for those people who have residential homes but cannot live in them by dint of service. Currently, under the new stamp duty legislation, they will, due to the changes that came in in the Budget, be required to pay a higher rate of stamp duty.

In areas like that, we would always argue that if you are, from a Government perspective, changing your policy, you need to be thinking through the implications for the Armed Forces community and working out whether you can have a revision or exemption clause in the policy.

Mark Atkinson: I agree with what Nick has said, and I just repeat what I said to Mr Bailey, which is that part of the challenge with the duty is that it does not apply to Whitehall Departments, so I do not believe HM Treasury or HMRC or other bits of Government will be thinking about the disadvantage this may create to the community that we are representing and speaking on behalf of today.

We would argue very strongly—as, I know, would Nick—that actually the duty needs to apply to all Whitehall Departments so that, in policy development and the equality impact assessments that are taking place with new policy initiatives, be it the examples you gave or others, Whitehall Departments and central Government are asked to think particularly about the impact of that policy on this community.

Lincoln Jopp: I always thought it was ironic that Armed Forces Day, which is a way of the nation giving back to their Armed Forces, normally meant soldiers, sailors, airmen and marines having to work another day, which did not seem to fit the bill in any way at all. With that thought, I will hand back to the Chair.

Q12 **Derek Twigg:** Can I cover one thing briefly? It is an area that always used to be a concern—I wonder whether it still is a concern—that affects everyone, from serving members to veterans. In terms of health, and the crossover when they leave the Armed Forces—we know there is massive pressure on the defence medical services generally—is there still an issue



HOUSE OF COMMONS

with personnel coming out into civilian life who end up going to the NHS getting the correct and right medical treatment and support, both for mental and physical health?

Lt Gen. Sir Nick Pope: This is an area where, for the last 15 years, I think, the MOD has had a programme in place to digitalise medical healthcare records for a smooth transition as one leaves the service. That programme, through what was called DMICP and now Cortisone, has been in flight for—golly—almost since before I joined the service, and it still has not transitioned.

I will give you my own personal experience here, having left the service five years ago. When you leave, your medical records are sent to your personnel branch—ours, in the Army, is in Glasgow. I asked for my medical records because I needed them to buy a house, and, a month later, they were sent to me in photocopied form, out of order, and the photocopied pile was about an inch and a half thick. I reflected on that: if I am a senior three-star Army officer and that is the treatment I am getting, what is it going to be like for a lance corporal? Clearly it is going to be difficult. As people transition out of the forces and start to think about getting a GP accreditation, that ability to transfer their records is extraordinarily hard right now, so the more you can do to press the MOD to deliver a digitalised solution earlier, the better.

The translation mechanism is extremely clunky. At some stage, hopefully, the majority of those who leave will be picked up by the medical system, and, at that stage, I think NHSE and the devolved Governments will be doing a lot to privilege service. For those who have served, GP accreditation champions within various integrated care partnership boards—and the same sort of relationship in other parts of the UK—are working quite well. But whether it is as effective for Armed Forces dependants is a different question.

Q13 Derek Twigg: Do you think there is a problem for dependants?

Lt Gen. Sir Nick Pope: I think that the ability of a GP surgery to recognise that somebody is coming in as a dependant of somebody who has served is pretty tricky. The identification tag that we have regarding being a veteran sits in somebody's GP record now, but less so for a dependant, or a child of a partner. I therefore think that we have a way to go, really, to think about recognition within the medical profession for the entire Armed Forces community.

Derek Twigg: It is still an area of concern for you?

Lt Gen. Sir Nick Pope: Yes.

Mark Atkinson: I agree with that, particularly on the families piece, in making sure that healthcare providers—whether GPs, dentistry or elsewhere—know that you are the partner of, the spouse of, or the child of, somebody who is serving. We hear that there continue to be significant gaps on that, particularly where people are frequently being deployed or



HOUSE OF COMMONS

relocated, and are having to restart those conversations time and again—particularly thinking about families and spouses.

- Q14 Chair:** We have delved into the existing Covenant over the last half hour, but now I want to move on to proposed changes to the Covenant. The Labour party, in its manifesto, said that it wants to bring that fully into law; it wants to legislate for an expanded Covenant duty, and the Secretary of State, during his evidence to the Committee in November, noted that he sees the Armed Forces Bill—potentially coming in this year or next—as the vehicle to do that. But, as yet, there have been no specific details forthcoming from the Government. In your view, which areas should the duty be expanded to?

Lt Gen. Sir Nick Pope: I might say that, in principle, the idea of expansion is a good thing—hold that particular thought. If you were to expand into making the Covenant a legal responsibility of all Government Departments, I would particularly focus that towards the social care areas, and I would look into some of our employment legislation. In principle, expanding it across all aspects of Government is a good thing. The difficulty, as we have talked about in the first half, is that we are still half pregnant in measuring the current Covenant to work out whether it is effective, particularly in the area of due regard. We used the expression “due regard” over the last couple of years; it is tricky, if you get down to the local level, to work out what that means. The idea of expansion is good, but the danger of expansion is that we lose focus. If everything becomes a priority, nothing is a priority. To me, we all aim to go very broad but very shallow, rather than deep in some areas.

- Q15 Chair:** Indeed. The language around due regard has been criticised in some of the written submissions that have been received by the Defence Committee. Mr Atkinson?

Mark Atkinson: I agree with Nick; the debate is breadth versus depth. In our written evidence to the Committee, we argued strongly for breadth. We think that the Armed Forces Covenant duty should be applied across public services and public bodies much more generally than it is today, but Nick is right to identify the risk that comes with that. We are mindful of that as well.

Having said that, there are probably three or four areas in particular that RBL would like to see the duty extended to. Nick has referenced one of them, which is adult social care. Obviously, there is a huge interface between health and social care. We know that, in terms of residential care homes across England, we have 25,000 veterans living in those homes. We would like the Armed Forces Covenant to be extended to social care providers.

In my earlier response to Mr Bailey, I referenced welfare benefits and compensation. Again, I think that those parts of the state that are making judgments on pension credit, council tax support, discretionary housing payments and so on should also be required to properly take into account the Covenant. I would like to see an extension to welfare benefits.



HOUSE OF COMMONS

The other example that Nick referenced is about special educational needs and disability. Central Government policy and direction to local authorities from the Department for Education around SEND need to take greater account of the Covenant. We hear lots of examples of families having to restart the SEND process, restart diagnoses and get back in the queue when they relocate to a different town or city.

There are some specific areas and those are the three that I would draw particular attention to—adult social care, welfare benefits and SEND—where there would be real value in stretching out the Covenant. Having said that, as I referenced before, there is greater value in the Covenant applying to all public services and public bodies overall to avoid things falling through the cracks as they currently do.

