



Prime Minister (1)

1 should prefer
to leave matters
as they are
not

Comments attached from the
Home Secretary and Mr Clarke.

Do you wish to:

- a) Agree transfer?
OR b) Leave things as they are?
OR c) Discuss?

Ref. A084/3182

PRIME MINISTER

--- The attached paper, which has been prepared at the request of the Home Office and Department of Health and Social Security, invites you to consider transferring Ministerial responsibility for marriage guidance work from the Home Secretary to the Secretary of State for Social Services.

2. Both Departments agree that the Department of Health and Social Security is now the more logical place for the responsibility for marriage guidance functions to rest. The Home Office's responsibility dates back to the period just after the war when departmental responsibilities for social services and family matters were very limited and when the Home Office's Probation Service had a very considerable involvement in matrimonial work. The Home Office has now so little to do directly with family matters or with other agencies working in the same field that it has no reliable way of judging priorities between the different marriage guidance groups or value for money. The DHSS by contrast has a wide range of contacts with the medical and other agencies with whom marriage guidance groups work closely. Its policy objectives also run closely in line. The more successful marriage guidance can be in preventing family breakdown, the less the calls on state-funded social services.

3. The sums of money involved are relatively small (Home Office grants this year amount to about £1.2 million), and a transfer of responsibility could be made administratively without Parliamentary procedures. But the 'family' area of policy is one in which there remains active Parliamentary and public interest. Any transfer would therefore attract attention, and this produces a difficulty. Both Departments agree that a transfer of responsi-



bility would give new life to the pressure for a more active Government role in marriage and family matters. In any event, were the Secretary of State for Social Services to take over responsibility, he would want over time to look at the relationship between the preventive work of the marriage guidance councils and his other support in the Health and Personal Social Services field and might well want to consider some adjustments to the relative levels of funding.

4. If the Government wishes to take a more active role in the family area and accepts the manpower and other expenditure consequences, the choice is clear cut and a transfer clearly justified. If, on the other hand, you wish to keep to the present policy of low key support, then, as the paper says, there are two choices, neither without risk.

5. The choice with lower risk is to leave responsibility with the Home Office and accept that the basis for judging value for money and for resisting future demands for more money will remain unsatisfactory. By that course, too, Ministers lose the opportunity to compare the value of preventive measures with other areas of DHSS funding, together perhaps with the chance of making some savings in those other areas as a result of more effective spending on prevention.

6. The alternative is to transfer responsibility and resist any resulting pressure for a more active policy and more expenditure. Your policy of supporting the family by making its members more capable of independence through home ownership etc and less reliant on state services and providing much direct help through voluntary agencies is entirely in line with the present approach to marriage guidance funding and so provides a good basis for resisting such pressure. The policy could be made explicit at the point of transfer. But it is unlikely that even a very positive statement of policy would prevent all expectations and pressure.



7. The choice depends on the balance between the likely long term advantages of bringing marriage guidance funding alongside responsibilities with which it fits more sensibly, against the short term risks of awakening criticism of and pressure on an area of Government policy which is currently fairly quiet. The Secretary of State for Social Services ^{Flag A} and the Home Secretary ^{Flag B} will no doubt want to give you their views on this direct, and I am therefore sending copies of this minute and paper to them.

attached

12/12/84

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Approved by
ROBERT ARMSTRONG
and signed in his absence.

29 November 1984

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MINISTERIAL RESPONSIBILITY FOR MARRIAGE GUIDANCE FUNDING

1. This paper examines the case for transferring responsibility for Government funding of marriage guidance services in England and Wales from the Home Secretary to the Secretary of State for Social Services. It has been prepared in consultation with the Home Office and the Department of Health and Social Security.

MARRIAGE GUIDANCE SERVICES: EXISTING RESPONSIBILITIES

2. The main marriage guidance services are provided by the National Marriage Guidance Council (NMGC), a voluntary organisation founded in 1937, and its associated local councils. The NMGC selects and trains councillors and provides some common services to the local councils, which offer independent counselling and education on marital problems, including sexual matters and family planning. Although their work is primarily concerned with keeping marriages and families together, some offer limited counselling on separation and divorce.

