House of Commons
Work and Pensions Committee

The role of Jobcentre Plus in the reformed welfare system


Volume I: Report, together with formal minutes, oral and written evidence

Additional written evidence is contained in Volume II, available on the Committee website at www.parliament.uk/workpencom

Ordered by the House of Commons
to be printed 20 January 2014
## List of printed written evidence

<table>
<thead>
<tr>
<th>Number</th>
<th>Organisation</th>
<th>Evidence</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Association of Employment and Learning Providers</td>
<td>Ev 108</td>
</tr>
<tr>
<td>2</td>
<td>The Association of Colleges</td>
<td>Ev 110</td>
</tr>
<tr>
<td>3</td>
<td>Centre for Economic and Social Inclusion</td>
<td>Ev 112</td>
</tr>
<tr>
<td>4</td>
<td>Centrepoint</td>
<td>Ev 119</td>
</tr>
<tr>
<td>5</td>
<td>Church Action of Poverty</td>
<td>Ev 122</td>
</tr>
<tr>
<td>6</td>
<td>Citizens Advice</td>
<td>Ev 127</td>
</tr>
<tr>
<td>7</td>
<td>Confederation of British Industry</td>
<td>Ev 129</td>
</tr>
<tr>
<td>8</td>
<td>Department for Work and Pensions</td>
<td>Ev 133; Ev 146</td>
</tr>
<tr>
<td>9</td>
<td>Employment Related Services Association</td>
<td>Ev 146</td>
</tr>
<tr>
<td>10</td>
<td>Gingerbread</td>
<td>Ev 150</td>
</tr>
<tr>
<td>11</td>
<td>Local Government Association</td>
<td>Ev 155</td>
</tr>
<tr>
<td>12</td>
<td>London Councils</td>
<td>Ev 162</td>
</tr>
<tr>
<td>13</td>
<td>Monster Government Solutions UK</td>
<td>Ev 165</td>
</tr>
<tr>
<td>14</td>
<td>NatCen Social Research</td>
<td>Ev 169</td>
</tr>
<tr>
<td>15</td>
<td>Policy Exchange</td>
<td>Ev 170</td>
</tr>
<tr>
<td>16</td>
<td>Public and Commercial Services Union</td>
<td>Ev 175</td>
</tr>
<tr>
<td>17</td>
<td>Recruitment and Employment Confederation</td>
<td>Ev 177</td>
</tr>
<tr>
<td>18</td>
<td>Scope</td>
<td>Ev 181</td>
</tr>
</tbody>
</table>

## List of additional written evidence

*(published in Volume II on the Committee’s website www.parliament.uk/workpencom)*

<table>
<thead>
<tr>
<th>Number</th>
<th>Organisation</th>
<th>Evidence</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>A4E</td>
<td>Ev w1</td>
</tr>
<tr>
<td>2</td>
<td>Brent Council</td>
<td>Ev w3</td>
</tr>
<tr>
<td>3</td>
<td>Citizens Advice Scotland</td>
<td>Ev w7</td>
</tr>
<tr>
<td>4</td>
<td>Community Links</td>
<td>Ev w14</td>
</tr>
<tr>
<td>5</td>
<td>Crisis</td>
<td>Ev w17</td>
</tr>
<tr>
<td>6</td>
<td>Ian Cropper</td>
<td>Ev w19</td>
</tr>
<tr>
<td>7</td>
<td>Ljiljana Devic</td>
<td>Ev w21</td>
</tr>
<tr>
<td>8</td>
<td>DrugScope and Homeless Link</td>
<td>Ev w25</td>
</tr>
<tr>
<td>9</td>
<td>Gipton Supported Independent Living</td>
<td>Ev w29</td>
</tr>
<tr>
<td>10</td>
<td>Hackney Economic Development Network</td>
<td>Ev w32</td>
</tr>
<tr>
<td>11</td>
<td>Delia Hodgkiss</td>
<td>Ev w35</td>
</tr>
<tr>
<td>12</td>
<td>Information Commissioner’s Office</td>
<td>Ev w38</td>
</tr>
<tr>
<td>13</td>
<td>The Institute of Revenues, Rating and Valuation</td>
<td>Ev w39</td>
</tr>
<tr>
<td>14</td>
<td>Richard Layard</td>
<td>Ev w40</td>
</tr>
<tr>
<td>15</td>
<td>Learndirect</td>
<td>Ev w40</td>
</tr>
<tr>
<td>16</td>
<td>London Borough of Newham</td>
<td>Ev w42</td>
</tr>
<tr>
<td></td>
<td>Name</td>
<td>Ev</td>
</tr>
<tr>
<td>---</td>
<td>-----------------------------------------------------------</td>
<td>------</td>
</tr>
<tr>
<td>17</td>
<td>Stephen Morris</td>
<td>Ev w43</td>
</tr>
<tr>
<td>18</td>
<td>National Housing Federation</td>
<td>Ev w50</td>
</tr>
<tr>
<td>19</td>
<td>Nottingham City Council</td>
<td>Ev w54</td>
</tr>
<tr>
<td>20</td>
<td>Oxfam Cymru</td>
<td>Ev w55</td>
</tr>
<tr>
<td>21</td>
<td>Papworth Trust</td>
<td>Ev w59</td>
</tr>
<tr>
<td>22</td>
<td>Prospects</td>
<td>Ev w61</td>
</tr>
<tr>
<td>23</td>
<td>Refugee Women’s Strategy Group</td>
<td>Ev w63</td>
</tr>
<tr>
<td>24</td>
<td>St Mungo’s</td>
<td>Ev w66</td>
</tr>
<tr>
<td>25</td>
<td>The Salvation Army</td>
<td>Ev w70</td>
</tr>
<tr>
<td>26</td>
<td>Scottish Refugee Council</td>
<td>Ev w72</td>
</tr>
<tr>
<td>27</td>
<td>Serco Limited</td>
<td>Ev w76</td>
</tr>
<tr>
<td>28</td>
<td>Single Parent Action Network</td>
<td>Ev w79</td>
</tr>
<tr>
<td>29</td>
<td>John Slater</td>
<td>Ev w82</td>
</tr>
<tr>
<td>30</td>
<td>Sunderland City Council</td>
<td>Ev w85</td>
</tr>
<tr>
<td>31</td>
<td>Sunderland Partnership</td>
<td>Ev w87</td>
</tr>
<tr>
<td>32</td>
<td>Tees Valley Unlimited</td>
<td>Ev w88</td>
</tr>
<tr>
<td>33</td>
<td>UK Council on Deafness</td>
<td>Ev w89</td>
</tr>
<tr>
<td>34</td>
<td>Dr David Webster, Honorary Senior Research Fellow, Urban Studies, University of Glasgow</td>
<td>Ev w90; Ev w101; Ev w111</td>
</tr>
<tr>
<td>35</td>
<td>Welsh Language Commissioner</td>
<td>Ev w121</td>
</tr>
<tr>
<td>36</td>
<td>Working Families</td>
<td>Ev w122</td>
</tr>
<tr>
<td>37</td>
<td>Working Links</td>
<td>Ev w124</td>
</tr>
<tr>
<td>38</td>
<td>Zacchaeus 2000 Trust</td>
<td>Ev w126</td>
</tr>
</tbody>
</table>
The Work and Pensions Committee

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

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Publications
The Reports and evidence of the Committee are published by The Stationery Office by Order of the House. All publications of the Committee (including press notices) are on the internet at www.parliament.uk/workpencom. The Reports of the Committee, the formal minutes relating to that report, oral evidence taken and some or all written evidence are available in a printed volume.

Committee staff
The current staff of the Committee are Carol Oxborough (Clerk), Joanna Welham (Second Clerk), David Foster (Committee Media Adviser), James Clarke, (Committee Specialist), Daniela Silcock (Committee Specialist), Emma Sawyer (Senior Committee Assistant), and Hannah Beattie (Committee Assistant).

Contacts
All correspondence should be addressed to the Clerk of the Work and Pensions Committee, House of Commons, 7 Millbank, London SW1P 3JA. The telephone number for general enquiries is 020 7219 2839; the Committee’s email address is workpencom@parliament.uk.
Introduction

A4e is submitting this response in relation to the Work and Pensions Select Committee inquiry into the role of Jobcentre Plus (JCP) in the reformed welfare system. A4e is one of the largest providers delivering the Work Programme on behalf of the Department for Work and Pensions (DWP) and JCP. The programme is part-funded by the European Social Fund. We are the Prime Provider for five Work Programme Contract Package Areas (CPAs): East London; East Midlands; Merseyside, Halton, Lancashire & Cumbria; Thames Valley, Hampshire & the Isle of Wight; and South Yorkshire. A4e is also a subcontractor in the following CPAs: North East; Wales; Scotland; Surrey, Sussex & Kent; and West Yorkshire. A4e is additionally the contract holder for the Jobcentre Plus Support Contract (JCPSC) in Berkshire, Buckinghamshire, the Black Country, Derbyshire, Oxfordshire, South Yorkshire, West Yorkshire, Wales and in all 33 London boroughs. Further, we also work with JCP as a member of their Employment and Skills Reducing Reoffending Forum, given A4e’s unique position of delivering both the Work Programme and Offender Learning and Skills Services (OLASS) in prisons.

In delivering the Work Programme across the above areas, A4e has directly supported tens of thousands of people into work. In doing so, we work both strategically and on a daily basis with JCPs right across the UK. It is from this position of experience both in supporting individuals into sustainable employment and through our extensive relationship with JCP that A4e submits this response.

Executive Summary

Our submission is grounded in our front-line experience from which we make the following recommendations:

- Every claimant should have an initial profiling assessment on day one of their claim to analyse the precise level of that claimant’s need. Following this assessment, jobseekers should receive appropriate, timely support—including possible fast track to the Work Programme.

- The support offered by JCP should be more closely and consistently integrated with the delivery of the Work Programme across the UK. A4e’s work to co-locate JCP advisers on site throughout the UK has already started to deliver promising results.

- While JCP has made significant progression in engaging with employers, building on these stronger links is critical, both nationally and locally. As we have found through delivering the Work Programme, these links benefit jobseeker and employer alike.

Identification of Jobseekers’ Needs and Barriers

1.1 Jobcentre Plus plays a crucial role in the welfare system. In addition to delivering benefits at scale alongside work-focused support, JCP plays a valuable role in working with Work Programme providers to support people into sustainable employment. JCP has had to adapt and develop with the introduction of a number of welfare-to-work schemes over the years, including Pathways to Work, New Deal, and Flexible New Deal—all of which A4e has worked with JCP to deliver. JCP also effectively copes with a huge flow of people and enquiries, the volume of which continually fluctuates in line with the UK labour market. We support JCP’s efforts to improve how it operates and flexes to the demands of jobseekers, the local labour market and the needs of employers. A better functioning JCP results in better services for A4e’s customers, in particular for those with the most serious barriers to employment.

1.2 JCP works with a hugely diverse range of people, with different skills and at differing levels of job readiness. It is important that the complex needs of these individuals are understood and met as quickly as possible, to enable an efficient, timely package of support. While some individuals who access JCP’s services are close to the employment market, a large number require substantial additional help. After individuals have been with JCP for at least nine months and have been unsuccessful in finding work, they are referred to the Work Programme. Those referred to A4e often have complex, interlinking barriers to employment. Being out of work is rarely the only challenge our customers face; inadequate skills, social exclusion and poor health are all common issues. For instance, we find that 16% of our Work Programme customers who experience a health condition have a mental illness, and a “Big Conversation” survey of our customers identified that nearly half have no or low levels of qualifications. In addition, we’ve encountered over 10,000 cases where customers suffer drug, alcohol, or gambling addiction since the start of the Work Programme. These issues are difficult to overcome and intensive support is required if they are to be successful.

1.3 Each claimant should have an initial assessment of need on entry to JCP to ensure that any issues they have do not deteriorate or become further entrenched by delaying support. Importantly, such issues develop over time; mental health, self confidence and employment skills deteriorate the longer a person is out of work. Therefore the support jobseekers receive should reflect this fact. Poor initial assessment procedures may not only increase time spent unemployed, but can also increase the chances of individuals being advised for unsuitable jobs, reducing the chance of achieving sustained employment. A4e believes that every claimant...
should have an initial profiling assessment on day one of their claim. This assessment would evaluate a wide set of the claimant’s barriers to work (which may include factors such as debt, their housing situation, health status, skills deficit) which would result in a diagnosis of the level of claimant need. This data would enable better, more tailored support of claimants from day one, identifying those who are most likely to require long term, bespoke employment support. The claimant profiles gained from any initial assessment should be used to define the level of support JCP provides; and efforts should be made to harmonise the performance targets of Jobcentre Plus (via the DWP Performance Management Framework) and the targets of contracted employment programmes (eg via the Customer Payment Groups of Work Programme). The introduction of Universal Credit and all related assessment information could provide an opportunity to reshape and improve the JCP assessment process. In addition, the simplification that Universal Credit brings into the system could enable JCP advisers to focus more intently on understanding the particular needs of claimants and identifying the support they require. These opportunities to make improvements should not be overlooked in the transition to this new Universal Credit system.

1.4 Those with the biggest barriers to employment should enter the Work Programme immediately to receive the necessary tailored support which can start to tackle those barriers as soon as possible. For example, ex-offenders now enter the Work Programme immediately upon release because having a criminal record can present a significant barrier to employment. A4e believes that we should extend this principle to other groups with a similar level of barriers who would equally benefit from receiving precisely this depth of tailored service.

1.5 Recommendation:

— Every claimant should have an initial profiling assessment on day one of their claim to analyse the precise level of that claimant’s need. Following this assessment, jobseekers should receive appropriate, timely support—including possible fast track to the Work Programme.

JCP’S ROLE AS A GATEWAY TO CONTRACTED-OUT SERVICES SUCH AS THE WORK PROGRAMME AND WORK CHOICE

2.0 Joining up JCP and Work Programme delivery is crucial to improving the effectiveness of the system. An initial assessment as outlined above would not only provide better targeted support for jobseekers, but could also help to join up the support that JCP and Work Programme providers offer. Better join-up of the functions of these two systems is vital to providing seamless support for jobseekers and to maintain the sustainability of the system. Likewise, improving the join-up between JCP and other services such as GP surgeries, housing associations and other local authority services would also benefit claimants by ensuring that their barriers to employment are addressed in the right order.

2.1 One way to achieve more effective join up between JCP and Work Programme delivery is through co-locating services. Improved integration and communication does not happen on its own, which is why A4e has been working to join up our Work Programme front line delivery with that of local JCPs. In A4e offices across the UK we have positioned JCP advisors on site within our Work Programme offices. Likewise, in Hampshire and additional areas we have located Work Programme staff within JCP offices—and we are in conversations to expand this further. This co-location has improved communications between our organisations and, importantly, has simplified the referral and induction process for customers. The co-location of JCP and Work Programme delivery means that jobseekers are more easily engaged with Work Programme support services. So far the programme has improved customer engagement, as customers who have previously regularly failed to attend Work Programme sessions have re-engaged with the support available. In addition, this co-location has improved data sharing and connectivity between JCP and the Work Programme, resulting in reduced paperwork flowing between offices. JCP co-location has enjoyed widespread positive feedback from JCP managers and A4e is looking to expand co-location further across the UK.

2.2 Recommendation:

— The support offered by JCP should be more closely and consistently integrated with the delivery of the Work Programme across the UK. A4e’s work to co-locate JCP advisers on site throughout the UK has already started to deliver promising results.

THE EFFECTIVENESS OF JCP’S RELATIONSHIPS WITH OTHER KEY STAKEHOLDERS

3.0 Continuing to develop stronger links between JCP and employers is crucial, both nationally and locally. Jobseekers’ first hand exposure to the opportunities available to them early on in their search for employment can act as a source of motivation and improve self-confidence. In addition, by focussing on specific job roles with specific employers at the earliest feasible stage, JCP and jobseekers are able to manage their development in a more targeted way. We recognise that improved employer involvement can benefit both jobseekers and employers: jobseekers gain confidence by seeing the opportunities available to them, while employers are able to more specifically focus their recruitment efforts on jobseekers who in turn better understand the role they are entering and have the necessary skills and attitude to succeed. This past year A4e have connected with the Co-operative Group to supply their North West stores with the staff they need to serve the community. Under this relationship, when any Co-op store in North West needs a new team member, A4e
screens, matches and prepares an appropriate customer for a suitable role at Co-op. This type of relationship has had a positive impact on jobseekers and creates a virtuous circle with the business community.

3.1 JCP would benefit from taking further steps to develop greater flexibility in order to work with other agencies such as LEPs and trade bodies to better meet the needs of local employers. Such flexibility would allow JCP to tailor their approach to meet the needs of employers of different sizes and at which ever location they are operating. Anticipating employer demand and flexing to local economies is crucial. Accordingly, JCP should attempt a more strategic approach by working to ensure that they are helping claimants into growth industries while directing them away from occupational areas in decline. A “one size fits all” approach limits effectiveness and as we know through delivering the Work Programme, it is vital that JCP has the capacity to strategically react to different employers, of different sizes, in different locations.

3.2 Recommendation:
— While JCP has made significant progression in engaging with employers, building on these stronger links is critical, both nationally and locally. As we have found through delivering the Work Programme, these links benefit jobseeker and employer alike.

11 June 2013

Written evidence submitted by Brent Council

1.0 SUMMARY

1.1 Brent is a large London borough that spans from the inner city in the south to a suburban expanse in the north. We have a socially, economically, and culturally diverse population which brings many benefits and challenges to any organisation delivering services in the area.

1.2 We have already contributed to London Councils’ consultation for this inquiry; however, as the borough that faces the most impact from the Overall Benefit Cap (OBC) and other welfare reform, we feel it is important to provide more local evidence from our experience of working with Jobcentre Plus (JCP) over the last year.

1.3 Our response is based on experience from our Revenues and Benefits, Housing, and Employment and Enterprise teams who have all been working together to deliver Brent’s response to the welfare reforms. We have provided evidence based on general experience rather than individual cases and acknowledge that there are exceptions to most of these observations.

1.4 We understand that Jobcentre Plus by necessity has to provide a volume service for its clients, and budget constraints often restrict the ability of JCP to provide more personalised or tailored interventions. However we know from experience of successful welfare to work programmes, like Employment Zones, that what works is lower case loads, more intensive workflows, and a real focus on employment as the outcome. At the moment JCP colleagues are not able to deliver this level of service even if they wish to. We believe that JCP managers should have the flexibility to be able to respond to local nuances that clearly exist within their large geographical districts. For example, Brent is a significant outlier in the West London district in terms of demographic, and deprivation, and local managers need to be encouraged and empowered to respond directly to that.

2.0 JCP EMPLOYMENT SERVICES

2.1 Approaches to identifying jobseeker need and barriers to employment

2.1.1 We believe that this is a weak area in JCP delivery for the following reasons:
— Advisers do not have enough time with customers to understand their barriers to employment and deliver a personalised service. From our experience of delivering employment programmes, residents do not divulge all their constraints to employment in an initial meeting even if it is an hour long. We build a picture of their needs over a number of meetings where rapport and trust is established. JCP Advisors do not have the time to do this, and there is often no continuity with who sees the customer from one meeting to the next.
— Advisors identify barriers to employment based on the provision that they have available to refer to. For example someone who does not speak English as a first language will be referred to English for Speakers of Other Languages (ESOL) provision. In many cases this is the right approach, however for many people their language is not a constraint for the type of work sector or organisation they would like to work in and their job search is delayed by referral to a course. That person may need intensive support with finding a job and making applications in English but they would be able to manage the actual work and continue to improve their English whilst in work.
— Advisors are poorly trained or empowered to identify signs of mental health conditions or substance addiction in customers; and they do not address these constraints with the customers. People with these needs, particularly where they have not been diagnosed professionally and managed with treatment, tend to be processed through the system without being advised to access support.

2.1.2 Although it is important to identify jobseeker need and barriers to employment, we also believe that it is important to look at positive factors in a person’s employability and the best advisors should be able to elicit this from even a very basic work history. We see little evidence of this happening at JCP; in fact, many residents we support feel disempowered and lower in confidence after JCP visits.

2.2 Effectiveness of Get Britain Working Measures

2.2.1 We commend the measures that have been set out in this initiative and we have seen a commitment to them at a management level, however they do not translate to operational reality and therefore are not effective.

2.2.2 For Jobseeker’s Allowance claimants we do not see flexibility in the frequency and duration of advisory interviews. Many people in our area need intensive support to find vacancies and make applications. High quality application forms take at least an hour to complete, and yet jobseekers are getting about twenty minutes with an advisor once a fortnight to make applications—that is only if they ask assertively for more support with applications. Most jobseekers are directed to the Universal Job Match (UJM) site to make applications however in our experience even residents who have attended IT courses to learn how to use these systems need further one-to-one support to make high quality, targeted applications.

2.2.3 For Income Support claimants who are affected by the Overall Benefit Cap (OBC) the six-monthly work focussed interviews are not frequent enough to engage them to look for work. From our experience, residents generally are not aware that they can ask for further job search support from Lone Parent Advisors. When they do ask for this support, they are once again referred to UJM. We see very little evidence of Income Support claimants being informed about voluntary referral to the Work Programme.

2.2.4 People with more complex constraints to employment are not being supported effectively by Work Programme providers due to their limited resources to engage and work intensively and individually with these people.

3.0 JCP’s Role as Gateway to Contracted out Services such as Work Choice and Work Programme

3.1 In our experience JCP is reluctant to refer people from the voluntary caseload to the Work Programme due to the cost of attachment fees. They also use the Work Programme as a “stick” for JSA claimants in an attempt to motivate them to get work before they reach 12 months on JSA. This causes people to have a negative perception of the programme, creates anxiety, and reduces engagement.

3.2 We do not believe that JCP in our area is suitably resourced to deliver support for people affected by welfare reform as well as the 2000 plus people who will come back to them after the Work Programme. Our engagement with them suggests that there has been little planning for this.

4.0 JCP’s use of FSF—including how Spending Decisions are made and Evaluated

4.1 We welcome JCP’s commitment to use this funding to deliver initiatives that do not duplicate existing provision. At the moment there is a gap between the provision that JCP believes is in place and the experience of our residents. We are looking to add provision based on our residents experience of services and the gaps that exist, however it is difficult to demonstrate this to JCP evaluators who look at the existing list of provision as it is presented rather than how it is actually delivered. There has been no consultation with us, the Local Authority, on local needs and priorities. We would welcome an invitation to sit on the evaluation panel.

5.0 Effectiveness of JCP’s Relationships with other Key Stakeholders, particularly Local Authorities

5.1 JCP colleagues in Brent take pride in their relationship building and rightly so. They have shown commitment to working collaboratively with us to address the needs of people affected by welfare reform. The following aspects of this partnership work particularly well:

5.1.1 Co-location—we have an advisor from JCP based in our customer service centre on two days a week. Anyone who is affected by welfare reform can be referred to her and she works with them to apply for jobs or signpost them to provision and services that are relevant to them. JCP has committed to increasing this to five days a week and ensuring that there is cover for absences so that we have this as a reliable resource and there is better collaboration and communication between the two organisations.

5.1.2 Planning and strategy—a senior manager from JCP attends and actively participates in our welfare reform mitigation planning and delivery group meetings. We have her as the named
contact and know that she has some authority to make decisions for JCP at this local level (and would like to see this increased).

5.1.3 Awareness sessions—these have been set up for JCP frontline staff to understand what the council is delivering in relation to welfare reform and vice versa. This paves the way for case conferencing and the quick resolution of issues.

5.2 There are however improvements that can be made on the current partnership. Although JCP has shown commitment to positive relationships, they do not accept or provide constructive feedback in order to improve services and achieve outcomes. When we have provided feedback about the effectiveness of their services they have not generally shown a willingness to listen to this and make amendments accordingly. We have concerns that large numbers of claimants will slip through the JCP provision for people due to be affected by OBC because the provision is focussed on getting people to attend a course rather than to achieve job outcomes. The course is not personalised to achieve job outcomes for those with complex needs. Previous attempts to have a discussion about this and identify how we can work together for an effective, co-ordinating response have been ignored. The JCP response is centrally driven with little consideration of local need. This affects local partnerships as what we are trying to achieve as the Local Authority is not necessarily being supported by the local JCP.

6.0 JCP’s ROLE IN RELATION TO THE RIGHTS AND RESPONSIBILITIES OF BENEFITS CLAIMANTS

6.1 Appropriateness of JCP’s use of benefit sanctions—differences in approach between benefit districts

6.1.1 We have seen several cases where residents’ benefits have been sanctioned based on the subjective evidence of individual Advisers. Even if a process of warnings is applied, the evidence that the Advisers provide often contradicts the claimant’s version of events. If complaints are made to managers there is a bias on the adviser’s side when the issue is reviewed. Claimants feel disempowered and frustrated in this process and are subsequently put off from engaging positively with the same Advisers.

6.1.2 We also think that information about the process for signing off from benefits, and claiming in-work support is not communicated effectively to claimants. There is often confusion about timescales for declaring work, applying for in-work benefits, and the evidence that will be required to be eligible for them. This again comes down to the amount of time that Advisers have to spend with customers and their reluctance to help those with literacy support needs to fill in the correct paperwork.

6.2 JCP’s ROLE IN RELATION TO THE RESPONSIBILITIES AND RIGHTS OF BENEFITS CLAIMANTS

6.2.1 This is a central area where we think improvements can be made. Claimants have a right to be informed about the process and how their case is being handled. Advisers who are dealing with complex cases need the time to ensure that the right evidence is provided.

7.0 Supporting a Flexible Labour Market

7.1 JCP’s Effectiveness in matching jobseekers to Suitable Job Vacancies including the introduction of UJM

7.1.1 JCP Advisers do match jobseekers to vacancies but they have limited time to do and review this. Sometimes Advisers provide print outs of vacancies and sometimes they make the application with the jobseeker. There is no follow up to see if the jobseeker was successful, or to find out reasons why if not. We have spoken to residents who have made hundreds of unsuccessful applications, and JCP has not reviewed the suitability of their applications.

7.1.2 We support JCP’s drive to digitalise their services. Universal Job Match is in theory, a great resource for job search and job matching however it is not accessible to many people in our area. This is because of a low numbers of computers in JCP offices; and lack of support for those with literacy and IT skills support needs to use them.

7.2 Is JCP suitably focussed on sustainable job outcomes as well as off-benefit flows and how is this or should be measured

7.2.1 We do not see a focus on sustainability. If someone has started a job they are not provided with support for that transition retrospectively. The focus is on off-flow rather than an individualised review of how starting a job has or will impact the individual, what the risk factors might be for them falling out of work, and how they can be addressed. There is no support for customers who are in work to sustain or find better work which leads to people cycling between welfare and work.

7.3 Employers’ assessment of the effectiveness of JCP as a recruitment partner

7.3.1 We do not have a response from an employer perspective per se but we have set out some observations that we would like the committee to take into consideration.

7.3.2 Overall JCP’s engagement of employers, particularly those with vacancies for lower skilled workers, is excellent. They have a wide range of vacancies on their database and these are easy to access via the job points and UJM.

7.3.3 JCP do not always get the most out of employer partnerships to benefit the most excluded unemployed people. For example JCP organised a job fair where they advertised a dozen employers. Only five or six actually attended and not many of these had live vacancies. The 800 residents who attended this event were left disappointed. The employers who did attend informed people to look for vacancies on their website and...
JCP response to this was that this fits with the digital agenda. This is an example where central JCP policy does not meet local need. The majority of those 800 people who attended the job fair were not IT literate or proficient in English enough to access vacancies on line independently. For this very reason they took the proactive step to go to a job fair so that they could present themselves to local employers in person.

7.3.4 We find that jobs advertised in Jobcentres and on UJM are not always local or within a commutable distance. This is even after the location and distance from filter fields are completed by the applicant.

7.3.5 There is no follow up of vacancies advertised through UJM to review if they were filled by customers applying via the online tool. We are concerned that jobseekers are making applications but these are not going through to the employer as we have seen examples where the employers have stated that they have not had any applications.

7.3.6 Jobcentre Plus does not provide support for people to pay for CRB checks and this is often a hindrance for them to be able to apply for low pay jobs. Despite saying that it is the employer’s responsibility to pay, we do not see evidence of JCP lobbying to those employers to improve their recruitment practises so that candidates who are going for low skilled, low paid jobs are not having to pay for these checks.

8.0 THE IMPACT OF BENEFIT REFORMS

8.1 Plans to support claimants affected by the benefit cap

8.1.1 JCP has taken positive steps to support claimants who will be affected by the OBC including named Benefit Cap Advisers in each office; and participation in meetings with the council and other partners to identify ways of working collaboratively. We have some concerns about the effectiveness of the JCP approach:

8.1.2 The OBC course does not provide enough individualised, intensive support for those with complex barriers to employment and high support needs, and the focus is on attendance rather than job outcomes.

8.1.3 There is not enough support for single parents (a high proportion of those affected by OBC) to apply for jobs and to address their constraints to employment. Many are not aware that they can get this support at JCP or that they can be referred to the Work Programme. There is little support to find vacancies with work hours to suit school holiday term-time and holiday hours; or with finding childcare.

8.1.4 Claimants have a negative perception of JCP and there is no drive from JCP to improve engagement.

8.1.5 Only a few specialist Advisers have the skills to write CVs and other Advisers refer claimants to these Advisers for support. This creates unnecessary delay with job applications at a time when finding work is urgent.

8.1.6 We do not see evidence of resource being matched to the exceptionally high support need in Brent to address the welfare reforms. Although Benefit Cap leads have been identified, they have come from the existing pool of Advisers.

9.0 THE GOVERNANCE OF JCP

9.1 The potential for more radical future changes to JCP

9.1.1 Brent is reviewing the relationship between its housing and employment functions, co-locating them under single management and seeking to bring them under the same customer interface. In other words, when a customer walks through the door we want to resolve their employment situation primarily and use this as a way of empowering them in the housing market and preventing homelessness. We would be very keen to explore the prospects of a far more integrated model of delivery in Brent which places a wide range of current JCP services under the same management as the Council’s statutory housing functions and would welcome the opportunity for further discussion on this.

9.1.2 Having seen the positive effects of the small scale co-location of JCP with our Revenues and Benefits and housing teams we propose that this should be scaled up and replicated so that representatives from JCP benefits, adviser, and employer engagement teams work at the Council customer service centres on a full time basis.

9.1.3 We propose that the teams are structured under a shared manager so that customer service across all benefits, housing, and employment support provision is delivered in a holistic way and shared objectives are agreed and prioritised.