Q16 Chair: Some of what you have just said chimes with the evidence that we have received from the Forces in Mind Trust and the Local Government Association. To delve further into that, it has already been discussed when Alex Baker and others asked about the inconsistent application of the existing legal duty, but if there was an extension, do you think that would bring about meaningful improvements for serving personnel? What challenges do you foresee in the application with regard to devolved Administrations?

Lt Gen. Sir Nick Pope: On the devolved Administrations point, the legislation will need to make it very clear about the extension into areas that are reserved to the UK Parliament and those that are devolved to the devolved Governments, and how it would seek to mitigate in those areas—or to normalise—and to have a level playing field across the nation for areas that are not reserved. I am not sure how that would work in an Armed Forces Bill, but it would need to be looked at.

The other thing that would be worth thinking about with regard to an Armed Forces Bill is, if we are going to extend policy to all Government Departments, is it possible to legislate for some form of assessment of delivery? You mentioned the evidence that you have had from the Forces in Mind Trust and from RAND, who also provided separate information, which talks about a paucity of evidence. If you were to go to a local authority and ask about impacts, or about specific aspects of delivery against the Covenant, I think the local authority would find it hard to provide quantitative evidence currently. It may be possible in a Bill to consider how we think about impacts and evidence, so that when the annual Covenant report comes to Parliament, you have a better vehicle to assess the outcomes that we are seeking to get in terms of no disadvantage and special consideration.

Mark Atkinson: I agree with what Nick has said. To build on that a little, from my engagement with existing public bodies that have a Covenant duty, two things are consistent here. The first is the lack of funding, and the pressures on local authority finances in particular, when it comes to taking on this additional legal duty alongside others and making sure that there is proper investment in its application. I think I referenced that earlier. The second is the real disparity in understanding about the

Covenant. When you speak to local authorities, there is a real distribution of views about what the Covenant means and how it should be applied.

Earlier, in answer to another question, I referenced how some local authorities have done a top-to-bottom review and thought about how they apply the Covenant across their work and others have done something much more superficial. I think Nick is right: standardised evaluations and standardised reporting from public bodies on the application of this is vital.

- Q17 **Jesse Norman:** I should declare an interest, in that I am the chair of a new specialist technical university in Hereford. I want to focus a little on employment services and education. Do you think there is scope to expand the Covenant in a way that would improve the quality of education and training in the transition from service out of service? That obviously has such an effect on family wellbeing, economic development, mental health and all the rest of it.

Lt Gen. Sir Nick Pope: Thank you for the question. I have been looking for a hook to get into one of my particular areas, which is employment. I think there is a huge amount we can do, not only on transition—and, by the way, transition should start on day one of service, and you should be thinking about a common assessment framework throughout service for how you improve your skills and your skills accreditation, so that when you transition out of service into your future career, you are better prepared. On your point about enterprise approaches to supplement transitional training, I completely agree, but I would start them at the get-go rather than at the end of service.

This takes us into an area we have yet to talk about, which is the employer recognition scheme and the 12,000 signatories to the Armed Forces Covenant in industry, from the public and state sector, the private sector and the third sector. The 12,000 signatures show that an enormous amount of individuals out there have good will for the Armed Forces community, but I would argue that we do not currently use that mechanism well enough to support those who have left and those who are now in the services.

There are two reasons: one is the benefit to industry to demonstrate the fantastic value that service gives to an individual to equip him or her for subsequent careers. The other is that our ability to measure that is sparse right now. We do not have an ability to aggregate where the 1 million people who once served in the Armed Forces are now, working in industry. We cannot measure that. Similarly, I cannot tell you whether there is a benefit to the industry because of the individual's service.

That would be a fantastic metric to get after, to demonstrate the value of service and to flip the prism around to their being thriving members of the community. There is work in that area, not just for those who have served but for their spouses and partners.

Jesse Norman: Thank you.

- Q18 **Fred Thomas:** Thank you both for joining us today. You have both said



HOUSE OF COMMONS

that it is important to make sure that, when people leave service, the skills they have acquired in service are recognised.

Sir Nick, you just said that transition should start on day one of service. The Government are committed to putting the Covenant into legislation. There is no current timeline, and they are keen to hear from the Committee and from yourselves what that should look like. I do not think anyone would disagree with the concept that skills acquired in service need to be recognised in a different way from how they are currently, so that employers understand them better. Can you give us some concrete examples of what that might look like? I am sure you have done a lot of research in this area, and it would be really good to get that on record.

Lt Gen. Sir Nick Pope: Again, I will take you back to the Haythornthwaite review and to work that we—the Ministry of Defence—and, more importantly, the single services have been doing over the past 10 years to work out mechanisms for skills accreditation. It is fair to say that when a young man or woman joins the service, he or she is given an enormous amount of training. That has been the case since the year dot. It is also fair to say that a lot of that training hitherto has been militarily bespoke and not recognised.

I have seen many examples throughout my service of young men or women who have been through training, and then, at the 90% point, the MOD has turned around and said, "Actually, there's not the money to provide you with a civilian accreditation to recognise formally what you have done." If it were me, I would want to flip the switch around to say, "All of your training is civilian bespoke, with a military adjunct to it, so that when you transition from service you have a skills passport." Each of the three single services has been looking at how to develop this over the last 10 years, and, similarly, the Ministry of Defence is looking at the defence skills framework. It is yet to be formally accredited or delivered, but the sooner that happens, the better.

Were the Armed Forces Bill to contain some form of reference to this area, and were we able to legislate for it, I think it would give the MOD a great incentivisation mechanism to support training in service. I will give you a tactical example here. I remember that, when I was serving, the Colchester corrective training centre was under my purview, as deputy of the Army. I went down a couple of times to visit, and I remember going into those two wings at Colchester—admin wing, for people who have been naughty but who are being resurfaced and coming back into service, and discharge wing. In discharge wing, I spoke to a young lance corporal from the Engineers who had been a bad boy and was leaving the service. He said, "Can I stay here for two more months?" That was surprising to me, so I asked why. He said, "For the first time in my life, somebody is looking after me, and I am halfway through my plumber's training." There was an enormous emotive reaction from myself about social transformation, skills accreditation and life chances. If you could take that example and multiply it by 10,000, then you have got a great Armed Forces.

Q19 Fred Thomas: Mark, do you have anything to add to that?



HOUSE OF COMMONS

Mark Atkinson: I do not have a great deal to add to what Nick has just said. I do think that it is right to make sure that the skills and experiences that people generate through their service are properly linked into civilian accreditation, to make it easier for employers to recognise the skills that people have developed.

Q20 **Fred Thomas:** Sir Nick, do you think that the accreditation exists already in the civilian world and that we should be able to use that accreditation and say that people have gained it in service? Or do you think that we need to create new types of accreditation and recognition and then explain them to civilian employers and say, "This is what that means"?

Lt Gen. Sir Nick Pope: It is difficult to align the military to an industry society which is so fast-moving. The best mechanisms you have are probably to look for regulatory frameworks. If you are working in the construction industry or the technology industry, there are standards, there are protocols, there are recognised courses that are used as industry benchmarks. If you can align to industry benchmarks, you are probably best placed, rather than going to a specific industry per se.

