



Library Note

National Citizen Service Bill [HL] (HL Bill 64 of 2016–17)

The National Citizen Service (NCS) was set up in 2011 under the Coalition Government and is currently open to all 16- and 17-year olds in England. The NCS consists of courses which comprise a mixture of activities—adventures, life skills and social action—which encourage the participants to engage with their community and develop for the future.

On 18 May 2016, the Queen’s Speech announced that the National Citizen Service would be placed on a permanent statutory footing. The Cabinet Office briefing notes to the Queen’s Speech explained that a National Citizen Service Bill would “expand National Citizen Service by encouraging thousands more young people to take advantage of the skills building programmes offered” and that the NCS would “benefit from a £1.2 billion cash injection”.

The National Citizen Service Bill [HL] was introduced in the House of Lords on 11 October 2016. A draft royal charter was published alongside the Bill, as a command paper, to allow both Houses of Parliament the opportunity to scrutinise its provisions in connection with the Bill. The Bill applies to England only. The Explanatory Notes to the Bill explain that the Bill aims to help fulfil the Government’s objectives in two ways. First, the Bill, in combination with the Charter, would reform the legal framework for the NCS. In particular the combination of the Bill and Charter:

- Incorporates the new NCS Trust as a Charter body and creates a legislative mechanism to transfer the business of the Company to the new Trust. This creates a legislative framework for the NCS, with the aim of making it a national institution while preserving its independent ethos.
- Aims to secure that the administrative and funding arrangements for the NCS Trust are appropriate for the increased level of public funds the Trust will manage, with proper accountability to government and Parliament.
- Aims to impose on the NCS Trust an appropriate level of government control for a body in receipt of public funds.

Secondly, the Bill would enable HM Revenue and Customs to send information about the Trust and its work to those young people who are eligible for NCS (and their parents and carers) and invite them to take part in the NCS. This Lords Library briefing provides background to the Bill, including an overview of the current NCS service and policy developments, as well as a summary of the Bill’s provisions and initial reaction to the Bill.

Table of Contents

- I. Background to the Bill 1
 - 1.1 National Citizen Service: Current Service 1
 - 1.2 Policy Developments 3
- 2. National Citizen Service Bill and Royal Charter 3
 - 2.1 Overview..... 3
 - 2.2 Provisions..... 4
 - 2.3 Initial Reaction to the Bill 8
- 3. Further Reading..... 9

I. Background to the Bill

I.1 National Citizen Service: Current Service

The Conservative Party manifesto for the 2010 general election included a commitment to introduce a National Citizen Service (NCS).¹ It explained that:

Building the Big Society means encouraging the concept of public-spirited service—the idea that everyone should play a part in making their communities stronger. That is why we will introduce a National Citizen Service. The initial flagship project will provide a programme for 16-year olds to give them a chance to develop the skills needed to be active and responsible citizens, mix with people from different backgrounds, and start getting involved in their communities.²

The commitment then appeared in the Coalition Agreement of May 2010 and was reiterated as an element of the then Government’s ‘Building the Big Society’ policy commitments.³ The NCS was piloted by twelve groups in the Summer of 2011 with around 8,500 young people taking part. In 2012, the NCS was delivered in the Summer and Autumn with over 26,000 young people taking part. Wider roll-out took place from 2013 onwards.⁴

The NCS is currently open to all 16- and 17-year olds in England.⁵ The NCS consists of courses which comprise a mixture of activities—adventures, life skills and social action—which encourage the participants to engage with their community and develop for the future.⁶ The courses run in the Spring, Summer and Autumn, during school holidays, and have a residential element. The NCS seeks to bring together young people from different backgrounds, to help participants develop greater confidence, self-awareness and responsibility and “encourages personal and social development by working on skills like leadership, teamwork and communication”.⁷

Participation Fees

The standard price for a young person to take part in the NCS is currently a single contribution fee of £50.⁸ This includes covering the participant’s travel, accommodation and food throughout the programme. There are no other costs to the participant. The NCS notes that, should financial support be required, it does have discounts available and criteria would be used to determine a person’s eligibility.⁹

¹ Conservative Party, *Invitation to Join the Government of Britain*, April 2010, p 39.