9.1.4 This level of integration with the Council will also allow for better partnership work with the Childcare Information Service, Children’s Social Services, Adult Social Services, and regeneration teams who lead on Section 106 agreements for vacancies with developers and other employers in the borough.
9.1.5 We have an opportunity to break down the delivery silos in our area and provide a true customer lead service. In the short term we will make efficiency savings in delivery costs; and in the long term we will see regeneration and growth through improved interventions.

24 May 2013

Written evidence submitted by Citizens Advice Scotland

1. Citizens Advice Scotland welcomes the opportunity to respond to the Work and Pensions Select Committee’s inquiry into Jobcentre Plus.

Context

2. Benefits advice is the largest area of advice demand for bureaux in Scotland. In 2012–13, citizens advice bureaux in Scotland advised on nearly 319,000 benefits issues. Of these 202,800 were new issues, and 116,000 were repeat issues, where a client comes back with a further issue with the same benefit.

3. Over the five years to 2011–12, the number of benefits issues seen in bureaux has increased by 39%. Employment and Support Allowance (ESA) is a significant driver of advice demand, with the number of sickness/disability issues increasing by 55% over the four years since the introduction of ESA. Preliminary statistics for 2012–13 suggest that there has been a similar level of increase in ESA issues over the past year alone, as well as significant increases in issues relating to Jobseekers Allowance (JSA).

4. Other drivers of demand including increasing referrals from Jobcentres to bureaux, the inaccessibility of DWP and HMRC phone lines and the drive towards moving benefit claims online.

5. We are also supporting many more people at appeal. Between 2009–10 and 2011–12 the number of benefit tribunals where bureaux represented clients increased by 118%. We have seen a 78% increase in the number of cases we support but cannot represent in the last five years.

Administration of Benefits

6. Many of the clients who come to bureaux with problems with benefits have difficulties negotiating the administration of the benefits system. These administrative problems are leading to substantial difficulties for many clients.

A West of Scotland CAB reports of a client who moved from elsewhere in Scotland to this area on the 7th of the month. She received her last JSA payment on the 2nd. When she arrived in this area she signed on for JSA at the Jobcentre on the 13th, within two weeks of her last payment. However she has heard nothing regarding her claim. She completed a new claim on the 23rd, still with no result. Finally she completed her third JSA application on the 6th of the following month. After this, the client came to the bureau and asked them to contact the Jobcentre regarding this on her behalf. The adviser contacted the Jobcentre office but was informed that there was no record of any claims made by the client for JSA. It was suggested that the applications were lost either in the mail or the system.

A North of Scotland CAB reports that following the client’s online application for Jobseekers Allowance he was told that he would be informed within 24 hours of his interview date and time. He has not yet received this information. The client has no money and no food and is diabetic. We phoned the DWP to try to find out how long it might be before the client received his first benefit payment so that a reasonable estimate of need could be made for the Short Term Benefit Advance (STBA).

Phone call 1 (10 mins on hold): Client failed security check.
Phone call 2 (10 mins on hold): Client again failed security check. The client was repeating information which has never previously failed a security test in this adviser’s presence. We were advised to phone a third time and that if that call also failed security we would need to request a call back from DWP to the client’s home number and that this would take place about 1600 hours, at which point the client would no longer be in the office.

Phone call 3 (10 minute on hold): We were informed that as a CAB we could request an “Implicit Consent” which would bypass this process. Implicit consent was granted. In response to our query concerning the delay in setting up an interview we were directed to the new claims line.

Phone call 4: Called new claims line. Redirected to the “Queries being processed line”.

Phone call 5 (10 minutes): They checked their records which showed that the client’s application had not been registered yet. We were directed back to the New Claims line.

Phone call 6 (10 minutes): The New Claims line set up an interview for the client. New Claims also informed us that normally the client could not make a claim for a Short Term Benefit Advance until he had signed on at his initial interview. They agreed to try to process an STBA immediately but this meant that the client would be phoned for an interview at 1600 hours on Friday and had no hope of money until next week.
Phone call 7: Telephoned Social Services who agreed to see the client at 400 hours in their office to see if he might be eligible for a food parcel.

An East of Scotland CAB reports of a client who has mental health problems and so has a Penumbra Support Worker and a Community Psychiatric Nurse. He has received a letter from the district Benefit Centre (dated five days previously) requesting his telephone number so that they can call him regarding conversion from Incapacity Benefit/Severe Disablement Allowance/Income Support on the grounds of illness or disability to ESA. The letter states the call must be made within seven days. His Support Worker tried calling the Benefit Centre with the information but couldn’t get through. The call used all £6.20 of the client’s phone credit. The client was finding the situation stressful and as he has no more phone credit he came to the CAB. The CAB agreed to call on his behalf to pass on the number and explain he needs a Support Worker to help him deal with the agency. The adviser called the Benefit Centre number on the client’s letter and got a recorded message “Service unavailable”. The adviser then called Escalation Route 1 phone line several times—always engaged. Then the adviser called Escalation Route 2 phone line several times—also always engaged. The adviser then wrote a letter to the Benefits Agency on the client’s behalf as a back-up to calling. The client will post the letter and return to the CAB tomorrow for another adviser to try phoning on his behalf. The adviser reassured the client that he is doing all in his power to comply and that the CAB would be able to confirm this if necessary.

7. These cases are typical of those seen by bureaux across Scotland, and we believe these are systemic problems.

8. In 2011, the Trussell Trust, the biggest food bank provider in Scotland, found that the biggest driver of demand for food parcels was problems with the benefits system, including delays in payments and changes in entitlement, generating half (48%) of all referrals. Since then the Trussell Trust have seen a 150% increase in the number of people in Scotland using foodbanks.

SANCTIONS

9. There has recently been a huge increase in the number and duration of sanctions applied to benefits, and bureaux across Scotland are seeing clients in hardship as a result. We believe the increase in sanctions in one of the primary reasons for a significant increase in the number of JSA cases coming into bureau. Many of these sanctions are applied inappropriately, and sometimes in circumstances over which the client has no control.

A West of Scotland CAB reports of a client who has been sanctioned by the Jobcentre because he failed to attend his interview scheduled for 10.50am. The reason was that he had a job interview at 11am. The client receives low rate DLA and has dyspraxia, which means he is unable to properly manage day to day affairs and becomes disorganised. He will receive no money for the next two weeks and has no access to food or heating.

An East of Scotland CAB reports of a client presented at the bureau, having been sanctioned from JSA after breaking his Jobseekers agreement. The client stated that he had not been fully engaged in looking for work because his three month old son is seriously ill in hospital and he was at his bedside following kidney failure. As a result of sanction the client had no money for food. His 10 year old daughter stays with him at weekends. The client was referred to the Crisis Food Bank. The bureaux comments “there are clear guidelines about the use of discretion when decision makers opt for sanctions but in this case they appear to have been ignored.”

An East of Scotland CAB reports that a client has had her JSA sanctioned for six weeks for failing to attend a work programme provider interview. JobCentre Plus has now admitted that they sent the letter to the wrong address. There is often confusion with her property called “—Cottage” at no.21 and a couple of doors up called “—House”. The local Jobcentre have not been helpful (apart from one person finally), and the client is distressed by her inability to get someone to take responsibility and to get her the money due. The client has had no money for five weeks. Once her sanction expires she has been told she will not receive any money for a further two weeks. She is diabetic and lives on her own. She tried for a Crisis Loan but was rejected because she has been sanctioned. The client is in dire straits financially. She had not been informed of the option to apply for Hardship Payments.

A South of Scotland CAB reports of a client who had had his claim for JSA sanctioned for forgetting to bring his job search papers with him, which he had left in the pocket of his other jacket. He had forgotten them as a result of being distracted following the unexplained death of his mother. He appealed against it but was obliged to do this in the Jobcentre, and was not allowed to take the papers home. His appeal was refused, and the client was distressed by this. He has no food, no money in the bank, no money for gas and electricity, is having problems paying his rent and is accruing bank charges. He has been turned down for hardship payments because he is healthy and single with no dependants.

10. Our evidence clearly suggests that sanctions are being imposed in circumstances over which the claimant has no control. Claimants are often not aware of the reason for the sanction, and so sanctions are not acting as a disincentive to non-compliance with the jobseekers agreement.
11. It appears that Jobcentres are sometimes using sanctions as a threat towards clients. Clients come in to bureaux anxious that they will be sanctioned for things like a lack of literacy, an inability to use computers, etc. and not knowing what they can do to avoid being sanctioned. Many of the cases we provide in other parts of this evidence submission involve sanctioning of benefits, or threats of sanctions.

12. We have also seen numerous examples where clients say they have not received written notification of a sanction. We have raised this with DWP officials, who tell us it is not possible for this to happen. Yet we have had clients tell us this repeatedly, from all areas of Scotland.

A West of Scotland CAB reports of a client who came into the Bureau as he has not received his JSA for the past ten weeks, except for one hardship payment. The client advised that he has not received any written confirmation regarding this sanction. His housing benefit has stopped as a result of this and he has now fallen into rent arrears, and has received a final letter before court proceedings begin. The client said that he has no money at the moment and had been refused a crisis grant. The CAB called the DWP, who said that the client's JSA was suspended ten weeks ago, although they did not disclose why, and that the client has been receiving regular hardship payments since then. They also said that the client should have received a payment today. The client said that he disagreed that he has received payments and wanted to make a complaint about this. The CAB advised the client that he is still eligible for housing benefit, even though he is not being paid JSA at the moment.

13. There is some confusion between the difference between benefits being stopped, suspended or sanctioned. If a claimant fails to turn up to an appointment at the Jobcentre or with a Work Programme provider, their benefit claim is suspended until the claimant comes back to the Jobcentre. Then they will need to submit their reasons for failing to attend, at which point a decision will be made as to whether the claimant’s benefit should be sanctioned for failing to attend. However, we see many clients who have not received notification of their appointments (particularly in relation to appointments with Work Programme providers—see below), meaning that they do not know that they should have attended, that their benefit has been suspended or that they need to submit reasons for not attending.

14. This also causes confusion with linked benefits, primarily housing benefit and council tax benefit, and clients sometimes lose entitlement to these benefits as a result of suspension of JSA.

15. Once a client has been sanctioned they are unlikely to have access to any income, unless they can borrow money off family or friends or are eligible for Jobcentre hardship funds. They will not be eligible for Crisis Grants (formerly part of the Social Fund, now administered by the Scottish Welfare Fund) because they have been sanctioned. Since April 2013, CAS has for the first time started to record the number of food bank referrals made by bureaux. The new longer sanctions regime only came into force at the end of 2012. Already we have seen a number of cases of people with diabetes coming to bureaux having being sanctioned and not eaten for several days. In the long term the increase in the sanctions regime could have a significant impact on other services, including the NHS.

**Approaches to Job Seeking**

16. Scottish citizens advice bureaux often see cases which suggest that Jobcentre Plus focuses on benefit off-flows, rather than finding meaningful and sustainable work for claimants.

An East of Scotland CAB reports of a client who is a single mother receiving JSA. She was part of the Work Programme and as a result started a job with an online telesales company. The Work Programme provider says she should be getting 30 hours of work per week and told the client these hours were guaranteed. However she is on a zero hours contract. The company have told her that hours are not guaranteed, and that the position is technically self-employed. So far she has only received four hours of work from the company. She feels pressurised by the Work Programme provider to “sign off” and claim Working Tax Credit instead of JSA but the client is worried her hours will not be enough to support her and her young child.

A West of Scotland CAB reports of a 19 year old client who has a zero hours contract with a major high street retailer. He has had no work, and therefore no income, for the past two months. He had been to Jobcentre plus to ask about JSA for the weeks he did not get any work. They informed him he was not eligible for JSA—as he had a contract for work it would not be possible to give him JSA for the times he was not earning.

An East of Scotland CAB reports a client who has a joint claim for Jobseekers Allowance with his fiancée. He has previously worked as a scaffolder and completed “Part 1” training and is desperate to return to paid work. He is aware that a scaffolding company are recruiting around 100 scaffolders to work on the decommissioning of a local power station. He has sourced training (Part 2 scaffolding and health & safety) and his family have paid for the training costs. He informed the local Jobcentre, as the training lasts ten days and is based in England, meaning he would miss two signing-on days. The Jobcentre told him that he is only allowed one “exclusion” and he cannot miss two signing-on days or he will be sanctioned and benefit payments stopped indefinitely. The client cannot risk going with no money for an indefinite period of time, especially as it would affect not just himself, but his fiancée, her two children and possibly their as-yet unborn baby. He feels staff at JCP were unhelpful...
and obstructive and preventing him from doing something which would greatly increase his chances of getting paid work. He feels he now has no option other than to cancel training (and very possibly lose the money paid) so that his benefit is not stopped. This will also reduce his chances of getting a job.

A West of Scotland CAB reports of a client who has been forced to resign from a new job, which had a one month lying time (so she would not get paid for two months), after she was given a three month sanction on her JSA. This left her with no money to live on or for bus fares to get to work. The client's employment history is complicated and she believes the information the sanction was based on is incorrect.

A West of Scotland CAB saw a client whose JSA had been sanctioned for 16 weeks because he did not take a job. Attending the job would have involved a four hour commute.

A West of Scotland CAB reports of a client who is a single parent with a seven year old daughter. Her JSA adviser has told her she is to start an employment training scheme for 25 hours a week unpaid. The client feels she is unable to do this because of her childcare responsibilities.

A North of Scotland CAB reports of a client who is a single parent and in receipt of JSA. She lives in a rural village and it costs her £7.25 to take the bus through to Inverness to sign on. Client wishes to know if there is any help available with her travel expenses as it amounts to a significant proportion of her benefit. She is also required to look for jobs online using Universal Jobmatch five times a week. The client does not have internet at home and cannot afford a computer. It costs her over a pound a day to take the bus to her local town to use the computers in the library. During the school holidays she will have to take her daughter in with her every day as well as she has no childcare options. As part of her jobseekers agreement she is required to apply for jobs within a three hour travel range. The client is aware that if she does not meet the conditions of her agreement she may be subject to sanctions and again is worried about this. The client also noted that she has encountered other jobseekers at the library who have been very stressed by the online jobseeking process as they have never used a computer before. The client has had to assist them with setting up an email account and other basics regarding accessing information via the internet.

17. In June 2012, CAS published a report containing the findings of a survey of graduates. A quarter of respondents said that they were in employment which underutilised their skills. 78% of respondents said that Jobcentre Plus had been unhelpful in finding them a graduate level job while only 2% found the support offered there to be helpful. One 25 year old graduate in Law said that, “At the group meetings we were encouraged to leave any degree off the CV to help us find more plentiful unskilled work. Nobody would employ me as a cleaner if I had a degree. I was told to stop looking for graduate work and take a ‘survival’ job.”

18. When Universal Credit comes in fully, Jobcentres will have a new role in supporting people already in work who do not meet the minimum earnings threshold to find better paid work or more hours of work to bring them up to the minimum threshold. CAS believes that Jobcentres will have to improve their practices significantly in order to meet the needs of this new client group and the complexities, including major investment in training and revision of administrative systems. For example, appointments with the Jobcentre and Work Programme providers and prospective employers will have to be made with more notice and flexibility so that claimants can fit them around their working hours, and claimants should be able to rearrange appointments much more easily than currently.

An East of Scotland CAB reports of a client who was called for an interview with a Work Programme provider. However the previous day she was starting a college course and could not attend. She informed the Jobcentre who said they would pass the message on, but they did not. She has been told her benefit may be stopped.

19. Dealing with job search for in-work claimants will have to be handled with extreme sensitivity and discretion. Jobs at the lower end of the labour market can be very insecure, and we would be extremely concerned if the way job seeking requirements put claimants’ existing employment at risk. The judgements involved in calculating whether someone is better off taking on new work will be complex, and will depend on a wide range of factors, for example commuting distance and time, available public transport, caring responsibilities, the availability and cost of local childcare, employment patterns of the partner where there are shared caring responsibilities, length of contract etc.

JCP’s Role with Regard to Contracted-out Services

20. Citizens Advice Scotland has raised concerns about the contracting out of aspects of social security over several years. The evidence we see in bureaux attests to the reality of our concerns. Accountability for different aspects of benefits administration is becoming increasingly opaque and means that bureau clients find it very difficult to get resolution to their benefits problems, as blame is transferred to other parts of the system, while the claimant is left without income.

21. By far the biggest area of benefits advice demand is generated by ESA claims. The problems with Atos are well-rehearsed and have been raised continually by CAS and other organisations over recent years. Yet progress towards getting movement on these issues appears to have been slow, and bureaux in Scotland continue to see around 700 cases every month regarding issues with the Work Capability Assessment.
22. The following case suggests that further aspects of the benefits system are being contracted out by the DWP, who are then saying there is nothing can be done about the practice of the contractor.

A West of Scotland CAB reports of a client who came to the bureau seeking help as her JSA was stopped. She was told that she was late in submitting reasons for not signing on. The client says she sent the relevant documents in time but the regional Benefits Centre say they did not receive them till ten days after she says she sent them. The local Jobcentre has told her to reapply for JSA, and she made an online application a month ago. The client never heard any more about this claim. Then the client made a second application for JSA a week later, and was told paperwork would be sent to her. The client did not receive any papers. The CAB adviser phoned the Benefits Centre to enquire about client's online JSA application. The bureau comments “this bureau regularly sees clients who have been sanctioned for missing appointments, despite the client not receiving any notice of them.”

A South of Scotland CAB reports of a client who is on JSA but has been sanctioned for non-attendance at an appointment made for her by Ingeus on the 27th of the month. The client said she had not been informed about it either by letter, email, phone or text message. In the sanction letter she has received from DWP it seems Ingeus told them that she had been informed four days (on the 23rd) prior to the appointment. The client did not know anything about this until she received a letter from her personal adviser at Ingeus giving her an appointment a week after the appointment on the 3rd of the following month which the client had to move to two days later because of a prior appointment. It was only now that the client became aware of the original appointment when the personal adviser spoke about sanctions.

23. The following cases all involve sanctions applied to claimants' benefits as a result of interactions with Work Programme providers. In each case there appears to be good reason why the claimant should not be sanctioned, but in some of the cases the DWP upheld the sanction despite the presentation of evidence.

A West of Scotland CAB reports of a client whose JSA had been sanctioned. The Jobcentre said it was because he had missed an appointment with an external adviser. But the client had written confirmation that he had attended all of his scheduled appointments and he had provided this to the Jobcentre. He was informed that the decision maker who had imposed the sanction had looked at this evidence, but the sanction would still stand.

A West of Scotland CAB reports of a client who has had his JSA sanctioned. The sanction came after the client had received several pieces of correspondence from the Work Programme provider with no postage paid. On one occasion it cost him £5.50 to go to the sorting office and get the letter cleared. He informed the provider of this and told them he couldn’t keep paying to get their letters. The next time it happened he refused to collect the letter and so was sanctioned. He was not informed about the sanction until he found the money had not been received. He asked for a reconsideration, providing evidence from the Royal Mail, but the DWP have not changed their original decision.

A South of Scotland CAB reports of a client who attended meetings with A4E every three weeks. The client has had his JSA sanctioned for missing an appointment, but he did not receive the appointment letter. This was the first appointment he had missed in six months. The client subsequently received the letter. He has applied for a hardship payment which he will receive in two weeks, but in the meantime has no money for electricity, gas or food. He cannot get a Crisis Loan because he has been sanctioned.

24. We have raised each of these cases with the DWP. Their response was that claimants should make use of the Work Programme provider’s complaints procedure. We believe this response is inadequate, ignores the injustice of these cases, the hardship caused to the claimants, and the responsibility of DWP to hold its contractors to account.

25. Where clear evidence is presented to show that a claimant is not at fault, sanctions should not be imposed. Where they have been imposed in such circumstances, decision makers must be empowered to lift the sanction without recourse to the reconsideration or appeals processes.

26. The DWP must hold Work Programme providers and other contractors to account for their quality of service and use of public funds, and they must be transparent in the way they do this.
27. We have seen a number of problems arising from Universal Jobmatch. On a recent search of jobs in Edinburgh with the search parameters set to “full time” jobs, CAS found that there were seven jobs on the first eight pages of search results where the jobs were advertised in the heading as “part time”—one of those jobs had as few as two hours per day. This analysis is simply of the jobs which were called “part time” in the title and does not include those which were listed as full time with as little as eight hours.

28. As it stands, this mechanism is not suitable for matching candidates with appropriate jobs. The automatic nature of the site means that jobseekers will be sanctioned for failing to apply for jobs they are “matched” with—even if the job is mislabelled on the site. All options given to the jobseeker on the site for not applying for the job are sanctionable and these sanctions will be automatic with no element of discretion.

29. We have also several clients who have been sanctioned because their jobsearches have failed to register on the Universal Jobmatch. Whether these problems are due to the client’s inexperience with computers or to the system itself, they should not result in a financial penalty to the client of the loss of their income.

A West of Scotland CAB reports of a client who sought advice as his Job Seeker’s Allowance (JSA) had been sanctioned for two weeks because he was not registering his job searches online correctly. He says he was going on to Direct Gov website and varies others to look at suitable employment but had no knowledge of actually how to do it properly. He was told he must use the official Direct Gov and register each time he was on. He didn’t receive any advice on the use of websites and computers and made mistakes—so received the sanction. He was told of his sanction 15 December 2013, appealed this at the time, was told on Tuesday 19 December 2013 that this had been denied. Applied for Hardship loan but this couldn’t be faxed through at that time. He has applied for a reconsideration of his sanction but has no idea when this will be heard. He is planning to go back daily to check on the progress. He is single and lives alone, no dependents, no other income or savings. He receives Housing Benefit.

A West of Scotland CAB reports of a client who attended the bureau very concerned that he was about to be sanctioned by DWP and his Job Seeker’s Allowance (JSA) stopped. Client has been attending a computer course at the local library. He has been attending regularly with no problems—his last day was last Friday when he made three job applications. He attended Jobcentre to sign on yesterday and the adviser indicated that the applications had not registered properly on the system which may liable him to sanctioning. They will investigate, and he was told to call back on Thursday to find out the decision. The adviser comments: “It is my understanding that there have been a lot of problems with the online job search and application system provided by gov.uk. This client may be penalised as a result of his applications not registering properly. The client is not particularly confident with computers—hence the course—and so should not be penalised/sanctioned because of a computer/system error.”

30. We have had a number of cases of clients saying that when they registered with Universal Jobmatch they found that the Jobcentre adviser could access their personal email account. We have raised this with DWP, who have told us that it is not possible for this to happen, but we continue to receive cases where clients say it is happening, the latest coming into bureau within the last seven days. This is very worrying and raises grave concerns about confidentiality and data protection for clients.

A West of Scotland CAB reports of a client told by the Jobcentre to register with Universal Jobmatch. He was very disturbed when he realised that this opened up his personal files including personal e-mails and Facebook account. As he is no longer able to look for work he wants to cancel his account with this website but has found it extremely difficult to access the necessary website and has also had difficulty getting help from various agencies.

An East Scotland CAB reports of a client who is claiming JSA and has been told to log onto a universal jobseeking website to look for work. This involves the client providing his email address. When the client goes to the Jobcentre he is asked to access the site by putting in his password so that the adviser can see what jobs he has applied for. The client strongly feels that this is an invasion of his privacy and is worried that his personal details could be accessed by people he doesn’t know.

A West of Scotland CAB reports: ‘One of our volunteers is claiming JSA and has been signed up to ‘Universal Jobsearch’ by the DWP. Unknown to clients, when they click to accept the terms and conditions, this seems to give DWP advisers full access to the client’s personal email account and the adviser is able to view all of the client’s emails. Our volunteer saw all her emails appear on the adviser’s screen when the adviser opened her universal jobsearch page. ”

A South of Scotland CAB reports of a client who has been asked by the DWP to give them her email address and password so that they can get proof she is looking for work. The adviser says “I have heard other clients being asked for this information. I feel this could be a violation to the data protection act as well as the individual’s right to privacy.”

1 Search completed 17 January 2012
31. A survey of 1200 Scottish bureau clients who came in to resolve benefits issues in May 2013 found that 36% had never used the internet, and a further 11% had hardly ever used it. Only half (54%) have an internet connection at home.

32. Three quarters (76%) of clients felt that they would struggle to apply for a benefit online, even with help. Half of these (49%) said this was because they had never used a computer before. 16% said their main barrier was health related.

33. This has serious implications for Jobcentre staff. Even if the number of Internet Access Devices is substantially increased in Jobcentres, as the Government plans, many clients may need help to make benefits applications, maintain their benefits claims, and search for jobs online. Some clients will need substantial help. Jobcentre staff will need to take a much more supportive approach towards clients who have difficulties using computers and the internet and will require training to support these clients, particularly where they have disability or literacy-related difficulties. We have seen a number of recent cases where claimants have not been able to use a computer, either because they do not have physical access or because they do not have the skills, and where the Jobcentre has told the claimant to go to the CAB or local library. In some of these cases the local CAB has no facilities to provide internet access.

A North of Scotland CAB reports of a client who has to undertake job seeking activity in order to receive JSA. The client has been declined ESA despite requiring daily methadone and other prescription drugs. He sees a community psychiatric nurse every two weeks. The client told the Job Centre adviser that he does not have a PC and that he does not have even basic PC skills, but he was told to go to a CAB or library for help. The client also has low levels of literacy and is concerned that he will be sanctioned as he needs help to complete his job seeking activity booklet.

A South of Scotland CAB reports of a client who is a homeless referral as he is currently sofa surfing. He was paid off from his job three weeks ago. He is unsure how to claim benefits. The adviser contacted JCP to make a claim for JSA. The adviser informed her they no longer take applications by telephone and advised the client to go to the library. The client states he is unable to use the computer. The JCP adviser spoke to her manager and will allow the claim to be taken over the telephone, however the client will be put forward to do a computer course. The client stated he would be delighted to do a computer course, and the JCP adviser then pointed out there was no guarantee client would be put on a computer course.

34. The expectation from DWP is that all communication with DWP regarding operational issues is channelled through DWP partnership managers. We recognise that this may have benefits for the DWP in enabling them to co-ordinate communication and maintain clear and consistent messaging. However, from our point of view, it means that when trying to communicate the reality of how policy and procedures are actually being implemented on the ground as experienced by bureaux and their clients, it is often hard to get recognition from officials that the reality may be different from the policy.

35. The DWP’s approach of limiting contact with key voluntary sector stakeholders is not one that we have experienced working with any other government department. It reduces the transparency of the Department, and may mean that DWP are less responsive to dealing with operational problems and responding to feedback than they could be.

## Conclusion

36. Citizens Advice Scotland is concerned about the trends it is seeing in the citizens advice bureau service across Scotland, particularly in relation to the poor administration of benefits. We are seeing an increase in the number of clients coming to bureaux with benefits issues. But the circumstances of those clients are increasingly vulnerable. The increasing rigidity of benefits administration through requirements such as online applications for JSA, and the use of Universal Jobmatch, combined with an increasingly stringent regime of sanctions and threats of sanctions in a disturbing way.

37. From our engagement with DWP we have been told that, according to DWP policies and procedures, the situations we describe cannot be happening. Yet bureaux are continuing to report clients coming in with these same problems.

38. As a result of the practices outlined here, growing numbers of bureau clients are being left in desperate circumstances with no access to money for food, energy and in some cases money for rent.

24 May 2013
Written evidence submitted by Community Links

1. INTRODUCTION

In previous DWP select committee responses and DWP consultation responses (2010–13) Community Links has repeatedly highlighted concerns over the existing functions of Jobcentre Plus. We recommended the Department for Work and Pension (DWP) carry out a review of its aims and objectives should be under the new benefits system Universal Credit. Furthermore we recommended that operationally, there could me improvements made in terms of local partnership working and quality benchmarks for customer service introduced.

Community Links has a programme of research dedicated to the modification of Jobcentre Plus (JCP). This programme grew out of the Working Age Poverty project we did for the European Year against Poverty in 2010, where we spoke to over 1000 people on benefits across the UK. When we asked what the key barriers to moving into work are, surprisingly JCP was listed as the number one barrier, followed by a lack of local jobs and then the benefits systems itself. From our experience of delivering a range of employment support provision and welfare advice services to our local community in Newham, the operations of JCP continues to be high concern to our organisation.

2. BACKGROUND INFORMATION—INSERT CL PARAGRAPH

Community Links has a long and successful track record of delivering government funded employment support programmes. Based in Newham, the east London borough with one of the highest rates of long-term unemployment in the country, we delivered the New Deal from 1999 and became the most successful prime contractor in London and the South East for over four years. Since July 2011 we have been delivering the Work Programme as a subcontractor to the Careers Development Group (CDG). The majority of our clients have complex needs and require intensive support to help them into employment and remain there. We are confident about delivering the Work Programme and strongly welcome both the payment by results model and the black box approach to service delivery.

3. SUMMARY

3.1 If JCP is to provide employment support in the future, its role needs to be clear and synchronized with the other existing provision. There is a need to avoid duplication, ensure consistent quality across all provision, work towards a shared aim and be held to account appropriately. Overall JCP performance should be judged in the same way that other providers are, based on employment outcomes—not off flow. There needs to be a separation of roles that work in harmony for the best interests of its customers.

3.2 JCP provision is patchy and can vary dramatically across geographical variances. Recent reforms have localised provision and handed over more discretion to district mangers and even frontline workers. This is a positive move, provided personnel are skilled to manage this increased responsibility.

3.3 Conditionality has become harsher but less effective. This is due to a lack of understanding how to use it and why amongst JCP officials. Training and accountability checks need to be put in place with an in depth monitoring system in place.

4. JOBCENTRE PLUS’ EMPLOYMENT SERVICES

4.1 Needs Assessment

4.1.1 In February 2011 Community Links gave evidence to the committee on Work Programme design where we stated that support services must be based on a person’s needs and barriers to employment, not the type of benefit they claim. This recommendation was based on the lack of understanding around customer needs that currently exists, or more accurately that gets diagnosed with the existing model.

4.1.2 As an employment support provider our programme of research on customer needs has illustrated the lengthy process of needs assessment, starting with Jobcentre Plus through to a prime contractor’s assessment and then the subcontractor’s assessment of need. In addition there is also the Work Capability Assessment and soon there will be the PIP assessment. Overall it can take up to two years, and on occasions longer for an unemployed persons needs to be fully identified and the appropriate support package provided.

4.1.3 Each assessment has different aims and is delivered by different bodies. It is not common practice to share the data collected from these assessments which can lead to repetition and ultimately inefficiency within the assessment system. Furthermore the repetitive nature has a detrimental effect on the customer moving into work as they can become frustrated and therefore disengaged from the process.