3. Operating in the same field are the Catholic Marriage Advisory Council, the Jewish Marriage Education Council, the Institute of Marital Studies (which also undertakes training and research) and, to a very limited extent the Family Welfare Association.

4. Local counselling is funded by local authorities, fees and donations. But the five national organisations all receive Government aid, and in the case of the NMGC, the Catholic Marriage Advisory Council and the Institute of Marital Studies, this provides the major part of their income. The Home Office pays grant towards their general administrative costs, and the Department of Health and Social Security grant aids their family planning and sexual counselling services. The Home Office grants have no specific statutory backing. The DHSS grants, like its other grants for family planning and sexual counselling, are made under S.64 of the Health Services and Public Health Act 1968.

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5. In 1984/5 Home Office grants will total £1.2m and DHSS grants £60,000. Detailed figures for the year ending 1.3.1983, showing the contribution made to the various bodies' income, are;

	Income £	HO grant (%) £	DHSS grant (%) £
National Marriage Guidance Council	1,103,388	750,000 (68)	20,000 (2)
Institute of Marital Studies	326,015	238,700 (73)	- -
Catholic Marriage Advisory Council	158,253	98,750 (62)	23,000 (14)
Family Welfare Association	1,027,831	15,200 (1)	- -
Year ending 31.12.82			
Jewish Marriage Education Council	37,441	5,000 (14)	- -

The Family Welfare Association also receives grant from DHSS towards its central administrative costs (£104,930 in 1983/4). This grant is related to the FWA's main activities which are concerned with social casework and other forms of assistance to deprived families, not marriage guidance.

6. Government funding dates back to the recommendation in the 1947 Denning Report which looked at the services available for marital reconciliation and recommended that there should be "State encouragement and, where appropriate, financial assistance to marriage guidance as a form of Social Service". Responsibility was given to the Home Office, largely because of the substantial involvement at that time of the Probation Service in matrimonial work. The Probation Service retains an indirect involvement through its work with offenders (where marital and family problems can often be one of the causes or consequences of crime) and specifically in matrimonial proceedings under the civil law where children are involved. Until the 1960s this led to an increasing involvement in marriage counselling. The Probation Service dealt with about 33,000 cases of this kind in 1960, but since then the numbers have dropped sharply: last year there were only 4,500 such cases.

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7. Several other Ministers have an interest in marriage and family matters. The Lord Chancellor is responsible for the legal framework for ending marriage and much of the machinery of justice which goes with it. Relevant responsibilities of the Secretary of State for Social Services include the personal social services and related voluntary activity, the mentally ill, children, family planning services, and family income support. The Secretaries of State for Scotland and Wales have corresponding health and welfare functions, and the Secretary of State for the Scotland (who is ^{also} responsible for the Scottish Probation Service) grant aids the Scottish Marriage Guidance Council and the Scottish Catholic Marriage Advisory Council. The Secretary of State for Trade and Industry has a peripheral interest through his responsibility for grant aiding the National Association of Citizens Advice Bureaux which deal with a substantial number of enquiries on "family and Personal" matters (626,000 in 1982/3 -some 12 per cent of the caseload).

RECENT POLICY CONSIDERATION

8. The last comprehensive consideration of Government's interest in marriage guidance was carried out in the late 1970s by a working party of government and outside representatives which was jointly sponsored by the Home Office and the Department of Health and Social Security. Their report "Marriage Matters" was published in 1977. It commented on the rationale for State intervention in marriage guidance matters as follows;

"Thirty years ago the Denning Report took it for granted that the preservation of marriage was a proper function of the State The State is no longer expected to preserve marriages as such. But in a humane society the State is justified in being concerned for the well-being of its members The State should accept a responsibility - shared with caring individuals and independent initiatives - for relieving private misery and exercising social concerns by the provision of services through statutory and other public agencies to help with marital problems".

Important themes of the report were the need to improve the quantity and quality of advice through training, research and more effective links with medical and other specialisms.