Q21 **Ian Roome:** My question is a free-for-all, so you can relax. You have given some good evidence to the Committee. What changes would you like to see made to the Covenant, in any upcoming legislation or otherwise? You have touched on "due regard" being ambiguous. Lots of people working with veterans do not like that, because it can be interpreted to mean different things—"we could", "we should" or "we must". What would you both say is on your wish list, and what would you like to see coming out of the Committee's work?

Mark Atkinson: Repeating what I have said previously, RBL's view would definitely be that the Covenant duty—the legal duty—needs to be extended. We want to see it applied to all central Government Departments and to the devolved Administrations.

Returning to the debate we had before about the risk of over-broadening the legal duty, what is important is that the duty has sufficient agility to respond to changing public services and the changing needs of the Armed Forces community. The risk in broadening it too far is that things will fall between the gaps and will not get the attention and the prioritisation. However, if we were to see the legal duty extended in only one or two public areas, such as adult social care or childcare, as was referenced before, the risk—if you look at people's life and their engagement with different parts of the state—is that things will fall through the gaps. I guess my ask would be that we make sure we have a Covenant that is sufficiently broad to meet the kind of interactions that people have with the state.

One final comment from me before I hand to Nick. I do think that Nick's point is helpful: we have talked a lot about the legal duty, but if you look at the Covenant more generally and the fact that 12,000 employers across different sectors and states have signed up to it and its principles, then



HOUSE OF COMMONS

driving more engagement with employers, in whatever sector, is a core part of how we make sure we deliver for the Armed Forces community.

Q22 Ian Roome: Could I ask you to add to that, Mark? We are talking about veterans and serving personnel, but what is the RBL's view on spouses and families? They can be disadvantaged due to service.

Mark Atkinson: They absolutely can. In my answer earlier to Mr Twigg, I was giving an example of the impact on families and of the challenges that families face. They are often relocating or being deployed, rejoining dentistry waiting lists, trying to get a GP and, particularly for families that include children with special educational needs, having to go through rediagnosis and reassessments.

So it is about something that recognises that this is a family endeavour; it is the person serving, their spouse, their children—this is a unit together. It is about making sure that all the Covenant duties, however broad Government chooses to go, are there for the entire family unit. As I said before, that is particularly in health and social care, but possibly also around childcare, to take the example that was given before. This should be supporting families and ensuring that there is no disadvantage for the whole family.

Lt Gen. Sir Nick Pope: I have three Christmas wishes. The first is about measurement, impact and evidence. The more we get an understanding at the local level of the effects of what we promise through policy and legislation, the better.

The second is about the Covenant itself—this is kind of a helicopter question—and the relationship between the Armed Forces community and the nation. It is about this contract at the national level, which is not just about statutory service provision but also about industry, society and the third sector. There is something there about taking the Covenant back to its original purpose and asking if we are really getting after all those aspects through what we are putting into an Armed Forces Bill or other legislation.

Within that, I would think about whether, when we use the terms “disadvantage” and “special consideration”, we are picking up—particularly within “special consideration”—the wounded, injured and sick, and the bereaved community, and whether we are doing enough in that area.

On my third wish, the Covenant right now is measured in terms of disadvantage, support, help. It ignores the fact that 99% of the Armed Forces community is thriving and is valued and valuable. By using the Covenant to focus on disadvantage, we do not have a mechanism to balance it against the advantage of service and the advantage for those who have served, post-service. I would like to work out whether there is a context that we can use to make that point of contribution more valuable.

Chair: Thank you very much for your time, gentleman, and for providing evidence to the Committee's inquiry. That brings our first panel to a conclusion.

Examination of witnesses

Witnesses: Rebecca Lovell, Collette Musgrave and Vanessa Plumley.

Chair: I bring to order our evidence session on the Armed Forces Covenant. This is the second panel. I am grateful to the families federations for your joint submission to the Committee's call for evidence. It is a pleasure to welcome Rebecca Lovell, head of policy at the Naval Families Federation; Collette Musgrave, chief executive of the Army Families Federation; and Vanessa Plumley, acting director at the RAF Families Federation. Thank you for giving up your valuable time to come and give evidence to the Committee. Without further ado, I would like to bring in my colleague Derek Twigg. We are going to look first at the existing Covenant.

Q23 Derek Twigg: The simple question is: how is it making a difference to you currently? Connected with that, what are the good outcomes, and how can we share that good practice? So what is working well, why is it working well, and how do we share it to improve things for the future?

Vanessa Plumley: Thank you very much for the opportunity to be here and to share our side. It was good to hear the earlier panel this morning, with its veteran focus, bringing in the families, and it was interesting language.

There are some things that are working well. One of the elements is having the Covenant—that is the first thing. Actually having the Covenant is an acknowledgment of the Armed Forces community. Language is really important, because one of the challenges is that not everybody understands the breadth of the Armed Forces community. As you heard this morning from the RBL and Cobseo, that it does vary.

The things that are working well are where it is understood what the Covenant is. The NHS Armed Forces commissioning team have run with that and have given Armed Forces personnel the opportunity, because mobility can at times impact their lifestyle, to mitigate that. We have families with children overseas that have the issue of having to get an NHS number set up and then return to the UK. If there are challenges with medical care, the Armed Forces commissioning team take away the concerns around waiting lists that moving to a new area can cause for anybody. Obviously, we are not trying to create advantage; we are trying to mitigate and limit disadvantage.

The other area that is working particularly well is the service pupil premium in England, which we heard referenced earlier. It is less well understood when you go to Scotland, because with Getting it right for every child, the Armed Forces element is not unique—it is everybody. So that aspect is more challenging.

Where it is working really well in Wales is the Armed Forces liaison officers that we also heard referenced earlier. They have a national team that is



resourced. So the places where the Covenant is working well are where it has been resourced and it is well understood. I will leave it at that point for my colleagues, if there are any other points they want to come in on?

Rebecca Lovell: I would just like to pick up on the service pupil premium, which Vanessa spoke of. In terms of understanding the Covenant, it may be that the unique needs of the families—for example, to do with mobility or separation—can be understood. Where it has worked well, there is a very good connection with the parents. For example, in the naval experience, schools may understand that because parents are not coming in and out, children may have issues that are linked to separation, and are able to provide pastoral support. Children may be able to communicate whilst they are at school, because of differences in time due to separation. When no communication is possible, in the case of submarine service, schools may assist the children to keep a record of their activities. More importantly, they can allow other children from non-serving families to have that conversation and to have some understanding of what the exigencies of service life are.

Collette Musgrave: My colleagues have covered the main areas where it is working well. I am disappointed to say that; I would love to say that there are other areas where, particularly for the serving community, it has made a real difference, but I am afraid there is a paucity. I will leave it at that, because I think that is what you are going on to next.

