



House of Commons
Education Committee

The future of the Social Mobility Commission

Second Report of Session 2017–19



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*Report, together with formal minutes relating
to the report*

*Ordered by the House of Commons
to be printed 20 March 2018*

The Education Committee

The Education Committee is appointed by the House of Commons to examine the expenditure, administration, and policy of the Department for Education and its associated public bodies.

Current membership

[Rt Hon Robert Halfon MP](#) (*Conservative, Harlow*) (Chair)

[Lucy Allan MP](#) (*Conservative, Telford*)

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[Mr William Wragg MP](#) (*Conservative, Hazel Grove*)

Powers

The Committee is one of the departmental select committees, the powers of which are set out in House of Commons Standing Orders, principally in SO No 152. These are available on the Internet via www.parliament.uk.

Publications

Committee reports are published on the Committee's website at www.parliament.uk/education-committee and in print by Order of the House.

Evidence relating to this report is published on the [inquiry publications page](#) of the Committee's website.

Committee staff

The current staff of the Committee are Richard Ward (Clerk), Katya Cassidy (Second Clerk), Anna Connell-Smith (Committee Specialist), Chloë Cockett (Committee Specialist), Madeline Williams (Inquiry Manager), Jonathan Arkless (Senior Committee Assistant), Hajera Begum (Committee Apprentice), Gary Calder (Senior Media Officer) and Oliver Florence (Media Officer).

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Conclusions and recommendations

Changes to the Social Mobility Commission

1. The Commission, as a body driven and informed by data and analysis, is well placed to produce social justice impact assessments for domestic policy. These impact assessments should not only be a means by which negative effects are flagged, but should be used to help government improve policy for the benefit of improving social justice. (Paragraph 9)
2. *We recommend that the Commission should be given specific power to publish social justice impact assessments on both policy and legislative proposals. The Government must ensure that the Commission is sufficiently resourced to be able to fulfil these additional functions.* (Paragraph 10)
3. *We recommend that the Commission be empowered to give advice proactively to Ministers on how to improve social justice in England, in addition to its duty to give advice to Ministers on request.* (Paragraph 14)
4. *The Commission's membership should not have been allowed to dwindle to the point that it did. We recommend that the minimum membership of the Commission should be at least seven members in addition to the Chair.* (Paragraph 19)
5. We were concerned to hear Mr Milburn's report of the "farcical" failed appointments process for the new Commissioners. *The Government must ensure that future appointment processes do not follow the pattern of this process, which was wholly unacceptable.* (Paragraph 20)
6. *We recommend that the name of the Commission be changed from the Social Mobility Commission to the Social Justice Commission.* (Paragraph 22)

Tackling social injustice from the heart of government

7. An independent body reporting from the outside of Government on the progress made on improving social justice should work in tandem with a body inside Government to coordinate action and implement solutions. There must be clear communication between the two bodies to ensure that the implementation and coordination body is able to act effectively on the Commission's research. (Paragraph 24)
8. Even the best monitoring and reporting on social mobility is of limited value unless the outcomes of the reports and recommendations are acted upon. The combination of a strengthened Commission and a body at the heart of Government to drive forward recommendations would better demonstrate the Government's commitment to social mobility. (Paragraph 28)
9. *We recommend that a Minister in the Cabinet Office be given specific responsibility for leading cross-government work on social mobility. The Minister should have responsibility for a dedicated unit with a remit to tackle social injustice, provide vital coordination across Government and ensure effective implementation of ways to increase social mobility. The body would also be the crucial reporting hub for the Commission to report into Government.* (Paragraph 29)

1 Introduction

“Social mobility [...] is the crunch issue for our country. There is a social crisis in the country. We ought to understand that and do something about it.”¹

Rt Hon Alan Milburn

1. The Social Mobility Commission is an independent statutory body, created by the Life Chances Act 2010 as the Child Poverty Commission, and renamed the Social Mobility and Child Poverty Commission by the Welfare Reform Act 2012. Its name was changed to the Social Mobility Commission by the Welfare Reform and Work Act 2016. The Commission has a duty to assess progress towards improving social mobility in the UK and to promote social mobility in England. The Commission publishes an annual report assessing improvement in social mobility in the UK, provides advice (on request) to ministers on matters relating to social mobility and undertakes social mobility advocacy. Rt Hon Alan Milburn, the former Chair of the Commission, explained that he saw the advantage of the Commission being “something that sits outside objectively assessing what the Government and other actors in civil society were doing”.²

2. On 13 July 2016, the Rt Hon Theresa May MP made her first speech as the new Prime Minister outside 10 Downing Street. She spoke of the importance of “fighting against the burning injustice” in our society, and pledged to lead a Government that would make Britain “a country that works not for a privileged few, but for every one of us”.³ The Prime Minister’s key message was that the Government would fight injustice in our society, and the purpose of the Social Mobility Commission was to shine a light on progress towards tackling injustice.