² *ibid.*

³ Coalition Government, [The Coalition: Our Programme for Government](#), May 2010, p 29; and [Government’s Building the Big Society](#), p 2. For wider context to the programme’s introduction see: House of Commons Library, [The Voluntary Sector and the Big Society](#), 13 August 2015.

⁴ Ipsos MORI, [National Citizen Service 2014 Evaluation](#), 22 December 2015, p 6.

⁵ The NCS is also available in Northern Ireland, and began to be piloted in Wales in the Autumn of 2014. Young people may apply to participate in the NCS at the age of 15, but must be 16 or 17 at the time of participation.

⁶ Gov.uk, [‘National Citizen Service’](#), accessed 17 October 2016; and [Explanatory Notes](#), p 2.

⁷ Gov.uk, [‘National Citizen Service’](#), accessed 17 October 2016; and [Explanatory Notes](#), p 2.

⁸ National Citizen Service, [‘FAQs’](#), accessed 18 October 2016.

⁹ *ibid.*

Administration: NCS Trust Community Interest Company

The NCS programme is currently administered by a community interest company called the NCS Trust. The NCS programme was originally delivered in-house by the Cabinet Office until December 2013, when the NCS Trust was established to manage the NCS.¹⁰ The NCS Trust works to deliver the NCS programme. It manages contracts with providers, which exist directly between the Trust and the providers—including regional delivery partners—and it controls a national marketing campaign. The Department for Culture, Media and Sport (DCMS) monitors performance, manages funding and works to evaluate the programme.

Funding

The Government holds a grant agreement and an intellectual property license with the NCS Trust. The Company is grant funded on an annual basis by the Cabinet Office. Table 1 presents Cabinet Office figures (January 2016) which show the amount of funding provided by government for delivery of the NCS since the programme started in 2011.

Table 1: Funding Provided by Government

Year	Government Funding
2011/12	£21 million
2012/13	£62 million
2013/14	£84 million
2014/15	£130 million

(Source: House of Commons, [‘Written Question: Voluntary Work—Young People’](#), 25 February 2016, 24121)

The average cost per participant in the NCS in 2014 was £1,538.¹¹ In 2014, there were nearly 58,000 participants in the 2014 programmes with a 91.3 percent completion rate. More than 135,000 young people have participated in the NCS since 2011.¹² The November 2015 Spending Review and Autumn Statement said that the Cabinet Office settlement included funding to expand the NCS to deliver up to 300,000 places by 2019–20.¹³ In a speech on 11 January 2016, the then Prime Minister, David Cameron, announced the Government would provide “over a billion pounds for NCS over the next four years, meaning that by 2021, the NCS would cover 60 percent of all 16-year olds”. Mr Cameron noted that the NCS would become “the largest programme of its kind in Europe”.¹⁴

¹⁰ Information provided to the House of Lords Library by the Department for Culture, Media and Sport’s National Citizen Service Bill team.

¹¹ House of Commons, [‘Written Question: Voluntary Work: Young People’](#), 25 February 2016, 26796.

¹² Cabinet Office, [‘National Citizen Service Participation Data’](#), August 2015.

¹³ HM Treasury, [Spending Review and Autumn Statement 2015](#), Cm 9162, p 107, para 2.168.

¹⁴ Prime Minister’s Office, [‘Prime Minister’s Speech on Life Chances’](#), 11 January 2016.

1.2 Policy Developments

Conservative Party Manifesto 2015

Prior to the 2015 general election, the Conservative Party manifesto made a commitment to guarantee every child a place on the National Citizen Service, so they can “learn new skills and meet young people from different walks of life”.¹⁵ The manifesto promised that over the next five years, a Conservative government would expand the NCS so it would become a “rite of passage for young people in our country”.¹⁶ It noted that over 130,000 young people had graduated from the NCS, “developing their skills, broadening their horizons and growing in confidence”, and it had “now guaranteed a place on NCS for every 16- and 17-year old who wants one”.¹⁷

Queen’s Speech 2016

On 18 May 2016, the Queen’s Speech announced that the National Citizen Service would be placed on a permanent statutory footing.¹⁸ The Cabinet Office briefing notes to the Queen’s Speech explained further that a National Citizen Service Bill would “support the manifesto commitment to expand National Citizen Service by encouraging thousands more young people to take advantage of the skills building programmes offered” and that the NCS would “benefit from a £1.2 billion cash injection”.¹⁹