Derek Twigg: I think we are coming on to that next.

Q24 **Michelle Scrogg:** We are touching on exactly where we were going next. We know that the nature of the service means that people move around an awful lot; they are very mobile. What sort of challenges does that throw up for people in the service? Has the Covenant addressed that?

Collette Musgrave: In a short answer: no, not fully. We support and echo almost everything that our colleagues from both Cobseo and RBL said before. We work very closely with those organisations and echo almost everything they were saying about the challenges of the limitations of the Covenant in addressing all aspects of everyday life.

For the serving community in particular, we deal with so many cases of people coming to us when they have faced significant problems—not because they are particularly in need or have particular concerns or particular financial or health requirements; they are just living their everyday lives. They are trying to find school places for their children. They are trying to have continuity of care plans as they move around the country, move in and out of the devolved nations or come back from serving overseas. They—our non-UK community in particular—are trying to simply move along the route of visas, indefinite leave to remain or even citizenship. They are simply trying to live their everyday lives and face challenges at every turn because of the narrowness of the application of the Covenant, the misunderstanding about due regard and the differences of approach in different locations in the country and between different service providers and different Government Departments.



HOUSE OF COMMONS

My colleague Lieutenant General Pope mentioned stamp duty land tax. We have a case at the moment where one part of HMRC is quite happy to recognise the unique nature of service life in terms of capital gains tax, but not happy to recognise it in terms of stamp duty land tax—both issues in relation to the purchase of a main residence that one may not, due to service life, actually be able to live in. These are the things that people are facing on a day-to-day basis. For the serving community, given the evidence we have, the Covenant is not particularly well understood or functioning well in that regard.

Vanessa Plumley: I would add, just to reinforce that, that it is the lack of consistent resourcing. When you speak to the different local authorities, some have Armed Forces Covenant liaison officers and others are doing it as an additional role. That is part of it. Language, understanding and resource are the three key points that I feel are causing challenge to the actual implementation.

Q25 **Michelle Scrogam:** We have evidence saying that things are different across all the local authorities and within the devolved Parliaments. What effect is that having on service personnel?

Collette Musgrave: It is hugely frustrating, for a start. You can move from one area where you are receiving one thing to another area where you are not. It shows a lack of value from society for that serving person, which can be corrosive over time. It presents practical problems in providing continuity of support to your family members, whether it is employment, childcare, education, or training courses, for example—that is a real issue moving around the UK between the devolved nations. It puts a great deal of grit into the system of family life. That is one of those things that, when we come to the people who have a more mature service—whether it is 10, 15 or 20 years down the line—becomes too much. You are told that you have the Covenant, which can support you in terms of engagement with individuals. The frustration when people actually come up against it and work out that it is not really doing what they think it needs to do for them to support their family life within the Armed Forces can be the tipping point.

Rebecca Lovell: I echo both my colleagues' comments. The challenges come when you could be moving between local authorities. It could be to do with some of the things you have mentioned in terms of access to information and understanding the point of contact with the local authorities, whether that is an Armed Forces champion—is that available, and what is their level of knowledge? Just generally, when you are engaged with that local authority, that might be very variable. That is certainly what families tell us and that can lead to some anxiety about the accuracy of information they are getting. Then, when you add in also potentially moving between the devolved nations or, indeed, from or back from overseas, again, that increases it.

There is a dislocation of expectation of what they might be going into and then what they might receive. It is also about remembering that when families are moving, there is a lot going on for them at that time. It is not



HOUSE OF COMMONS

just about the education; it is also maybe the spousal employment. In terms of the Navy, the separation there might make it very difficult to meet particular healthcare appointments, for example. Sometimes, it comes back to that understanding and local authorities understanding what might be the particular needs of those families.

Vanessa Plumley: If I can just add, it is causing families to make decisions, such as keeping the family static and mitigating the mobility. That means you then have the peripatetic element of the serviceperson going away and the other challenges for the family reuniting, the dynamic shift and then the potential impact on the non-serving person, as well as, as Collette alluded to, people leaving. It is that value factor of all this that is contributing to the wider ability of the Armed Forces to maintain—

Q26 **Michelle Scrogam:** What could be done to make sure it is applied consistently, then?

Vanessa Plumley: Back to the point that we are hoping for: it is the expansion to offer that wider direction from central Government to the local authority to potentially attract additional funding to enable it to be resourced appropriately and to ensure there is a better understanding of language. We hear lots about veteran aware. As much as I have suggested that the NHS is great, with its Armed Forces commissioning scheme, and that the GP service is veteran aware, when you drill down into it, that includes Armed Forces families, but it is not inclusive.

It comes back to the language and resourcing, and ensuring that there is a comprehensive understanding of what the Covenant means. That is twofold. It is incumbent on the service personnel and their families to understand what they should be asking, because a lot of them do not, and they wait. Then it gets to crisis point—I see people coming to us at that point, looking for help. There is a wealth of people who are successful, are enjoying it and are having a good time of it. It is the reality that only when they come to us, when there is a problem, do we recognise that there are more people who perhaps do not know about it or know that the help is there when they need it. They are the ones we worry about as well.

Q27 **Michelle Scrogam:** You touched on the Armed Forces champions there. What value is placed on that nationally? Does that also differ from area to area?

Vanessa Plumley: We have found that, in terms of access, the first port is getting information about who they are. There is not a consistent system to do that, and when you try and get hold of a list, Scotland has a very good leaflet that tells you who the Armed Forces champions are. You also know through the Armed Forces liaison officers that Wales has addressed that. In England, it is difficult to find out, and you recognise sometimes that it is not always going to be the same method. You go on the website and you will get a generic email. Then you find out that that person is doing it in addition to another role. That is where getting the time becomes difficult. When you go in to talk to them, it is very passionate at the time, but it is not their primary role, so getting the time



HOUSE OF COMMONS

to enable that full understanding is difficult. So yes, it is back to Nick's phrase: "patchy".

- Q28 **Derek Twigg:** In sum, then, what you are saying is that the Covenant is working much better for veterans than for serving personnel and their families.

Collette Musgrave: I think we would agree that there is much greater awareness of veterans within the context of the Covenant. There are many more processes. All the ops that you can think of—Op COURAGE, Op NOVA, Op PROSPER—are very much badged in a veterans' wave, and as Vanessa says, when you dig into them, much of the legislative stuff is related to veterans.

- Q29 **Derek Twigg:** So it is working better for the veterans.

Collette Musgrave: As a veteran myself, I would never wish to create a divide in the wider service community.

- Q30 **Derek Twigg:** I am not trying to do that; we are trying to get to the bottom of what is working. So basically, it could work better for serving personnel and families than it is currently. How confident are you that the concerns that are passed up the line are getting to the various chiefs and Ministers?

Collette Musgrave: We have certainly presented evidence on a number of occasions. We have been involved in consultations.

Derek Twigg: You're being diplomatic.

