Support for the Child Poverty (Scotland) Bill 2017

1. Child Poverty Action Group (CPAG) in Scotland warmly welcomes and supports the Child Poverty (Scotland) Bill 2017 and the ambition to eradicate child poverty in Scotland by 2030. Though legislation alone will not end poverty, the introduction of this Bill constitutes an important and highly public expression of the Government’s intentions. With this legislation, the Scottish Parliament can help ensure that the issue of child poverty remains high on the public and political agenda and that the Scottish Government and other public bodies are held to account on child poverty commitments.

The targets

2. CPAG strongly supports the four income based targets set out in the Bill. These measures are internationally recognised as robust measures of child poverty and are the product of more than four decades of consultation and development by successive governments at UK and Scotland level.

3. Achieving the four targets described will make a huge difference to the health, wellbeing and future prospects of tens of thousands of children across Scotland. While we welcome the priority the Scottish Government attaches to policy areas that will improve outcomes for children experiencing poverty – such as reducing the attainment gap and reducing health inequalities - we believe that retaining a focus on income based targets in this legislation is the correct approach. Only by maximising the financial resources available to families in Scotland can real and lasting progress be made towards improving child wellbeing.

4. The Child Poverty (Scotland) Bill 2017 also represents a very welcome departure from the UK government’s current approach to understanding poverty which conflates and confuses risk factors, consequences and correlates of child poverty (such as parental employment and educational attainment) with poverty itself.

5. Poverty in Scotland can best be understood in terms of the sociologist Peter Townsend’s definition that;

“Families can be said to be in poverty when they lack the resources to obtain the type of diet, participate in the activities and have the living conditions and the amenities which are customary, or at least widely encouraged or approved in the societies to which they belong. Their resources are so seriously below those commanded by the average family that they are in effect excluded from the ordinary living patterns, customs, and activities.”

Townsend’s definition highlights that poverty is about a lack of resources. People in poverty lack income and wealth. They can also be resource-poor in other ways: they may lack human capital (such as education or good health), or social capital (such as positive and trustful communities).
However in marketised modern economies such as Scotland’s, it is money that, to a large extent, determines what diet, activities, living conditions and amenities people are able to secure and participate in. That is why a lack of adequate financial resources is the decisive characteristic of poverty.

6. From this perspective each of the four proposed target measures brings a unique value to our understanding of child poverty.

Relative income: Tracking the incomes of those at the bottom end of the distribution in relation to the incomes of those at the median is a vital measure of how the poorest are faring in relation to those in the middle. This measure is also useful in that it shows how the benefits of economic progress or the pain of recession are distributed throughout society.

Absolute: This measure allows for meaningful conclusions to be drawn about whether low income households are becoming better or worse off in real terms over time.

Low income and material deprivation: Measuring material deprivation is also vital. The proportion of children who are unable to afford regular school trips or to have friends over for dinner, is the kind of measure that allows actual living standards to be compared. It also ensures that the impact of the costs of living as well as household income is captured.

Persistent poverty: This measure is very important given that evidence suggests that the longer the duration of poverty, the greater the potential impact on the child. Consideration should be given to whether the existing definition of persistent poverty is ambitious enough, especially in relation to children for whom the impact of longer periods in poverty are particularly damaging.

The need for interim targets
7. Along with other members of the End Child Poverty (ECP) coalition in Scotland CPAG believes that, in addition to the 2030 targets listed in clauses two to five of the Bill, there is a need for the legislation to include interim targets to ensure government is on track towards its final goals. While greater consideration of the nature of interim targets may be required, CPAG believes a good starting point would be an expectation that Scottish Ministers be ‘halfway’ towards eradicating child poverty by 2024 (‘halfway’ towards the target year of 2030). Interim targets would allow public and political scrutiny and provide a useful way of measuring progress towards the 2030 goals.

Delivery Plans
8. Clause seven of the Bill states that Scottish Ministers should produce Delivery Plans setting out the measures that they propose to take for the purpose of meeting the income targets. CPAG, along with other members of ECP in Scotland, believe it is essential that the content of these plans is linked directly to achievement of the proposed child poverty targets. In order to ensure that this is the case, Delivery Plans should describe how the Scottish Government will use all of the major financial and policy tools at its disposal to progress towards these targets. The legislation or subsequent regulations should therefore include a list of policy areas that must be covered in the delivery plans. These might include, for example, the facilitation of employment for parents and carers, the full use of Scottish social security powers, the provision of information, advice and assistance, access to affordable housing and childcare.

The need for a measurement framework through which to assess local and national progress
9. As a member of End Child Poverty in Scotland CPAG believes that, in addition to the four high level targets contained within the Bill (clauses 2-5), there is a need for the Bill to make provision for the
development of an underlying ‘measurement framework’ to allow for progress towards those goals to be assessed. While the Scottish Government have already indicated their commitment to produce such a measurement framework, CPAG believe it would be useful for the current legislation to set out the key areas to be covered by the framework. As with the Delivery Plans, these might include, for example, the facilitation of employment for parents and carers, the full use of Scottish social security powers, the provision of information, advice and assistance, access to affordable housing and childcare.