3. In December 2017 Mr Milburn resigned alongside his three fellow Commissioners. In his letter of resignation dated 2 December, Mr Milburn explained to the Prime Minister the reasons for his resignation, including roles on the Commission being vacant for almost two years and his belief that the Government was “unable to devote the necessary energy and focus to the social mobility agenda”.⁴

4. The resignation of the Commissioners was a source of serious concern. As the position of Chair of the Social Mobility Commission is subject to a pre-appointment hearing by the Education Committee,⁵ we resolved to investigate the circumstances leading to the Commissioners’ resignations and consider whether the Social Mobility Commission could be strengthened as a reformed body. We held an evidence session on 23 January with Mr Milburn and two of the former Commissioners, Rt Hon Baroness Shephard and David Johnston. The fourth Commissioner, Professor Paul Gregg, was unable to attend.

1 Q478

2 Q476

3 Gov.uk, [Statement from the new Prime Minister Theresa May](#), 13 July 2016

4 The Guardian, [The government is unable to commit to the social mobility challenge](#), 2 December 2017

5 Cabinet Office Guidance: pre-appointment scrutiny by House of Commons select committees, annex; 2nd Report of the Education Committee, Session 2012–13, [Appointment of Chair of Social Mobility and Child Poverty Commission](#), HC 461

5. The role of the Commission as an independent advisory body is vital. It is not just a think-tank: it is a statutory body specifically designed to “[put] the Government’s feet to the fire”.⁶ The evidence which we have taken in the course of this brief inquiry has led us to the conclusion that a few relatively minor legislative changes would result in a more effective Commission. In Chapter 2 of this report we explain the changes we believe should be made. A draft Bill amending the remit of the Commission to provide for those changes is appended to this report.

6. We also consider that there should be a body inside Government to coordinate and drive forward initiatives to ensure social justice across the country, and to ensure coherence and cohesion across government departments. Chapter 3 of this report sets out our recommendation for the creation of such a body.

2 Changes to the Social Mobility Commission

“I felt the writing was very firmly on the wall anyway. It had to be because we could not get answers. There were delays. Not delays, but blank walls as far as appointing new commissioners was concerned, and I thought there was no point. [...] I thought there was no point at all.”⁷

Rt Hon Baroness Gillian Shephard

Social justice impact assessments

7. The Commission’s role to ‘promote social mobility in England’ is set out in primary legislation.⁸ Beyond that broad objective, Mr Milburn told us that he considered that the Commission had four functions: to monitor and report; to undertake in-depth research; to suggest remedies; and to advocate. He told us:

I was determined from the outset that whatever we did and whatever we said would be informed by data. [...] We can influence and we can try to shape the debate. We can produce the best evidence. It is a matter for Governments to decide.⁹

The Commission’s ability to undertake in-depth research, and its focus on data and analysis, put it in a key position to objectively analyse Government policy for its effect on social mobility. Yet the Commission does not currently undertake specific assessment of the social mobility implications on domestic policies and does not have specific power in legislation to do so.

8. Government has recognised the value of independent advisory bodies objectively assessing financial implications of policy: the Office for Budget Responsibility is an independent body whose remit is to analyse and report on the sustainability of the public finances. The Social Mobility Commission should act in a similar way, objectively assessing the social mobility implications of policy. This assessment could be done through social mobility impact assessments. Domestic legislation is assessed by the relevant government departments prior to the implementation of a policy, in order to ascertain its potential impact on different issues, including equality and the environment. These impact assessments are generally a mechanism to ensure that policies will not have unforeseen negative effects. There is no current system for Government departments to report specifically on impacts of policy or legislation on social justice.

9. **The Commission, as a body driven and informed by data and analysis, is well placed to produce social justice impact assessments for domestic policy. These impact assessments should not only be a means by which negative effects are flagged, but should be used to help government improve policy for the benefit of improving social justice.**

7 Q480

8 Life Chances Act 2010

9 Q485

10. *We recommend that the Commission should be given specific power to publish social justice impact assessments on both policy and legislative proposals. The Government must ensure that the Commission is sufficiently resourced to be able to fulfil these additional functions.*