4.1.4 In the early days minor barriers to employment and the resulting support needs can often be manageably met. However, if not addressed early they can escalate and be harder to overcome, usually requiring more investment in support.
4.1.5 We recommend DWP carries out a cost benefit analysis of investing in a one stop shop holistic diagnostic assessment, delivered at the start of a persons benefit claim. The review should assess the cost of administration, including training and management, the cost of additional upfront support and the potential benefit savings made through people moving into work and staying there (as hidden needs will have been picked up and addressed, stopping them from resurfacing at a later date and jeopardizing employment).

4.1.6 The DWP to introduce a differential payment model that is based a client’s needs rather than on benefit type. This personalisation would be based on an in-depth needs assessment delivered by Jobcentre Plus as the service with a holistic understanding of local customers’ needs. This needs assessment will give prime contractors the information they need to create a “sophisticated and effective supply chain” that responds to the specific needs of the clients in their CPA.

4.2 Get Britain Working (GBW)

4.2.1 GBW gives Jobcentre Plus advisers more flexibility in assessing claimants’ individual needs so that they can offer the support they think most appropriate, including access to a number of get Britain working measures. However the department has not invested in adviser’s assessment skills and no new assessment tools have been introduced. Therefore the success of Get Britain Working is dependant on the judgment of advisers, who often fall back on the benefit type for eligibility criteria to decide which customer to offer more intensive support to.

4.2.2 The concept behind GBW is commendable; however there is inadequate investment in the set of initiatives that fall under it. There also lacks an overarching strategy to bring the initiatives together with other existing programmes. For example, for a person who wishes to become self employed there is light touch enterprise club (which are mainly undersubscribed and run on a voluntary basis so the quality varies) there is the New Enterprise Allowance (which is time limited and only really suitable for the very capable and almost ready to go self employed) and then there is the possibility of a self employment support option on some (not all) Work programmes.

4.2.3 All three of these programmes are not joined up and lack overarching management. A claimant has to come off one programme before they can go on to another—and often start all over again. Furthermore there is no dedicated enterprise manager within every Jobcentre and even within the department there remains no individual or team responsible for enterprise support.

4.2.4 We recommend the department establish an enterprise team to coordinate current provision for the self employment. They should be responsible for both enterprise policy and delivery.

4.2.5 We recommend that the initiatives under GBW are better designed around the needs of customers, not their benefit type and that they are incorporated into mainstream services to complement existing provision rather than be an additional option of support.

4.3 Jobcentre Plus’ role as a gateway to contracted-out services

4.3.1 Historically Community Links has had a strong and positive relationship with our local Jobcentre managers and advisers in terms of referrals and handovers. When we were a prime contractor under the New Deal we had a longstanding and personal relationship with staff which meant that we regularly shared information on clients the most up to date services on offer. We were able to coordinate the customer’s journey and identify who was responsible for managing it. We had a much better understanding of expected volumes so were able to plan in advance and we worked in a constructive way to engage and build relations with local employers.

4.3.2 We strongly feel this relationship has deteriorated as a result of the prime/sub contractor model. We no longer have the same dialogue with the local jobcentre and it is increasingly apparent that the services are becoming more fragmented. There only place for these vital relations to develop lies in forums like the Partnership Forums which is limited to prime contractors and DWP officials.

4.3.3 We recommend that Local partnership forums are introduced to allow for better communications between local providers, primes, and JCP and DWP officials to discuss necessary tweaks to policy and delivery issues.

4.4 Jobcentre Plus’ use of the Flexible Support Fund

4.4.1 Community Links has applied for a Flexible Support Fund (FSF). We believe the concept of the fund is a good on as it gives JCP the ability to commission services based on local need.

4.4.2 However we have raised concerns to the Department about the lack of national evaluation criteria for the FSF programme. We recognise that these programmes are about innovation, but in order to capture best practice there needs to be an overarching evaluation framework to disseminate what works well.
4.4.3 At the start of 2013, there were two Flexible Support Fund (FSF) projects in east London with a total spend of £33,108 whilst in the other regions of London there were a total of 76 projects with a total spend of £3,144,592. This presents an uneven spread of expenditure across London. As the funds are issued at the discretion of the JCP manager, the success of the FSF is largely dependant on one person’s view of the programme, and on the relationship local organisations have with their district manager. As JCP has undergone a restructure these relationships may no longer be in existence.

4.5 The effectiveness of Jobcentre Plus’ relationships with other key stakeholders

4.5.1 In recent years there seems to be an increasing lack of collaboration between JCP and local partners including the local authority. We work well with our local authority but relationships with our local Jobcentre seem less productive.

4.5.2 This is likely to because we are no longer a prime contractor so communication is limited and dialogue is more difficult to establish.

4.5.3 It seems there is a compatibility problem between JCP and Work Programme providers specifically. Ultimately this is having a negative impact on the customer’s experience as it is unclear how both providers work together and who is responsible for what aspects of service delivery.

5. Jobcentre Plus’ role in relation to the rights and responsibilities of benefit claimants

5.1 The effectiveness of benefit conditionality

5.1.1 We are regularly seeing people being, what we consider to be, wrongly sanctioned. As a result our employment team is referring them to our advice team to appeal the decision.

5.1.2 The sanction, if applied wrongly, adds an additional barrier to the person’s journey back to work. This can have cost implications to the provider who may end up supporting the customer financially to over the loss of income.

5.1.3 Previously the discretion to issue a sanction lay with personal advisers on the Work Programme. This has been reformed and handed to Jobcentre Plus. We feel this was completely the wrong decision and is not productive for the customer or the support worker. As a consequence we are subject to refer people for a sanction, even if it is thought not to be a sanctionable offence—it has become a process driven approach which independent decision maker rule on.

5.1.4 This defeats the purpose of having conditionality as part of an employment programme. The threat of conditionality is as, if not more powerful than issuing them. Conditionality can be a very sophisticated tool, combined with a comprehensive package of support to moving people into employment. However it required a high skills level and a personal approach to utilise it effectively.

5.1.5 We strongly recommend that discretion is handed back to personal advisers and instead more thorough monitoring of the use of conditionality is implemented so that providers do not abuse it. Monitoring systems should check that all support needs have been met, and a sanction is a last resort. They should also check that sanctioned are not being issued for a reoccurring offence, as evidence shows this is not effective.

5.2 The level and appropriateness of Jobcentre Plus’ use of benefit sanctions

5.2.1 The reformed conditionality regime has been made tougher, with a three year penalty introduced for the most serious offence. Through our advice services and employment programmes we are seeing a very negative impact of the new regime.

5.2.2 We feel that the severity of the sanction outweighs the offence. Sanctions are creating vulnerability and destitution. We see this on a daily basis.

5.2.3 The threat of a sanction is just as concerning for people as an actual sanction, because they are so severe and hastily issued.

5.2.4 There is variation on who gets sanctioned (The Guardian Scorecard).

5.2.5 In our advice services we have seen a large increase in sanctions related inquiries, most people do not know why they had been sanctioned.

5.2.6 Under UC, tougher sanctions are likely to have a negative impact on rent payments and result in more arrears.

5.2.7 There are very serious problems with the administration of sanctions at JCP:

- They are being issued without a justified reason.
- The act does not match the length of the sanction.
- Advisers are placing unreasonable expectations on people eg daily sign on.
- There is a strong sense that decision making for sanctions clearly isn’t working.
— Personal circumstances are not being taken into account; single parents are being treated the same as other claimants.
— People aren’t being told they can apply for a hardship loan. We have cases where people have been sanctioned for one year and are reliant on our food bank, friends and family support and on occasions shoplifting to survive.

5.2.8 The Secretary of State has assured us that sanctions will only be applied if a person unreasonably refuses to take up an offer of employment. Recent research\(^2\) by Joseph Rowntree Foundation states that the long-term effects of a sanctions regime has not yet been considered and evidence shows that sanctions lead to poorly paid, short term and insecure employment; creating the unemployment “loop” for many—and exactly what this Government is trying to reverse with a focus on sustainable and progressive employment. Particularly concerning, is the finding that “there is little evidence this will achieve the changes in behaviour sought”.

5.2.9 We recommend the department carry out a review of the functions of the conditionality regime, before further the implementation of the new sanctions regime. This review should look at the following:
— Will sanctions apply to claimants that have been identified as having multiple needs?
— Will sanctions be applied as part of a wider strategy to overcome the barriers claimants have which prevented them form taking up employment in the first place?
— What assurances are there that JCP advisers will be adequately trained to use their discretion when applying sanctions?
— What guidance will the DWP give to what is considered “reasonable” for an individual?

6. SUPPORTING A FLEXIBLE LABOUR MARKET

6.1 Universal Jobmatch (UJM)

6.1.1 UJM has not proven that effective as it is not very accessible and has a lengthy and complicated registration process. It was felt by our Personal Advisers to be not very intuitive and require staff resource to support customers to use it.

6.1.2 There is a function to allow for an easy application of jobs; however this runs the risk of clients over applying for every jobs and therefore overwhelming employers. In turn employers may be deterred from recruiting for this reason.

6.1.3 From experience job brokerage with both local and national employers is much more effective and allows for applications to be tailored to employers needs and result in a higher recruitment rate.

6.1.4 We are finding JCP is burdening clients to use UJM, as a provider we occasionally have to distance ourselves from JCP in order to form a productive relationship with clients, but also with employers.

6.2 JCP and sustained job outcomes vs. off-benefit flows

6.2.1 For as long as Jobcentre Plus delivers employment support, it should be employment outcomes focused, and not benefit off flow driven. By focusing JCP objectives, there will be a change in performance and we believe the customer’s interests will be better supported and therefore employment levels increased.

6.2.2 A large proportion of JCP customers move into work fairly quickly, however they often end up back on the benefits system within three months. This is because work has been unsuitable for that individual or because underlying needs have not been met. If JCP was judged on sustained employment this issue would be addressed.

7 June 2013

Written evidence submitted by Crisis

**SUMMARY**

— Crisis has extensive experience of supporting homeless and vulnerable people into work and we deliver a Flexible Support Fund contract. We are therefore well placed to comment on the work of JCP.
— Benefit sanctions are often applied wholly inappropriately and claimants are not always informed as to why they are being sanctioned.
— Many claimants have a negative experience of the handover between JCP and the Work Programme. Homeless claimants in particular receive a low standard of support from Work Programme providers who are often not well placed to help them.
— Under Universal Credit, JCP may be the only point of face to face contact for some claimants. It is therefore essential they are able to effectively assess claimants’ vulnerabilities and barriers to work.

1. BENEFIT SANCTIONS

1.1 Benefit sanctions are often applied wholly inappropriately. Our clients’ experiences include being sanctioned for not attending meetings they were not informed about until after the date or for which they had a valid reason, for which they provided evidence that they could not attend.

1.2 For example, one of our clients, a single mother, agreed her work requirements with her adviser. At a later meeting, her normal adviser was off sick so she saw a different person. The new adviser believed that her work requirements were insufficient and chose to sanction her for not meeting more stringent requirements. As a result, her JSA was stopped.

1.3 Claimants are often not informed that they will be or have been sanctioned, with some first finding out when they try to withdraw cash and are unable to do so.

1.4 If claimants are unclear as to why a sanction has been imposed, it is hard to see how sanctions can possibly be operating as a tool to influence behaviour, despite this being their stated purpose.

1.5 In many cases, Work Programme providers refer claimants for sanctions. However they do not always tell JCP why they are doing so despite the fact that JCP are responsible for actually imposing the sanction.

1.6 Sanctions cause considerable distress and hardship for vulnerable people. Many are forced to borrow money from friends or family or rely on food banks. Our clients have told us that they are forced to choose between food and heating, for example, as a way to make ends meet whilst being sanctioned.

1.7 The appeals process can be very difficult for more vulnerable claimants to navigate with appeals being up to three to six months in length.

1.8 Benefit sanctions have recently been substantially increased. It is therefore essential that JCP is able to apply sanctions in a fair and consistent manner to avoid very vulnerable claimants losing their benefits for periods of up to three years.

2. INTERACTION WITH THE WORK PROGRAMME

2.1 We know from our clients’ experiences that the handover between JCP and the Work Programme is not always dealt with effectively. Often, clients are informed by JCP that they will be moving to the Work Programme but are not given any information from JCP about what this involves or about their Work Programme provider until after their initial meeting with the provider.

2.2 Homelessness is recognised within the Work Programme as a disadvantage that makes it harder for unemployed people to move into work. The programme therefore pays providers extra for getting homeless people on Jobseekers Allowance (JSA) into sustained work. These extra payments are dependent on Jobcentre Plus recognising people who are homeless and placing them in the correct claimant group. However, JCP often does not identify people as being homeless, they do not attract the higher payment and so do not receive appropriate support from their Work Programme contractor.

2.3 In some cases, homeless claimants have been referred to us for employment support and then to the Work Programme very shortly afterwards. This creates instability for the claimant and makes it more difficult for us to work with them despite our expertise in supporting homeless people into employment.

2.4 The experiences of homeless people on the Work Programme have been very poor. Many of our clients report low standards of service, limited contact and few face to face appointments. Some have reported that they found the support offered by JCP to be more useful.

3. UNIVERSAL CREDIT

3.1 Under Universal Credit, the majority of contact that claimants have with benefits staff will be online. It is not yet clear exactly how the claims process will work, but it may be that the only face to face contact claimants have will be when they draw up and sign their claimant commitment with the JCP. They will therefore need to fully understand the barriers to work claimants face so that they can agree appropriate work requirements.

3.2 Also if is the only face to face contact JCP must play an active role in identifying claimants’ vulnerabilities so that they can access the extra support they may need, including alternative payment arrangements.

3.3 We already know that JCP often fails to identify people as homeless. This means that they may not get the support they need and their claimant commitment will not accurately reflect the barriers to work they face.

3.4 Jobcentres should build up a list of supported accommodation projects so that they can better identify homeless claimants and claimants should be asked sensitively about their housing situation so that they can be offered appropriate support. They should work with local homeless agencies to better understand issues around homelessness and take steps to ensure staff have training in this area.
3.5 The DWP should clarify exactly what role JCP will play during the initial Universal Credit claim so that staff are able to prepare and ensure they are ready to offer appropriate support within the new system.

4. ABOUT CRISIS

4.1 Crisis is the national charity for single homeless people. We are dedicated to ending homelessness by delivering life-changing services and campaigning for change. Our innovative education, employment, housing and well-being services address individual needs and help people to transform their lives. Our dedicated Employment Services Team works with homeless people to support them to achieve suitable and sustainable employment.

17 May 2013

Written evidence submitted by Ian Cropper

1. INTRODUCTION

This introduction is to give an outline of my relevant experience, which I believe gives me a valid and perhaps quite unique perspective on the performance of Jobcentre Plus (JCP). I am currently unemployed and have been so for nearly two years, which means I have current experience of both Jobcentre Plus and the Work Programme. I have experienced other periods of unemployment in the past, but have also worked alongside workers from the Jobcentre and from DWP, and these all give me a significant perspective on the workings of Jobcentre Plus. I have been a member of a sub-group of the North West Mental Health Task Group looking at employment. I have also worked on employment issues for people with mental health problems as part of my job with the National Institute for Mental Health England (NIMHE).

2. JOBCENTRE PLUS SERVICE

2.1 History

My personal experience of the jobcentre, including from before JCP, is that it has never been much help at all in helping me find a job. I put this down to two factors. The first is that I had reasonable skills to look for work and that the training on offer was for basic English and Maths and therefore not relevant to my needs. The second point is that I believe that the focus of JCP was on other functions, such as processing the claim, and more recently on checking the level or quality of the job search.

2.2 Curriculum Vitae

One service that is offered is help with your CV. However I believe that this is currently being proffered as a “quick win” bit of evidence that JCP or Work Programme are taking some positive action. I had a reasonable CV that was tweaked twice while with JCP, and then completely rewritten by the Work Programme, all to no effect.

2.3 Early Support

My personal perspective on the support from JCP is that if you are making a reasonable effort to look for work then you tend to be left to get on with it. Unfortunately this means that you are unlikely to get any help with any particular issues that you may have, such as confidence, self-esteem and especially mental health issues.

2.4 Gatekeeper

From my perspective it is impossible for JCP to play an effective gatekeeper role in respect of the Work Programme. There is no proper mechanism for feedback from clients, nor do JCP appear to have the power to move clients to alternative providers. I do not see any evidence of either action or intent, in regard to performance management of Work Programme providers.

2.5 External Relationships

In the past JCP and the DWP developed good relationships with a number of local and national agencies. I was proud to have worked alongside a number of these workers and very happy with the work we did together. One of the first things I learned from the people I worked with was that if you have been out of work for more than six months, then if you didn’t have depression to start with, you probably will now.

I have not been employed and therefore not involved in anything that has happened over the last two years; however I am aware of the damage that has been done both to the reputation of the DWP (and JCP) and to those agencies (charities) that have worked with them. There has been a real divide created between all these organisations and many members of the public, and in particular with service users. This has not been helped by the misuse and abuse of statistics by the DWP, the Secretary of State and Ministers.
2.6 Work Programme

The problem with just looking at JCP is that one might make the mistake of assuming that the Work Programme performs better by comparison. This has not been my experience. Both have been poor at looking at barriers to work such as mental health issues. Instead the only focus they have is on getting people to identify barriers that could lead to a possible sanction. It is quite clear and well known that the Work Programme looks at "creaming" the easy clients, and "parking" the more difficult ones. I have no evidence that the Work Programme actually helps anyone, but just takes the credit (money) for those clients that find themselves a job. My personal experience is that the Work Programme has given me no real assistance at all. They have rewritten my CV to produce one that I am not really happy with, and that has been completely ineffective in securing me an interview, never mind a job. The only other intervention has been to allow me to do an internet job search on their old (Windows XP) computers once every fortnight. This means dragging me away from my modern (Windows 7) computer and also means I have to come home and repeat the search as I am not able to actually apply for jobs while at their offices.

I am always on the lookout for anything that may help my job search, and the other day I found an article giving advice on effective job searching. It was quite striking to me that the advice given matched my own personal strategy, but was critical of behaviour that is the apparent aim of the JCP and Work Programme. Some years ago I looked at the proposals for the Work Programme, while still in a job, to consider it as a possible source of future employment. I felt that the contracts would go to the wrong organisation and that they would be doing the wrong thing. I could have predicted that they would be less effective than having no Work Programme. The statistics support this view, and my own personal experience of the Work Programme only confirms this expectation.

2.7 Universal Jobmatch

Universal Jobmatch has been beset by problems from the start, with fake job adverts and warnings about both computer and information security, and also personal safety. While using the site myself I came across jobs that were dated 2014 and 2015. The problem I find with both this site and the way that advisers work, is that they seem to assume that clients have set categories of work area, and when clients are in any way unconventional then it all breaks down.

One of the major problems with Universal Jobmatch is that it has been set up to assist with sanctioning people. This is the real reason why clients are asked to allow their adviser access to their account. This becomes clear when you look at the options on offer for reasons why you didn’t apply for a job. The only option that does not make a client “look bad” is the “I have already applied for this job” one.

2.8 Universal Credit

It is too early to judge Universal Credit but the widespread public expectation is that it is unlikely to work, at least in terms of the IT. There are also many fears that it will not deliver the changes and improvements that have been promised.

2.9 Sanctions

Contrary to what people in ivory towers may believe, sanctions are not a good motivator. In fact it would be very helpful if those in power could realise that the “stick” is a very poor motivator compared to the “carrot”. The single most important element of the current strategy appears to be to facilitate sanctions. This is not helpful to people actively seeking work, as fear does not generally help performance.

As an illustration of how unsupportive the system is I will give you a quick anecdote of what happened to me. On the last Friday before Christmas I received a letter telling me that my benefits had been stopped a couple of weeks previously. They had been stopped because I had failed to sign on one week. I had to rush around to try and sort things out. The reality was that I had not failed to sign on, but in fact it was the Jobcentre that had failed to confirm that I had signed on. The main issue here is not the failure of the Jobcentre, but that I was punished for that failure. A fair system would be one where I was paid until the Jobcentre informed the payment centre otherwise, rather than one where the Jobcentre had to continually inform them that it was ok to keep paying me. After all, such a system would mean less work for Jobcentre staff, which would allow them to focus on other issues.

My greatest fear though is that from my observations there is a serious risk that people with mental health problems may be more likely to be sanctioned. There will be clients who appear to be poorly motivated, lacking enthusiasm, and failing to make sufficient applications. These might be seen as characteristic of someone who is not trying hard enough, but they are also characteristic of someone suffering from depression.

2.10 Outcomes

The priority of government in respect of outcomes is quite apparent from their language, where they tend to talk about people coming off benefit rather than getting a job. It is clear that the priority is about reducing the costs rather than helping people find a job. Sanctions are seen as the easier (and preferred) option. It reduces costs, reduces the unemployment figures, and also fits in with the “scrounger” propaganda.
2.11 Employers

I know from contact with an employment agency that they are not happy with the way Universal Jobmatch operates, and in particular the language and "Americanisations" used in adverts.

It is also clear to me that not enough attention has been paid to the role of employers in the job process. It is employers that decide whether someone gets a job, and it is their criteria that should also be considered when deciding whether a person is "fit for work". The Disability Discrimination Act has not been a great success in helping people access work, and it is especially ineffective in times of high unemployment.

The most important issue relating to employers is that research is showing that they are unlikely to take on someone who has been long-term unemployed. In fact the research shows that someone unemployed over six months is less likely to get an interview than someone unemployed less than six months, even where the former has relevant experience and the latter does not.3

SUMMARY

I strongly believe that it would be both unfair and wrong to view the performance of JCP without comparison and reference to the Work Programme. It may be the wish of some to transfer the role of JCP out to a private contractor, so it would be wise to compare the performance of JCP and the Work Programme, especially as there is growing evidence that we do not actually get the performance and cost improvements from outsourcing/privatisation than has been previously claimed.

It is my belief that it is unfair to overly criticise the performance of JCP when it seems likely that staff are doing what they have been told to do, and that the priorities set by management (including from the Secretary of State) may be different than the measures that people have been asked to comment on.

One of the problems with Government strategy in unemployment is that it treats everyone as a “feckless scrounger”, and this creates resentment but also resistance. The job seeker and the JCP are working against each other rather than together. This also means that the systems are set up to support this hypothesis, and are therefore directed towards the application of sanctions. As stated earlier (paragraph 2.6) the system is not geared up to give the best help to job seekers. In fact there appears to be a preference to take the easier option of seeking to apply sanctions. There is an emphasis on the quantity of applications made rather than a focus on the quality of application, which goes against best practice. Clients should be encouraged to get a job rather than to avoid being sanctioned. Neither JCP or the Work Programme are focussed on the needs of the unemployed, but are instead looking to please the politicians and their ideology based perspectives.

The system needs to have a better approach towards those with mental health problems, especially as it is clear that already we have people who have committed suicide because of the pressures being placed upon them. If we fail to change things then not only will more people commit suicide, but at some point there will be an increasing number of people who will direct their anger and despair outwards as opposed to inwards. At that point it will be JCP and Work Programme staff who will be in the firing line. There are already signs of increasing violence towards JCP staff. I also though have another concern for staff in that pressurising staff to give sanctions can result in psychological harm. There is also the problem that with all the benefit changes and the difficult circumstances that people have to cope with, that the threat of prison will lose its impact. Prison will offer secure accommodation, with heating and food guaranteed. This is not about prison being a soft option, it is about the reality of life in Britain today for a significant number of people; the so called “precariat".

14 May 2013

Written evidence submitted by Ljiljana Devic

I am presently in receipt of JSA (IB), and I attend at the JCP once a week. I was referred by the JCP to the Work Programme provider Maximus, for help with my self-employment project, and I attend at Maximus once every two weeks or as required.

My academic qualifications and training are in law. My proposed self-employment venture is a website (advocatus.org.uk) intended help and guide the weak, the vulnerable and the voiceless, and to thereby make a positive contribution from my experiences.

Most inquiries and consultations invite submissions from stakeholders, groups and other entities who have no personal experience of the subject matter but only a vested interest in a particular outcome. As this Committee is one of the few that is inviting representations from individuals, I make my submissions which are founded on diligent research and supported by empirical evidence based upon my personal experience and underpinned with verifiable documentary evidence.

I would begin with the premise that, by any objective assessment, current practices at Jobcentres are, de facto, real and overt torture. A claimant, and possibly his wife and children, is unlawfully deprived of his welfare benefit, and thus of food and other bare essentials, and thereby tortured into forfeiting his lawful entitlement. In legal, ethical and moral terms, this is a definition of torture.

The staff at my JCP, and doubtless at other Jobcentres and benefit offices, seek to achieve their targets without the slightest regard for moral, ethical or legal principles. They regularly, overtly and systematically breach not only welfare legislation but a gamut of domestic primary and secondary legislation, EU and international legislation, human rights legislation, the UN Convention against torture and other international human rights instruments. To the world, we proclaim and promote English jurisdiction as the “gold standard” jurisdiction of choice. Simultaneously, the weakest, the voiceless and the most vulnerable in our own society are daily being subjected, with total impunity, to treatment that flouts every rudimentary principle of justice and of natural justice.

Even JCP staff’s own trade union, PCS, confirms and condemns such practices, albeit terming them “pester power”, “frustrate” and “botherability” instead of using the unpalatable but accurate word “torture”.

The atrocities committed at Abu Ghraib shocked the world. At Abu Ghraib, a few soldiers were torturing a few civilians in a foreign country in a time of war. These atrocities pale into insignificance when compared to the atrocities being committed against the weakest and most vulnerable in our own society by our own people, and only in the misguided and misunderstood pursuance of government policy.

The blame might lie with those who formulated policy but failed to ensure that that their foot soldiers implemented it as intended. They have put guns into the hands of those who have neither the sense nor the knowledge of how and when to use them. If, being aware, their masters continue to condone or ignore such practices, that is truly a matter for public concern.

Government policy and recent legislation is intended to ensure that, in the current economic climate, the numbers of those in receipt of state benefits should be reduced. Those entrusted with the task of implementing this policy are instructed to adopt a robust stance by encouraging claimants into work and by rooting out the shirkers and the fraudsters, and a raft of recent primary and secondary legislation underpins this policy. All that is rational and acceptable in times of austerity, and also palatable to the electorate.

It is the perversion between policy and practice that should be a matter for public outrage and for government action.

Prior to recent legislation, the relationship between jobcentre staff and their customers was, by and large, transparent and equitable. They shared a common goal, whereby Jobcentre staff tried to help and guide claimants towards gainful employment and the claimants tried their utmost to move beyond a life on £70 a week.

Since the recent legislation, and the subsequent fiery proclamations from the Secretary of State, the relationship between the Jobcentre staff and it customers is now entirely adversarial, if not combative. There is not an iota of effort to help claimants find a job. The sole and overt objective is to have the claimant disqualified from claiming benefits upon any grounds, be they entirely unfounded, in the interests of targets and government statistics.

The Jobcentre staff construe government policy and pronouncements as carte blanche authority and direction to use any means whatsoever to reduce claimant numbers. There seems little evidence of any attempt to correct this expedient interpretation of government policy. Staff are set targets for the number of claimants to be culled daily or weekly, and they feel compelled to ruthlessly meet those targets for fear of losing their own jobs.

I can only cite examples from my own experiences with my JCP, which I can support with verifiable documentary evidence, but I fear that neither my one case nor the practices at this one Jobcentre are isolated examples.

(1) The Committee may find that it is impossible for any claimant to support his submissions with verifiable evidence.

It has taken enormous effort and perseverance for me to secure the evidence that I have, and I persisted only because I was sufficiently motivated by the eventual goal of my self-employment project and my website.

It would seem a matter of systemic policy and practice to make it impossible for a claimant to prove what happens inside a Jobcentre or what happens during the course of any meeting or interview with JCP staff. Such policy and practice would seem to defy the fundamental tenets of justice, natural justice and human rights.

The law permits a claimant to audio record interviews or meetings at the Jobcentre, a fact repeatedly confirmed to me in writing. Yet, despite repeated requests, I have never been allowed to avail myself of this legal right on the grounds that my JCP does not have the facilities that would be conducive to audio recording, and thus no evidence can ever be obtained to support any allegation of wrongdoing. In any dispute as to fact, the word of a JCP employee and his colleagues would have to be weighed against the word of a “scrounger”.

Ev w22 Work and Pensions Committee: Evidence
Emails to the JCP, the CSOM at the JCP or to any other member of staff at the JCP receive neither an acknowledgment nor a response. Other government departments and agencies at least send an automated read receipt as a matter of good practice.

The staff at my JCP refuse to sign a receipt to acknowledge receipt of letters delivered by hand. A letter from the District Office of my JCP states, “I can confirm that our Department does not have a policy requiring staff to issue receipts.”

My JCP is, in effect, strongly disinclined to put anything in writing or in any format that would evidence their words or actions. Oral but unrecorded communication is their preferred mode of operation. I fear this policy is not confined to my one JCP.

JCP is a part of the DWP, regardless of organisational structure, and as such must adhere to the letter and the spirit of the law, and thus the JCP’s unique practice in matters of propriety, transparency and accountability is disturbing.

Similar privilege and confidentiality is not afforded at the claimant. Any member security staff, an employee of an external company, lounges behind the JCP adviser at meetings, listening to and reading all the personal and confidential data of the claimant.

It might be mentioned that claimants, diplomatically termed “customers”, see a different adviser at each visit and thus the adviser knows little about the claimant and his individual needs and circumstances, and cannot provide any personalised help or guidance.

The customer can never be aware of the structure or hierarchy within the JCP, and thus can never approach the appropriate person about his concerns. Every Tesco prominently displays names, photographs and contact details of its senior staff but publicly funded JCP does not deem this necessary.

In the past, a customer charter, extending to several pages, was available in every JCP. The customer charter has since shrunk to one page but it would be miraculous to now find a copy available in any JCP.

(2) Security staff are now used as a deterrent to dialogue. I have personally witnessed an incident where an elderly gentleman was being interviewed by a JCP employee. She was explicitly intimidating him into agreeing to conditions that were unlawful and he was politely trying to explain his views. Instead of communicating with him, she called a member of the security staff to have him removed.

(3) Recent legislation, and consequential policy, increases the severity of sanctions if a claimant breaches “conditionality” to his claim, whereby payment of benefit can be stopped for up to three years.

Legislation has not amended eligibility criteria or the contractual relationship, obligations and rights stipulated in a Jobseeker’s Agreement entered into between the claimant and the JCP.

With complete disregard for the law, JCP staff are set targets to remove a certain number of claimants every day or every week, and these targets are achieved by overtly ignoring or breaching the contractual terms and relationship stipulated in a Jobseeker’s Agreement. This fact is confirmed by their trade union and by a number of other “whistleblowing” disclosures.