Collette Musgrave: That is about as much as I can say at this point. I know that I can speak—

- Q31 **Derek Twigg:** You're not confident that it is getting through.

Collette Musgrave: I can speak for my service—the Army—to say that, most definitely, the Army chain of command is very alive to this issue and to supporting the serving community, as well as acknowledging its veterans. It sees it as a whole. But in terms of the legislation around the Covenant, we have yet to see progression on that.

- Q32 **Ian Roome:** I am very interested in the individual services—the Army, the Navy and the RAF. Within the three branches, how aware are personnel and their families of the Covenant and what it actually offers them?

Rebecca Lovell: Among the families who contact us, the understanding of the Covenant is very variable. Overall, it is possibly not a good understanding. We caveat that, as I said, because people come to us when they have an issue. That is telling, in the sense that if they have a misconception, sometimes that exacerbates their feeling. They may think, "The Armed Forces Covenant may apply in this way", and we are able to educate them and say, "Actually, this is how it applies. Here're some of the ways that you can engage with the NHS."



HOUSE OF COMMONS

They go through that education, but that misunderstanding makes them feel that they somehow could be let down. That is a real feeling for them, but often it might be the first time that a family has reached out to us to do that. Having said that, some families are aware of it. In a consultation that we did, which happened to be around additional needs in England in response to a Government paper, comments were made about how brilliant it would be if it was in force. There is some awareness there.

Collette Musgrave: Again, it is patchy. Our service personnel and their families come with certain perceptions about what disadvantage means. If you are a family who have not been able to get a school place that you might want, because you have had to move in the air from one end of the country to another, you will feel disadvantaged. The way in which due regard is working is such that the people you are interfacing with may not regard you as being disadvantaged. That is a real friction and a real challenge for people to understand. We all do our very best, I think, to support people when they come to us, explaining what the Covenant can and cannot do. Yes, we encounter frustration on a daily basis about understanding why it is not doing certain things.

There is a lack of understanding about the limitations of the Covenant, which does lead to a question if it is extended, as both RBL and Cobseo alluded to, about how to communicate that well: exactly what will be available potentially, how it will be delivered and how you can have a sense of guarantee as a family that you will be able to invoke the Covenant successfully in your day-to-day life when seeking to engage with a Government Department or a service provider. That will be key.

Vanessa Plumley: From an RAF perspective, it is very similar to the Navy and the Army. It is the relevance. As a single person, you wouldn't necessarily look to understand what the Covenant was, unless there was a specific issue that you felt that you needed to pursue. It is what the hook is to the serving person to need to understand the Covenant. That is the first element. However, when they do hear about it, as Colette and Becky mentioned, the actual understanding of it is sometimes skewed because they are looking to, in their view, understand how their perceived disadvantage can be remedied, without recognising the element of disadvantage against the nation. I think it is parochial, depending on the circumstances of the individual.

Q33 **Ian Roome:** How well is the Covenant understood by the organisations that service families engage with?

Vanessa Plumley: It is very similar. If you have got an area in which there is a large density of service personnel—Norfolk was referenced earlier—it is fabulous. They have set up their own specific Armed Forces commissioner, and they have got a really comprehensive board, which they invite the family federations to join. I am a member of that. Oxfordshire is a civilian-military partnership, and Lincolnshire is just reinstating theirs from an RAF perspective. I think it is relevant to the area as to what the investment is, but it is at that level. The depth of



understanding is where the challenge is from the interface for the families. I think that is the problem.

In terms of employers, we have examples in which the employers have signed the Covenant, then families come to us when the non-serving person is employed by them, and they are trying to look for a change of circumstances when their service partner is deployed. That person who they have engaged with is not aware of the Covenant at all. We are then able to go in and explain, then that helps to unpick some of the challenges. It is very tactical through to more operational, but there are very variable levels of understanding.

Q34 Ian Roome: Are there any other remarks?

Collette Musgrave: I think the area that has not really been touched on is the private sector, within the Covenant. Many of the things that one deals with in one's everyday life, which is what we are talking about here for the serving community, are things such as financial services, mortgages, getting broadband and being able to transfer your broadband contract. Engagement with the private sector is most definitely very patchy indeed. It depends very largely on the nature of the individual who happens to be at the end of the telephone line at the time. Again, we spend a lot of our time, with a very long screwdriver, going into organisations that we know have signed up to the Covenant, and other Government Departments as well, particularly the DWP, if I may say so, and saying, "You have signed up to this. Here is a very clearcut case of disadvantage. Please can you do something about it?" However, it does require a long screwdriver on far too many occasions.

Q35 Ian Roome: Do you think that is to do with understanding within those Departments—that they have to sign up to the Covenant but don't understand what it actually means? It is also about resourcing it, I suppose.

Collette Musgrave: I think there is a lot of genuine commitment and a lot of genuine empathy. In terms of resourcing and training, I mean, I've worked in a call centre in the past, in my youth, and I know that with the turnover and training the way they are, you may not get somebody who really understands and empathises consistently with the circumstances of an Armed Forces family.

One of our frustrations is that even outside the Covenant—if we go back to non-UK visas and immigration—there are statutory requirements for Armed Forces personnel and their families that are different, and even they are not being met in full, let alone then going into slightly more nebulous Armed Forces Covenant "due regard" commitments. I don't disagree that it is a challenge for organisations, but I do feel that if they have signed up to it, it needs to be followed through in the first instance. That is where we come into it, and I am sure that we will get on to it in due course—the risks of extension and how you make that work properly.

Rebecca Lovell: I want to add our point of view on employment, and I echo Collette's comments. We often have families come to us, and when



HOUSE OF COMMONS

we are able to signpost them to the information and explain it to them, they feel supported. It gives them that value, which is really important, so that is the converse side of it. To give the example of employer understanding of the non-UK population, which was mentioned, that is another element where we believe there is an opportunity to improve, particularly on discharge at the end of service. It might be that we understand there have been some challenges, for example, with going to electronic systems and employers looking in the right place for the qualifications¹ and all of that. At that time of transition, which has a lot of family pressures as well, that would be really welcome.

Q36 Ian Roome: When it comes to awareness of the Covenant, what do you think we should be doing as a Government to ensure that the delivery of your services is promoted better at the service level?

Rebecca Lovell: It starts from the centralised policy, and we have heard that being talked about today. Although the implementation is at a local level, many of those policies are centrally directed, whether that is in England or not. We have talked about schools quite a lot, but with the school admissions code or the SEND code of practice, the actual delivery is at local level but it has come from central Government. That would extend across the devolved Administrations, too. There needs to be that centralised understanding and a joined-up approach so that, when new legislation is being enacted by those parts of Government, there is clarity on the approach from the whole Government about what the Armed Forces Covenant means.