Advice to Ministers

11. The Life Chances Act 2010, as amended by the Welfare Reform and Work Act 2016, sets out that “the Commission must on request give advice to a Minister of the Crown about how to improve social mobility in England”.¹⁰ It also requires that any such advice must be published. In our letter to the then Secretary of State for Education, Rt Hon Justine Greening, we expressed our hope that “as the Government seeks to tackle social injustice, Ministers will regularly use opportunities to seek advice from the Commission (or any similar vehicle)”.¹¹

12. Mr Milburn told us that across Whitehall, there were

some good initiatives, some good Ministers trying to do the right thing, but overall the conclusion was that despite that it did not seem that the Government had either the ability or the willingness to put their collective shoulders to the wheel when it came to delivering social mobility.¹²

Referring to his efforts to engage Government with social mobility, Mr Milburn also told us that the Government “lacked the head space and the band width to match the rhetoric of healing social division with the reality”.¹³ Explaining why he resigned, he concluded that “there is only so long you can go on pushing water uphill”.¹⁴

13. The comments from Mr Milburn and the other commissioners do not give us confidence that Ministers regularly and usefully request advice from the Commission. If there is a widespread reluctance fully to engage with promoting social mobility, we believe that a refreshed Commission should have the power to advise the Government and press it to act of its own accord, without advice being requested of it. Appropriate use of this power would mitigate the risk that social mobility falls down the order of priorities.

14. *We recommend that the Commission be empowered to give advice proactively to Ministers on how to improve social justice in England, in addition to its duty to give advice to Ministers on request.*

Commission membership

15. The former Commissioners told us that the Commission had become unviable with only four Commissioners remaining. Alan Milburn told us that they felt increasingly strongly about “the seeming inability of the Government to commit to the Commission as

10 Life Chances Act 2010

11 [Correspondence from the Chair of the Education Committee to Rt Hon Justine Greening MP, Secretary of State for Education, regarding the recruitment of the Chair of the Social Mobility Commission](#), dated 21 December 2017

12 Q478

13 Q478

14 Q478

an independent body with a clear remit, clear reporting arrangements, and an appropriate number of commissioners”. He said:

In 2015 we had 10 commissioners, and obviously people roll off and come on; their terms of office come to an end and all that sort of thing. By the end there were four of us; three of us here today and our colleague, Paul Gregg. We went through an appointment process to put new commissioners on, which began at the beginning of 2016. It was a bit of a farcical process. [...] It took almost a year for the Government to decide that none of the people that we had recommended were suitable for appointment. In that time none of the candidates heard anything. In the end I insisted a letter of apology be sent to the candidates and other applicants because it had gone on for so long. That letter was sent.

The calibre of the candidates was very high. It included a former Minister of the Crown, people who have worked at No. 10 Downing Street, very senior people from the world of education. All were rejected.¹⁵

16. Baroness Shephard explained her reason for resigning, citing similar frustrations:

I resigned because I felt that our position as commissioners had become non-viable. We started with 10. There had been no renewals since March 2015. If the Government were not going to renew Alan’s position, then we would have been left with three. This is a nonsense. If it requires 10 people, it requires 10 people. I felt that it was an intolerable position for the staff and the commission was not in a position to work in the way that was intended. Therefore, I resigned.¹⁶

Baroness Shephard gave us more details about the disappointment that the commissioners and others felt about the decline of the Commission:

Imagine being a member of the very dedicated and expert staff of the commission when they could see this kind of attrition going on with the failure to appoint new commissioners. Imagine how puzzling for applicants—people who were aspiring to become commissioners—when we could give them no information as to why they appeared to have met a sort of blank wall. Of course, it was the more personal, as it was for us, given the commitment that there had been to social mobility by the Prime Minister from the steps of—I always say “steps of No. 10”, there are not any, of course, there is just the one in front—No. 10 when she became Prime Minister. It was the main theme of that first speech that she gave. So there was no explanation.¹⁷

17. Mr Milburn’s report of the failed appointments process where all appointable candidates were rejected is concerning, particularly given the length of time that the Commission was left with only four commissioners. We agree with Mr Milburn that it demonstrates a lack of commitment to the Commission in its current form, along with wider concerns about the process of appointing commissioners. His comments, along with

15 Q470

16 Q479

17 Q473

Baroness Shephard's frustrations about the unviability of the Commission, raise wider concerns about the level of commitment the Government will give to a new Commission if it remains in the same form.

18. The membership of the Commission initially began as ten. That seems to us to be a good number of Commissioners to work on this important issue and we see no reason why the Government should aim for the membership to be lower than that figure. However, we recognise that there may be occasions on which the membership may, for one reason or another, fall below ten Commissioners. We therefore consider that the minimum membership of the Commission should be eight: the Chair and seven other commissioners.