Staff achieve these targets by referring the desired number of claims to a Decision Maker on the grounds that there is a “doubt” about the claimant having breached the conditions of his Jobseeker’s Agreement.

(4) As referral of a claim by a JCP adviser to a Decision Maker (DM) is a practice now being used extensively to achieve targets for reducing the claimant count, it merits examination.

It is a prescribed requirement that a JCP adviser should seek input and explanation from a claimant when considering a referral and, only after taking into consideration all the facts, should take the serious step of referring a claim to a DM, and the claimant should always be made aware of the referral.

Since the advent of targets, this prescribed requirement, fundamental to justice and natural justice, has been ignored entirely. A JCP adviser now makes a referral to a DM totally regardless of facts, of documentary evidence and of any input from the claimant. I can prove that, in my case, a referral was made even without my knowledge.

The immediate result of a referral, regardless of the eventual outcome decision made by a DM, is that the claimant’s benefit payment is stopped from the day of referral. There is no presumption of innocence in such minor civil matters. Nevertheless, this minor civil matter can, and often does, deprive the claimant, and possibly his family, of food and basic necessities.

(5) In a referral to a DM, the JCP adviser should apprise the DM of all the relevant facts, including the input, explanation and evidence provided by the claimant. However, the claimant never gets sight of the referral or the allegations or facts therein. The DM arrives at his decision based solely upon the submission from the adviser.

It should be borne in mind that the DM is not independent and is not acting in an independent capacity. Both the adviser who refers the claim on the grounds of “a doubt” and the DM who decides upon this “doubt” are declared to be acting for the DWP.
In any court of law, under our adversarial system of justice, the judge must be impartial and be seen to be so. A judge sees nothing, hears nothing and reads nothing from only one party. It is a requirement that any material put before a judge must also be disclosed to every party to the proceedings. This is a fundamental requirement for transparent justice. Those on the lowest rung of society evidently do not deserve such consideration.

(6) If the decision is favourable to the claimant, the JCP can ask for the decision to reconsidered any another DM. The claimant is neither made aware that a reconsideration has been sought nor of the grounds submitted for reconsideration.

If the decision is adverse to the claimant, the claimant would then be given the opportunity to seek a reconsideration of the decision and to put his case in support. As in any legal case, to have any decision overturned is considerably harder.

If the reconsidered decision is still adverse, the claimant could appeal. As with an appeal and a second appeal in any court of law, and with no legal aid and no legal representation, the claimant would face an impossible task.

(7) It seems that the JCP now indulges in the practice of “wholesale referrals”. A claimant is referred, on whatever grounds, to a Decision Maker (DM) a number of times consecutively within a short period of time. This numbers game has a two-fold advantage. At least some of the allegations and referrals should “stick” and produce adverse decisions, and the greater the number of adverse decisions the longer the period of sanction. Anecdotally, if the sanction is for a period of three years, that resourceful JCP employee receives a nice reward from the manager.

Any Decision Maker Appeals (DMA) office would be able to provide factual data on the percentage increase in referrals to DMs over the past few months.

(8) In my own case, my JCP had never previously deemed that I breached any conditions or failed to comply with my obligations. Remarkably, following recent legislation and the advent of targets, my claim has been referred to a decision maker three times within a period of four weeks for doing nothing less or differently than I was doing previously. Thus, I now have to spend an absurdly disproportionate amount of time to addressing these referrals, time that would be much better spent on productive efforts.

If I should wish to question or query or complain about any referrals or sanctions, it is required that I should address my concerns to my own JCP. This would seem analogous to my directing my complaint about being raped to the rapist.

Present legislation and government policy is, it is proclaimed, intended to help me into employment or self-employment. I now spend 40 hours every week to satisfy the increasingly onerous but totally unproductive demands of the Jobcentre. Then, and only then, am I able to focus my efforts to seeking gainful employment and to pursue my proposed self-employment venture. Would it not benefit public funds if Jobcentre staff were allowed the discretion to permit individuals to devote their time and effort to constructive and productive ends rather than to avoiding being the sacrificial lamb to bureaucratic targets?

(9) It is difficult to lay the blame at the door of the Jobcentre staff. They are not lawyers or politicians or philosophers. They work on instructions given to them at brief training meetings or on a single sheet of paper. They are trying to keep their jobs by trying to achieve targets imposed on them. It is conceivable that they neither understand nor fear the implications and consequences of their expedient but illegal actions. I was once told by a Jobcentre manager, “You can’t do anything to us. We have Crown Immunity.” My reply was “True, but you can be sacked.” She confessed that this had never occurred to her.

(10) The benefit claimants have, by and large, paid their dues to the “Welfare State” and paid their premiums towards “national insurance”, perceived as their insurance and their umbrella for a rainy day. Their contributions pay the wages of the 90,000 staff working in Jobcentres and benefit offices, 40% of whom also claim state benefits. If and when it does rain, and through no fault of their own, the same Jobcentre staff leave their paymasters in doubt that their insurance company has gone bust and that the umbrella was actually a well disguised parasol only for sunny days.

Having experienced the services of Jobcentres and of work programme providers, I would comment briefly upon the claimants perception of each.

Public funds pay for 90,000 JCP and benefit offices staff and public funds pay millions of pounds for listed international companies to provide work programmes, with both catering for the same group. Statistical data verifies that the total impact of the service provided by both is negligible. Jobseekers largely secure employment through their own efforts and perseverance. This would seem to be a case of having two dogs and barking yourself.
What is tangible benefit is gained from the 90,000 JCP staff if claimants have to be referred to an external provider for help? If their purpose is merely to process benefit payments, that could be done by a tenth of that number, or even by an appropriate computer system.

The calibre of JCP staff cannot be conceived without personal experience. It would be an enlightening exercise if a survey were undertaken to ascertain what skills any JCP employee could offer to any employer if they were to lose their JCP jobs. It would then be easier to determine whether JCP advisers help or hinder claimants in their efforts to secure employment. I have yet to come across a single JCP adviser who had sufficient experience to help a claimant with constructive and pragmatic guidance. This begs the question whether selection JCP staff is based on merit or on nepotism.

By contrast, Work Programme providers are paid by results and thus select staff on merit. Unlike JCPs, these providers assign one adviser to a claimant, who familiarises himself with the needs of that claimant. Their efforts are restricted by the demands of their paymasters, the JCP and DWP. As the manager at my work programme provider told me, “we are audited by the JCP.” Thus, those possibly able to help are constrained by those who cannot help but who enjoy Crown immunity.

24 May 2013

Summary

1. DrugScope is the leading UK charity supporting professionals working in drug and alcohol treatment, drug education and prevention and criminal justice. It is the primary independent source of information on drugs and drug related issues. DrugScope has around 450 members, primarily treatment providers working to support individuals in recovery from drug and/or alcohol use, local authorities and individuals.

2. Homeless Link is the national umbrella organisation for frontline homelessness charities in England. Currently we have more than 500 member organisations. As the collaborative hub for information and debate on homelessness, we seek to improve services for homeless people and to advocate for policy change. Through this work, we aim to end homelessness in England.

3. Research suggests that around 80% of almost 300,000 problematic drug users (ie those using crack cocaine and/or heroin) in the United Kingdom are unemployed, and that they make up almost 7% of the working age population on benefits in England.\textsuperscript{4} Other studies\textsuperscript{5} have shown that the overwhelming majority of homeless people want to enter paid employment but that the percentages which succeed are tiny.

4. Both organisations welcome the commitment given by government to prioritise the role of paid employment as a sustainable route away from homelessness and supporting recovery from substance dependence in the 2011 Vision to End Rough Sleeping,\textsuperscript{6} the 2010 Drug Strategy\textsuperscript{7} and the 2012 Social Justice Strategy.\textsuperscript{8} Whilst we share the government’s aspiration that disadvantaged individuals can lead active, healthy and fulfilling lives, more progress is needed.

5. In this response, we have not covered all the areas raised by the Committee, instead have concentrated on where we feel able to offer particular insight.

6. In this summary, we would like to raise some key points before the Committee which are elaborated on elsewhere in the document:

   — The effective delivery of Jobcentre Plus (JCP) services is reliant upon front-line staff understanding the needs of, and being able to constructively engage with, vulnerable claimants. The evidence that they are consistently able to do so is limited and geographically variable.

   — There is a particular issue around identification and disclosure of homelessness and/or substance dependent claimants. If this “triaging” process does not function adequately, JCP will be unable to fully identify and respond to claimant barriers to employment.

   — Resources which could help substance dependent and/or homeless claimants into work are failing to deliver for them. Although the Flexible Support Fund and the Work Programme are both supposed to particularly benefit individuals who are distant from the labour market, they have had limited impact for these client groups.

   — The relationship between District JCP teams, local authorities and the voluntary sector varies greatly across the country. Where a joined-up approach exists, a much more holistic service to claimants is delivered. On occasion, we have seen examples which have positively impacted on vulnerable people’s lives and could be replicated.

\textsuperscript{4} \url{http://research.dwp.gov.uk/asd/asd5/reports2009-2010/rrep640.pdf}
\textsuperscript{5} \url{http://www.crisis.org.uk/data/files/admin_uploads/WILLOW/no_home_no_job.pdf}
Ev w26  Work and Pensions Committee: Evidence

—— We are extremely concerned around the delivery by JCP of a tougher sanctions and conditionality regime. The evidence is that this is likely to lead to increased homelessness and destitution amongst some of JCP’s most vulnerable claimants.

—— Most homeless and substance dependent claimants will find themselves receiving Universal Credit over the next few years. During the roll-out period it is vital that concerns around the implementation of Universal Credit (UC) such as monthly payments, direct payments and digital-by-default are monitored and addressed.

**Jobcentre Plus Employment Services**

7. **Identifying jobseekers’ needs and barriers:** The Minister of State for Employment recently offered in a Parliamentary answer an optimistic analysis of the relationship between DWP front-line staff and vulnerable people stating: “Jobcentre Plus advisers are equipped with the necessary guidance and training to identify and provide an appropriate level of tailored support for the homeless, as well as other disadvantaged groups.”

8. However, the evidence from those working in the front-line is does not reflect this confidence. The experience of our member agencies is that JCP staff are often unable to identify the needs and barriers of vulnerable claimants such as those who are substance dependent and/or homeless.

9. In 2012 Homeless Link and others published a report into the Work Programme which found that Job Centre Plus staff were unable to identify homeless people, even including those sleeping on the streets. Similarly a DrugScope event in 2010 facilitated by JCP Drug Coordinators concluded that frontline JCP staff urgently need more training to allow them to engage with claimants who may be substance dependent.

10. We acknowledge that there are barriers faced by JCP advisers trying to identify vulnerable claimants who may find substance dependency or homelessness uncomfortable subjects to raise. Claimants may be reluctant to disclose their own circumstances for fear of recriminations or stigmatisation, something the different psychopharmacological effects of some drugs can play a part in.

11. Sadly, the lived experience of many claimants is that JCP staff, and people in positions of authority in general, do not always respond supportively to histories of substance use and homelessness/rough sleeping, but may actually respond negatively or even with hostility. More effort needs to be made to ensure claimants feel safe and are communicated with in a way that encourages them to be open. There are practical things that can make this more likely. For example, one aspect of the move from the traditional Jobcentre to the Jobcentre Plus model was a change in the layout of many offices. Something as simple as more privacy may encourage claimants to disclose issues of a highly personal and sensitive nature.

12. **JCP’s role as a gateway to Work Choice and the Work Programme:** Amongst many homelessness organisations there is disenchantment about the lack of input they have had into the referral of their clients into contracted-out provision. Many only become aware that their clients have been referred to the Work Programme sometime after it has happened. This may be because JCP staff do not realise that claimants in hostels, for example, are homeless for the purposes of WP referral. This means that people are not placed in the correct claimant group and WP providers are not incentivised at the enhanced rate to work with them. A similar situation exists with substance dependent individuals: often their dependency only comes to light after referral to the Work Programme.

13. For claimants with substance dependency, there has been some encouraging joint working further on in the Work Programme/Work Choice customer journey, although fewer signs of this at the point of referral. Supported by the National Treatment Agency (now Public Health England) and DWP, Work Programme providers have made some progress in improving joint working between the Work Programme, Jobcentre Plus and treatment providers, but there is a sense that there are constraints on the effectiveness caused by a lack of staff time and capacity to engage.

14. **JCP’s use of the (FSF) Flexible Support Fund (individual):** DrugScope and Homeless Link have seen limited evidence of the use of the FSF supporting vulnerable clients become closer to work. There is little to suggest that the Fund is actively promoted to clients to access training, although we are aware of instances where it has been used to provide (for instance) ESOL classes for individuals whose primary barrier to employment is language related or accredited vocational training for individuals with an identified route to employment.

15. **JCP’s use of the Flexible Support Fund (supporting partnership working):** We are aware of a few organisations supporting substance dependent and/or homeless clients that are being funded to support JCP in addressing local priorities. In one London borough a homelessness provider has been recently resourced to work in partnership with the local authority to try and increase employment rates amongst households affected by the Benefit Cap. However, the reality is that many services working with vulnerable people are not even

9 [http://www.theyworkforyou.com/wrians/?id=2013–05–15a.155296.h&s=speaker%3A24763#g155296.q0](http://www.theyworkforyou.com/wrians/?id=2013–05–15a.155296.h&s=speaker%3A24763#g155296.q0)


13 [The Committee report on 21/5/13 specifically identifies homeless and substance addicted claimants as two groups let down by the WP](http://www.publications.parliament.uk/pa/cm201314/cmworpen/162/162.pdf)
aware the fund exists. District Managers do not generally appear to promote opportunities or to publicise local priorities. Even the Commons Library Standard Note\(^{15}\) on the FSF pointed out that “there is limited information in the public domain”.

16. Despite this general lack of publicity, we are aware that there have been instances where specialist organisations have been encouraged to apply for FSF funding to deliver training to JCP advisors. Whilst this may be in keeping with the aim of partnership working to achieve common goals, it is surprising that in at least a small number of cases, the FSF may be being used to augment JCP’s own training budget.

17. **JCP’S relationship with key stakeholders:** DrugScope and Homeless Link are both aware of instances where highly motivated, specialist staff have been successful in transforming the relationships between JCP and local voluntary sector agencies, broadening the opportunities available to job seeking claimants. In one example from the North-East, resources were made available to provide an outreach service from JCP to a hostel for homeless people where partnership working had been poor and sanctioning levels high. As a result of this improved communication, sanctions reduced by 90% over a relatively short period of time.

18. In April 2009, DWP introduced Drug Co-ordinators using £9 million from the Department of Health. This welcome introduction of specialist posts made a substantial contribution to promoting much closer working, including co-location and feeding into commissioning decisions, between JCP and treatment providers. These posts were later converted to Partnership Managers, who have a significantly broader remit. Where the original post holder, or an individual with similar interests and skills remains in place, much of this valuable work has continued.

19. Overall, where specialist knowledge is lost, or specialist support is not provided, the level of prioritisation given to vulnerable groups will naturally vary from location to location in keeping with the principles of Freedom and Flexibility.\(^{15}\) Unfortunately, in practical terms this means a different level of understanding and support to claimants based on where their claim is made.

20. In general, homeless and drug and alcohol services are often unaware of the exact role of Job Centre Plus and the external pressures within which JCP services are being delivered. At separate recent events run by both DrugScope\(^{16}\) and Homeless Link attended by DWP officials, providers were generally unaware of the service offer currently available for people with histories of drug and/or alcohol or complex needs. Voluntary sector agencies in attendance called for more information and promotion. Greater dissemination of information from DWP would hopefully lead to not only a better understanding on the part of support and/or treatment providers, but also to services being more joined-up for those in most need.

21. It should be noted that there is no direct equivalent in homelessness of the joint working protocols agreed between JCP and the National Treatment Agency (NTA) (now Public Health England). Whilst the effectiveness of this and the accompanying TPR1 & 2 treatment referral system varies by location, it at least makes a clear and unambiguous statement of policy intent.

**JCP’s Role in Relation to Rights and Responsibilities**

22. **Benefit conditionality and the appropriateness of JCP’s use of sanctions:** Many clients with issues around drug/alcohol use and/or homelessness will have complicating factors such as mental health problems, poor physical health, cognitive impairment or a range of fluctuating conditions that may affect their ability to understand, remember or abide by benefit conditionality. The 2012 Social Security Advisory Committee report into Universal Credit and Conditionality endorses this view explicitly, stating: “vulnerable claimants do not set out to be non-compliant but they often lead chaotic life-styles, have poor organisational skills and frequently forget the conditions they are supposed to fulfil”.\(^{17}\)

23. The feedback from homelessness agencies and treatment providers is that benefit suspension is increasing but that many vulnerable claimants affected do not even have a basic understanding of the sanctions regime. People experiencing sanctions frequently fall into arrears of rent and bills, face eviction or actually become homeless, in part due to the lack of advice from Jobcentre Plus about potential eligibility for Housing Benefit or Local Housing Allowance. There is a concern amongst voluntary sector agencies that benefit sanctioning will drive disengagement rather than compliance. A 2010 study questioned the value of such blunt instruments in creating behavioural change, stating that evidence suggested that “sanctions themselves do little to change motivation to work”.\(^{18}\)

24. In October 2012, the Department for Work and Pensions introduced a new sanctions regime for Job Seeker Allowance (JSA) claimants\(^{19}\) that provides for significantly longer sanctions, up to three years for a third breach of conditionality. This reform emphasises the necessity of ensuring that vulnerable claimants understand conditionality and the risks of breach. The impact of the new regime is exacerbated by the changes

\(^{14}\) http://www.parliament.uk/briefing-papers/SN06079.pdf

\(^{15}\) DWP have recently described key principles under Freedom and Flexibility as including, “greater local autonomy” and “increased opportunities for Jobcentre Plus services to be delivered in a more flexible way,” http://www.dwp.gov.uk/docs/jpeg/freedom-and-flexibilities.pdf

\(^{16}\) http://www.ldan.org.uk/employment.html—event, 3rd May

\(^{17}\) http://ssac.independent.gov.uk/pdf/universal-credit-and-conditionality.pdf p.11

\(^{18}\) http://www.jrf.org.uk/publications/review-of-benefit-sanctions

\(^{19}\) http://www.dwp.gov.uk/docs/jsa-sanction-changes.pdf
Ev w28  Work and Pensions Committee: Evidence

...to hardship payments due under Universal Credit (UC): payments will become repayable, meaning that an individual unable to comply could have their difficulties compounded by debt owed to the Department. Furthermore, the requirement of claimants to change behaviour to “address the breach” of their claimant commitment to JCPs satisfaction before they can receive hardship payments will increase the likelihood of destitution further.

JCP’S ROLE IN SUPPORTING A FLEXIBLE LABOUR MARKET

25. JCP’s effectiveness in helping people into work: Most homeless and substance dependent people want to be in paid employment. However, employment rates remain disappointingly low. Member agencies report a range of client experiences at JCP, much as might be expected from an organisation with a large and diverse customer-facing team with varying expertise and experience.

26. The recent introduction of “Freedom and Flexibility” to JCP gives cause for concern. 20 Whilst the rationale for allowing local managers to provide the services and interventions they believe will best help them to achieve local priorities is clear, the lack of a defined minimum offer risks those furthest from work being deprioritised and resources targeted more intensively at those closest to the job market. Whilst this may enable rapid benefit off-flows, it raises questions of fairness in access to services, particularly when taken in conjunction with the unclear minimum service offers found in the Work Programme.

27. Front-line services have told us that their clients often feel stereotyped by JCP staff and not given the support they need. The general perception tends to be that claimants who are identified as homeless or as substance dependent are often seen as unlikely to obtain work. Agencies feel more could often be done to identify past work experience, educational attainments and/or transferable skills and match those with appropriate job opportunities.

THE IMPACT OF BENEFIT REFORMS FOR JCP STAFF

28. JCP staff roles in implementing Universal Credit: We are very concerned about the pivotal role front-line JCP staff will be expected to play in the delivery of Universal Credit. The light-touch nature of the regulations in many areas gives those dealing directly with claimants a lot of discretion, power and responsibility. We have numerous concerns, some of which are highlighted below.

29. We understand a key policy aim is to encourage households to become accustomed to budgeting and familiar with patterns and routines of paid employment. But there are numerous risks contained within the direct, monthly single payment of UC to a single-person in the household. These include arrears and eviction, increased substance use and domestic violence.

30. We are particularly worried about claimants with health needs who might currently be eligible for Employment Support Allowance. JCP advisors will be expected to allocate these people to conditionality groups on the basis of their interview with them, in advance of any medical assessment. JCP staff are not medically qualified and it is unclear how they will be able to make informed judgements across a broad range of physical and mental health issues.

31. The introduction of tailored conditionality for individuals entering structured, recovery-orientated drug or alcohol treatment is welcome, both to support recovery for the individual in treatment and also to promote closer working between JCP and treatment providers. Its success too will rely on front-line staff being able to encourage disclosure.

32. The Government’s Digital-By-Default approach will create practical problems. A recent report by the Office for National Statistics 21 stated that 7.1 million adults in the UK had never used the internet. Treatment providers and homelessness agencies generally work with some of the most disadvantaged and socially excluded individuals in the country who are often not part of the “digital revolution”.

33. The Local Support Service Framework is intended to facilitate partnerships between JCP and local authorities, ensuring local integrated support to vulnerable claimants to overcome these types of problems. However, details and safeguards remain vague, as highlighted by the Social Security Advisory Committee. 22

34. Lord Freud recently stated in a letter “We have estimated that around 3.5 million people will need some element of budgeting support.” 23 Hence, JCP staff will be expected to identify potentially millions of claimants who need support and assess what type and level is appropriate (including alternative payments). Given concerns about identification, disclosure and understanding identified elsewhere in this submission, we have concerns about both how accurately and consistently this will happen.

24 May 2013

20 DWP have recently described key principles under Freedom and Flexibility as including, “greater local autonomy” and “increased opportunities for Jobcentre Plus services to be delivered in a more flexible way,” http://www.dwp.gov.uk/docs/jpeg/freedom-and-flexibilities.pdf
23 http://homeless.org.uk/sites/default/files/site-downloads/Lord%20Freud%20Letter%20to%20IFF.pdf
Written evidence submitted by Gipton Supported Independent Living

GIPSIL (Gipton Supported Independent Living) provides support, including housing and related services, to people who are vulnerable and in need, in the belief that this is crucial to their success in becoming independent and reaching their full potential.

Q1. JCP’s employment services, including: approaches to identifying jobseekers’ needs and barriers to employment; the effectiveness of the “Get Britain Working” measures; JCP’s role as a gateway to contracted-out services such as Work Choice and the Work Programme, including processes for referral and handover; JCP’s use of the Flexible Support Fund, including how spending decisions are made and evaluated; and the effectiveness of JCP’s relationships with other key stakeholders, particularly local authorities

1. As an advice service working with vulnerable young people aged 16–25, we have encountered a number of issues around JCP’s “identifying barriers” & proactively seeking remedies for jobseekers.

2. We work with many young people leaving the care of social services who struggle with the transition to independent living, a process which invariably involves claiming mainstream benefits. Many of these young people have some level of mental or physical health problems, frequently related to their backgrounds which have often involved neglect or abuse. Such young people often have clear aspirations to find work. However, the general experience tends to be negative in terms of the support from Jobcentre Plus they receive in their search for work.

3. Example 1: One young man had a history of acute collapsed lung and lung lining wall on his left side. Following surgery he has an increased risk of chest infections or collapsed lung. His GP stated that he was not fit to work in dusty environments, do heavy lifting, be subject to extreme temperature changes or engage in other strenuous physical work. He had worked as a bin man but had to leave due to chest infections (had three to four weeks off over a four month period); and had also worked as a youth worker but had six to seven weeks off over a six month contract due to chest infections/flu/colds. He also has issues with anxiety, coping with change and coping with social situations.

4. Unfortunately, rather than have these restrictions placed in his Jobseeking Agreement he was signposted by Jobcentre Plus to ESA which culminated in his being found fit for work and failing the WCA after being awarded zero points in respect of each descriptor. This is an example of someone who should surely have been supported to remain on JSA with appropriate limitations as to employment type. This would have maintained the young person’s enthusiasm for employment and reduced the impact on Jobcentre Plus resource by preventing the whole process involved in an ESA claim. The case actually demonstrated that Jobcentre Plus support is not tailored to the individual and is wholly inflexible.

5. Example 2: Care Leaver with low level learning difficulties, coupled with emotional vulnerability due to his upbringing. He struggles with the job search process but was not referred to the disability adviser. Instead, he was sanctioned for only applying for eight jobs during the fortnight rather than the 10 required. There appeared to be no consideration of the quality and realistic aspirations exhibited in his applications and certainly no acknowledgement of the limitations and barriers affecting the individual claimant. The process appeared punitive and inflexible by design.

In terms of the JCP’s role as a “gateway to contracted out services”, we have had many issues around lack of clarity and cohesion between JCP and Work Related Activity Providers such as Interserve.

6. Example 3: Client made her claim for ESA on the basis of her anxiety and agoraphobia which was restricting her ability to find work (client also a Care Leaver). Her mental health precluded her from taking part in the Jobseeker’s Allowance Work Programme (via Interserve) for which she was repeatedly sanctioned.

Due to anxiety and depression, client:
— avoids situations that could lead to panic attacks, such as crowded places, public transport and queues;
— is unable to leave the house for long periods of time;
— needs to be with someone she trusts when going anywhere (eg a friend or support worker);
— avoids being far away from home; and
— suffers considerable fear and anxiety if forced to engage in uncomfortable situations (such as listed above), or with unfamiliar people.

7. These problems were reflected in the ESA Decision maker’s decision to award her six points for going to familiar places unaccompanied, six points for difficulties communicating with other people and social engagement, and nine points for occasional uncontrollable outbursts in her WCA assessment.

8. Despite these acknowledged problems, the client was sanctioned for failing to attend a Work Related Activity appointment at Interserve on 11 December 2012. Further, this sanction remained in place despite the client attending three consecutive sessions of “Work Related Activity”, and being due to attend a fourth session on Monday 22 April.
9. This case was particularly troubling as we believe the client’s level of participation far exceeded the stated requisite of “an agreement to undertake Work Related Activity” and, as such, there was no justification for the sanction remaining in place. It should be remembered that a sanction is extremely punitive and reduces the claimant’s ESA entitlement by the entire weekly personal allowance of £71 leaving only the support component in payment. This clearly causes immense financial hardship for someone with health problems acknowledged through the WCA process.

10. Of even greater concern was the apparent role and influence Interserve had in the decision to impose and maintain the sanction. Interserve advised she was required to attend four sessions of Work Related Activity held on only a fortnightly basis, despite JCP guidance stating that to lift the sanction she would only need to “take part in a work-focused interview; or making an arrangement to take part in a work-focused interview at an agreed date” (Reg 63(11)(a) ESA Regulations 2008). Decisions on all matters relating to benefit claims clearly rests with Jobcentre Plus. However, as this case demonstrates, there appears to be, at the very least, a blurring of roles and responsibilities.

11. As well as the lack of consistency between what we were told by JCP staff and Interserve staff, we have major concerns about the programme facilitated by Interserve. The client was referred to the same adviser for ESA WRA as she was whilst on JSA Work Programme. We queried with Jobcentre Plus the efficacy of Interserve and were told that Jobcentre Plus had been assured by Interserve that their staff were trained to deal with both JSA and ESA client groups in a way tailored to their specific needs. This clearly wasn’t our client’s experience and her mental health in no way appeared to be taken into consideration by her Interserve adviser. Our staff have accompanied the client to several of these appointments and witnessed examples of what we would consider bad practice, eg. a client who is acknowledged to struggle with social situations being shouted across a crowded open plan office to a desk with no element of privacy to discuss barriers to work resulting from health problems.

12. We are sceptical as to the robustness of JCP’s auditing of Interserve’s performance, a problem compounded by the apparent exaggerated influence Interserve have over JCP’s decision making process in relation to the imposition of sanctions.

13. We wrote to Interserve directly about this client’s experience of their service. The letter was sent on 18 April 13 and we have yet to receive any acknowledgement or response.

14. Our experience of JCP as a gateway to contracted out services was poor in this example and resulted in a vulnerable young care leaver, who suffers from mental health problems managing an extremely low income, less than £30 a week, for a two month period.

Q2. JCP’s role in relation to the rights and responsibilities of benefit claimants, including: the effectiveness of benefit conditionality, particularly job-seeking conditionality and the mandatory “work-focused interview”; and the level and appropriateness of JCP’s use of benefit sanctions, including differences of approach between JCP Districts

15. We feel that the sanctions process is highly punitive and does not encourage a jobseeker. As we wrote in December 2012 CLG inquiry, (Communities and Local Government Committee inquiry on the implementation of welfare reform by local authorities) Gipsil’s experience of sanctions has been:

— poor communication from DWP regarding reason for sanction (eg lack of information on letters, lack of information on notes used by contact centre…);
— slow decision making on appeals and a lack of detail in responses; and
— lack of designated department or contacts dealing with sanction issues.

16. Minister for Employment Mark Hoban greeted news that 495,000 people sanctioned by stating that the “rules send out a clear message to jobseekers. We will offer them the support they need to find work, but in return for receiving benefits they have responsibilities too. People cannot expect to keep their benefits if they do not hold up their end of the bargain.”

17. However we have seen clients sanctioned for:

— failing to attend appointments they were not informed of;
— being double booked by the job centre on to two courses;
— failing to apply for a vacancy that had already been filled/no longer existed;
— applying for eight jobs with high quality, realistic applications in space of fortnight rather than 10 required; and

client currently midway through an employment tribunal challenging an unfair dismissal exacerbated by an unfair disciplinary hearing together with a failure to provide disciplinary procedure/staff handbook/contract; pay remaining wages and following her being required to work without a break in contravention of the EU Working Time Directive, was still sanctioned by JSA decision maker, despite our outlining the circumstances and detailing that she in no way lost her job through “misconduct” (which in JSA regs is conduct that “can fairly be described as blameworthy, reprehensible and wrong”—R(U)2/77 para 15).

18. Our experiences at Gipsil seem to mirror the findings of Citizen’s Advice Bureau in Scotland. They found young people to be particular vulnerable to sanctioning with approx half of JSA sanctions placed on under 25s.25

Q3. The impacts of benefit reforms, including: the implications for JCP staff roles of the implementation of Universal Credit, including the skills staff will need in order to offer effective in-work support; changes to staff roles brought about by the move to “digital by default”; and plans to support claimants affected by the benefit cap

19. We have encountered a number of issues around the Digital By Default claims process and this has been highlighted through the abolition of Social Fund Crisis Loans. From April 13, new rules require that claimants in financial hardship pending processing and payment of a new claim to benefit apply for a “Short Term Benefit Advance”. However, the Digital By Default JSA claims process simply does not meet claimant need generally or cover the common circumstance of a claimant requiring a Short Term Benefit Advance, as the example below demonstrates.