9. The report recommended that a Minister be designated to coordinate responsibilities for marriage and marital problems. This was linked to a proposal for a central team to promote action by agencies, practitioners and others to develop marital-related services on lines envisaged in the report. Subsequent consultation, undertaken jointly by the Home Office and DHSS, indicated support for the idea of a coordinating Minister, but no consensus as to whether he should be located in the Home Office or in DHSS (options mentioned in the report). In April 1981 the Social Services Secretary said that no Government response to the Report was envisaged.

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10. Interest in family and marriage matters was reawakened before the 1983 Election by reports about the work of the Ministerial Family Policy Group. The Government made its general approach clear in its Manifesto under the heading of "Supporting Family Life". It said, "It was not for Government to try to dictate how men and women should organise their lives.... but to help people and their families fulfil their own aspirations in a rapidly changing world". The Manifesto referred specifically to proposed changes in the divorce law, designed to offer further protection to children, and to secure fairer financial arrangements when a marriage ends, and a review of the conciliation role of the courts.

11. Action has since been taken on both. The first in the recent Matrimonial and Family Proceedings Act, the second in a review by an interdepartmental committee of the Government's role in conciliation when marriages break down. The Lord Chancellor announced earlier this year that he accepted the review's recommendation that there should be a unit to monitor the cost-effectiveness of in-court conciliation, and that he would widen its remit to include a few out-of-court schemes. The Committee - reflecting the Home office representations - made no recommendations for an increased role for the Probation Service. The proposed establishment of the unit was cited in the recent Government response to a recommendation by the Social Services Select Committee in their report 'Children in care' for increased Government funding of conciliation schemes.

THE HOME OFFICE CASE FOR A TRANSFER OF RESPONSIBILITY

12. The Home Office argue that they are no longer the appropriate department to administer grants for marriage guidance. The Permanent Secretary, as Accounting Officer, has already advised Ministers that the basis for the Home Office paying the grants is unsatisfactory because the department has "neither a clear policy objective nor any way of judging the relative preference to be given to the different organisations, nor any way of seeing

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whether we get value for money". The Home Office believes that the right course would be for responsibility to be transferred to the Department of Health and Social Security. They base their case on the changing role of the Probation Service since 1947, and the developing role of the Department of Health and Social Security.

13. On the first, the Home Office point out that the Probation Service's involvement in matrimonial questions has fallen considerably over the last twenty years. The Home Secretary's present objectives and priorities for the Probation Service (which have been announced in Parliament) emphasise that the Probation Service's main role is to deal with offenders in the community, and this implies containing non-criminal work. The service has a continuing interest in matrimonial questions, both in relation to child welfare recommendations, and because of the connection with delinquency. But they do not see this interest as a sufficient basis for determining policy objectives for marriage guidance funding. There is, they say, in practice no link with the marriage guidance organisations: the latter are primarily engaged in reconciliation (preventing marital breakdown), while the probation service's concern in matrimonial matters - such as it is - is with conciliation (ameliorating damage after breakdown) in order to safeguard the welfare of children.

14. On the second, the Home Office believes that the wide range of DHSS' responsibilities, particularly those concerned with the medical and other agencies with which marriage guidance organisations are likely to work closely, now give it the lead interest in marriage guidance matters and make it well qualified to take on the sponsorship role. This contrasts with the situation in 1947 where there was little practical alternative to the Home Office as grant sponsor because Departmental responsibilities for social services and family matters were much more limited, and contacts with voluntary organisations little developed.

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THE DHSS CASE

15. The Department of Health and Social Security agree that the DHSS is in many respects the logical place for responsibility to rest. But they point to the likely pressure for increased spending which a transfer might prompt. A transfer would be bound to attract interest, and could prompt renewed representations from 'family' pressure groups for a practical earnest of ^{the Government's} promise to support the family. That could lead to pressures to increase the grants, and for a review of the Government's general contribution in this area, with pressures for increased activity, and more money (with, for example the bending of other DHSS programmes in the Health and Personal Social Services towards a more effective role in preventing marriage breakdown). It could also put pressure on local authority social services departments to increase their support for marriage guidance and other family work.

ASSESSMENT

16. The arguments for and against a transfer fall under two headings, competence and presentation/practicability. The main questions are:

(i) which Minister is best able to judge whether the grants give value for money? How closely does the purpose of the grants match the Minister's other policy objectives? Does his department have the necessary expertise, contacts and authority to administer the grants efficiently and effectively?