19. *The Commission's membership should not have been allowed to dwindle to the point that it did. We recommend that the minimum membership of the Commission should be at least seven members in addition to the Chair.*

20. *We were concerned to hear Mr Milburn's report of the "farcical" failed appointments process for the new Commissioners. The Government must ensure that future appointment processes do not follow the pattern of this process, which was wholly unacceptable.*

Name of the Commission

21. The term 'social mobility' is widely used by Government, and is used interchangeably with "social justice" by others. We consider that "social mobility" suggests the movement of people up the ladder of opportunity, but social justice describes helping the most disadvantaged reach the ladder of opportunity, and supporting them should they fall. Mr Milburn told us that

For me what it [social mobility] has never been about is lifting a few thousand youngsters out of educational disadvantage and getting them into a Russell Group university. It has never been either, to be candid with you, about the bottom 5% or 10% in society, important though they are. It is about making sure that we genuinely have a country where aptitude and ability, not background and birth, determine where you get to in life.

Changing the name of the Commission to the Social Justice Commission would make clear what the Commission is seeking to improve: not just improving the chances of some people but offering all people equal access to opportunities.

22. *We recommend that the name of the Commission be changed from the Social Mobility Commission to the Social Justice Commission.*

3 Tackling social injustice from the heart of government

“The big thing that was lacking [...] was the cross-departmental strategy.”¹⁸

David Johnston

23. In addition to an independent, advisory Social Justice Commission to monitor and report on social justice in England, there should be a body inside government to implement recommendations and coordinate across Government. The former commissioners told us that “you do need both”.¹⁹ Mr Milburn told us that

The truth about social mobility is that if you are going to make progress you need to pull a whole succession of levers and hopefully you should pull them in sync; on the labour market, on regional policy. [...] You need a raft of policy initiatives and a huge amount of applied energy. It makes sense, therefore, to have co-ordination at the centre.

Baroness Shephard agreed:

I agree that you certainly do need both. I do think that it gives Government policy credibility if it has a body that is absolutely known to be independent and watching what is going on and reporting on that and able to measure progress. What you certainly need in the middle, however you deliver that, is a body that is responsible for making sure all the relevant Departments of Government are aiming in the same direction on this issue of social mobility.²⁰

David Johnston concurred:

I think you do need the Commission. The big thing that was lacking, which is what Alan was saying, was the cross-departmental strategy. [...] You certainly need a Cabinet Minister who has the ability to pull all the different levers that need to be pulled in order to make progress.

24. The monitoring and reporting of social justice issues is important. The Commission has produced *State of the Nation* reports, assessing the progress that Great Britain has made towards improving social mobility and making recommendations for action. However, as Baroness Shephard told us,

The gap is at implementation level and co-ordination level and only Government can provide that.²¹

18 Q482
19 Q477
20 Q477
21 Q481

We agree. **An independent body reporting from the outside of government on the progress made on improving social justice should work in tandem with a body inside government to coordinate action and implement solutions. There must be clear communication between the two bodies to ensure that the implementation and coordination body is able to act effectively on the Commission’s research.**

25. When the Commission was initially set up, it reported to three Ministers in the Coalition Government: the Deputy Prime Minister, the Secretary of State for Education, and the Secretary of State for Work and Pensions. Mr Milburn told us that after the 2015 election, the reporting arrangements became unclear:

After 2015 we had a debate with Oliver [Letwin], both Gillian and myself, about what would be the best arrangement to replace the coalition arrangements. [...] We got to a point where Oliver was very sympathetic to the idea that we reported directly into the heart of Government, to him and thence to the Prime Minister. That, from our point of view, made a huge amount of sense because you needed the centre to be engaged in this as much as individual Ministers.

After the change of Prime Minister, following the European referendum, that whole conversation frankly went into the void. There was no conversation. There was no response.

Mr Milburn made the case for the Commission reporting into the centre of government:

We had a very clear proposition, which from our point of view was far more sensible, that we reported into the centre of Government [...] on these cross-cutting issues. Social mobility is not just an education issue. It is the labour market, housing, regional policy, fiscal policy, and so on. You need the heft and engagement of the centre, otherwise what you have is piecemeal effort. Our view was very strongly that that was what was needed.

26. For the Government to effectively implement measures to improve social justice, the coordination must happen from the centre of government. Social justice is an issue which cannot be neatly boxed into one department: it cuts across all government departments. Individual ministers and departments working in silos cannot be as effective as a central point driving forward change. The body inside government should be the key place into which the Commission should report, and it should champion social mobility and generate government action towards tackling injustices in society.