10. Including the same ‘building blocks’ within both delivery plans and the measurement framework would provide a common thread between local and national action as well as clearly linking underlying measures and policies with the headline income based targets.

**The need for a strategic, forward-looking duty on local authorities and health boards**

11. The Child Poverty (Scotland) Bill 2017 places a duty on local authorities and health boards to produce “local child poverty action reports”. These reports would describe action taken in each local authority area in the last year for the purpose of contributing to the achievement of the child poverty targets. Along with other members of the End Child Poverty coalition in Scotland CPAG believes that incorporation of local authorities and health boards in the legislative framework is hugely welcome. However we are concerned that section 10 is insufficient in that it is retrospective, requiring local authorities to describe what they have done rather than plan for future actions. Key to meeting the 2030 target will be how local activity to tackle child poverty is linked to the actions that Scottish Ministers will take. A concerted national and local approach is vital. As such the legislation should ensure there is a clear duty on local authorities and health boards to take a strategic approach to reducing child poverty in their area – as well as reporting annually on the steps they have taken to achieve this. There are a range of planning and legislative options that could be explored including children’s services planning and Local Outcome Improvement Planning.

12. CPAG believes there should be further consideration of whether local authorities and health boards are the only bodies to whom a ‘child poverty duty’ should be attached at local level. Structures such as Health and Social Care Partnerships, for example, have a key role in local policy and in the design and delivery of local services.

13. CPAG also believes that there will be a need for the legislative duty on local bodies to be supported by resources to help build capacity, promote good practice and co-ordinate efforts across local authority services and their wider community planning partners.

**The need for independent scrutiny**

14. Along with other members of the End Child Poverty coalition in Scotland CPAG believes there is a need for an independent body to perform some of the roles previously fulfilled by the Child Poverty and Social Mobility Commission at UK level. Under the Child Poverty Act 2010, the Child Poverty and Social Mobility Commission was charged – amongst other things - with a duty to publish an annual report setting out its views on the progress made towards the income targets. The performance of these functions – by a body whose role and independence are established and protected in statute – could be extremely important in ensuring that there is an expert source of independent scrutiny and oversight. The body’s legislative underpinning would ensure that it could speak freely and be critical of the government where necessary.

15. The current Bill provides an opportunity to establish the role and functions of such a commission, as well as the key characteristics that it should have in law. Basic characteristics might include, for example, that the commission has members with expertise in measuring and understanding poverty,
expertise in engaging with those people experiencing or at risk of poverty and an in-depth understanding of the causes and effects of child poverty.

16. The body performing these functions would not necessarily need to be newly established. One option might be to attribute these functions and characteristics (along with appropriate resourcing) to the proposed Poverty and Inequality Commission described in paragraph 3 of the Scottish Government’s Action Plan for a Fairer Scotland.

Substantive Measures to Address Poverty

17. Given the scale of the challenge of eradicating child poverty in Scotland CPAG believes the Bill should include specific and substantive measures which will contribute to lifting children out of poverty. This should include a commitment to ensure that social security powers are used to reduce child poverty, as well as a duty to annually review the overall value of social security support for families to ensure devolved social security policy is contributing to reducing child poverty.

18. In particular, CPAG suggests the legislation should include an initial commitment to use new social security powers to top-up child benefit by £5 a week per child (a policy modelling suggests would reduce child poverty by up to 14% - lifting around 30,000 children out of poverty\(^\text{iv}\)). The proposal to ‘top up’ child benefit by £5 per week is supported by, amongst others, the Scottish Government’s Independent Working Group on Food Poverty\(^\text{v}\), the Children and Young People’s Commissioner, the Church of Scotland Church and Society Council, Children in Scotland, The Poverty Alliance, One Parents Families Scotland, the Public and Commercial Services Union (PCS), the Conforti Institute and the Scottish Women’s Convention\(^\text{vi}\). Such a commitment would provide a clear statement of intent and demonstrate the Scottish Parliament’s willingness to prioritise resources toward achieving the proposed targets.

18. The Bill should also include a duty to ensure that the ambition to eradicate child poverty is considered in relation to all relevant national strategies. This would include, for instance, legislating to ensure that the current duty on the Scottish Government to produce Children’s Wellbeing and Rights Impact Assessments is used to consider and address child poverty.

19. Finally, evidence suggests that many families are struggling financially because they are not accessing all the benefits they are entitled to, either because they are not aware of their entitlements or because they are encountering administrative problems such as error, maladministration or extended delay\(^\text{vii}\). The current Bill provides an opportunity to introduce a right to an income maximisation and welfare rights check for families with children and/or a duty on local authorities and other public bodies to ensure access to benefits advice for the families they serve.

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\(^\text{i}\) For background see, for example, Research Paper 09/62, 30\(^\text{th}\) June 2009 prepared by the House of Commons Library in advance of the Second Reading of the UK Child Poverty Bill.


\(^\text{v}\) [http://www.gov.scot/Publications/2016/06/8020](http://www.gov.scot/Publications/2016/06/8020)