The Cabinet Office briefing set out the main benefits of the Bill. Among them were: “using government’s existing contact points with young people and parents to promote the programme and support other government policy through doing so”; and “providing the right level of accountability for the NCS delivery body and improving the administrative and funding arrangements between government and the body”.²⁰

Two of the key elements of the Bill which the Cabinet Office briefing highlighted do not appear in the Bill as introduced to the House of Lords. These proposed provisions would have placed a duty on all secondary schools, and on local authorities, to promote the NCS to young people and their parents.

2. National Citizen Service Bill and Royal Charter

2.1 Overview

The National Citizen Service Bill was introduced in the House of Lords on 11 October 2016. A draft royal charter has been published alongside the Bill, as a command paper, to allow both Houses of Parliament the opportunity to scrutinise its provisions in connection with the Bill.²¹ On the Bill’s introduction to Parliament, the Department for Culture, Media and Sport issued a press release explaining that “[t]he Bill would secure the future of National Citizen Service

¹⁵ Conservative Party, [Conservative Party Manifesto 2015](#), April 2015, p 45.

¹⁶ *ibid.*

¹⁷ *ibid.*

¹⁸ [HL Hansard, 18 May 2016, col 3.](#)

¹⁹ Cabinet Office, [Queen’s Speech 2016: Background Notes](#), 18 May 2016, p 40.

²⁰ *ibid.*, p 40.

²¹ Department for Culture, Media and Sport, [National Citizen Service Trust Draft Royal Charter](#), October 2016, Cm 9333, p 2. For further information about royal charters see: House of Lords Library, [Royal Charters and Parliamentary Scrutiny](#), 23 May 2016.

(NCS)”²² It further explained that the NCS Trust will be given a royal charter and “a clear mission to make NCS accessible to all, particularly those from deprived backgrounds, to ensure a Britain that works for everyone”.²³ The Government said that the Bill would:

[E]stablish the relationship between NCS Trust and Parliament and ensure that the programme is delivered efficiently, effectively and transparently for the future. It would also enable more young people, and their parents or carers, to hear about NCS and how it can benefit them.²⁴

According to the Explanatory Notes to the Bill, the Bill aims to help fulfil the Government’s objectives in two ways. Firstly, the Bill, in combination with the Charter, would reform the legal framework for the NCS. Secondly, the Bill would provide that HM Revenue and Customs could send information about the Trust and its work to young people who are eligible (and their parents and carers) and invite them to take part in the NCS.²⁵ The Bill is made up of two parts, 15 clauses and two schedules. Part 1 (clauses 1 to 9) relates to the new NCS Trust, and part 2 relates to general matters (such as consequential amendments and extent). Further details of the provisions in the Bill are set out in section 2.2 of this briefing.

Detailed provisions on the procedure, constitution, and powers that the NCS Trust would have are contained in the draft Charter. These include: the Trust’s functions and objectives; the method by which its members and chief executive are appointed; remuneration of members and employees; delegation of functions; regulation of procedure; and the powers of the Trust, for example to enter into agreements, invest money and accept gifts.²⁶ Where possible, information on the Charter is included below. A summary of key elements of the Charter can be found on pages 3 to 5 of the [National Citizen Service Trust Draft Royal Charter](#) (October 2016).

On 11 October 2016, David Cameron announced that he would chair NCS Patrons, “bringing together a senior cross-party and cross-sector group of patrons and ambassadors who can help NCS to reach more youngsters”. This is not a formal role relating to the NCS Trust and therefore does not relate to provisions in the draft Bill or Charter.²⁷

2.2 Provisions

Territorial Extent

The National Citizen Service Bill extends to England and Wales but applies in England only. While the Bill includes provisions that are within the legislative competence of the Scottish Parliament, the National Assembly for Wales and the Northern Ireland Assembly, the Bill applies in England only, no legislative consent motion is being sought in relation to any provision of the Bill.²⁸

²² Department for Culture, Media and Sport press release, ‘[Government Introduces National Citizen Service \(NCS\) Bill to Parliament](#)’, 12 October 2016.