Vanessa Plumley: It goes back to relevance, so that the communication is clear to the individual on how they can access it and what they are going to be supported with. As Becky said, it is about that direction from central Government so the individuals can see it as and when. When you join, as a single person, it is a bit like the transition bit—it is about understanding that the Covenant will support you throughout your career. As a single person, if you need secondary medical care, you will need to enact the Covenant—it is not just the family bit. It is about how you make sure it stays relevant to the serving person throughout their career.

Q37 Ian Roome: Do you think more could be done within the services on mandatory training? We heard earlier that 27% of serving personnel have never heard of it. Therefore, does it need to be mandatory that we tell serving personnel that this exists?

Vanessa Plumley: If I may, as the most recent to have left, the challenge with mandatory training is that it needs to be relevant. It has to be at the point at which it is most pertinent. We brief the cadets when they start in their officer training, and we brief the phase 1 recruits. You talk about the Families Federation at that point and you can see it is not something that they are not necessarily going to think about. We talk about their leadership toolkit, so it is about recognising the point in their career at which this is going to be pertinent to them. I would not like to

¹ Clarification from witness 13/02/2025: "e.g. proof of the right to work."



HOUSE OF COMMONS

suggest that it is something that has to be mandated. I think it is quite key to consider the "So what?" of it, so that we put it at the appropriate time.

Q38 Mr Bailey: First, thank you for the exceptional service that you provide our service families. Having seen it from inside, I know how hard you work, and I would like to put that on the record.

I want to go back to a couple of points that you raised on the fact that you are always responding to bad policy. The fact that you exist means that bad policy is produced.

One of the examples that you pulled out, which would be really useful for us to hear about, is the impact of the really quite poorly conceived policy on the changes to migration limits and how that affected some specific communities within the service. Going back to your remarks about how this has to a whole-of-Government thing, could you provide us with some evidence or examples—so that we can hear them from you—of a poorly applied or poorly considered policy that you received?

Collette Musgrave: Certainly. Comments we heard today already have really resonated with me about how Whitehall, in the development of policy, does not give due regard to the unique circumstances of serving personnel and their families. I recognise that that is perhaps not widely understood in all sections of Government, but it is definitely something we strongly feel should be taken forward. It is most relevant and pertinent in some recent egregious cases, relating in particular to non-UK personnel and their families.

I think you are alluding to the changes that were made to UK immigration rules. There is a specific annexe to the immigration rules—Appendix Armed Forces. It exists, as I have referenced; it is already there in statutory provision. Little regard in the development of new policy was given to the circumstances of people under Appendix Armed Forces, in particular minimum income requirements.

Suddenly, overnight, the income requirement for serving members of the UK Armed Forces became well in excess of what they were going to be earning for 10 to 15 years of their careers. Therefore, overnight, they were unable to bring across to the UK any of their family members. They simply did not meet the minimum income requirements to be able to do that. In that case, it was identified quickly and, within a matter of months, changes were made. The very fact that that had to happen is extremely disappointing. The level of stress and concern it caused families was—

Q39 Mr Bailey: It was identified by your organisation. That is critical.

Collette Musgrave: Thank you for saying that. It was identified by our organisation, and we raised the issue immediately. There remain, within the changes to the rules, a number of issues that do not address the requirements of UK Armed Forces personnel and their family members. We continue to work with the Home Office to try to change that.



HOUSE OF COMMONS

That is not the only example. We have heard today, on stamp duty land tax, about the idea of a main residence, which service personnel cannot live in for service reasons. We have had issues with various elements of welfare benefits. Changes to allowances and the way in which universal credit works have not taken into account the unique nature of service life.

Service personnel and their families, particularly separating spouses or partners, will simply not be able to provide the evidence that DWP requires of them. Sometimes the language in which it is provided is not understood. I am happy to raise the issue once more of mesne profits. I will no doubt have to explain the issue of mesne profits, and I am happy to write in detail about that.

Chair: Please do.

Collette Musgrave: Essentially, because of the nature of service housing, which is held under a licence rather than a tenancy agreement, it is extremely difficult for separating spouses—who are generally, if they are not in uniform, not the licence holder—to demonstrate to the DWP that they have the necessary paperwork to claim housing benefits.

That issue is long standing and rests between the Ministry of Defence and DWP. We have got to the point where it has been raised. The two Departments have spoken to each other and decided that there is no solution. So, we are left with people still at a disadvantage because of central Government policies not docking with each other to recognise the unique circumstances of service personnel and their families.

Chair: Thank you. I would now like to move over to potential changes in the Armed Forces Covenant. I invite my colleague Jesse Norman to kick us off.

Q40 **Jesse Norman:** I echo what Calvin said about your service to families; I am sure that feeling is widely shared across the Committee. You will have heard my exchange earlier with Nick Pope about education and employment. You have been very eloquent, although possibly quite restrained, on the failures of communication and awareness, and enforcement, or something like enforcement, across the Covenant. Can I ask about this vexed question of extension, and whether you think there should be extension and where in particular beyond the current priority areas you would favour? Of course, it may be that you have different views on this. We would be interested in all your views.

Vanessa Plumley: Nick and Mark both talked about the whole of Government, and we echo that.

Q41 **Jesse Norman:** For extension across Government, I do not think anyone contests that. I mean an extension of the areas of support or the Covenant.

Vanessa Plumley: Thank you, understood. Specific elements include childcare and the challenge of financial provision for it in England versus under the devolved Administrations. That links directly to spousal



HOUSE OF COMMONS

employment because of the challenges with getting childcare for the non-serving in some cases. It is even more challenging for the dual serving to enable actual requirements to deliver against their employment. The two are inextricably linked. Within spousal employment, that would include even defence relationship management to ensure that the guidance they are giving on the employer recognition scheme is well understood.

It comes back to the language, understanding and resourcing to make sure that people fully understand what they are signing up to. That is so that, say, when Vanessa Plumley contacts them as a spouse, I am not left with the frustration of not being able to deliver on my actual contract of work because my partner is deployed. That would make me professionally and personally concerned, and that would have an impact on my wellbeing. All of those points come into it, so there is childcare, education, the social aspect, DHSC and the Department for Work and Pensions, immigration and the Home Office.

There are even elements of the Treasury in the decisions we referenced earlier. There is another bit about the CEA that we have not got into, in terms of decisions that are made and the second order impact of those decisions to make sure there is a consultation and an actual requirement to reflect that into the Armed Forces input, which we recognise is a small element of society but has a big effect in what they are delivering. We recognise that disadvantage. At times it looks like an advantage, but it is about trying to ameliorate the bigger impacts it is having on service life.

Q42 Jesse Norman: So if you had to choose one area, Vanessa, it would be childcare. No prejudice to the others, but it would be childcare. How about you, Collette and Rebecca?

Rebecca Lovell: For us childcare is also a key area. We can talk about that in more detail if you would like. Also important is employment and a continued focus on some of the areas we have talked about, particularly immigration and citizenship, and education and healthcare. Transport, which we have put into our written submission, would potentially come under education too. I would caveat that with the statements we have already made about the extension across all policy areas.