27. This unit could be led by a Minister for Social Justice. There is already a precedent for a cross-cutting role to coordinate work across different government departments; we see no reason why this principle cannot also be applied to social justice. Baroness Shephard referred in evidence to the Government’s new Minister for Loneliness, a post which brings together government departments’ work on loneliness. She said “there is no reason why social mobility should not be given the same treatment as loneliness”.²² She suggested that the Government could “follow their own example and put this [social mobility] also cross-departmentally at the centre”.²³ If the new unit was to be led by a Minister for Social

22 Q477

23 Q490

Justice then we would go further than Baroness Shephard: the role should not be an add-on to a current Minister's role, it should be the main responsibility of a Minister in the Cabinet Office.

28. Even the best monitoring and reporting on social mobility is of limited value unless the outcomes of the reports and recommendations are acted upon. The combination of a strengthened Commission and a body at the heart of government to drive forward recommendations would better demonstrate the Government's commitment to social mobility.

29. We recommend that a Minister in the Cabinet Office be given specific responsibility for leading cross-government work on social mobility. The Minister should have responsibility for a dedicated unit with a remit to tackle social injustice, provide vital coordination across government and ensure effective implementation of ways to increase social mobility. The body would also be the crucial reporting hub for the Commission to report into government.

Annex: Draft Bill to Reform the Social Mobility Commission

A BILL TO Amend the law relating to the Social Mobility Commission.

BE IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows: –

1 The Commission

(1) In this section “the Commission” means the Commission which was established by section 8 of the Life Chances Act 2010 (formerly the Child Poverty Act 2010) and which continues to exist in accordance with section A1B of that Act.

(2) On and after the date on which this Act comes into force the Commission shall be known as the Social Justice Commission.

(3) In section A1C of that Act (promotion of social mobility, advice and reports)—

(a) for subsection (1) substitute

“(1) The Commission must promote social justice in England”; and

(b) for subsection (2) substitute—

“(2) The Commission may give advice to a Minister of the Crown about how to improve social justice in England; and the Commission must give advice to a Minister of the Crown on request.

(2A) The Commission may publish a social impact assessment in respect of any draft or actual legislation introduced or made, or other policy decision taken, by a Minister of the Crown; and the Commission must publish a social impact assessment if a Minister of the Crown requests it.”

(4) In paragraph 1(e) Schedule 1 to that Act (membership of the Commission) for “any other members” substitute “at least 7 other members”.

2 Technical provision

(1) This Act comes into force at the end of the period of two months beginning with the date of Royal Assent.

(2) This Act extends to the whole of the United Kingdom.

(3) This Act may be cited as the Social Justice Commission Act 2018.

Formal minutes

Tuesday 20 March 2018

Members present:

Robert Halfon, in the Chair

Lucy Allan	Lucy Powell
Emma Hardy	Thelma Walker
Ian Mearns	Mr William Wragg

Draft Report (*The future of the Social Mobility Commission*) proposed by the Chair, brought up and read.

Ordered, that the draft Report be read a second time, paragraph by paragraph.

Paragraphs 1 to 29 read and agreed to.

Annex agreed to.

Resolved, That the Report be the Second Report of the Committee to the House.

Ordered, That the Chair make the Report to the House.

Ordered, That embargoed copies of the Report be made available (Standing Order No. 134).

[Adjourned till 9.30 am on Wednesday 21 March

Witnesses

The following witnesses gave evidence. Transcripts can be viewed on the [inquiry publications page](#) of the Committee's website.

Tuesday 23 January 2018

Question number

Rt Hon Alan Milburn, former Chair, Social Mobility Commission, **Rt Hon Baroness Shephard**, former Deputy Chair, Social Mobility Commission and **David Johnston**, former Commissioner, Social Mobility Commission

[Q468–505](#)

List of Reports from the Committee during the current Parliament

All publications from the Committee are available on the [publications page](#) of the Committee's website. The reference number of the Government's response to each Report is printed in brackets after the HC printing number.

Session 2017–19

First Report	Fostering	HC 340
First Special Report	Children and young people's mental health—the role of education: Government Response to the First Joint Report of the Education and Health Committees of Session 2016–17	HC 451
Second Special Report	Apprenticeships: Government Response to the Second Joint Report of Session 2016–17	HC 450
Third Special Report	Multi-academy trusts: Government Response to the Committee's Seventh Report of Session 2016–17	HC 452
Fourth Special Report	Exiting the EU: challenges and opportunities for higher education: Government Response to the Committee's Ninth Report of Session 2016–17	HC 502
Fifth Special Report	Primary assessment: Government Response to the Committee's Eleventh Report of Session 2016–17	HC 501
Sixth Special Report	Evidence check: Grammar schools: Government Response to the Committee's Fourth Report of Session 2016–17	HC 623