²³ *ibid.*

²⁴ *ibid.*

²⁵ [Explanatory Notes](#), p 2.

²⁶ *ibid.*, p 2.

²⁷ David Cameron, ‘[I’ve Found My New Job After Politics: Building the Big Society](#)’, *Telegraph*, 11 October 2016.

²⁸ [Explanatory Notes](#), p 4. For further information on the subject matter and legislative competence of devolved legislatures see: [Explanatory Notes](#), p 10.

Clause 1: NCS Trust—Primary Functions

Clause 1(1) of the Bill refers to the NCS Trust which is to be incorporated by a royal charter.²⁹ It sets out that the primary functions of the NCS Trust would be:

- to provide or arrange for the provision of programmes for young people in England with the purpose of enabling participants from different backgrounds to work together in local communities to participate in projects to benefit society, and enhancing communication, leadership and team-working skills of participants; and
- to promote the programmes to young people in England, parents and carers of young people in England, schools and other educational bodies, and local authorities and other public bodies.³⁰

The Bill defines “young people” as 16- and 17-year olds, but may—from “time to time” according to article 3(2)(b) of the Charter—also include those aged 15 or who have reached the age of 18 and are under 25 (clause 1(2)(a)). Introductory notes to the draft Charter explain that the flexibility to broaden the age bracket “ensures the programme is accessible to those who cannot take part aged 16 or 17 due to their individual circumstances”.³¹ A young person is considered to be “in England” if he or she is resident in England or receives education or training in England (clause 1(2)(b)).

The functions of the NCS Trust relate to article 3 of the Charter, which additionally notes that, in exercising its primary functions, the objectives of the Trust are “to promote social cohesion by ensuring equality of access to the programmes by participants regardless of their background or circumstances” and to “seek to expand the number of participants”.³² The Trust must treat safeguarding and promoting the wellbeing of participants as “the paramount consideration” and also “have regard to the desirability” of:

- promoting social mobility;
- promoting the personal and social development of participants;
- promoting the employment prospects of participants by equipping them with relevant practical skills;
- encouraging participants to take an interest in debate on matters of local or national political interest, and promoting their understanding of how to participate in national and local elections; and

²⁹ The Charter notes that the word “trust” is used in the name in a colloquial sense, to suggest a body which discharges a public trust in the exercise of a service to the public. It is not used in its technical legal sense, and it is not intended to imply that members of the Trust are to be treated as trustees of property or to be subject to the law relating to trusts or trustees (Minister for Civil Society, [National Citizen Service Trust Draft Royal Charter](#), October 2016, Cm 9333, p 14).

³⁰ National Citizen Service Bill [HL], clause 1.

³¹ Department for Culture, Media and Sport, [National Citizen Service Trust Draft Royal Charter](#), October 2016, Cm 9333, p 3.

³² *ibid*, p 7.

- ensuring value for money.³³

Clause 2: Transfer Schemes

Clause 2 introduces schedule 1 of the Bill. Schedule 1 enables the Secretary of State to make schemes to provide for the transfer of the staff, property, rights and liabilities of the current Company to the NCS Trust. This transfer of the business and assets of the Company to the Trust “is intended to allow an orderly transfer, which will preserve continuity and, where appropriate, protect the rights of NCS staff and interested third parties”.³⁴ The Secretary of State must consult those likely to be affected by a transfer scheme and have regard to the results of the consultation (schedule 1, para 6).

Clauses 3 and 4: Finance, Accounts and Audit

Clause 3 gives the Secretary of State the power to fund the NCS Trust through grants, out of money provided by Parliament, as the Secretary of State “sees appropriate” (clause 3(1)). The payments would be made at such times and subject to the conditions that the Secretary of State “considers appropriate” (clause 3(2)). Clause 4 requires that the Trust must prepare accounts for each financial year which would then be submitted to the National Audit Office (NAO). Once the annual accounts have been examined by the NAO, the certified accounts and report must be laid before Parliament. While the Bill would ensure parliamentary accountability for the Trust’s management of public money, the Royal Charter is intended to help the NCS Trust demonstrate its independence from government and party politics, and to enable work with its partners to find innovative ways to engage young people in the NCS programme.³⁵

With regard to the financial implications of the Bill, in the 2015 Autumn Statement the NCS programme was allocated funding up to and including the financial year 2019/20. The Explanatory Notes to the Bill explain that the costs associated with the transfer of the business of the Company to the NCS Trust would be met from within the existing budget.³⁶ It adds that the NCS Trust would have the same running costs as the current Company would have if it continued to deliver the programme.