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(ii) would a change of responsibility look credible to Parliament and the public? Would a change create expectations of an expensive intensification of Government effort? Would a change mean a higher bill for the taxpayer?

Competence

17. Decisions to grant-aid individual voluntary bodies cannot be taken in isolation if the grant is to give value for money. They need to reflect broader judgements about what form and amount of support is likely to be most effective in meeting the overall social and other policy objectives to which the body's activities contribute. Similarly, in monitoring the effectiveness with which a body uses its grants, a Department will need to be aware of its relationships with public services engaged in the same field. It will also need to take account of any significant changes in the wider economic and social environment.

18. These arguments point to putting responsibility for funding any particular voluntary activity under a department whose policy objectives most closely match those of the activity and whose other contacts and responsibilities touch on the same field*. The judgement in this case is whether the responsibilities and objectives of DHSS or of the Home Office give them the greater interest in marriage guidance funding and whether that interest is sufficient to allow the grants to be administered competently and efficiently.

*Note When an activity touches the interests and objectives of more than two departments and it is not possible to identify a lead department with the necessary competence, the Home Office's Voluntary Services Unit (VSU) may take responsibility as a "Financier of last resort". Grants made by VSU range from £1000 for the Gamblers Anonymous General Services Board to over £4m for the Women's Royal Voluntary Services. There is however a clear agreement with Treasury and other departments that the VSU is a last resort and that every effort should first be made to establish a lead department to take funding responsibility. It would be standing the VSU role on its head for it to take over an area in which a lead responsibility has already been established.

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The key judgements are whether funding of marriage guidance services primarily helps to reduce or limit increases in claims on social, children's and mentally ill services and for family income support (DHSS), or to reduce delinquency and help prevent crime (Home Office), and whether the links between marriage guidance organisations and medical and other practitioners in the social services field are greater than those between the probation service and the courts.

19. Our judgement is that on this criterion the DHSS would be a more appropriate location for the responsibility than the Home Office. There would be some disadvantage because of the loss of the link with the Home Office's responsibilities for the various agencies of the criminal justice system and its wider responsibility for voluntarism, but these should be outweighed by the gains of bringing marriage guidance funding under a department with direct responsibility for the social services and a consequently wider range of related responsibilities and expertise.

PRESENTATION/PRACTICABILITY

20. The main argument against a transfer is the possibility that it might set off expectations of and pressure for an increased Government contribution in the family and marriage field. If Ministers are ready to take a more active role in this area and to put extra resources into preventing family and marriage breakdown (in the hope of making offsetting savings

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in social support programmes) a transfer of responsibility would be sensible and widely welcomed. If on the other hand there is to be no change of policy or priorities and Ministers wish to keep a low profile, a transfer risks raising expectations which will be disappointed. The judgement here is how far such a risk could be limited. One way of doing so might be to make the government's policy in this area explicit at the point of transfer by expanding on the Manifesto statements. The Government might for example restate its support for the family as the best provider of social and economic protection for its vulnerable members, thereby relieving the state of possible burdens on public expenditure, and for children, who represent the future of our society. The statement could then make it clear that it believes such support is best given by minimising direct intervention by agencies of the state in the privacy of the marriage/family relationships. That is why it supports the voluntary movement, particularly the valuable work done by marriage guidance counsellors.

CONCLUSIONS

21. The main question for Ministers is whether they wish to take a more active role in the marriage/family area, and accept the manpower and public expenditure consequences which go with it. If they do, then there is a clear case for transferring responsibility for marriage guidance funding to the DHSS, with whose interests and objectives and other programmes it fits most sensibly. If Ministers do not wish to take a more active role, there are two choices, each with its own risks. The choice of

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less risk would be to leave responsibility with the Home Office, and accept that the basis on which value for the existing level of funding is judged, and on which demands for future funding must be judged, are less than satisfactory. The alternative would be to transfer responsibility to the DHSS, and aim to damp down expectations of and pressure for a more active Government role in this area by an explicit statement of Government policy at the point of transfer.

Machinery of Government Division
November 1984

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