20. **Example 4:** Care Leaver does not have telephone. He is advised to make claim online. He does not have a telephone number but is unable to complete claim form without one. He uses the Gipsil drop in number as he has no alternative. There is nowhere on the form to explain this. We completed the form on 16 April 2013.

21. Client has no money or food. Explained we could no longer apply for a Crisis Loan whilst he awaited his first payment of benefit, however, we could request a Short Term Benefit Advance (STBA). We rang JCP to request one but were informed the online JSA claim had not been registered yet, so could not complete a STBA. The adviser informed us the client would have to wait until he had received his call back regarding his first JSA appointment and, at this time, the claim would be registered enabling a STBA request. This would be within two working days.

22. The first problem is that the client does not have a phone, so Gipsil will need to receive the call from JCP about his appointment time, explain our role and request implied consent as the client is unlikely to be present at the office when they call. We will then need to visit him to inform him of appointment time and assist him with ringing back to JCP to make STBA.

23. As such on 17 April 2013, we received call back from JCP—after I had explained situation, the male operator would not speak to me but agreed to ring back at 2.15pm when the client would be at our centre.

At 2.15pm we received the call back and I put it through to the client who was asked a series of security questions and allocated a JCP JSA appointment: Thursday 18 April—12.40pm (advised to get there at 12.30) at Southern House JCP.

24. Now the JSA claim is registered we rang through to JCP to make a claim for a Short Term Benefit Advance on grounds: new JSA claim, not due to receive payment for two to three weeks and no money for food, gas, electric, water.

25. We were advised that JCP would take my contact details as support worker and contact me instead with courtesy call to confirm receipt of application and DM decision.

26. As you can see the new means of making a claim for JSA for those without IT access, email addresses and phones is not fit for purpose. Previously, a client could make a claim for benefit over the phone, be allocated an appointment time straight away and then apply for a Crisis Loan within the space of two hours. The system is now long and drawn out for clients. Even those with the necessary IT facilities are looking at two day process (or longer over weekends or bank holidays). This clearly puts vulnerable young people in a desperate situation and can only have a negative effect on them.

27. A further issue with Short Term Benefit Advances (STBA) it that we were told by an JCP operator that clients must have attempted to request an overdraft facility from their bank before they are able to make a STBA request. In fact, for one client this blocked off the process of their application. As well as being frustrating this is unrealistic and financially dangerous. As a young, single, care leaver with no family support, no capital, and no source of income or employment, the client would be unlikely to be granted an overdraft facility by any mainstream bank. Indeed, it would be irresponsible to lend in such circumstances due the charges attached to overdrafts which would further reduce the capacity of a vulnerable young person to budget on a maximum weekly income of £56.80. It further seems at odds with the overarching aims of financial inclusion as it will encourage people to look for alternative sources of credit (such as loan sharks or other illegal means) when they are at their most vulnerable.

25 For more detail see: http://www.cas.org.uk/publications/voices-frontline-jsa-sanctions
28. The implementation of the new Short Term Benefit Advance process appeared unplanned and despite seeking clarification as to the procedure prior to implementation, we received no accurate information from JCP. We were told at varying times to continue using the old Crisis Loan telephone number and the New Claims number both of which were wrong. Anecdotally, our feeling was that JCP local staff did not have accurate information and that the implementation of STBAs was not regarded as a significant issue. In fact, access to emergency funds pending the processing and payment of benefit claims is both common and critical to claimants’ welfare, especially those most vulnerable.

SUMMARY

29. Our experience of JCP is that staff are under significant work pressure in a period of unprecedented change. Our feeling is that there is insufficient resource to effectively deliver welfare reform resulting in a lack of preparation and clarity around the processes necessarily involved. These issues have grave potential to impact upon local partnership relationships and have a further detrimental impact upon the service provided to claimants who are frequently vulnerable and at risk.

23 May 2013

Written evidence submitted by Hackney Economic Development Network

1. EXECUTIVE SUMMARY

The main issues raised below focus on a lack of effective and appropriate support given to jobseekers in Hackney, especially ex Incapacity Benefit and Employment Support Allowance claimants. Additionally, the implementation of inappropriate benefits sanctions is a serious concern with deleterious effects which in fact often obstruct claimant’s efforts to find work. We also assert the urgent need for greater transparency regarding the provision offered by Jobcentre Plus (JCP) and a drastic improvement in their communication and collaboration with stakeholders, particularly the Voluntary and Community Sector (VCS) who often provide vital support to the same client group. While JCP managers regularly attend partnership events we have witnessed a disconnect between their attentive engagement at these meetings and the conduct of frontline JCP advisors. Greater clarity regarding who is accountable for which decisions and the protocols and procedures of submitting complaints or concerns are necessary since VCS organisations repeatedly stated they did not know who to contact at JCP in order to resolve issues on behalf of their clients. Frequently the attempts of VCS groups to contact JCP in order resolve errors, disputes or complications led nowhere. It is imperative that an institution with such a broad sphere of jurisdiction implement the policies and procedures which enable effective partnership working. Working in honest collaboration with the voluntary sector in order to attain a greater understanding of the needs of their clients and the necessity of providing a holistic approach to job seeking would only increase the effectiveness of Jobcentre Plus to support residents into sustainable employment. We believe that the most effective approach to moving people into work is to create a culture of support, empowerment and encouragement rather than one of shame and anxiety, which is ultimately counter-productive.

2. BRIEF INTRODUCTION TO HACKNEY’S ECONOMIC DEVELOPMENT NETWORK

Hackney’s Economic Development Network is a network of voluntary and community sector organisations working in the field of education, employment and training, we are hosted by our local CVS. Our members work with a range of client groups including young people, refugees and people with disabilities. Over the past two years the EDN has worked in partnership with Hackney Council and the Hackney Health and Social Care Forum to run a series of events on welfare reform, specifically Incapacity Benefit reform (chaired by Meg Hillier MP), Housing, “Under Occupancy” and the Benefit Cap. These events included both briefings on the complex and numerous changes to the benefits system and roundtable discussions of the most pressing issues. Over 300 people from a range of sectors attended these events including NHS staff, council staff and VCS advice and support workers. The evidence presented below has been drawn from issues raised at these events as well the responses to our request for evidence from our members and the local third sector.

3. FACTUAL INFORMATION

3.1 Approaches to identifying jobseekers’ needs and barriers to employment

3.1.1 Lack of insight into needs of jobseekers: Organisations reported that JCP lacked an awareness of how to effectively engage with clients, for example using terms such as “enhanced CRB check” to someone with low levels of English. A lack of understanding of the needs of disabled jobseekers was also reported—for example, at one jobcentre plus office the disability advisor is located upstairs. Despite disabled access this seems counter-intuitive. Organisations working with people with learning difficulties and mental health problems report that there is a lack of appropriate provision and support. ESA claimants with varied and complex mental health issues have been referred to VCS organisations in order to find volunteering opportunities. Many of these people do not understand why they have been referred to the VCS organisation, but state that they have been told that if they don’t volunteer their benefits will be stopped. On further engagement with the claimant, it transpires that they have severe issues including communication issues,
alcohol dependence and behavioural problems that prevent them from volunteering. Clearly their complex barriers to employment have not been identified and an adequate support plan has not been put in place. VCS organisations are eager to support benefit claimants to volunteer, but it is crucial that they are provided with an overview of the claimants’ needs and access to the relevant support services in order that they can work in tandem to enable the claimant to productively engage with a voluntary placement.

3.1.2 Lack of awareness of individual circumstances of jobseekers: Several young people reported that they did not feel that JCP treated them as human beings but were rather seen as targets and “boxes to be ticked”. Organisations also reported that the individual circumstances of jobseekers were often not taken into account, see case study below.

**Case Study:** Ms Y has had her benefits stopped twice, both times as a result of not being able to sign on due to caring responsibilities. On the first occasion she had to attend a meeting at her son’s school as he was having difficulties and facing exclusion. She phoned the jobcentre several times but was unable to get through. She managed to attend her appointment but was 15 minutes late and as a result her benefits were stopped for two weeks. She was unable to get this money repaid. On the second occasion Ms Y had to attend a meeting with her daughter about college. She attended the jobcentre in time for her appointment but there was a huge queue. Had she waited in the queue she would have been late for the appointment with her daughter. She consulted two managers who assured her she could “sign on as soon as she was able”. This occurred on a Thursday and she went back to the jobcentre the following Monday morning where she was told that since she had not attended on the Thursday her benefits would now cease for two weeks. On both occasions she had to appeal in order have the payments reinstated. Ms Y’s appointment time to sign on is 9.15am, however she is responsible for taking her son to school in the morning and is consequently always anxious about being late to her appointment. The jobcentre have refused her numerous requests to change her appointment to a later time.

3.1.3 Encouraging a counter-productive attitude toward volunteering: JCP have referred numerous clients to a volunteering agency. When the client arrives they often state they have been instructed to visit the agency or else their benefits will be stopped. Whilst volunteer bureaux are pleased that volunteering is recognised by JCP as a valuable source of work experience, by making it compulsory and by not sufficiently explaining the benefits of volunteering, jobseekers often arrive at the agency feeling coerced and unwilling to volunteer.

3.2 JCP’s role as a gateway to contracted-out services such as Work Choice and the Work Programme

3.2.1 Poor communication re health conditions: One organisation reports that a client with learning difficulties was referred from a specialist Jobcentre Plus disability advisor to a generic Work Programme (WP) provider without communicating to the new advisor that the client had a learning disability. The client did not receive the appropriate support and had his benefits sanctioned for not looking for work rigorously enough. When his support worker contacted the WP to inform them of the client’s needs the advisor stated that his learning disability was not referenced in the case file.

3.3 JCP’s use of the Flexible Support Fund

3.3.1 Duplication of provision: A significant barrier to successful FSF bids is that Jobcentre Plus state that projects must not duplicate available provision, yet the EDN has been told that there is no list of current provision to consult, making this an impossible task. We met with several partnership managers in order that their insights could inform the project design but the lack of information regarding provision already offered is a serious barrier to developing projects which meet unmet needs of Hackney residents.

3.3.2 Duplication of intended provision: Feedback to one VCS organisation regarding an unsuccessful bid stated that whilst the one to one mentoring support included in the project was not necessarily already available, the role of jobcentre plus advisors was intended to provide that level of support although they acknowledge that this is not always possible.

3.4 The Effectiveness of JCP’s relationships with other key stakeholders

3.4.1 Disrupting relevant training: Claimants are informed by JCP that they must undertake Mandatory Work Activity and are then forced to un-enrol from relevant training courses. This is disruptive and wasteful of the investment which financed their enrolment on the course.

3.4.2 Disrupting relevant volunteering: We received reports of five volunteers from a VCS organisation that were informed that they must attend a training course, either through JCP or Work Programme, and have had to stop their volunteering placement. These courses have not been relevant to their chosen vocation and are of considerable duration. Jobseekers have not been given the opportunity to remain on volunteering placements which have been carefully selected in relation to their particular skills, interests and goals. Several volunteers have been productively engaged with their volunteering placements but have had to abruptly terminate their attendance at the placement and on the in-house training they were engaged in.
**Ev w34** Work and Pensions Committee: Evidence

**Case Study:** Ms X was attending a volunteer placement with a housing provider as she was particularly keen to move into housing as a career. This role had been carefully selected and she had had to wait some time for the vacancy to arise. She was doing well, and was clearly engaged with the placement. She was told by her Work Programme advisor that she had to attend a mandatory work placement stacking shelves instead. Through our support and since she was articulate and strong-willed, she was able to persuade her advisor to allow her to remain on her placement. This is an unusual case in that she was able to persuade her advisor to allow her to continue to volunteer. There are many others who have not been successful.

3.4.3 **Lack of clarity re contacts and procedures:** Organisations state that there is significant difficulty knowing who to contact at Jobcentre Plus in order to resolve issues such as those in the above examples. There is no clear procedure set out and no contact list.

3.4.4 **Staff turnover:** The exceptionally high staff turnover prevents the VCS and Jobcentre Plus from building effective relationships and mutual understanding.

3.4.5 **Contracts:** One of our members stated they have been contracted by Jobcentre Plus to deliver a cross-borough training programme and that they have worked together very effectively in the delivery of this project.

3.5 **JCP’s role in relation to the rights and responsibilities of benefit claimants**

3.5.1 **Sanctions stopped incorrectly-miscommunication between JCP and Work Programme providers:** JSA claimants who identify relevant training which is in keeping with jobcentre plus’ conditionality and which is approved by their Work Programme advisor have at times had their benefits sanctioned by the jobcentre. This occurs when the claimant requests to move their sign-on appointment so it doesn’t clash with their training.

**Case Study:** A JSA claimant was referred to an ICT training course provided by a VCS group. The course was less than the stipulated maximum of 16 hours a week but clashed with the claimant’s sign-on time. The claimant went to the jobcentre to request that the appointment time be changed. He produced the required Learning Agreement with the course details on. In lieu of this letter his benefits were stopped, despite his Work Programme advisor confirming that he had indeed approved the claimant’s attendance on the course. The WP advisor stated that the jobcentre had not notified him of the claimant’s sanctions. The advisor had tried to contact JCP but to no avail. The VCS provider contacted JCP themselves but to no effect. The VCS organisation eventually lent the claimant money to ensure he had food and could travel to the course. The provider eventually approached their local MP to address the matter.

3.5.2 **Lack of clarity re claimant’s rights:** Many jobseekers have been referred to a VCS group under the impression that they are only permitted to volunteer for up to 16 hours a week or their benefits will be stopped.

3.6 **JCP’s effectiveness in matching jobseekers to suitable job vacancies**

3.6.1 **Lack of concern for finding suitable employment:** Organisations reported that their clients were being pushed into unsuitable retail jobs which were not sustainable.

4. **Recommendations for Action**

4.1 Send frontline JCP secondments to VCS organisations to breach barriers and enable greater understanding of vulnerable client groups, especially those with mental health problems or other disabilities.

4.2 JCP should review their current methods for communicating with claimants. A user group should be consulted on all revised communication in order to ensure messaging is appropriate.

4.3 Specialist VCS advisors could train general JCP advisors.

4.4 Provide a clear and up-to-date list of relevant contacts.

4.5 Provide clear guidance on the procedures by which to address issues and concerns.

4.6 Provide more appropriate support for people with disabilities.

4.7 Provide in-work support, especially for people with complex needs.

4.8 Provide suitable employment opportunities for people with disabilities.

4.9 Clarify current provision available from JCP so that the VCS know what additional provision is required and can avoid duplication.

4.10 Provide support for people who require assistance travelling to training venues or job interviews.

4.11 Provide specialist support for people aged over 55 looking for work.

4.12 Ensure jobseeker’s are given adequate notice of appointments.

4.13 Recognise the value of volunteering placements or training courses which claimant’s are already engaged in. Encourage advisors to exercise their discretion to enable claimants to continue and not be forced
to attend alternative provision. VCS organisations could provide advisors with evidence of learning and experience they will gain.

4.14 Perform comprehensive handovers when referring claimants to VCS groups rather than merely signposting.

4.15 Change the approach and rhetoric of jobseeking to create a culture of support, empowerment and encouragement rather than one of shame and anxiety which is ultimately counter-productive.

20 May 2013

Written evidence submitted by Delia Hodgkiss

INTRODUCTION

I am 53 years of age, I live in the North West of England and have worked as a manager for various providers in the Welfare to Work sector for the past seven years on various programmes, including the Work Programme (WP). I also have recent personal experience of JCP as I was made redundant in February 2013. I therefore believe I can help with the inquiry into JCP.

Very briefly, to give some background: I was made redundant on 12th February and as I had redundancy monies to cover me for a month and I claimed Job Seekers Allowance on 13th March. I have had seven meetings with JCP; four of these have been to “sign-on” and the others to see my adviser (on each of these occasions there has been a different adviser). As I had been made redundant I expected to be directed to a “Response to Redundancy” provider, but to date this has never been mentioned at JCP. As someone who is work ready and who should have been able to gain work quickly I would have thought that more would have been done to enable me into sustainable employment, but over the past nine weeks I have had no help from anyone at the Jobcentre. I have continued to apply and search for jobs and have attended interviews, but to no avail. I have, this week, told an adviser that I may need help with interview techniques and she has suggested that I attend a day course with a provider, but I was not given an appointment for this. She openly admitted that much of the day would probably be of no use to me, but that they would cover interview skills at some point during the day. I had also asked about self-employment and eventually the adviser has said she will contact Blue Orchid who provides help with this via New Enterprise Allowance. Meanwhile I have already booked to attend a free Barclay’s seminar with regard to self-employment and I am following this up myself. I have also been sanctioned as I forgot to attend a meeting, even though I was applying for jobs on the internet at home—so therefore no benefit for four weeks, no money to attend interviews, no money for bills, no food etc. I have also attended a course to complete my TAQA Award (Assessor Award), again I arranged this myself. When I told the adviser about this she said that because I had arranged it myself I would not be allowed reimbursement for mileage or car parking; therefore, I had arranged a course for myself to make myself more employable and had to pay for petrol and car parking (approx £40) from the £71 per week I received in benefits. This strikes me that doing something to better yourself, such as attending a free course that would enable me to become an assessor and more employable, is against the rules. I am aware that the JCP Advisers are following regulations, but this is ridiculous.

My main point with regard to the above is that I am employable, but it has taken JCP advisers nine weeks to act, and I still don’t know when I will be attending the one day course or Blue Orchid with regards to self-employment. I despair. If this is happening to someone who is job ready, what is happening to those who are not job ready? I already foresee the time when I will be joining the WP. In fact it may be better if I volunteer to attend the WP as I would probably get more help; at least WP providers employ people who know how to help people into sustainable work. There have been complaints about providers with regard to “Creaming and Parking”; in my opinion advisers at JCP are “parking and parking” and then passing everyone on to Work Choice or the WP providers for them to deal with and pick up the pieces. Obviously JCP advisers are not targeted as WP advisers are, or not as stringently; perhaps JCP advisers should be given the same performance levels as WP providers? We may then get results, which help with people actually not reaching the point of being “long-term unemployed” and being referred to the WP. It would be interesting to look at the figures with regard to how long someone is on benefit (from first JSA claim) before gaining employment ie via JCP. Just as with the WP many people find work of their own accord without any help from JCP advisors. I would think that there are many more individuals that are “parked” by the JCP adviser because they either can’t see how to help them or prefer not to because of the work involved; this person then, after being “parked” by JCP for six to 12 months, eventually is referred to the WP, where WP advisors are then expected to perform a miracle, when in the first instance the claimant/client has been failed/not helped by JCP. I know this happens, again from firsthand experience, as this is exactly what has happened to my son. If his JCP advisor had helped him when he initially signed on, or put some effort into trying to help him, I really don’t think he would now be in his second year of the WP; I believe he would have been in full time work. I also have another son who has completely given up with JCP because of the way he has been treated and not helped; he does not claim any benefit at all. There are many people like him who choose to do this; they make up part of the uncounted unemployed.

Moving on to my responses to some of the points posed:
1. I believe that JCP’s employment services, including: approaches to identifying jobseekers’ needs and barriers to employment are in need of sharpening up. I believe the above paragraphs go some way to explaining my view on this, however I will add to the above: In relation to “Get Britain Working” DWP say that the support for Jobseeker’s Allowance claimants should include:
   - a New Jobseeker Interview at which a full diagnosis of the claimant’s ability to find work will be undertaken;
   - an explanation of what the claimant must do to remain entitled to Jobseeker’s Allowance. At the New Jobseeker Interview the claimant will agree with their Adviser a personalised jobsearch plan (the Jobseeker’s Agreement);
   - further flexible advisory interviews based on the advisers assessment of the support that a claimant needs. The frequency and duration of the interviews will be determined by the Adviser; and
   - fortnightly face to face Jobsearch review (FJRs) interviews.


Firstly, I did not complete a diagnostic of my ability to find work. I have also looked at the forms and paperwork I was given and there is no copy of such a diagnosis. The forms that were given to me are: Jobseeker’s Agreement (form ES3JP 11/12), Looking for Work (form ES4JP 01/04), Jobseeker’s Allowance Your Responsibilities (Booklet ES40JP 10/12) and an appointment card showing day, date and time of interviews for signing-on and seeing JCP advisor. All of these forms were completed and explained very quickly as though this was a “run of the mill” exercise for the advisor, all completed with an occasional question, and then myself signing the forms.

Secondly, An explanation of what I needed to do to remain entitled to JSA was never given to me, however this can be found in one of the forms I was given and which I signed. I would therefore think that this was the explanation, however someone with limited English would not understand. The Jobseeker’s Agreement was again completed in a very run of the mill way, without any conviction. In fact, I can remember the advisor saying “you won’t have a problem getting work, it should only take you a couple of weeks”. (I am still unemployed almost 10 weeks later). There was absolutely no enthusiasm from the advisor about any help they could give at the New Jobseeker Interview, and it actually made me feel even more discouraged than I was already feeling. The Jobseeker’s Agreement is completed very quickly and some “well used” phrases are used on the agreement eg “I will provide a copy of my CV on next attendance”: “I will access the internet/job sites on a daily basis and apply for anything suitable”; “I will/have registered with Universal Jobmatch”; “I will provide details of my job search on each attendance”. I had already provided my CV and I think if you look at all Jobseeker Agreements they will all say the same thing, however the advisor spends time typing this into the form. This could be written on the form and become a tick list. This may then free up some time for the advisor to help in more positive and constructive ways.

Thirdly, I believe the JCP advisor is working like a robot and is automatically following the guidance as to when they see claimants. Since 22 March 2013, which was the date of my New Jobseeker Interview, I have “signed-on” three times (each time being asked if I am still looking for work, to which I replied “yes”. I then signed the form and with no further questions left the building—the time taken to do this was two minutes). I have also seen a different advisor on four different occasions, for what I presume to be the “flexible advisory interview”, which have been at intervals of two weeks, four weeks and two weeks. Again these meetings are very quick and not very helpful, apart from the last advisor interview I had on 20 May 2013, when the advisor decided to book me in for a day course for interview techniques (explained above) and said she would arrange an appointment with Blue Orchid with regard to self-employment (I have still not received this appointment). The time taken for the “flexible advisory interview” is no more than 30 minutes.

Lastly, I am not aware of the Jobsearch review, this appears to take place at the “flexible advisory interviews”.

I am personally unaware and do not have personal experience of JCP’s role as a gateway to contracted-out services such as Work Choice and the Work Programme, including processes for referral and handover; however when working in Hounslow a “warm handover” was in place between JCP and Ingeus/Ixion (WP), which worked extremely well. The JCP advisor would contact Ixion (WP sub contractor for Ingeus) and speak to the admin team to complete a “warm handover”. The JCP Advisor would then put the claimant on the phone to speak to the WP provider. Aspects of the WP were explained to the claimant and an appointment for the initial attachment interview would then be set up with the claimant. After comparing two Ixion delivery locations, one that used “warm handovers” and another that didn’t, it was found that more people attended the initial attachment interview when a warm handover took place than...
when this wasn’t used. I would think the reasoning behind this is that the claimant made the interview appointment in the presence of their JCP advisor and the warm handover also made the claimant feel more involved with decisions and understood more about why they were being referred to the WP and what was expected of them.

With regard to JCP’s use of the Flexible Support Fund, including how spending decisions are made and evaluated and the effectiveness of JCP’s relationships with other key stakeholders, particularly local authorities. My experience of JCP using the Flexible Support Fund has been limited, but prior to my son being on the WP he was never sent/asked to attend any courses that could have helped him, and I have waited almost 10 weeks before a JCP advisor suggested I go on a day course with regard to interview techniques and attend Blue Orchid (please see above). As I have said above, the advisors are not working quickly enough when a claimant first starts to claim JSA and the courses they then send claimants on are next to useless ie I am going to spend a whole day on a course that even the advisor was sceptical as to if it would help me. I am aware that there is some very good provision, but what is being provided is by no means going far enough to help people into work. Many individuals need to re-train, especially those that have come from the North where there is no traditional industry left and where there are a greater proportion of individuals applying for a job than in the South, for example, there are less and less engineering firms and those who have worked many years as an engineer and who have lost their job due to redundancy or the firm going out of business need to re-train, for example as LGV or HGV drivers. Some of these individuals do not need CV writing skills or interview technique training, they need REAL sector skills training, however JCP cannot send them on a course to gain their LGV/HGV licence as the course and licence can cost in excess of £3,000. Government needs to look at the courses available and the delivery models of Work Choice, the WP (including the payment model), Work Together etc and really think what it will take for people to return to work, because the courses that are currently on offer such as improving your CV and interview techniques, confidence and motivation may go some way to preparing the individual for interview, but the question remains, “what work, what type of work”, especially if there are 60 people going for one job and the person does not have the skills or experience to actually do the job. It may be an idea to think about the money that is available and make an allowance of £X for every claimant, but make the money available for up-skilling, re-training or sector specific training and enable the claimant to decide as to the training they receive instead of JCP, because at the moment, this is just not working. If the decision is made by the claimant and they have “buy in” they are far more likely to attend and want to succeed, and get a job in an industry they have chosen.

With regard to JCP’s relationships with key stakeholders, I do not have any experience of this. The Jobcentre held an army careers day that took place on a day I signed-on, but to be honest there was no activity between Armed Forces personnel and claimants, in fact there were hardly any claimants in the JCP. I personally feel that this was a JCP exercise of going through the motions and being seen to be working with potential employers.

2. With regard to JCP’s role in relation to the rights and responsibilities of benefit claimants, including: the effectiveness of benefit conditionality, particularly job-seeking conditionality and the mandatory “work-focused interview”; and the level and appropriateness of JCP’s use of benefit sanctions, including differences of approach between JCP Districts. JCP Advisors appear to have a “one way fits all” mentality to this. Again, it is as though advisors are going through the motions and have no real concern as to why you (the claimant) may have missed an appointment or to your personal circumstances as a job seeker, it is as though advisors treat everyone as though the reason they give when not attending an interview is a lie, and is of no consequence to them. They show indifference to any reason you give and tell you that you can appeal. They do not tell you that you can claim Hardship Provision. On a personal note, I missed my first appointment with my advisor. I had not at this point received any benefit. My reason for missing the appointment was that I had totally forgotten about the interview and I could have produced information showing that I was searching and applying for jobs on the internet at home. However, I was sanctioned for four weeks ie no benefit for four weeks. I then claimed Hardship Provision, which I eventually received two weeks later. The amount of Hardship Provision is a lot less that JSA. Yes, it does make you think you had better not miss another appointment, but I do believe the system is somewhat harsh, especially for new claimants. It also strikes me that the cost of sanctioning, the claimant appealing and then claiming hardship are quite costly. I know of others who do not bother to claim hardship and don’t even know they can claim it. My last point is that it comes across that JCP advisors are targeted with regard to sanctions, but in a none performance related way, after all it is a saving to the Government if job seekers are sanctioned and especially if they don’t know about, or don’t claim Hardship Provision. This also leads to another point—what happens with the savings DWP make from sanctioning a claimant? This is also a question for DWP regarding WP sanctions. This could be used to provide meaningful sector specific courses. I believe the way sanctions are dealt with and the number of weeks a claimant can be sanctioned for needs to be evaluated. Sanctions bring about bad relations, especially in the WP, as more often than
not the WP client does not realise that it is not the provider that is sanctioning them, but it is a DWP decision.

3. With regard to supporting a flexible labour market, including: JCP’s effectiveness in matching jobseekers to suitable job vacancies, including through the introduction of Universal Jobmatch (UJ). I believe that JCP advisors are not interested in claimants gaining sustainable employment. I believe I have covered this earlier, however I believe that the work that JCP does can be far better accomplished by providers, who should be targeted (as per the WP). I do not believe JCP is needed and that what they do can be done far better by providers who have the mentality, knowledge and correct approach for this work. I believe that the skill of enabling someone into sustainable employment is specialised, not everyone can do this job and providers have their employability advisors fine tuned for the role, where as JCP do not. JCP staff appear to be doing the bare minimum to get people into work and if JCP continues there need to be drastic changes into staff attitude to claimants and their eagerness to help people into work. I would award all “employability” provision to providers so that a streamlined system can be put in place. As I have said previously, JCP advisors are “parking” claimants and just biding time with them until the claimant can be referred to the WP or Work Choice. If the claimant was seen by a provider straight away (upon initial benefit claim) and payment by results was in place, then I am sure there would be more long-term unemployed and more people with disabilities in sustainable employment.

As an “aside” I told my JCP advisor that I had been for an interview with A4e as a WP area manager. She asked me who A4e was! Do JCP staff know anything about the set up of Welfare to Work?

I have experience of using Universal Jobsearch. I can say that this system is a waste of time. There are too many glitches in the system. There is a notes box on the system that you should use to write notes. You write notes and then you can’t see them and there is also a character limit as to the notes you can write. There is also a section on Universal Jobsearch where the JCP advisor can enter jobs that they think you should apply for; to date (10 weeks) there has been nothing entered here. Universal Jobmatch is just an easy way of the JCP advisor checking on your job search. Not all jobs are located on Universal Jobsearch, therefore when you apply via a different site or direct to an employer you are either supposed to copy and paste these to a separate document to print off to show your advisor or add to the notes on UJ, that doesn’t allow enough characters for what you want to enter. My suggestion: Close JCP and put providers in control of the whole claimant journey—from initially becoming unemployed, to WP, Work Choice and meaningful courses such as LGV/HGV as well as soft skill courses.

4. In my opinion JCP staff will not have the inclination to deal with the impacts of benefit reforms, including: the implications for JCP staff roles of the implementation of Universal Credit, including the skills staff will need in order to offer effective in-work support; changes to staff roles brought about by the move to “digital by default”; and plans to support claimants affected by the benefit cap. I believe that people will still go to Citizens Advice Bureau and other charitable organisations to seek advice and help. Many people do not have confidence in JCP staff and need to approach someone that they see as a friend.

I would like to make three final suggestions. I don’t know if they do or do not exist. Firstly, I believe feedback needs to be obtained from JSA/ESA claimants and JCP and WP/Work Choice staff (pre-WP and WP/Work Choice); secondly I believe, that if this is possible, “mystery shoppers” need to play a part in enabling the Committee to gain further feedback. Thirdly, If you need any help in matters I have raised, or if you need further clarification, or if you need a “mystery shopper”, I do hope you will consider me.