Clauses 5 and 6: Business Plan and Annual Report

The Bill requires that each year the Trust would publish a business plan and annual report for the Secretary of State to lay before Parliament. The annual business plan must be published by the Trust before 1 June in the financial year concerned, setting out the Trust’s proposed strategic priorities and proposed main activities for the year ahead, in relation to its main functions (clause 5). The Explanatory Notes to the Bill explain that this would “provide a yardstick against which government, Parliament and the public can assess the Trust’s performance”.³⁷ The Bill sets out that the annual report must address:

- the extent to which the proposed strategic priorities of the NCS Trust for that year have been met;

³³ Department for Culture, Media and Sport, [National Citizen Service Trust Draft Royal Charter](#), October 2016, Cm 9333, p 8.

³⁴ [Explanatory Notes](#), p 5.

³⁵ Department for Culture, Media and Sport, [National Citizen Service Trust Draft Royal Charter](#), October 2016, Cm 9333, p 2.

³⁶ [Explanatory Notes](#), p 7.

³⁷ *ibid*, p 5.

- the extent to which the proposed main activities of the NCS Trust for that year have been carried out;
- the quality of the programmes provided or arranged by the NCS Trust;
- the number of participants in those programmes for that year;
- the extent to which participants from different backgrounds have worked together in those programmes;
- the number of hours spent volunteering in community projects through participation in those programmes; and
- the extent to which the NCS Trust has obtained value for money in the exercise of its functions.

According to the Explanatory Notes, the annual report is “intended to enable effective monitoring of the Trust’s performance from one year to the next” and that, combined with the business plan, “this ensures government, Parliament and the public have oversight of how far the Trust has achieved its objectives for the year.”³⁸ The Bill provides that the annual report may be accompanied by a document prepared with comments from the Secretary of State about the report as well as on information about activities undertaken by government departments to promote the NCS Trust and its work.

Clause 7: Notification of NCS Trust Financial Difficulties

Clause 7 requires the NCS Trust to “promptly notify” the Secretary of State if an NCS Trust provider is in “serious financial difficulty” or in breach of contract with “serious consequences” for the Trust, or if a member of staff of the Trust or of an NCS Trust provider commits fraud or is in breach of the member’s employment contract with “serious consequences for the NCS Trust”. An “NCS Trust provider” is defined as a body that has entered into a contract with the Trust to provide goods or services to support the Trust’s main functions, or a body that has entered into a contract with another body who has entered into such a contract.

According to the Explanatory Notes, this is intended to ensure the Government is kept informed of anything that poses a serious risk to delivery of the programme or the performance of the Trust. It does not require notification of, for example, minor breaches of contract or breaches of contract by suppliers providing goods or services that do not directly support the Trust’s main functions, such as cleaning or stationery providers.³⁹

Clause 8: Fees for NCS Scheme Participation

The Bill enables the NCS Trust to “charge a fee” for participation in a programme provided by the NCS Trust or on its behalf (clause 8(1)). It also enables it to charge “different fees for different descriptions of participants, for the purpose of enabling participants from different backgrounds to participate in such a programme” (clause 8(2)). At present, the current Company charges a fee of £50 for attendance on its programmes. The Explanatory Notes to the Bill explain that the current fee does not represent the cost of the programmes but rather

³⁸ [Explanatory Notes](#), p 5.