Collette Musgrave: I am clearly going to agree with my colleagues, but if I think about the particular constituency we have in terms of our beneficiaries as serving Army personnel and their families, I would like to give particular focus to our non-UK community, the vast majority of whom sit within the Army. The variety sits within the Army, and there is the nature of both our non-UK personnel and non-UK families—it may not necessarily be the same thing—and the Gurkha community as well. I would very much like to see that fully encompassed—not just the statutory elements, but the way in which those are applied and due regard is given to disadvantage, particularly on transitioning out for service personnel, and moving around the UK as well as in and out of overseas for serving personnel and their families. Beyond that, the other key area is most definitely the interface between the military compensation and offer and welfare provision. That does not go to a particular Department or theme.



HOUSE OF COMMONS

The nature of trying to either live one's life when serving, or to transition out of service, and being able to access the level of welfare provision to which one is entitled as a UK citizen is essential. This ranges from ensuring that spouses get the correct national insurance contributions in recognition of accompanying their serviceperson overseas, all the way through to the correct pension and the interface between a service pension and other compensation.

- Q43 **Jesse Norman:** Thank you. Let us talk a little about the criticisms you have made of this language of similar duty of due regard versus legal duty. What is your concern there? Do you think the adoption of that language would have the effect of watering down the commitments rather than increasing and spreading them?

Collette Musgrave: This is a risk which we as families federations have communicated to the Ministry of Defence for several years now. We feel using due regard and subsequently legislating more widely without proper mechanisms to measure effect, hold to account and provide a robust governance process—for want of a better phrase—does present some risks.

- Q44 **Jesse Norman:** You have already given an example in which two Departments acknowledge there is a problem and are perfectly content to say there is no remedy. In that case they could say, "Well we have had due regard to this and you can sod off".

Collette Musgrave: That is one of the concerns we have put forward. The mesne profits issue arose because the answer had been, "You must go to the relevant Departmental ombudsman". Well, okay, but going to the relevant Departmental ombudsman in this case does not get us any further forward because that process does not understand the nature of military life and the language being used by the families concerned. It simply does not understand and is not getting across the boundaries between those two natures of life.

- Q45 **Jesse Norman:** Any MP would have a worry about whether resort to an ombudsman was a solution to anything, frankly, let alone in the time concerned.

Collette Musgrave: It just continues. When you do reach an impasse, such as we have over mesne profit, there is no point anywhere in the process by which the issue can be taken further forward. We have spoken to Ministers and raised it again within the relevant Departments. There is no way forward.

- Q46 **Jesse Norman:** The concern you have is that due regard does not really mean anything, and this demonstrates why?

Collette Musgrave: Where such an impasse is reached there is a possibility of, "Where is the teeth in it to move it forward?" This particular situation is for, admittedly, a small group. However for them it is an impactful situation of getting progressively deeper into debt because they cannot access housing benefit. Where do those families go? One might argue this would be an excellent role for the new Armed Forces



HOUSE OF COMMONS

Commissioner to take forward, as a single individual with the ability, profile and the power across Whitehall to knock heads together. At the moment, that is lacking.

- Q47 **Jesse Norman:** Choosing an idea at random. Okay, wonderful, thank you. Would you like to add to that, Vanessa or Rebecca?

Rebecca Lovell: I would just say, in terms of the use of the due regard, that it can be interpreted differently. As my colleague has said, when it comes to advocating we often do have successes. However, it gets to a certain point where, if both parties have shown due regard, it is about where you go from there. That is a challenge for our families, because that is when they then feel that lack of confidence. The intent is then lost and it can become a negative.

- Q48 **Jesse Norman:** So just extending a process could count as due regard, even though no substantive regard is really being paid.

Rebecca Lovell: Yes.

- Q49 **Jesse Norman:** That is interesting. Thank you. Vanessa?

Vanessa Plumley: I would make the same point, really. Where does it go to? How is it challenged beyond the point of the final decision by the highest person? Have they shown due regard? In their opinion, yes. The ambiguity is such that we do not have any leverage other than our perspective, and then it just becomes one versus one in terms of who has the final say—and they have it, because they are ones giving the provision.

Jesse Norman: Thank you very much.

- Q50 **Ian Roome:** One of the submissions that the Committee received was on the duty of due regard, specially relating to financial institutions. For example—I do not know how common this is, but perhaps you could tell the Committee—when a member of serving personnel has a mortgage in this country and they get posted abroad, the dilemma is whether they rent that property out, as in the submission, or just leave it empty. Obviously, because of current finances, they want to let it out, but the banks want them to pay lots more to get a buy-to-let mortgage because they are letting it out. How common is that within the services?

Collette Musgrave: That particular issue or financial—

Ian Roome: I am thinking of the issues with financial institutions.

Collette Musgrave: I will take that particular issue because I am quite familiar with it. It is not uncommon by any stretch. If you explain that you are a service person and provide the relevant information, most financial institutions will give you a grace period for a number of years. Often, however, that number of years is not the same length of time as a posting overseas, particularly if that posting is extended, or you go from one overseas location to another, and you can find yourself in that situation.



HOUSE OF COMMONS

We have a fairly regular drumbeat of service personnel and their families coming to us with similar challenges around the provision of financial services. That might relate to credit ratings as they can be very mobile within the UK, but, as you have highlighted, many of these issues result from overseas postings and the lack of recognition that an overseas posting is not overseas residence. You are there at the behest of His Majesty the King; you are not there out of your personal choice to be living overseas. It is a fairly steady drumbeat of concerns around retaining financial services on the same playing field as you would have if you were in the UK.

Q51 Ian Roome: Does anyone have anything to add?

Vanessa Plumley: No—just the same.

Q52 Fred Thomas: I came out of service quite recently, and my understanding of the Armed Forces Covenant while in service was informed by colleagues. It was an idea—a concept. It was very hard to find it written down, and very hard to find out how it would be enforced or applied to anything that affected mine or my colleagues' lives. That is why I think legislating, so it is on the Government website, written down as law, is really important. I also do not share the concern about extension, because legislating is different from extending. I think it is a different concept.

This is going to come into law at some point—in this parliamentary term for sure. What do you want to see in it specifically? You were in the room when I asked the previous panel what specifically they wanted to see in it; I did not get a very specific answer. The Government are listening. The MOD is listening. Let's take an opportunity: what do you want to see written down in law?

Collette Musgrave: We have referenced the extension of the range of subjects that we wish to see covered, and of who we wish to see covered. I would strongly reiterate: the private sector almost as much. From the discussions we have had to date, I know that is not necessarily in scope and may be something of a challenge, but I do think there is something in it. I would very specifically like to see, within the legislation, recognition of how it will be monitored. In particular, what is the process when it is not working? The process when it is not working should not have to be for individual service personnel to fund and prompt some form of judicial review. There needs to be a process within everything that goes underneath primary legislation—lots of stuff goes all the way down, underneath primary legislation—for people to go through.