24 May 2013

Written evidence submitted by the Information Commissioner’s Office

The Information Commissioner has responsibility in the UK for promoting and enforcing the Data Protection Act 1998 (DPA) and the Freedom of Information Act 2000 (FOIA), the Environmental Information Regulations (EIR) and the Privacy and Electronic Communications Regulations. The Information Commissioner’s Office (ICO) is the UK’s independent authority set up to uphold information rights in the public interest, promoting openness by public bodies and data privacy for individuals. The Commissioner does this by providing guidance to individuals and organisations, solving problems where he can, and taking appropriate action where the law is broken.

The Information Commissioner’s Office and the Department for Work and Pensions have a long standing and positive relationship. The ICO considers the Department to be a key stakeholder in our role to develop information rights policy and practice. We meet with the DWP officials, both on a regular basis and also where appropriate on specific matters, which raise data protection, privacy and general information access issues.
The Work and Pensions Committee has invited responses on a number of issues relating to the services provided by Jobcentre Plus (JCP); amongst these and of particular interest to the ICO is the “digital by default” approach to the delivery of JCP services.

The ICO recognises the benefits of a “digital by default” approach to the provision and delivery of services by the public sector. There are however, a number of important considerations that should not be overlooked in the development and roll out of services by this means.

It is very important that, where appropriate, “digital by default” takes account of the provisions of the DPA in relation to data protection and privacy. The Information Commissioner advises a “Privacy by Design” approach whereby privacy and data protection compliance is designed into systems processing personal information right from the start, rather than being bolted on afterwards or ignored.

Adopting a “Privacy by Design” approach to the digitalisation of services and their delivery, will ensure that data protection and privacy considerations will be identified earlier by JCP and built into initiatives such as Universal Jobmatch at the earliest stage.

It is important that a “digital by design” approach meets the specific needs of users. As with all online transactions identities must be properly attributed and securely issued. Arrangements should seek to minimise the amount of personally identifiable data collected and retained. Users should fully understand why certain personal information may be required, the uses to which it will be put and also what security measures are in place to protect their personal data. It is also important that as far as possible users should easily be able to access their own personal data.

We strongly advise that when processing personal information online, JCP should pay particular attention to the provision of clear and informative “Privacy Notices” explaining why personal information is to be collected, by whom and for what purpose. The primary purpose of a privacy notice is to make sure that information is collected and used fairly.

There should also be clear and consistent messages about whether use of an online service is compulsory or not, something that was not always apparent during the introduction of Universal Jobmatch. Queries and complaints to our office also suggest that JCP need to ensure that privacy notices are drafted in a way that is appropriate to the level of understanding of their clients, some of whom are not familiar with online transactions. The ICO has published a Code of Practice on Privacy Notices:\(^{26}\)

We would expect that JCP staff have an important role in providing help and guidance to users in accessing Departmental services online. We have had some contact with the Department for Work and Pensions in relation to the Universal Jobmatch initiative and it is clear that JCP staff have an important role in providing clear, consistent and informed advice and guidance to users on the operation of the service. This is particularly important in the case of more vulnerable clients accessing JCP services.

24 May 2013

Written evidence submitted by the Institute of Revenues, Rating and Valuation

About the IRRV

1. The Institute of Revenues, Rating and Valuation (IRRV) is the professional body concerned with all aspects of local authority benefits administration and local taxation in the United Kingdom. It is the only UK professional body that specialises in both the law and practice of local authority revenues and local taxation collection and the income-related benefits that support these processes.

Body of the Response

2. The Institute’s response focuses on the relationship Jobcentre Plus has with local authorities, in the context of recent and on-going welfare reforms, including the introduction of Universal Credit.

3. We are concerned about the capacity and capability of Jobcentre Plus to manage the pressures the Universal Credit will bring.

4. In order to provide additional help to achieve independence under Universal Credit, Jobcentre Plus and Local Authorities will need to provide joined-up advice and support services. At present, aside from the Local Support Service Framework which addresses this at a very high level, very little information has been made available to local authorities about the parameters and resources for undertaking their joint delivery partnership roles. Timescales are critically tight and local authorities are currently unable to take a realistic view of what they can contribute to be effective local delivery partners. Even at this late stage in the process, the framework for local authority involvement remains unclear.

5. We would support an option, put forward by a number of authorities in response to the Framework document, that local partnerships are local authority led, built on existing successful arrangements, with funding

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delegated to the local authority; this is in preference to solely delegating local partnership funding to DWP district managers.

6. The complexity of the relationship between the landlord and the tenant in the private sector has been underestimated. Jobcentre Plus needs to have a clear strategy in place to deal with the challenge of ensuring that homelessness is not driven up by a failure to deliver claims on time; or by not being ready for the likely problems of rent arrears.

7. Insufficient notice is being taken of the potential problems for landlords in the social rented sector, particularly housing associations. Mounting levels of rent arrears would quickly become critical to their survival. Local Housing Allowance currently has safeguarding schemes to protect private landlords when tenants are identified as vulnerable, have a history of arrears or in cases where rent is not paid for eight weeks. This system is dependent on a strong working relationship and clear communications between Housing Benefit Departments and Landlords. It remains to be seen how Jobcentre Plus and the call centres will deal with these cases and process payment to many thousands of Registered Social Landlords.

24 May 2013

Written evidence submitted by Richard Layard

Prof Lord Layard is Founder-Director of the LSE’s Centre for Economic Performance, now Director of its Wellbeing Programme. He has been a National Adviser to the IAPT programme.

1. Up to a half of mentally ill people on ESA are getting no treatment for their condition.27 This makes no sense. Moreover those in treatment are (by definition) in treatments which have failed—nearly all are on medication.

2. Yet psychological treatments exist which will cure at least a half of them and return many to work.28 These treatments are recommended by NICE, on their own or together with medication. The NHS is now providing these treatments nationwide in its IAPT services (Improving Access to Psychological Therapies).29

3. All mentally ill people on ESA should automatically be offered a place in IAPT. This could be done when the client first goes to the Jobcentre after the award of ESA. Ideally the client would meet the IAPT therapist there and then, at the Jobcentre—or, if not, very soon after.

4. Many details would need to be piloted to ensure this went smoothly. The IAPT service in Dorset, Bournemouth and Poole are enthusiastic to participate and the former PCT said it would finance the necessary volume of treatment. If that area is not suitable from a DWP point of view, some other area could easily be found.

5. The present situation is deplorable. If we want a speedy improvement it would be best to build on the only professional structure that currently exists, which is IAPT.

24 May 2013

Written evidence submitted by learndirect

Summary Introduction

learndirect is the largest provider of skills, training and employment services in the UK. We have supported almost four million individual customers and more than 75,000 employers with their skills and employment needs. The merger between learndirect and JHP Group in 2012 means we have the scale and experience to integrate skills and employment services for our customers, whether they are unemployed or in work, providing a holistic end-to-end local service. We do this by making the best use of the services, geographical scale, technological strength and funding we have. We work with JCP and other providers to help unemployed customers gain the skills, support and confidence they need to get into a long-term sustainable job.

We hold major funding contracts with: the Department for Work and Pensions (DWP)—including as a Prime contractor for the Work Programme; the Skills Funding Agency (SFA), Skills Development Scotland, and the Welsh Government. We also hold commercial contracts with clients including the Ministry of Defence and The Co-operative Group. Our employer clients include thousands of SMEs and large national organisations.

Through our DWP contracts, last year we supported more than 60,000 customers. We helped around 4,500 long term unemployed customers into work and we have helped more than 6,500 customers get a work placement. learndirect is JCP’s biggest referral partner—83% of learndirect’s SFA funded learners are unemployed.

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27 The Adult Psychiatric Morbidity Survey (2007) showed that only 42% of mentally ill people on incapacity benefits were in treatment for their condition.

28 See draft chapter 10 of book by Layard, R. and Clark, D. available on request.

learndirect’s response is based on our collective experience working with some of the hardest to help individuals. Our response is also based on consultation with learndirect staff who work in partnership with JCP and private training providers on a daily basis, and we have provided examples and evidence wherever possible. We would welcome the opportunity to discuss our response in more detail.

JCP’s Employment Services

1. Overall JCP is relatively successful in getting large volumes of unemployed people back into work—evidenced by the fact more than 70% of Jobseeker’s Allowance claimants leave benefit within the first six months and around 90% leave benefit within 12 months. However, we believe there is room for improvement through greater use of private providers earlier on in the customer’s journey. We believe this would result in more people being moved into sustainable employment more quickly and more cost effectively. Lord Freud found private provider performance to be more cost effective, but not necessarily more effective.

2. Many JCP customers have longstanding, negative perceptions of a “jobcentre”. Our customers tell us they prefer to visit our premises than go to a jobcentre for the following reasons:
   - They feel more relaxed, eg no security staff.
   - They can drop in and visit an adviser without an appointment.
   - Our offices have a more relaxed atmosphere, eg no physical barriers between the adviser and the customer.

3. In learndirect’s experience the biggest issue for customers and providers is the variation in the services offered and delivered by JCP across districts. For example
   - Support offered to customers through the Flexible Support Fund varies across districts in effect creating a postcode lottery for the customer.
   - Warm handovers of customers from JCP to a provider are critical but the quality differs from district to district. This can have a major impact on the customer experience and the likelihood of the customer staying with the provider.
   - There is a large variation in flows/referral numbers across and within districts which can have an impact on provider planning.
   - There is frequently partiality in relation to which provider a customer is referred to in a CPA; this may not always be the most appropriate type of provision for the customer.
   - The level of knowledge of JCP advisers is variable across districts. There is also a lack of consistency in relation to the tools and resources which are available to advisers at district level. For example when the new flexibilities were introduced by in August 2011 one year on some frontline advisers were still not aware of the changes.

4. Poor communication between JCP and some of its stakeholders can have an impact on the wider sector, eg communication between Benefits Delivery Agency and JCP appears to be poor, eg change of circumstances not received in a timely way which means providers cannot deal with their customers effectively. JCP sometimes appears to have different priorities to those of its delivery partners, eg
   - In some parts of JCP there remains a work first approach. In our experience JCP can often “hang on” to those customers who are closest to the labour market rather than referring to a provider for skills training which will give them a greater chance of finding sustainable employment.
   - JCP adviser time continues to reduce—seven minutes per interview is not good enough.

JCP’s Role in Relation to the Rights and Responsibilities of Benefit Claimants

5. In learndirect’s experience the level and appropriateness of JCP’s use of benefit sanctions vary, with some Districts being stricter than others. This reinforces the point made above about inconsistency of services and policies across Districts.

Supporting a Flexible Labour Market

6. It may be too early to say how effective the Universal Jobmatch Service has been to date, but in our view it is not visible enough with employers.

7. As reference above we believe JCP still has a work first approach and more focus needs to be given to sustained job outcomes. In-work support needs to play a more prominent role in the customer journey. Progression within the workplace is fundamental for freeing up entry level positions for new job entrants. Many newly employed people will have gained just enough skills or qualifications to meet the minimum standards for recruitment, but there is a danger when their employment status changes they lose their entitlement to further skills training and other support. Currently, these individuals become “parked” in the
workplace. This is especially important given the previous “job for life” firstly shifted to a “portfolio of jobs” and is now moving towards “succession of jobs”—a different approach is needed to ensure individuals have the transferrable skills needed to navigate a succession of jobs.

THE IMPACTS OF BENEFIT REFORM

8. The impact of benefit reform requires a level of digital skills of claimants and also the staff in order to facilitate customer engagement. Both groups needs to be provided with minimum levels of ICT to support the reform agenda. Support also needs to be reinforced in terms of ensuring an understanding of the reform changes, many client groups still demonstrate a lack of understanding or misunderstanding of the impact of the changes to themselves.

THE GOVERNANCE OF JCP

9. As JCP’s biggest referral learndirect had an effective strategic relationship with the JCP Executive Team—we were able to work strategically to find solutions to problems—this no longer works in the same way and the relationship is contractual; however we acknowledge change/restructures take time to settle.

10. We support professionalising the adviser workforce and recommend JCP advisers are encouraged to become members of the Institute for Employment Professionals.

29 May 2013

Written evidence submitted by London Borough of Newham

1. EXECUTIVE SUMMARY

1.1 The London Borough of Newham has, since 2007, provided a highly successful alternative state-funded welfare to work offer to its residents through Workplace, our local employment service. We have worked closely with Jobcentre Plus as a partner over a number of years.

1.2 However, we believe that there are fundamental structural problems in the design of JCP and that unemployed people and employers across the country would be better served by welfare to work services that are commissioned at an appropriately local level, building on local relationships with employers. We encourage the committee to look at the role of local authorities in future welfare to work policy.

1.3 Changes to JCP in recent years have negatively affected opportunities for partnership working, and the organisation is focussed on increasing benefit off-flow, rather than sustainable employment. We suggest that this should be an immediate area for attention.

2. NEWHAM’S APPROACH AND LESSONS FOR NATIONAL POLICY

2.1 Newham is the second most deprived borough in the country, according to the Indices of Multiple Deprivation 2010, a situation that is much unchanged since Charles Booth’s poverty maps over a hundred years ago. It is also the youngest borough in the country, and one of the most diverse places on earth. One of the key challenges our residents face is worklessness. 13.2% of our residents are unemployed, compared with 9% in London as a whole.

2.2 Our response to entrenched social deprivation is to build the resilience of our residents, and work is key to our conception of economic resilience.

2.3 Our analysis in 2007 was that the existing welfare to work infrastructure was not working for our residents. That’s why we established Workplace, our local employment service. In each of the last two years Workplace helped over 5,000 residents into jobs. Our research has found that 75% of these residents are still in work after a year, compared with a 52% national benchmark established by CESI/Inclusion for six month sustainment.

2.4 We believe that Workplace’s business model offers valuable lessons for policymakers. It looks and feels more like a private sector jobs brokerage, offering bespoke support, including training and a personal advisor, to residents, and a matching and screening service, presenting only job-ready candidates, to employers.

2.5 Participation is voluntary, although over half of those supported into employment were previously long-term unemployed (out of work for more than 12 months). We work closely with a number of local partners, including JCP. Although we take around 20% of our referrals from JCP, we are not part of their conditionality arrangements. To ensure fairness for long-term residents Workplace only works with people who have lived in Newham for over a year.

2.6 Over five years of experience have shown us that what employers most want from welfare to work services is a careful screening and matching service with a single named point of contact, similar to the function that a recruitment agency provides to them. We combine this with a public service that focuses resources and training on the long-term unemployed—for example, the caseloads of our officers who work with people who are out of work for over a year are smaller than those working with the more job-ready clients.
2.7 We believe that the success of Workplace demonstrates that employment services are best delivered at a local level. Our engagement with local employers through economic regeneration work, including the planning process, enables us to actively pursue opportunities for local residents in a way that a national service cannot. Our positive offer of a matching and screening service also makes the service more effective at sourcing jobs. We believe that the relationships we build with employers are vital in creating placements that are sustainable for our residents, resulting in the higher sustainability rates stated above.

2.8 By acting as a hub co-locating a number of different services, including careers guidance, money and debt advice, IT support, training, and with links into council services, we are able to ensure residents do not experience a fragmented service. In addition, the separation of our employment support from the benefit system means that we are able to provide a universal service that does not result in stigma for its users.

2.9 We would therefore argue that the Government should consider the devolution of funding for employment services to a local or regional level.

3. JCP Employment Services

3.1 In an area with high unemployment and low skills our belief is that local jobseekers need significant support to compete in London’s highly competitive labour market but that this must be linked to employer engagement over vacancies to deliver what local business needs.

3.2 We are concerned that the result of the current national JCP approach, however, is to push significant numbers of job applications towards employers even where there is a poor skills match, which is the precise opposite of what employers, who simply don’t have the time to sift all of the applications, want to see, and harms the chances of unemployed people finding sustainable work. We believe this is driven by certain targets allocated to both advisors and jobseekers. The Universal Jobmatch website does nothing to counteract this problem, and may in fact worsen it.

3.3 With recent reductions in their resourcing the ability of JCP to engage in meaningful support with jobseekers has been reduced below the already-low level offered in the past. We understand that there is little capacity to offer the in-depth, individual support with job applications that people who are harder to help require in getting back into work. Whilst there may be a national argument for “cutting deadweight” costs by limiting support in the first months of a claim, we feel that in areas with higher unemployment like Newham, and given the rate of churn into and out of employment, help at the early stages of a claim remains necessary.

3.4 Cuts to their resources have also reduced the number of staff that JCP have been able to embed with Workplace, reducing our ability to work in partnership with the organisation.

3.5 Of the “Get Britain Working” measures, the Sector Based Work Academy, which has been delivered in Newham in partnership with the Council at Skills Place, has been broadly positive, operating on a similar basis of employer engagement and up-skilling to Workplace. There have been issues with referral to this scheme, with only an individual’s JCP personal advisor able to make referrals. Workplace also operates its own work experience scheme, “444”, which places residents in work experience roles for four hours a day, four days a week, for four weeks. Whilst in the past this scheme and other similar schemes had the support of JCP, through allowing residents to continue to receive benefit, this support has recently become less consistently reliable.

3.6 We are concerned that alongside reductions in resourcing there continues to be a national emphasis towards increasing off-flows from benefits, as opposed to moves into sustainable employment, which we believe negatively skews the incentives of the organisation. The anecdotal accounts we receive from our residents inform us that they view the customer experience at Jobcentre Plus as stigmatising and at times de-motivating, possibly as a result of this national emphasis.

3.7 Finally, because JCP contracts externally for much of the support services it does provide, our understanding from residents is that often that support is either offered to jobseekers too late, or is not taken up because of cold referrals.

23 May 2013

Written evidence submitted by Stephen Morris, Independent Analyst

Variability of JSA Sanctions between JCP Districts

An investigation into the level and appropriateness of JCP’s use of benefit sanctions, including differences of approach between JCP Districts.

Submitted to the House of Commons Select Committee to examine the role of Jobcentre Plus in the reformed welfare system.

Specific Terms of Reference

To comment on JCP’s role in relation to the rights and responsibilities of benefit claimants, including: the effectiveness of benefit conditionality, particularly jobseeking conditionality and the mandatory “work-focused
interview”; and the level and appropriateness of JCP’s use of benefit sanctions, including differences of approach between JCP Districts.

SECTION 1: EXECUTIVE SUMMARY

1. My submission focuses on the final sentence in the Specific Terms of Reference, namely, “the level and appropriateness of JCP’s use of benefit sanctions, including differences of approach between JCP Districts”.

2. In March 2013, I conducted a brief statistical study to ascertain whether JSA sanction rates varied significantly across England. This was in response to concerns that targets were driving JSA sanctions. The study was undertaken on the belief that if a single, over-arching target was in operation across the UK then variation between regions would be found to be random and statistically insignificant. That is, sanctions rates would be essentially uniform across the UK.

3. My study found statistically significant variation in sanctions rates between the eight English areas selected for the study. In particular, sanctions regimes appeared statistically significantly harsher in London and the West Midlands than in Tyne and Wear, Merseyside, and the other northern metropolitan counties.

4. A conclusion from that study was that a single national target did not seem to be in operation. However, the conclusion was tentative because of the imperfect data used in the study.

5. I have since undertaken a fuller and better designed statistical study on the same eight areas. This second study forms the platform upon which this submission is based. I believe the results from the second study are reliable.

6. The latter study confirms the first study’s conclusion, ie, that a single national target is not in operation, that Tyne & Wear and Merseyside have the lowest sanctions rates, that London and the West Midlands have higher than expected sanctions rates.

7. Both studies suggest that sanctions rates are a policy variable under the control of managers at regional, district or jobcentre level. Hence arbitrary and aggressive sanctions decisions may be the product of delegated sanctions policies, resulting in a postcode lottery for claimants.

8. The Select Committee is urged to seek an explanation from DWP for why sanctions policies are more aggressive in London and West Midlands. The Select Committee is also urged to consider whether aggressive sanctions policies are compatible with the social security system, a large part of which is administered by DWP.

SECTION 2: BACKGROUND

1. There have been several disturbing recent accounts of JSA claimants being sanctioned for seemingly trivial reasons. A sanction is usually a very serious penalty to impose on an individual for whom JSA may be the sole source of income. Liberal application of sanctions runs counter to the notion of social security which ostensibly is to provide a safety net to people in need. Removing an individual’s benefit can realistically propel that individual into destitution. One would therefore hope that a sanction would be applied only as a last resort when all other measures have failed.

2. Some commentators have suggested that aggressive sanctioning of claimants has arisen because targets have been set, either at the centre, or by autonomous regional or district managers, or even by individual job centre managers themselves. Some compelling anecdotal and written evidence has recently emerged that may confirm the existence of regional or district targets.

SECTION 3: SCOPE OF MY STUDY

1. Initially, the purpose of my investigation was to ascertain whether sanctions were being applied to meet targets. By establishing whether significant variation existed between regions, I hoped to conclude one way or another whether targets were guiding sanctions use.

2. Because of data and possible methodological limitations, I have now confined my analysis to simply ascertaining whether significant regional variation exists in sanctions rates or whether sanctions rates are uniform across the regions.

3. Confirmation of uniform sanctions rates across regions admits of one of the following conclusions:

   (i) A nationally set target exists and hence uniform sanctions rates arise through individual job centres complying with instructions received from the centre in pursuit of the target.

   (ii) Uniform sanctions rates arise solely because claimant jobseeking behaviour is uniform across regions. In this case sanctions solely reflect appropriate responses by job centre staff/decision makers.
4. Confirmation of differential (non-uniform) sanctions rates between regions admits of one of the following conclusions:

(i) Claimant job-seeking behaviour varies from region to region and the application of differential sanctions rates reflects appropriate responses by jobcentre staff/decision makers.

(ii) Sanctions policy is being determined at regional or district level, or even by individual job centre managers. If true, then a post-code lottery is faced by claimants who may be subject to an arbitrary and aggressive sanctions policy in one region or to a more nuanced policy in another.

5. My main purpose is to provide numerical and statistical evidence to the Select Committee on this topic. I also set out the values which I hope will guide the Select Committee in its deliberations.

6. All data used in the study have been set out in tables in later sections with the sources (ONS and DWP) acknowledged.

**SECTION 4: METHODOLOGY**

1. The study rests on the assumption that the number of sanctions issued will be proportional to the number of claimants on a region’s books, ie, higher claimant counts will result in higher sanction counts.

2. The six English metropolitan counties, plus Inner and Outer London, were selected for the study on the ground of homogeneity. The number of regions was restricted to eight to make the data collection and processing more manageable. Including more areas would not add much additional information to confirming whether sanctions rates are uniform or not.

3. The claimant counts for each of the eight regions for the period 10 May 2011 to 10 April 2012 were collected from the ONS website. The average monthly claimant count for each of the eight regions was computed. These average monthly claimant counts were used to weight and distribute the actual sanction count over the regions to obtain an expected sanctions count under the hypothesis that sanction rates are uniform.

4. The actual sanctions counts compiled by DWP for the period 1 April 2011 to 21 October 2012 for each of the eight regions were compared to the expected sanctions count. The sanctions data supplied by DWP were not broken down into months and so a time-series analysis was not possible.

5. The actual and expected sanctions counts for each region are shown in the following table, together with the average monthly claimant counts used to calculate the expected counts. A visual plot of actual versus expected sanctions counts also follows.

<table>
<thead>
<tr>
<th>Region</th>
<th>Period 11 May 2011 to 10 April 2012 Monthly claimant count on average</th>
<th>Period 1 April 2011 to 31 March 2012 Sanctions count</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Count (ONS)                     % (Calculated)</td>
<td>Actual (DWP)                          Expected (Calculated)</td>
</tr>
<tr>
<td>Tyne and Wear</td>
<td>39,186                           6.20%</td>
<td>9,770</td>
</tr>
<tr>
<td>Merseyside</td>
<td>50,983                           8.07%</td>
<td>14,030</td>
</tr>
<tr>
<td>South Yorkshire</td>
<td>43,365                           6.86%</td>
<td>13,330</td>
</tr>
<tr>
<td>Greater Manchester</td>
<td>82,450                           13.05%</td>
<td>25,600</td>
</tr>
<tr>
<td>West Yorkshire</td>
<td>70,267                           11.12%</td>
<td>22,010</td>
</tr>
<tr>
<td>Inner London</td>
<td>111,548                          17.66%</td>
<td>35,870</td>
</tr>
<tr>
<td>West Midlands</td>
<td>111,925                          17.72%</td>
<td>36,150</td>
</tr>
<tr>
<td>Outer London</td>
<td>121,944                          19.31%</td>
<td>39,940</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>631,666</strong>                      <strong>100.00%</strong></td>
<td><strong>196,700</strong></td>
</tr>
</tbody>
</table>
6. Under the hypothesis of uniform sanction rates across the regions a test statistic was computed and compared to the critical values of the Chi-squared distribution with seven degrees of freedom.

7. The value of the test statistic is 889.89, which is a very high and emphatically confirms that sanction rates are not uniform across regions. For interested readers, here are the workings for the computation of the test statistic.

<table>
<thead>
<tr>
<th>Region</th>
<th>Actual</th>
<th>Expected</th>
<th>Diff</th>
<th>Diff squared</th>
<th>Diff squared/E</th>
<th>Sanctions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tyne and Wear</td>
<td>9,770</td>
<td>12,202</td>
<td>-2,432</td>
<td>5,916,443</td>
<td>484.86</td>
<td></td>
</tr>
<tr>
<td>Merseyside</td>
<td>14,030</td>
<td>15,876</td>
<td>-1,846</td>
<td>3,408,286</td>
<td>214.68</td>
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</tr>
<tr>
<td>South Yorkshire</td>
<td>13,330</td>
<td>13,503</td>
<td>-173</td>
<td>30,022</td>
<td>2.22</td>
<td></td>
</tr>
<tr>
<td>Greater Manchester</td>
<td>25,600</td>
<td>25,675</td>
<td>-75</td>
<td>5,613</td>
<td>0.22</td>
<td></td>
</tr>
<tr>
<td>West Yorkshire</td>
<td>22,010</td>
<td>21,881</td>
<td>129</td>
<td>16,637</td>
<td>0.76</td>
<td></td>
</tr>
<tr>
<td>Inner London</td>
<td>35,870</td>
<td>34,736</td>
<td>1,134</td>
<td>1,286,301</td>
<td>37.03</td>
<td></td>
</tr>
<tr>
<td>West Midlands</td>
<td>36,150</td>
<td>34,853</td>
<td>1,297</td>
<td>1,681,708</td>
<td>48.25</td>
<td></td>
</tr>
<tr>
<td>Outer London</td>
<td>39,940</td>
<td>37,973</td>
<td>1,967</td>
<td>3,868,189</td>
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<tr>
<td><strong>Total</strong></td>
<td>196,700</td>
<td>196,700</td>
<td>0</td>
<td></td>
<td><strong>Test statistic 889.89</strong></td>
<td></td>
</tr>
</tbody>
</table>

SECTION 5: DISCUSSION OF RESULTS

1. Inspecting the above table enables us to see which regions are contributing to the very high test statistic of 889.89. It is clear that Tyne & Wear, Merseyside, Inner London, West Midlands, and Outer London account for 99% of the test statistic’s value. The remaining three regions account for just 1% between them. It is the five “high value” regions which should, because they are exceptional, attract attention.

2. The study indicates that claimants in the two London areas and in the West Midlands are significantly more likely to be sanctioned than their peers in the other areas. Why this is the case may be worthy of further investigation. Either the extra sanctions arise because claimants in these areas are less diligent in their job searches, or managers of these areas are pursuing aggressive sanctions policies. Are area managers authorised to determine their own sanctions policy? An aggressive sanctions policy might well cause aggrieved claimants to believe they have been sanctioned because targets are the driving force.

3. In contrast, claimants in Tyne & Wear and in Merseyside are less likely to be sanctioned than their peers in the other areas. Again, further investigation may be needed to explain this variability. Have the managers in these areas been told to “go easy” on claimants by the centre? Or has the more relaxed sanctions policy been set at regional level?
Section 6: Conclusions, Summary and Recommendations

1. The statistics show overwhelmingly that the likelihood of a sanction being applied depends on region. The most likely explanation for this is that sanctions policies are being determined locally.

2. This may raise issues of equity and fairness. For example, is it fair that a claimant should face a greater risk of a sanction simply by virtue of their area? Is it fair that a claimant’s technical or minor breach of a job seeker agreement is punished with a sanction in one area but is forgiven in another? Should not all claimants be subject to the same disciplinary regime irrespective of their region? I urge the Select Committee to consider this matter in its deliberations.

3. Delegated sanctions policy may also bring forth an issue of accountability. The legislation empowers sanctions to be applied in pursuit of a specific purpose. Aggressive sanctions policies give the impression that some regions may be using sanctions for purposes other than authorised by law. For example, if area managers have taken it on themselves to use sanctions as a deficit reduction tool then arguably this is unlawful. Similarly, if these same managers have set targets for their regions then this is likely to be arbitrary and again unlawful. I suggest the issue of accountability and lawfulness may be relevant considerations for the Select Committee.

4. Further to the issue of accountability, it seems unlikely that DWP can be unaware of the differential (non-uniform) sanctions rates across the regions. My guess is that DWP must be monitoring how sanctions are applied across areas, perhaps using methodologies similar to the one outlined in this submission. If so, then DWP should be in a position to explain and justify the differential sanction rates across regions I urge the Select Committee to seek such an explanation and justification from DWP.

5. If DWP does not have systems to monitor how sanctions are being applied across regions then I would suggest its management control systems are remiss. I urge the Select Committee to explore this matter with DWP when its representatives appear.

6. I also ask the Select Committee to bear in mind the purpose of social security when it considers sanctions in relation to jobseekers. An aggressive sanctions policy, where it exists, runs counter to the idea underpinning social security. I suggest it is incongruous to punish jobseekers with further impoverishment, if not destitution, with sanctions imposed by a major component of the social security system.