³⁹ *ibid*, p 5

is an incentive to ensure attendance. Clause 8, it notes, enables the NCS Trust to continue this practice “if appropriate”.⁴⁰ As such, the Bill does not impose any charges.⁴¹

Clause 9: HMRC Functions

Clause 9 provides that HMRC may assist the NCS Trust to promote its programmes by carrying out “functions in connection with sending NCS information to young people and their parents and carers”. Information is defined as “communications for the purposes of informing young people and their parents and carers about the NCS Trust and its work; and inviting young people to take part in programmes provided by the NCS Trust”.⁴²

The content of the information would be able to be determined by the NCS Trust and is intended to “help the Trust get its message across to the majority of eligible young people”.⁴³ In this clause of the Bill, “young people” means 15-, 16- and 17-year olds (clause 9(4)).

The costs to HMRC of writing to those young people eligible for the programme would be met from the existing budget, and would “be partially offset by associated savings on other marketing activities”. It added that “the Government therefore considers that the Bill will have a neutral financial impact”.⁴⁴

Clauses 10 to 15: General

Clauses 10 to 15 make provisions relating to definitions; consequential amendments (schedule 2); transitional provisions; extent; commencement; and short title. The consequential amendments include provision that the chair of the Trust would be disqualified from standing for election to the House of Commons.

The commencement clause (clause 14) of the Bill would come into force on the day of royal assent. All other provisions of the Bill would come into force by regulations. The Act would be cited as the National Citizen Service Act 2016.

2.3 Initial Reaction to the Bill

At the time of writing, reaction to the Bill is limited. Following the Bill’s publication, the National Council for Voluntary Organisations (NCVO)—which represents charities and volunteering with over 12,000 member organisations—welcomed the Government’s announcement that the NCS would be given a royal charter “along with measures to enhance its accountability”.⁴⁵ The NCVO noted that the NCS “provided positive experiences for many young people and helped them develop important skills”.⁴⁶

⁴⁰ [Explanatory Notes](#), p 6.

⁴¹ [Explanatory Notes](#), p 7.

⁴² National Citizen Service Bill [HL], clause 9(2).

⁴³ [Explanatory Notes](#), p 6.

⁴⁴ *ibid*, p 7.

⁴⁵ National Council for Voluntary Organisations press release, ‘[National Citizen Service Should Work More Closely With Local Charities, Says NCVO](#)’, 12 October 2016.

⁴⁶ *ibid*.

However, NCVO commented that the NCS could “still do more to work with local charities to ensure it reaches its potential as a starting point for life-long volunteering”. Chief Executive of NCVO, Sir Stuart Etherington, explained:

NCS has clearly made a big difference for lots of young people, empowering them to take action in their communities and helping them develop skills and experience which will be valuable throughout their lives. We think further collaboration with the voluntary sector could help it to make an even bigger difference.⁴⁷

3. Further Reading

The NAO is currently undergoing a study to set out whether “the Cabinet Office is achieving value for money in its delivery of NCS”.⁴⁸ It intends to examine early evidence on whether the programme is working; challenges meeting the ambitious 2020 participation and growth targets set out in the 2015 Spending Review; and whether the system is set up in a way to support the level of continual growth required. It is due to be published in the Winter of 2016.

For a selection of further reading evaluating the NCS to date, see:

- Ipsos MORI, [National Citizen Service 2014 Evaluation](#), 22 December 2015
- Ipsos MORI, [National Citizen Service 2013 Evaluation](#), 14 August 2014
- NatCen Social Research, [Evaluation of National Citizen Service: Findings from the Evaluations of the 2012 Summer and Autumn NCS Programmes](#), July 2013
- NatCen Social Research, [The 2011 National Citizen Service Pilot: Long-Term Impacts](#), Autumn 2012
- NatCen Social Research [Evaluation of National Citizen Service Pilots: Interim Report](#), May 2012

⁴⁷ National Council for Voluntary Organisations press release, ‘[National Citizen Service Should Work More Closely With Local Charities, Says NCVO](#)’, 12 October 2016.

⁴⁸ National Audit Office, ‘[National Citizen Service](#)’, accessed 18 October 2016.

House of Lords Library Notes are compiled for the benefit of Members of the House of Lords and their personal staff, to provide impartial, politically balanced briefing on subjects likely to be of interest to Members of the Lords. Authors are available to discuss the contents of the Notes with the Members and their staff but cannot advise members of the general public.

Any comments on Library Notes should be sent to the Head of Research Services, House of Lords Library, London SW1A 0PW or emailed to purvism@parliament.uk.