Q53 Fred Thomas: Thank you for that answer. Those are similar concepts to the ones we have spoken about already this morning. The legislation will, I hope, include reference to private organisations and other Government Departments outside the MOD—the Treasury, DWP, Health and Social Care. If it does not, it is not a good piece of legislation. I think basically, we are there—we all agree that. Specifically, what would you like to see the Government require those Departments to do? What kind of recognition do you want to see legislated for? When you talk about private



HOUSE OF COMMONS

organisations, what do you want the law to require private organisations to do—not conceptually, but literally? Have you got to that stage with your recommendations to Government and the MOD, or at the moment are we are still more in the space of saying, “Conceptually, we’d like you to make sure that the private sector is included”?

Vanessa Plumley: Sorry, Mr Thomas, can I just come back to that point about not including the MOD? We would like the MOD to be included, because at the minute it provides accommodation, so there is a disadvantage in terms of accessibility, particularly for serving personnel, on dissolution of their marriages, leaving service accommodation into the local authority, because the processes are so different.

Fred Thomas: I am so sorry. If I said not including the MOD, what I meant to say was “not limited to”. Clearly, we need to include the MOD.

Vanessa Plumley: Yes, please.

Q54 **Fred Thomas:** Let the record state that the MOD should be included. I am really trying to find some specific lines. Everything we have said so far, I am sure the Bill will do, in some way or another, but it is down to the specific language—what actually do we want to happen? This is an opportunity to shape that. The MOD will be looking at this over the next year, and they will probably look at this session. This is a chance to get real recommendations in.

Vanessa Plumley: This is the challenge. No service family is the same and no service person is the same, but we should track a case study of what it means to move, and look at all the different interdependencies to make sure that, when people do, there is no disadvantage. That means from England to Wales to Scotland and overseas, and coming back again. That is the way to get to the answer that you are asking for: it is understanding each of those interdependencies on that service family or the serving person, when they are based at RAF Cranwell, say, and then get their posting to RAF Valley. There will be a change in childcare, if they have children, so that is the first element. It sounds as if we are not being specific, but we do not have an individual case of one family moving around all the different areas. It is about standardising the processes, so that when somebody goes to their Armed Forces Covenant champion, they know what that means and what the impact is, and the family are not having to explain additionally, “I’m now having challenges getting my child’s EHCP accepted by this local authority.”

That standardisation throughout the country as to what the different interdependencies for the service person are—in terms of housing, education, finance, transport, and immigration if they are non-UK—is really important. It is all the bits that we have said, without being able to give specifics. We can give you the tactical detail of the cases, if that would be helpful, but I cannot give you the specifics, because it would take too long and it would be very different for the families in the Navy, the Army and the Air Force. That is your challenge: understanding the lived experience of each family, and it is not the same.



Rebecca Lovell: The key—perhaps it answers your specifics, or it may not—is the understanding. When you ask, “What do you want these organisations to do or know?”, for us, families’ experience is the key thing. We mentioned education within the services earlier, for example, and there is an evolving nature of service families and their make-up. It would be desirable for that not just to be a one-off; that needs to be something that evolves. It comes from that—the other aspects of the policymaking and then implementation come from understanding those exigencies.

Vanessa Plumley: Just a bit on a standard model: the Armed Forces liaison officers in Wales is a good model. What is the model going to be for the local authority? I think it is twofold: it is the understanding, as well as the resourcing. Sorry to come back to you.

Fred Thomas: No, that is great.

Collette Musgrave: I will make one final point, if I may, having been in this job quite some time now. It is about ensuring that there is a level of flexibility. Things I might have told you seven years ago that I absolutely wanted in this legislation are not the same things I would say I want today, because of the changing nature of our families and the way in which they live their lives, and the way in which other policies are changing around them. I have in my mind the service families accommodation and the quite seismic changes I think we are going to see there over the next few years. I might say now that the evidence from our families suggests that you should be saying some very specific things about service families accommodation, but they will not have stood the test of time in five, six, seven or eight years’ time.

Q55 Chair: The Secretary of State invited the Committee to make recommendations as to what improvements could be made with regard to upcoming legislation on the Armed Forces Covenant. I, on behalf of the Committee, am extremely grateful to everybody who submitted written evidence. We had a submission from a serving member with PTSD who intimated that he had received no additional support, and other submissions from people who felt that only lip service was paid. Those submitting evidence have said that, given the transient nature of the role, they have had huge problems when accessing dental care, or school places, especially with regard to the transfer of support for SEND. I am grateful to all those who submitted evidence intimating that they are having problems with regard to the allocation of housing, in particular social housing. The Minister for Veterans and People has intimated that he will be taking a maximalist approach when developing policy areas for inclusion.

Finally, ladies, given your senior leadership roles and significant experience, is there anything else that you would like to place on record before we conclude this public hearing?

Rebecca Lovell: I will emphasise some of the points we have talked about that are really important. Where mechanisms exist, we want them to be accessible for families. We have talked about Armed Forces



HOUSE OF COMMONS

champions, for example. The point that Mr Thomas made—"What does it actually mean for me as a family?"—is really important, so that it is of practical value. Families are not looking for special treatment; they are looking for support at times when it is needed. There should be an understanding of their particular needs where they are distinct, but they are not a homogenous group, and they are vast in their variability in terms of family dynamics as well.

Collette Musgrave: I fully support Rebecca's comments and could not say those elements better myself. The one thing that we have not touched on in much detail today is the nature of accompanied service overseas and the responsibilities that the Ministry of Defence has, while people are overseas, for ensuring that service personnel and their families can continue to live the family life that they might wish to have. That includes supporting spousal employment in overseas locations and prioritising some of the elements that the Ministry of Defence is responsible for. It is not limited solely to that issue, but family life overseas—moving overseas, living there and moving back—absolutely should be recognised and acknowledged in this work.

Vanessa Plumley: I was going to mention spousal employment overseas. We have reiterated the points about inconsistency. Mr Bailey mentioned the Committee's visit to Scotland, where you saw the difference. That is a key issue for us with RAF Lossiemouth. Families should not be disadvantaged in moving there but not being able to get their overseas visits and boarding schools. They are overseas, but it is costing them even more. In Lossie, it is not comparable and it needs to be.

Chair: We heard that during the Committee's visit to RAF Lossiemouth.

Vanessa Plumley: We need to make it a level playing field so that people are not being disadvantaged.

Collette Musgrave: And Northern Ireland.

Vanessa Plumley: We have not touched on Northern Ireland and the challenges with the Covenant there—we put that in our written evidence—but that is a challenge in itself. We have families over there at the minute with their schools being closed because of the reduction at Aldergrove. We need to make sure that we have leverage on the Covenant in Northern Ireland that we do not currently have.

Chair: That is an excellent point, and we will delve much further into devolved Administrations in future hearings. I am extremely grateful to your good selves and the families federations for your invaluable time and your submissions. With that, I will bring our hearing to a close.