Section 7: Regional Claimant Counts (sourced from ONS)

<table>
<thead>
<tr>
<th>Tyne and Wear</th>
<th>2011</th>
<th>2012</th>
<th>2011</th>
<th>2012</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gateshead</td>
<td>6,237</td>
<td>5,067</td>
<td>6,080</td>
<td>6,000</td>
</tr>
<tr>
<td>Newcastle upon Tyne</td>
<td>6,760</td>
<td>6,359</td>
<td>6,349</td>
<td>6,286</td>
</tr>
<tr>
<td>North Tyneside</td>
<td>6,023</td>
<td>5,055</td>
<td>6,215</td>
<td>5,959</td>
</tr>
<tr>
<td>South Tyneside</td>
<td>5,970</td>
<td>5,625</td>
<td>5,704</td>
<td>5,570</td>
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<tr>
<td>Sunderland</td>
<td>8,760</td>
<td>8,760</td>
<td>10,318</td>
<td>10,318</td>
</tr>
<tr>
<td>Total</td>
<td>36,725</td>
<td>37,639</td>
<td>38,470</td>
<td>39,023</td>
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</table>

<table>
<thead>
<tr>
<th>Greater Manchester</th>
<th>2011</th>
<th>2012</th>
<th>2011</th>
<th>2012</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bolton</td>
<td>7,718</td>
<td>7,907</td>
<td>8,094</td>
<td>8,236</td>
</tr>
<tr>
<td>Bury</td>
<td>4,335</td>
<td>4,268</td>
<td>4,420</td>
<td>4,544</td>
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<tr>
<td>Manchester</td>
<td>18,059</td>
<td>18,130</td>
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<td>Oldham</td>
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<td>7,049</td>
<td>7,387</td>
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<td>Rochdale</td>
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<tr>
<td>Salford</td>
<td>7,362</td>
<td>7,532</td>
<td>7,783</td>
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<tr>
<td>Stockport</td>
<td>5,656</td>
<td>5,559</td>
<td>5,895</td>
<td>6,080</td>
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<tr>
<td>Tameside</td>
<td>6,427</td>
<td>6,370</td>
<td>6,757</td>
<td>6,932</td>
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<tr>
<td>Trafford</td>
<td>4,290</td>
<td>4,363</td>
<td>4,495</td>
<td>4,548</td>
</tr>
<tr>
<td>Wigan</td>
<td>8,955</td>
<td>8,987</td>
<td>9,047</td>
<td>9,096</td>
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<tr>
<td>Total</td>
<td>76,922</td>
<td>76,577</td>
<td>80,315</td>
<td>82,476</td>
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<table>
<thead>
<tr>
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<th>2011</th>
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<th>2011</th>
<th>2012</th>
</tr>
</thead>
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<tr>
<td>Knowsley</td>
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<td>5,791</td>
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<td>5,096</td>
<td>5,329</td>
<td>5,472</td>
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<td>Total</td>
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<td>49,063</td>
<td>50,666</td>
<td>51,419</td>
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<table>
<thead>
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<th>2012</th>
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<th>2012</th>
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<td></td>
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<table>
<thead>
<tr>
<th>Average</th>
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<th>2012</th>
<th>2011</th>
<th>2012</th>
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<td></td>
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<td>82,450</td>
<td>85,610</td>
<td>85,610</td>
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</table>

<table>
<thead>
<tr>
<th>Average</th>
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<th>2012</th>
<th>2011</th>
<th>2012</th>
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</thead>
<tbody>
<tr>
<td></td>
<td>50,683</td>
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</tbody>
</table>
Ev w48  Work and Pensions Committee: Evidence

<table>
<thead>
<tr>
<th>Country</th>
<th>May</th>
<th>June</th>
<th>July</th>
<th>Aug</th>
<th>Sep</th>
<th>Oct</th>
<th>Nov</th>
<th>Dec</th>
<th>Jan</th>
<th>Feb</th>
<th>Mar</th>
<th>Apr</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>South Yorkshire</td>
<td>6,910</td>
<td>6,791</td>
<td>6,974</td>
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<td>7,140</td>
<td>6,848</td>
<td>6,808</td>
<td>6,962</td>
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<td>7,886</td>
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<td>7,837</td>
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<td>Doncaster</td>
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<td>11,252</td>
<td>11,220</td>
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<td>123,656</td>
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<tr>
<td>Rotherham</td>
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<td>8,432</td>
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<td>8,655</td>
<td>8,827</td>
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<tr>
<td>Sheffield</td>
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<td>16,225</td>
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Section 8: About Me

I am a freelance, independent analyst. I trained as a Management Accountant and have received postgraduate training in industrial statistical methodology from a reputable British university. I am not in receipt of out-of-work benefits or under sanction.

My first study can be found via this link:

http://theuxbridgegraduate.wordpress.com/2013/03/23/are-uk-unemployment-benefits-being-unlawfully-withheld-from-claimants/

25 April 2013

Written evidence submitted by the National Housing Federation

The National Housing Federation is the voice of affordable housing in England. We believe that everyone should have the home they need at a price they can afford. That’s why we represent the work of housing associations and campaign for better housing.

Our members provide 2.5 million homes for more than 5 million people. Each year they invest in a diverse range of neighbourhood projects that help create strong, vibrant communities.

1.0 Introduction

1.1 Housing associations operate in some of the most deprived and disadvantaged communities in the UK and understand the importance of getting people into work to tackle poverty and raise aspirations. Housing
associations run 1,000 projects to create jobs and help their customers and others into work, investing over £80 million in jobs and skills projects.30

1.2 Furthermore, many housing associations offer targeted early support for their tenants if their circumstances change; helping them to look for work, access a bank account or take up debt advice. This kind of support is particularly important if their tenant’s entitlement to benefits changes, as it can prevent the build-up of arrears or other budgeting difficulties.

1.3 The Federation welcomes the opportunity to respond to the Work and Pensions Select Committee’s inquiry into Jobcentre Plus (JCP). Our comments focus on JCP’s employment services and the role of JCP in the successful roll out of Universal Credit. In both of these areas, good relationships and partnership working between JCPs and local housing associations will be vital. In summary:

1.4 We would like to see more partnerships at a local level between JCP advisers, housing associations and related voluntary or community services that focus on supporting individuals into sustained employment.

1.5 Clarity is needed over the role JCP will play in each stage of the UC claimant journey and how this will link with the work of other organisations providing support for UC claimants. Further information is needed before the national rollout of UC begins so that claimants and partner organisations, such as housing associations, can be clear what support can be expected from JCP.

1.6 It is essential that JCP staff are given adequate guidance and training to ensure that they are able to fully support UC claimants.

1.7 Data sharing protocols between JCP and local partners should be developed so that support can be provided to claimants in the most effective way.

1.8 JCP will have to make sure claimants understand the details of their claimant commitment and the consequences of not keeping to it. A system should be put in place to ensure that claimants are given a warning, and support where appropriate, before a sanction is applied.

2.0 Employment Services

JCP’s relationship with housing associations

2.1 Housing associations—as both employers and providers of training and employment services—are important organisations for Jobcentre Plus to engage with. Many housing associations offer support to their residents in identifying their skills needs and helping them to overcome barriers to employment. This support can take the form of running drop in centres, job clubs, providing one-to-one support sessions and linking with local employers to help their tenants secure a job interview.

2.2 In many areas housing associations have developed good working relationships with JCP. Where this works well JCP and housing associations work together to support people into sustained employment, this often includes supporting individuals beyond the job start date or referring them on to other, more focussed support services. However, in some areas there is a lack of awareness about what housing associations do for employment and skills in the local area and a lack of engagement with them.

2.3 The Federation is working with JCP to help improve and instigate relationships with housing associations at a local level. However, we would like to see greater partnership working between JCP and housing associations across the country.

Approaches to identifying jobseekers’ needs and barriers to employment

2.4 Housing associations have had varied experiences of working with JCP to support jobseekers. Better links between the employment services offered by housing associations and those provided by JCP could improve outcomes for jobseekers.

2.5 Some housing associations give jobseekers intensive support, which the local JCP may not have the capacity to provide. For example, Peabody Housing Trust’s Employment and Training centres give advice and skills training alongside information on local opportunities and, where possible, a guaranteed interview with an employer. Because advisers have more time to spend with each jobseeker, they are able to address some of the wider pressures and barriers to engaging with employment. Where necessary, jobseekers can be referred on to more specialist support. This approach, which requires more time to be spent with individuals, has proven to be an effective intervention and engaged over 1,000 people in the last 3 years.

2.6 We understand that the number of jobseekers each JCP has to deal with every day means that offering a service like this may not be possible. However, JCP would be able to achieve better outcomes for all of its jobseekers if it had better links with organisations (like Peabody) which are able to provide more in-depth support. We would support practical partnerships at a local level between JCP advisers, housing associations and related voluntary or community services that focus on supporting individuals into...

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30 Building futures, National Housing Federation Neighbourhood Audit 2010–11
http://www.housing.org.uk/publications/browse/building-futures
sustained employment. When taken together these organisations can provide an effective and joined up suite of interventions that can genuinely support more people back into work.

The work programme

2.7 Housing associations’ initial experience of the Work Programme has highlighted several problems with the existing referral system which could be easily improved to provide a better service for housing association tenants.

2.8 Housing associations keen to help their tenants into sustainable employment have been frustrated with the JCPs “random allocation” model—where jobseekers are sent to different Primes’ Work Programme services. This has reduced the potential for collaboration and partnership working as it has not been possible to refer to any one organisation, within a particular area, that is working with a particular housing association. This has led to a fragmented, variable and hard to trace series of interventions under the Work Programme contract, which housing associations could not link clearly to residents or join up clearly with their own support services.

2.9 We would welcome local partnerships between JCP, Prime contractors and housing associations to improve the flow of information, join up services more effectively and reach agreements on the referrals and reporting process. As the role of the JCP is expanded with the implementation of Universal Credit, working with housing associations to identify the best services for their tenants will increase the chance of success for these interventions and make the best use of limited public funding.

3.0 Welfare Reform

3.1 The National Housing Federation supports many of the principles behind the introduction of Universal Credit, including making sure that work pays and simplifying the benefits system. The scale of the changes introduced by UC, including the single monthly payment and consequent changes to budgeting patterns, digital by default delivery and changes to conditionality and sanctions will be challenging for some claimants, and for their JCP advisers.

JCP role in supporting UC claimants

3.2 It is clear that JCP will have a crucial role to play in the transition to and operation of UC. Given this new, and more demanding role, it is essential that JCP staff are given adequate guidance and support. As well as providing employment support, JCP will also have to help claimants understand their “claimant commitment” and navigate the new UC systems.

3.3 The successful implementation of UC will require appropriate, tailored support to be available to claimants as they transition to UC and learn to deal with the new systems. The Government will need to ensure that minimum service levels are set for the support on offer so that there are no gaps in local provision.

3.4 The Federation welcomed the publication of the Local Support Services Framework (LSSF), which sets out how support will be delivered in local areas. The LSSF identified that claimants of UC would need support in the following three areas:

- Triage and explaining the new services, particularly while they are being introduced in incremental stages;
- Assistance with making claims online and managing UC accounts online;
- Advice to help manage money under UC’s monthly payment arrangements and ensure that rent and cash flow is well managed.\(^{31}\)

3.5 The LSSF also sets out the claimant journey and where partner organisations may be able to offer support at each stage, eg learning about UC, creating an account, making and maintaining a claim, preparing for the initial interview and signing the claimant commitment.

3.6 Although the claimant journey sets out where jobsearch support will be needed, the overall role of JCP at each stage has not yet been fully articulated. It is also unclear what expectations there are for JCP to work with local partners delivering support through the LSSF. Further information is needed before the national rollout of UC begins so that claimants and partner organisations, such as housing associations, can be clear what support can be expected from JCP. In particular, clarity is needed on the following:

- The role JCP will play in each stage of the claimant journey\(^ {32}\) and how this will link with the work of other organisations involved in delivering support to UC claimants under the LSSF. In considering this, JCP will need to be clear about the importance of working flexibly with claimants, and how in-work conditionality and sanctions can be built into the journey.

\(^{31}\) DWP (2013). Universal Credit Local Support Services Framework (pg. 6)

\(^{32}\) Set out in Annex B of the Local Support Services Framework
— The role of JCP staff in identifying claimants who may need to be referred to personal budgeting support or who may need an alternative payment arrangement (APA). JCP staff should be given appropriate guidance and training to ensure they are able to identify claimants who might need an alternative payment arrangement or a referral to personal budgeting support. They also need to know about the other forms of support on offer from local partners under the LSSF so that they can signpost effectively where need has been identified. Systems should also be in place which allow for an automatic referral for an assessment for an APA where a sanction has been applied.

— The role of JCP in providing support for claimants to access online systems so that they can make and maintain their claims. The move to a digital by default service means that JCP offices will need to be access points for claimants to make and manage their claims online. However, with a large minority not just lacking access but also lacking the digital or literacy skills needed to fill in online claim forms, JCP staff will also need the skills to support claimants in this way.

— The role of JCP advisers in making sure that claimants understand the breakdown of their award, including the amount of the housing element and the claimant’s responsibility for paying their rent. The LSSF identifies this as an important part of the claimant journey—it is particularly important for social housing tenants, many of whom currently have their housing benefit paid direct to their landlord. Where necessary, JCP advisers should be able to help claimants increase their financial independence by signposting to budgeting support as well as appropriate financial products (such as budgeting accounts).

— The role of JCP in supporting UC claimants who have limited or no conditionality requirements. The system should be designed to ensure that those UC claimants who have limited on no contact with JCP still have access to any support they might need.

**Data-sharing**

3.7 We welcome the emphasis that the Local Support Service Framework (LSSF) places on working with local partners. It is crucial that JCP develops good relationships with local organisations such as housing associations who are working with UC claimants. **Data sharing protocols with local partners should also be developed so that support can be provided to claimants in the most effective way.**

3.8 Housing associations already offer services which help their tenants to find work, access digital services, open bank accounts, manage debt problems and sustain tenancies. Housing associations’ ability to provide targeted support to their tenants is, in part, dependent on having knowledge of tenants’ circumstances. For example, if housing associations were made aware of the onset (or likely onset) of sanctions if a tenant failed to meet their claimant commitment, they would be able to intervene and offer support at an early point.

3.9 As responsibility for the management of Universal Credit is adopted by DWP, existing data sharing procedures between local authority benefit teams and housing associations will be lost. Without data sharing protocols in place, the Federation fears that the consequences will be felt by customers, landlords, and the DWP, with:

— Housing association tenants less likely to receive early support to find work or to establish their financial independence;
— A potential rise in rent arrears;
— A significant increase in the administrative burden on DWP, with more queries from landlords which, before the implementation of UC, would otherwise be exchanged automatically.

**Conditionality and sanctions**

3.10 New conditions and associated sanctions are being attached to welfare benefits, and claimants will have to accept a claimant commitment to look for or stay in work. JCP will have to make sure claimants understand the details of their claimant commitment and the consequences of not keeping to it. The new sanctions are tougher as they are intended to be a deterrent, meaning that it is all the more important that claimants fully understand their commitment from the outset. This will demand an initial, in-depth, one-on-one meeting with UC claimants, as well as on-going contact to help them continue to meet the terms of their commitment.

3.11 **A system should be put in place to ensure that claimants are given a warning, and support where appropriate, before a sanction is applied.** As stated above, such systems may need the development of data sharing protocols between JCP and local partners. If a housing association is aware that one of their tenants has been or is about to be sanctioned they are more likely to be able to intervene and offer support. Systems should allow for an automatic referral for an assessment for an alternative payment arrangement where a sanction has been applied.

3.12 Furthermore, when a failure to meet the commitment occurs, **claimants need adequate feedback on why a sanction is being imposed.** Currently, sanctions are being applied to JSA before claimants have been notified of their failure, and when the notification comes it offers a list of five, different possible reasons why a sanction has been imposed.
4.0 CONCLUSION

4.1 The evidence presented above highlights the growing importance of JCP working in partnership with housing associations and other local organisations in the delivery of employment services and provision of support to Universal Credit claimants. To date, housing associations have had mixed experiences of working with JCP and we would like to see a greater emphasis on developing these local relationships in the future.

4.2 The transition to Universal Credit presents many challenges to claimants, JCP and local partner organisations. Some claimants will need additional support to navigate the new systems, make applications online and manage the frequency of their new payments. Clarity is needed on the role of JCP at each stage of the UC claimant journey so that claimants and partner organisations, such as housing associations, understand what support can be expected from JCP. JCP needs to have sufficient resources and capacity to deal with these challenges and staff will need adequate training and guidance on any new areas of responsibility.

4.3 It is likely that current systems will need to be improved to facilitate these new ways of working. For example, data sharing protocols will need to be developed so that support can be provided by JCP and local partners in the most effective way.

24 May 2013

Written evidence submitted by Nottingham City Council

SUMMARY

This submission provides feedback on 3 specific issues being examined by the Committee including:

1. Jobcentre Plus’s (JCP) employment services including “Get Britain Working”, the Work Programme and the Flexible Support Fund:
   — Performance of the wage subsidy.
   — Work with Work Programme providers.
   — Use of the Flexible Support Fund.

2. The effectiveness of JCP’s relationships with other key stakeholders, particularly local authorities.
   — Local partnership working including with the Local Authority and the Local Strategic Partnership.
   — Issues around signposting and communications with the Local Authority for new local welfare provision schemes.

3. JCP’s effectiveness in matching jobseekers to suitable job vacancies including through the Universal Jobmatch and whether JCP is sufficiently focussed on sustained job outcomes as well as off-benefit flows and how this is, or should be, measured.
   — Universal Job Matching service.

1. Jobcentre Plus’s (JCP) employment services including “Get Britain Working”, the Work Programme and the Flexible Support Fund

1.1 There are a wide range of Get Britain Working Measures. This makes the landscape confusing with no clear path between different provision. More scope for local offices to apply flexibilities to meet local need would mean that they could be more effective. A recent example is the Wage Subsidy (where the Government offers a subsidy to employers to offset the costs of wages) which offers something similar but not as attractive to employers as the Nottingham Jobs Fund delivered by the council. The wage subsidy is not allowed to be used alongside other programmes (whereas other government incentives for employers such as the AGE grant through BIS). This means that the wage subsidy is underperforming locally and a stronger incentive is needed for employers to encourage them to offer more opportunities to those who are furthest away from the labour market.

1.2 While JCP have brokered relationships with Work Programme providers’, inroads in terms of working with the providers have been slow.

1.3 The use of the Flexible Support Fund has been positive, however the decision making process is slow and held centrally, once over a certain amount, which reduced the ability to respond to local need.

2. The effectiveness of JCP’s relationships with other key stakeholders, particularly local authorities

2.1 JCP in Nottingham have an excellent track record in working with partner organisations to align activity designed to match jobseekers to vacancies and in identifying their barriers to employment. They play an active role in local partnerships and we have a strong working relationship with them as a local authority where we work together to identify local priorities and to develop appropriate solutions.
2.2 Last year JCP led a local partner initiative, Project 365, which significantly increased the number of apprenticeships, work clubs and work experience places.

2.3 Locally, JCP have shown enthusiasm in working with Nottingham City Council's Local Strategic Partnership, One Nottingham, and the Workers Educational Association on progressing the Digital by Default project which aims to provide citizens with I.T. skills to enable them to use online services. However, it has been noted that the project is experiencing a delay in the release of funding.

2.4 Emergency Hardship Support Scheme

The approach of Jobcentre Plus (JCP) staff to automatically signpost to the Nottingham City Council Emergency Hardship Support Scheme in the first instance has been unhelpful for citizens as they had to be referred back to the local Jobcentre Plus for the appropriate financial support. The DWP policy of not making a short term advance available until they have fully processed the claim means that claimants experience financial hardship because of the processing time.

Citizens are being inaccurately signposted to our service by JCP, where they have had a change in circumstance (e.g., moving from JSA to ESA) but need a short-term advance:

- These citizens are not able to access our local scheme.
- DWP will not pay a short-term benefit advance until their claim has been fully processed.

This drove unnecessary demand for our services. In the first month of the EHS in Nottingham 27% of the 1,100 calls to our Emergency Hardship Scheme were people who should have gone direct to the local JCP for a short-term advance.

JCP are also automatically signposting citizens, who have been sanctioned and are in need of emergency support, to local authorities:

- Our local scheme does not help anyone who is being sanctioned.
- DWP hardship payments should be made available to citizens in the first instance (although DWP will not make these payments until two weeks into a sanction), rather than first sending them to us.

3. JCPs effectiveness in matching jobseekers to suitable job vacancies including through the Universal Jobmatch and whether JCP is sufficiently focussed on sustained job outcomes as well as off-benefit flows and how this is, or should be, measured

3.1 Locally JCP appear to have coped well with the introduction of the Universal Job matching Service but largely due to their prioritisation of off-flow (jobseekers being signed off from a benefit), rather than ensuring sufficient resources are available to provide job sustainability.

3.2 Whilst job sustainability is a difficult outcome to measure, by capturing the “return to benefit” time (the speed of the revolving door), inter-district and longitudinal comparisons can be made which would then be useful to improve sustainability support processes.

24 May 2013

Written evidence submitted by Oxfam Cymru

1. About Us

Oxfam works with others to overcome poverty and suffering. We do this in three ways:

- by developing projects with people living in poverty that improve their lives and show others how things can change;
- by raising public awareness of poverty to create pressure for change; and
- by working with policymakers to tackle the causes of poverty.

For further details about Oxfam’s work in the UK, see www.oxfam.org.uk/. The evidence presented in this submission is compiled from information provided by Oxfam’s partner organisations many of whom have supported people to navigate their interaction with JCP.

2. Summary

In partnership with Community Links, Oxfam ran a series of listening events as part of the European Year of Poverty and Social Exclusion 2010. Many people at these events shared their experiences of using JCP: a majority of these were negative. People talked about what they viewed as inappropriate, inflexible and unsympathetic support. People talked about the conflict arising from the fact that JCP is charged with supporting people back into work and simultaneously with policing their benefit claim, with the power to stop payments. They suggested that the following are the sort of changes required:

"Make Jobcentre Plus a place only to issue benefits and there be a separate place for job support."
Ev w56  Work and Pensions Committee: Evidence

“Better support from the Jobcentre, clear advice about what you are entitled to when looking for and in work.”

“People in Jobcentres that give advice need to be better trained so they are able to develop better relationships with their clients.”

Oxfam is concerned that current practice within JCP appears to be:

— Budget and statistics driven rather than needs led, so the needs of the client are never a priority.
— Aimed at getting people into any job—no matter what its pay, hours, conditions, long-term future or skill level—short-term targets are always a priority [this is in contrast to the Work Programme though, which is geared towards long-term work, if not good quality work].
— Starting from a position of client mistrust and assuming the client will abuse the system rather than starting from a position of trust enabling the client to claim all that they are entitled to and supported to fulfil their potential.

This causes fear and anxiety for people who need to access JCP services. JCP is extremely restrictive in terms of the client’s future: ignoring their skills, talents, potential and the reality of their lives. The service JCP offers can lack an institutional level of empathy and humanity.

Oxfam calls for a new needs based model based on trust and respect and providing support enabling people to achieve their full potential. This includes providing JCP staff with adequate training and support to deliver the service in a rapidly changing and increasingly complex internal and external environment. The welfare reform agenda is a prime opportunity to implement positive change.

### 3. Approaches to Identifying Jobseekers’ Needs and Barriers to Employment

In communities that Oxfam partners work, unemployment is high and people are heavily reliant on benefits. Our experience suggests that most people want to work but face significant barriers to making this happen, including a shortage of jobs let alone suitable jobs.

Our partners support people in taking small, manageable steps to overcome some of the personal barriers including poor physical and mental health, caring responsibilities, lack of accessible and affordable transport, poor basic skills, issues due to English as a second language, a lack of IT skills and poorly developed workplace skills.

Evidence from partners highlights significant failures in the provision and delivery of some welfare to work schemes. Some service providers fail to understand the real barriers that prevent people from taking up jobs, and the complex range of factors they must consider in making decisions that will allow them to cope from day to day.

#### 3.1 Initial Customer Assessment and assumed understanding

JCP’s Customer Assessment Framework is insufficient in its current form to provide a holistic picture of an individual’s personal circumstances and the barriers which may limit their ability to enter the workplace. Oxfam’s experience of working with BME lone parents, via a JCP special project, for example showed that many of the women faced quite complex personal, social and structural barriers. The amount of time allocated to initial assessment and the quality of information which can be derived using the existing tool can compromise the appropriateness of the type and level of support the customer is referred to and their likelihood of a positive outcome as a result.

In addition, in Oxfam’s experience JCP staff assume a level of understanding on the part of the customer. In the case of certain client groups, for example BME women, there are a number of factors which contribute to a situation where the customer does not understand the process, nor express their needs and are fearful of asking questions. This may occur for a variety of reasons; among the most prevalent are language barriers, cultural issues, poor understanding of DWP systems and fear of authority (which may be particularly for those who have come through the Asylum system).

— Oxfam recommends an improved system of initial assessment and diagnosis which would lead to increased personalisation of subsequent support and improved outcomes for individuals.
— It would be beneficial to develop advisor skills and increase sensitivity to the needs of customers with complex needs.
— There is clear evidence that one of the key aspects of successful welfare to work provision is one to one time with a qualified advisor. It is essential for people to be allocated a personal advisor who is accessible at each visit to ensure consistency of advice/decision making and continuity of service. At the initial assessment stage the personal adviser and the client should jointly devise and agree a personal development plan.

Oxfam’s Sustainable Livelihoods Approach and toolkit provides a good starting point for improving the initial assessment process and for developing advisor understanding and delivery of a holistic, person centred approach. Oxfam Cymru is keen to explore options for piloting this approach at local JCP offices in Wales and would welcome further discussions on making this happen. The need for a much more thorough, needs-based
assessment of jobseekers' needs was also identified as a priority in the recent Work and Pensions Committee report on the Work Programme.

4. JCP’S ROLE AS A GATEWAY TO CONTRACTED-OUT SERVICES SUCH AS THE WORK PROGRAMME

4.1 Work Programme in Wales

Oxfam Cymru has provided clear evidence of a lack of provision by Work Programme providers in Wales for people with intensive support needs such as poor basic skills, a lack of IT skills or mental health problems for example. The UK Government payment by results model is encouraging prime contractors to adopt a “traffic light” approach to supporting people mandated to the Work Programme. People with significant barriers to work, for example poor literacy and numeracy, drug or alcohol problems are coded “red” and deemed too far from the labour market to warrant investment in training or work placements and are effectively “parked”. This is occurring at a time when the UK Government are extending conditionality attached to benefit receipt where failure to comply leads to benefit sanctions and potentially destitution.

The situation is exacerbated as people mandated to the Work Programme in Wales are unable to access relevant, local training provision and employability support specific to their needs. For example, because of concerns regarding “double funding”, those on the Work Programme are unable to access publically funded basic skills courses to improve literacy but neither will the Work Programme contractor provide this training. This is because, despite commitments through the Joint Employment Development Board, there is no agreement between the DWP and the Welsh Government to facilitate access for Work Programme participants on to Welsh Government and European funded provision in Wales which is in direct contrast to the situation in England.

In addition, evidence suggests it is almost impossible for third sector specialist training providers to tender or deliver parts of the Work Programme contract. These are the very organisations that have expertise in supporting people in “hard to reach” groups. Such organisations are then prevented from working with this group of people because of the aforementioned double funding issues.

The resulting impact on Welsh job seekers can be devastating.

Oxfam recommends that as a matter of priority DWP and the Welsh Government work together to develop a bespoke alternative employability support package for people furthest from the labour market in Wales that would run in parallel to the Work Programme. This would effectively provide an exemption from the Work Programme for people needing intensive support.

4.2 Deferred mandation

It is our understanding there is a DWP standard approach that allows JCP staff to defer mandation to contracted services, such as the Work Programme, for certain people for a 13 week period if they are in the process of applying for or receiving employment support from other providers. In our experience this is not often practiced as the current IT system does not immediately flag up to JCP advisors if their client is on or applying for alternative employment support and often JCP advisors do not actively search for this information before mandating customers to the Work Programme. Better use could be made of the standard deferral process, especially in Wales, to allow people with intensive support needs for example to continue to receive specialist local employment support from community providers that is more suited to their needs and more likely to produce positive outcomes for the individual concerned. Improvements to processes for identifying jobseekers barriers to work so that those with the severest barriers are offered alternative support before mandation to schemes such as the Work Programme was also recommended in the recent Work and Pensions Committee report on the Work Programme.

Oxfam calls for JCP advisors to ensure people are only mandated to the Work Programme if this is the best course of action for them in terms of employability support. Full use of the standard deferral option should be made where applicable.

5. JCP’S USE OF THE FLEXIBLE SUPPORT FUND (FSF)

It is unrealistic to expect people on benefits to be able to pay for travel and childcare costs up front when looking for work or when taking up work experience, skills and training (including ESOL) or volunteering opportunities to improve their employability. The vast majority of people living on benefits already struggle to feed their families and heat their homes and so do not have a disposable income to pay for additional costs. This situation will be exacerbated by benefit cuts associated with the UK Government Welfare Reform Bill.

The FSF can provide help with travel costs incurred while attending job interviews but there is no automatic right for an individual to receive this additional financial support. Support is allocated via the Advisor Discretionary Fund (ADF) which may also provide help with childcare and travel for work experience or volunteering. Our evidence suggests there are wide differences, even within a region, in advisor use of the FSF. Oxfam recommends that:

- Provision of out of pocket expenses for jobseekers needs to be standardised across JCP offices so that people can expect the same level of support regardless of where they live.
It would be beneficial if expenses such as travel and childcare could be paid direct to the provider to ensure individuals trying to improve their employability are not faced with additional burdens on their already stretched finances.

This will help people take-up personal development opportunities and enhance the likelihood of securing employment.

6. JCP’s Role in Relation to the Rights and Responsibilities of Benefit Claimants

6.1 Conditionality and benefit sanctions

Oxfam believes in the right to enough income to live a life in dignity. Benefits are already very low, both historically, in relation to average earnings and in comparison to the cost of food and fuel. If they are taken away, people literally have nothing left to live on. The threat of destitution should never be used as a tool of public policy.

When someone is unable to work due to insufficient available jobs, illness or caring responsibilities, the state should provide adequate income that reflects the cost of living in the UK. This support should be provided as a right, but it is reasonable to expect people to deliver responsibilities in return for this support.

These responsibilities should be appropriate, reasonable and relevant to each individual’s circumstances and support should be provided as necessary.

They should not be imposed to meet ideologically imposed targets, nor due to misconceptions about why people claim benefits and their lives, nor from a lack of understanding about the challenges of living in poverty in the UK.

The claimant commitment should be a collaborative agreement and not a diktat. All the evidence shows that the transition to work only sticks if working is a rational choice not a punishment. Any responsibilities on a claimant must be matched by responsibilities on the state to provide high quality and personally tailored support. Providing greater autonomy and shared ownership of a work-related activity plan means that the benefits of self-determination are present.

It is not right that vulnerable people are being sanctioned for not meeting what often seem to be disproportionate demands. It is not right that JCP centres are sanctioning people, stopping their benefits and then referring people to volunteer-run food banks simply to survive. Food Banks (such as those run by the Trussell Trust) are charities staffed by volunteers. Foodbanks provide a vital emergency service to people in a short-term crisis but they should never be an alternative to a social security system which is a right and a life-line that we should all be able to access in times of unemployment and crisis.

JCP advisors need to ensure that jobseekers are fully aware of their rights and responsibilities and any flexibilities within the system, for example those for lone parents.

Similarly, the rights and responsibilities of both jobseekers and providers, alongside DWP/JCP Standards of Service, must be extended to contracted-out services such as the Work Programme. There is evidence that practices of Work Programme providers are below standard and inappropriate for example people being contacted at unsociable hours and expected to take up work at short notice and people being threatened with sanctions via text message.

6.2 Evidence of inequality within JCP

Research supported by Oxfam Scotland and undertaken by the Govanhill Law Centre (2011) showed that administrative delays, inefficiencies, barriers and inequality are endemic within the UK public authorities, including JCP, charged with administering welfare benefits for Roma European Union (EU) citizens in Glasgow. These administrative failings cause real poverty for some Roma people and represent a fundamental denial of their rights under EU law. Evidence was found of the DWP discriminating against Roma clients in a number of ways, contrary to the Equalities Act 2010, and there was no evidence of the DWP taking positive steps in terms of the 2010 Act to advance equality of opportunity for Roma clients.

In surveys undertaken as part of this research several respondents felt members of staff at their local Jobcentre Plus were racist. Surveys showed that many Roma clients and their advisors felt that they were discriminated against by Jobcentre Plus. Roma respondents advised that staff at their local Jobcentre Plus were rude and often turned them away without assisting them. This position was confirmed in the results of surveys of people working with Roma clients who reported Roma clients being told that they did not want to/were not able to work and refused assistance with job searches.

“At point of initial contact there is not nearly enough language support from the Jobcentre. I think Jobcentre [Plus] have a duty to provide language support. Roma clients have to scramble around to find a friend or advice worker who can accompany them to their appointment and interpret. They often have to rely on someone else and this has an impact on their privacy.”
Oxfam recommends better communication with non-English speaking clients—better access to translators and interpreters. Interpreters should be offered if it is apparent the client does not speak English—shouldn’t wait for client to ask as they might not realise that interpreters are available.

7. The Impacts of Benefit Reforms

7.1 The implications for JCP staff roles of the implementation of Universal Credit

The introduction of Universal Credit will result in JCP staff delivering a more complex role needing an even greater analysis and understanding of their client’s circumstances. Face to face support will become more specialised and will include responsibility for agreeing payment exceptions and referral to budgeting support. Universal Credit is a single household level monthly payment incorporating most other benefits and so it is more important than ever to avoid delays and errors in processing claims. Any error or delay will potentially affect the whole families budget not just one individuals.

The Initial Assessment will need to be adapted and improved to consider factors contributing to the need for alternative payment arrangements and personal budgeting support. It will become even more important that the JCP advisor has a holistic picture of their client’s circumstances.

7.2 Changes to staff roles brought about by the move to “digital by default”

It is clear from Oxfam’s work that face to face support with benefit claims and job search will still be needed for many people. A lack of IT skills often accompanied with a low level of literacy and numeracy or ESOL act as barriers for many people when trying to access JCP online services. Digital inclusion issues prohibit individuals for example, in using Universal Job Match system but support to understand and access this system is currently not available through JCP. There is already evidence of people being sanctioned due to digital inclusion issues. This situation will be exacerbated due to the fact that from 5th April all new and repeat JSA claimants must claim online unless classed as “vulnerable” and the introduction of Universal Credit.

24 May 2013

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Written evidence submitted by Papworth Trust

Summary

Papworth Trust works with Jobcentre Plus primarily through our relationship as a Work Programme provider. We surveyed our employment advisers to seek their views on how well they work with Jobcentre Plus and what could be improved. We found that:

— Communication with providers was identified as the single biggest issue Jobcentre Plus could improve on.
— Information sharing was often problematic, with Jobcentre Plus failing to notify us changes in claimants’ circumstances.
— Opinion was split on whether benefit conditionality was working, with some raising concerns that it was not always appropriate.
— Benefit sanctions were deemed inconsistent and were sometimes undoing the positive steps made in getting someone closer to employment.

Introduction

1. Papworth Trust is disability charity helping 20,000 people a year through a wide range of services, including work, housing, leisure and care. Our experience of Jobcentre Plus comes primarily through our working relationship as a provider of the Work Programme. We work with 11 Jobcentre Plus offices across Suffolk, Cambridgeshire and Northamptonshire. We have longstanding relationships with these offices as we previously delivered former welfare-to-work programmes such as Flexible New Deal. Papworth Trust helps almost 4,000 people every year to find and keep jobs.
2. Papworth Trust welcomes the Select Committee’s inquiry into the role of Jobcentre Plus. In response to your inquiry, we surveyed our employment advisers to find out what they believed the perceived barriers to work are for their customers, their relationships with Jobcentre Plus and whether they believe benefit conditionality and sanctions are working. We look forward to sharing the results from this survey throughout our response.

Barriers to Employment

3. In the past, the Government has recognised some of the issues which prevent people returning to employment such as disability, health problems and in some circumstances the complex nature of our benefits system. Papworth Trust also believes that discrimination, language barriers, criminal records, lack of experience and transportation needs further restrict the opportunities and ability to gain work. A major barrier for our clients is that employers often seek “ready-made” employees who are proficient in their role with minimum training, support, cost or perceived risk to the employer. Extra support or training is viewed as inconvenient, time consuming and costly.

4. One in five respondents to our survey also believed attitude was a core challenge, with one commenting “motivating clients and allaying their fears that they will be able to earn enough money to pay their bills” was a barrier to returning to work. As the jobseeker’s first point of contact, we believe Jobcentre Plus has a key role to play in allaying those fears and motivating people into finding employment.

Better Communications, Data Sharing and Referral Patterns with Providers

5. Over half of respondents to our survey identified “communication” as the single biggest issue that Jobcentre Plus could improve on. Papworth Trust has found there exists a postcode lottery affecting their communications. We work with 11 Jobcentre Plus offices across Suffolk, Cambridgeshire and Northamptonshire. In some areas we have been able to build up a good rapport with our local offices; in other locations it has been more sporadic. Whilst some Jobcentre Plus offices have worked hard in building good relationships with providers, respondents highlighted “conflicting advice”, a “hostile response to queries” and an “unwillingness to provide information” as key problems.

6. Papworth Trust has long argued for better data sharing between Jobcentre Plus and providers. This is particularly in reference to a customer’s change in circumstances, ranging from when they move home, change their telephone number to signing off benefits because they’ve found employment. Our experience has been that Jobcentre Plus is poor at informing us of these change in circumstances—this is important for two reasons. Firstly, the impact on jobseekers—we may be trying to contact people using the wrong details or who have since found employment. Secondly, the impact on providers’ job outcome and sustainment figures—if providers’ information does not match up with the central (PRaP) system, the Department for Work and Pensions will not authorise the payment for successfully placing a claimant in work.

7. Our experience shows that as Jobcentre Plus’s priorities change, so do their referral patterns, which has generated substantial difficulties for providers in the past. This makes it increasingly difficult for providers to predict their referral rates and manage their service delivery resources. There have been occasions where referral rates have diminished when a Jobcentre Plus staff member is sick or takes annual leave as the local office has alternate priorities or nobody within the office has responsibility for those referrals. We believe Jobcentre Plus has an obligation to deliver on their part of the supply chain relationship.

Supporting Jobseekers

8. Papworth Trust believes Jobcentre Plus could improve on the level of support it gives jobseekers, with the perception that people can often be treated as numbers rather than as individuals. An employment adviser commented that jobseekers can often “feel as though they are on a conveyor belt” upon reaching the provider.

Benefit Conditionality

9. Opinions were split amongst our employment advisors about whether or not benefit conditionality was working. Disappointment with benefit conditionality was apparent with suggestions that it is “too rigid” and “not always appropriate across the board”.

Benefit Sanctions

10. With a third of respondents answering “no” to whether they feel that Jobcentre Plus is sanctioning benefits appropriately, one respondent suggested it depended on “popularity and the adviser you see”, or disparity with “two people getting different lengths of sanction for the same reasons”. Concerns were raised that Employment and Support Allowance claimants who missed appointments due to their disability or health condition were subsequently sanctioned. Whilst another said that “sanctioning a family causes ripples of sending the children into poverty and poor quality of life”. This statement was supported by another respondent
who said the effect could be “horrendous, both financially and mentally, and destroys all the work we have
done in making them job ready”.

24 May 2013

Written evidence submitted by Prospects

1. Background

1.1 Prospects is a leading education, employment and training services company, working nationally and
internationally. We estimate we help more than one million people each year, through an extensive range of
high quality services. We are one of the first and largest new public sector mutuals, with shares owned by
managers and staff.

1.2 Our services include:
— Careers services for adults and young people, including the face-to-face element of the National
Careers Service in three regions.
— Advice and guidance for offenders in Greater London and Yorkshire & Humber, delivering the
“in custody offer”.
— Youth Justice Service in Gloucestershire.
— The Work Programme, the government’s major initiative to help long-term unemployed people
back to work, in the South West and London.
— Ofsted Early Years Inspection Services in the Midlands and North of England.
— Youth Contract, targeted support for NEET (Not in Education, Employment or Training) young
people in the West Midlands and Yorkshire and Humber.
— An extensive range of education consultancy and school improvement services.

1.3 We are also widely recognised for expertise in event management, recruitment, community regeneration
and educational resources. Gabbitas, one of the most trusted names in independent education, is part of the
Prospects Group.

2. Introduction

2.1 This note from Prospects is in response to The Work & Pensions Select Committee Inquiry into
Jobcentre Plus.

3. Summary

3.1 There is variation in the quality of referral information received from JCP, and in the consistency of
relationships with local authorities across the Contract Package Area. Information is not shared by JCP on how
some spending decisions are made.

3.2 Relationships between JCP and our Work Programme Advisers have been improved through more
collaborative styles of working in some areas

3.3 JCP’s approach to sharing information about conditionality and sanctions is variable and needs to be
improved.

3.4 Where co-location has been introduced there has been a significant improvement in relationships between
JCP and Work Programme advisers, and establishment of regular case conferencing and sharing of information.

3.5 Our experience of using Universal Jobmatch has been mixed. We have found a lack of precision in
matching against required skills, and in the automated alerting system, where active jobseekers have wrongly
received messages telling them they had not been looking for work.

3.6 JCP staff have engaged positively with our workforce to ensure advisers are well-briefed. We have been
assisting and signposting customers towards web-based information about the changes.

3.7 There appears to be a high degree of autonomy at District and local level resulting in inconsistency of
approach in relation to Work Programme and other programmes. There is a cultural disjoint between DWP and
JCP, where policy and operation are at variance, and this reinforces the inconsistency.
4. JCP’s employment services, including: approaches to identifying jobseekers’ needs and barriers to employment; the effectiveness of the “Get Britain Working” measures; JCP’s role as a gateway to contracted-out services such as Work Choice and the Work Programme, including processes for referral and handover; JCP’s use of the Flexible Support Fund, including how spending decisions are made and evaluated; and the effectiveness of JCP’s relationships with other key stakeholders, particularly local authorities

4.1 Identification of jobseekers needs and barriers to employment are not always clear or disclosed consistently across the Contract Package Area. They are communicated via PRaP to providers and the information quality varies considerably. Information can be out of date and does not always include details relating to what the jobseeker has undertaken previously. This can make our initial meetings with the same customers more difficult. By contrast, sometimes PRaP information provided has been very robust. There have been occasions where we have requested from JCP further information and our requests have been denied, where customer consent has not been obtained.

4.2 Some JCPs have been very supportive, conducting three-way reviews in order to share information and enhance the customer journey. There have been some improvements in communications with local JCP offices, particularly in Devon who have championed more collaborative working, and advisers are co-located in JCP offices. This has had a positive impact on performance.

4.3 JCP do not readily share how spending decisions are made and evaluated in relation to the Flexible Support Fund.

4.4 JCP relationships with local authorities are not consistent across Contract Package Areas.

4.5 JCP advisers are now much more proactive when discussing customers about to be referred to the Work Programme. Relationships have been improved through advisers visiting some centres to discuss customers on programme.

4.6 We have a lot of customers who are referred to the Work Programme when they need specific help—such as Enterprise Allowance, which they had not received from JCP.

5. JCP’s role in relation to the rights and responsibilities of benefit claimants, including: the effectiveness of benefit conditionality, particularly job-seeking conditionality and the mandatory “work-focused interview”; and the level and appropriateness of JCP’s use of benefit sanctions, including differences of approach between JCP Districts

5.1 Jobseeker’s Agreements are not always contained in the PRaP referral information.

5.2 It would appear from discussions with staff across the Contract Package Area that some staff in Job Centres are very good at keeping jobseekers informed of benefit conditionality—and subsequent referral of jobseekers to contracted out provision. However, this is not always the case and therefore needs to be improved. Conditionality isn’t specified in referral documentation, and this is problematic. Recently we have found that local JCPs have shown they are more willing to revisit and clarify questions of conditionality with their customers.

5.3 We do not have access to data of how many sanctions are allowed or disallowed locally but believe that invariably decisions are made in the customers favour. It is unclear whether this process is effective or not.

5.4 Communications with Providers and staff are not consistent about any use of benefits sanctions which have been applied to jobseekers. However in geographical areas where co-location has occurred the experience is very different with regular case conferencing and sharing of information.

5.5 Customers generally seem fully aware of their rights and responsibilities, and we enforce this when customers are on the Work Programme. Customers are aware of our knowledge as well.

6. Supporting a flexible labour market, including: JCP’s effectiveness in matching jobseekers to suitable job vacancies, including through the introduction of Universal Jobmatch, whether JCP is sufficiently focused on sustained job outcomes as well as off-benefit flows and how this is, or should be, measured; and employers’ assessment of the effectiveness of JCP as a recruitment partner

6.1 There has been a real push on providing our local offices with information and training particularly on Universal Jobmatch. Some of the JCP offices have an expectation that Work Programme providers should be responsible for setting up all customers on Universal Jobmatch. Complaints are directed to our local Team Leaders by JCP if a customer is signing on and hasn’t yet been set up on Universal Jobmatch.

6.2 Our own experience of using Universal Jobmatch as a recruiter was not positive. Many unsuitable candidates were matched to our vacancies. 73 candidates applied via UJM but only 18 completed application forms. We interviewed 12 and four were successful. Our view is that “off-flow rates” are discussed more than “sustained jobs”.

6.3 Advisers are able to match customers with vacancies, however the Universal Jobmatch system is not very effective as it doesn’t always seem to match by the appropriate skills or areas of work. There are also
some issues with the system generated instant messages. Some of our customers has received messages stating “You have not looked for work” when they have clearly been active. This has been reported to JCP at a quality meeting.

7. The impacts of benefit reforms, including: the implications for JCP staff roles of the implementation of Universal Credit, including the skills staff will need in order to offer effective in-work support; changes to staff roles brought about by the move to “digital by default”; and plans to support claimants affected by the benefit cap

7.1 This is difficult to comment on. Prospects has local centres, which have taken responsibility for ensuring our customers are prepared and equipped for dealing with any changes that will affect them.

7.2 There has been a positive engagement with our staff over informing and including them in briefing events relating to Universal Credit, “digital by default” and the full range of benefit reforms.

7.3 We have been delivering more ICT courses and signposting people towards web-based information to assist with their understanding of the changes and personal implications. Significant welfare reform is being implemented and clearly staff need to be fully conversant with the information to be able to discuss changes to the affected customers.

8. The governance of JCP, including: whether ending the executive agency status of JCP, and bringing it under the central control of a single DWP Chief Operating Officer, has brought about efficiencies and streamlined management as intended; and the potential for more radical future changes to JCP

8.1 This is difficult to comment on. Our observation would be that at times it appears as though JCP is a different agency with tensions between DWP policy and JCP operations.

24 May 2013

Written evidence submitted by Refugee Women’s Strategy Group

1. EXECUTIVE SUMMARY

The experience of refugee women of Jobcentre Plus services has indicated that some improvements could be made in the understanding of and responding to the needs of refugee women.

2. REFUGEE WOMEN’S STRATEGY GROUP—EXPERTISE FROM LIVED EXPERIENCE

Refugee Women’s Strategy Group (RWSG) is a representative group of refugee and asylum seeking women, supported by Scottish Refugee Council and funded by Comic Relief, whose aim is to ensure that the voices of refugee women are heard. We work together to represent the views of refugee and asylum seeking women in Scotland to key decision makers and service providers to influence the policy and practices that affect our lives. Our group is an integral part of the Scottish Refugee Policy Forum, a federation of Refugee Community Organisations in Scotland.

Our group’s current priorities are: addressing the barriers to employment for refugee women; working to ensure that the asylum process is gender sensitive; improving access to sexual violence services for asylum seeking women; and facilitating information provision to women in the asylum process.

In February 2011 we held a Women’s Employment Information Event and in November 2011 we published the findings from this event in our report, “The Struggle to Contribute”. The report (attached) details our recommendations to address the barriers that refugee women face on their journey to employment in Scotland. We have distributed our report widely and have discussed the issues with a range of agencies including Jobcentre Plus, Scottish Refugee Council and the Glasgow ESOL Forum.

We have attended relevant debates at Scottish Parliament and participated in the Scottish Government’s Women and Work Summit. We are core members of the Refugees in Scotland’s Communities Group working alongside Scottish Government, COSLA Strategic Migration Partnership and Scottish Refugee Council to review Scotland’s refugee integration strategy and we have made key recommendations to the thematic meeting on employment.

We have regular meetings with key Jobcentre Plus (JCP) staff to discuss ways to overcome the barriers to accessing JCP services and employment.

We therefore welcome the opportunity to give written evidence to the Committee and would be more than happy to provide oral evidence as part of the inquiry.

33 The Struggle to Contribute: a report identifying the barriers encountered by refugee women on their journey to employment in Scotland, Refugee Women’s Strategy Group, November 2011, www.gla.ac.uk/media/media_231770_en.pdf
Ev w64 Work and Pensions Committee: Evidence

3. KEY ISSUES

3.1 JCP Employment Services

RWSG believes that JCP employment services do not adequately recognise and respond to the specific needs and aspirations of refugee women seeking employment. There is a lack of clarity around the role of JCP and what services and support can be expected. Refugee women report feeling intimidated by JCP. There is little recognition of the impact the asylum process has on women’s mental health, confidence and ability to access employment. Language barriers are rarely recognised. Refugee women often have to take their children to JCP appointments, which can be distracting and stressful.

Recent research has shown that refugees face a constant struggle to access the labour market regardless of how long they have been in the UK. Employment levels among refugees are worryingly low and research has shown that refugee women are less likely to be employed than refugee men.

Recommendations

— JCP should have specialist trained staff able to respond to the particular barriers experienced by refugee women. Refugee and asylum seeking women should also have access to gender specific specialist employability services, whether this is provided by JCP or other partner agencies.

— JCP staff should have access to training which develops an understanding of the barriers experienced by refugee women on their journey to employment so they are more able to provide services which build confidence, understanding of the labour market and the ability to articulate skills and competencies.

3.2 JCP’s role as a gateway to contracted out services

It is our view that some contracted services are not responding to the needs and existing skills of refugee women and that there is insufficient monitoring of the quality of services provided. We also feel that focusing entirely on “end outcomes”, such as the number of people finding work, prevents essential services, such as ESOL, from receiving funding. It is our view that services which build language and confidence skills are essential to successfully gaining employment. However, as such services are crucial at the beginning of the journey to employment it is difficult (if even desirable) to measure the quality of service in terms of people into work.

Our Voices: Kulthoum—Pakistan

The Jobcentre put me on a Work Programme to help me find work. I asked for help in completing job applications and was told that my advisor was off sick and that someone would phone me. I waited six weeks for a call and I tried other places to get the help I needed. I want to work. I want to provide for my family. The Jobcentre did not ask me how the Work Programme was going.

Recommendations

— JCP should ensure that funding is available for initiatives which support refugee women at the start of their journey to employment and that such initiatives are evaluated in relation to qualitative rather than quantitative indicators.

3.3 JCP’s Role in relation to rights and responsibilities of benefit claimants

RWSG believes that many refugee women are not aware of their rights and responsibilities as a result of language, information and confidence barriers. Nor are refugee women aware of the support which JCP could provide. Information is rarely provided in a format or language which would help refugee women. It is our view that few frontline JCP staff understand the difficulties which some refugee women have in producing paperwork, such as birth certificates for themselves or their children as such documentation is not routinely issued in some countries.

Our voices: Ara—Afghanistan

I did not get any child benefit for 10 weeks as I could not provide my child’s birth certificate, as I had never been issued with one. I was asked consistently for something that I did not have.

Recommendation

— RWSG recommends the re-introduction of a Moving on Team to provide information, advice and support to women who have just been granted leave to remain.

— There should be a central source of relevant information in a range of formats and languages on a range of employment issues, including employability services, employment rights (including under the Equality Act), how and where to access support or legal advice, and benefits entitlements.

34 Gareth Mulvey “In Search of Normality: Refugee Integration in Scotland” 2013

35 Gareth Mulvey “In Search of Normality: Refugee Integration in Scotland” 2013, Presentation from Dr Jenny Philmore, University of Birmingham at Glasgow University 30/1/12
— All Jobcentre staff should be given training/briefings on what paper work can be expected from which countries.

3.4 JCP’s role in matching job seekers to suitable job vacancies

We know that ethnic minority women face additional barriers\(^{36}\) to employment and it is our view that refugee women are even further disadvantaged in the labour market, experiencing multiple barriers to accessing employment.

Women in our group have expressed that they feel under pressure to take jobs that are not appropriate to them and that they receive little guidance or support from JCP. There is very little acknowledgement of the skills, experience, and qualifications\(^{37}\) refugee women bring from their home countries.

Our Voices: Filad—Somalia

I felt under pressure to apply for jobs which did not take into account my experience and qualifications. When I told the advisor that I was a qualified nurse, she said “That was in your own country”.

JCP must acknowledge that the move away from a drop-in service to a digital service is exacerbating the barriers to employment for refugee women. There are often issues with computer literacy, literacy and language and many women do not have access to the necessary technology. Refugee women’s experiences of using JCP services, such as the telephone helpline services, have been less than helpful for those whose first language is not English.

Statistics on the numbers of Black and Minority Ethnic (BME) job seekers accessing employment within particular timescales do not appear to be routinely collected and therefore the extent to which current services are able to demonstrate adherence to equalities legislation and practice is uncertain. Refugee women often experience difficulty accessing advice about National Insurance numbers which delays processing of their benefits when they are granted refugee status and access to employment.

Recommendations

— JCP services should include specialist drop-in advice services for refugee women and the provision of clearer information on what can be expected from JCP services, how to make appointments, etc.
— JCP should ensure that IT training is available and that refugee women can access the internet and assistance to do so.
— JCP should ensure that staff are trained and equipped to provide advice and assistance to new refugees on getting a National Insurance Number.

3.5 JCP’s role in relation to the impacts of benefit reforms

Refugee Women have particular information needs which are not currently being met and we are deeply concerned that refugee women are at risk of not understanding the benefit reform system.

JCP has a crucial role to play in ensuring that information on the changes to benefits, changes to rights and responsibilities, expectations of claimants is made available and disseminated to refugee women. A reliance on customer representative groups such as RWSG is not an appropriate means of ensuring information is accessed by all women who need it.

We are also particularly concerned that universal credits will be accessed 37 days after applying even although the move on period for new refugees is 28 days. This will lead to a gap in support arrangements for new refugees and women will be at risk of destitution and exploitation during this time.

Recommendations

— JCP should develop leaflets in community languages and ensure accessible face-to-face information regarding benefit reforms.
— JCP should liaise with Home Office regarding the gap in support arrangements for new refugees to agree a solution which will enable refugees to access relevant benefits within the appropriate time frames.

4. Recommendations

— JCP should have specialist trained staff able to respond to the particular barriers experienced by refugee women. Refugee and asylum seeking women should also have access to gender specific specialist employability services, whether this is provided by JCP or other partner agencies.


\(^{37}\) The Struggle to Contribute: a report identifying the barriers encountered by refugee women on their journey to employment in Scotland. November 2011
— JCP staff should have access to training which develops an understanding of the barriers experienced by refugee women on their journey to employment so they are more able to provide services which build confidence, understanding of the labour market and the ability to articulate skills and competencies.

— JCP should ensure that funding is available for initiatives which support refugee women at the start of their journey to employment and that such initiatives are evaluated in relation to qualitative rather than quantitative indicators.

— RWSG recommends the re-introduction of a Moving on Team to provide information, advice and support to women who have just been granted leave to remain.

— There should be a central source of relevant information in a range of formats and languages on a range of employment issues, including employability services, employment rights (including under the Equality Act), how and where to access support or legal advice, and benefits entitlements.

— All Jobcentre staff should be given training/briefings on what paper work can be expected from which countries.

— JCP services should include specialist drop-in advice services for refugee women and the provision of clearer information on what can be expected from JCP services, how to make appointments, etc.

— JCP should ensure that IT training is available and that refugee women can access the internet and assistance to do so.

— JCP should ensure that staff are trained and equipped to provide advice and assistance to new refugees on getting a National Insurance Number.

— JCP should develop leaflets in community languages and ensure accessible face-to-face information regarding benefit reforms.

— JCP should liaise with Home Office regarding the gap in support arrangements for new refugees to agree a solution which will enable new refugees to access relevant benefits within the appropriate time frames.

24 May 2013

Written evidence submitted by St Mungo’s

BACKGROUND

St Mungo’s has been opening doors for homeless people since 1969. We currently run over 100 projects, providing accommodation for more than 1,700 people every night and helping thousands more who are rough sleeping or at risk of homelessness. St Mungo’s delivers a range of residential services from emergency shelters to semi-independent flats, as well as non-residential health, education and employment services. We also prevent homelessness through our housing advice programmes.

St Mungo’s services are based on a recovery approach and we aim to work in partnership with clients in a personalised, effective way. Our clients often have complex problems that cause, or are caused by, homelessness; we deliver holistic support to help people rebuild their lives.

SUMMARY/KEY POINTS

1.1 Barriers to employment: Homeless people often face significant challenges which affect their training and employment prospects. These include long periods away from employment, low basic skill levels, low self-confidence, poor mental and physical health, substance dependency, and histories marked by abuse, involvement with the criminal justice system or institutionalisation.

1.2 Identifying need: St Mungo’s joint research with Crisis and Homeless Link has shown that Jobcentre Plus (JCP) often fail to identify people who are homeless. JCP staff need to be trained and supported to identify people as homeless and to recognise the challenges and barriers to work that many homeless people face.

1.3 “Warm handovers”: JCP plays an important gateway role in referring jobseekers to the Work Programme and other contracted out services. Advisers should be encouraged and supported to consistently provide “warm handovers” to Work Programme providers: handing over as much information as possible with every referral, including details of claimants’ accommodation status and support needs.

1.4 Maximising options: JCP should have more options for supporting homeless people into work, for example new programmes to prepare people for the Work Programme.

1.5 Flexible Support Fund (FSF): DWP and JCP should examine both the payment rates and outcome periods for FSF contracts with homelessness providers to bring them more in line with the Work Programme and to maximise positive outcomes.

1.6 **Job conditionality and sanctions:** JCP advisers should be trained and provided with support materials including statutory guidance, to recognise the issues homeless people often face and take these into account when setting job conditionality and when imposing sanctions. St Mungo’s would be keen to work with the DWP to review and update guidance for JCP advisers and update the District Provision tool on the JCP Labour Market System.

1.7 “Digital by default”: With the introduction of Universal Credit, Jobcentres and their staff need to be adequately equipped to support those, including many of our clients, who will struggle to make and maintain their claims online.

1.8 **Regional consistency:** St Mungo’s would support the development of statutory guidelines or any further changes to the governance of JCP which would encourage a more uniform approach, particularly in respect to homeless jobseekers and benefit claimants who are non-UK nationals.

**Introduction**

2.1 St Mungo’s welcomes the opportunity to give evidence to this inquiry. There are no national statistics on the number of homeless people in or seeking work. St Mungo’s recent survey of our clients found that just 6% are in paid employment and at least 47% have either never worked or not had a job for five years or more. This is despite the fact that over three quarters of homeless people want to work.

2.2 Jobcentre Plus (JCP) can play a critical role in supporting homeless people into training and employment and St Mungo’s believes there is scope to improve the functioning of JCP, including further governance reform to make service more consistent. However, we believe that any reform of JCP or modification of its role should maintain and extend investment in Jobcentres and in their staff.

2.3 Specifically, JCP staff need to be better equipped to identify people who are homeless and to respond to their needs accordingly: to provide appropriate support and comprehensive referrals to the contracted out services; ensuring conditionality and sanctions are constructive; and issuing contracts with homelessness providers that recognise the time and costs of delivering successful outcomes with this client group.

**Responses to Inquiry Questions**

3. **Jobcentre Plus (JCP) approaches to identifying jobseekers’ needs and barriers to employment**

3.1 The Minister for Employment recently stated that “Jobcentre Plus advisers are equipped with the necessary guidance and training to identify and provide an appropriate level of tailored support for the homeless, as well as other disadvantaged groups.” However, our joint report with Homeless Link and Crisis, *The Programme’s Not Working: Experiences of homeless people on the Work Programme* found that JCP are consistently failing to identify people who are homeless. As a result JCP cannot address the specific needs of homeless people and the barriers to employment they face.

3.2 We know that many of our clients do not state that they are homeless when they claim unemployment benefits. As standard, all benefit claimants and jobseekers should be explicitly asked whether they live in a hostel or other temporary or insecure accommodation when making a claim. It is important that homelessness is identified because people who are homeless often face a number of disadvantages which create barriers to employment. Our Client Needs Survey shows that of our clients:

- 60% have a mental health problem.
- 67% have a physical health problem.
- 34% do not have the necessary literacy skills to complete a form.
- 48% do not have the necessary digital skills to complete an online form.
- 47% have either never worked or have not worked for over five years.
- 25% have experienced violence or abuse from a partner or family member.

3.3 Homelessness itself also exacerbates many of these problems resulting in people moving even further from the job market. Both looking for and sustaining a job can be difficult for people living in temporary accommodation such as hostels due to disturbances such as frequent moves and excess noise making it difficult to maintain a routine.

3.4 We are keen to work with JCP to ensure that decision makers and advisers are able to identify and understand the real difficulties that homeless people face in the job market.

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39 St Mungo’s (2013). Client Needs Survey
40 Off the Streets and into Work (2005) *No home, no job, moving on from transitional spaces.*
41 Hansard (2013). HC Deb, 16 May 2013, c350W
43 St Mungo’s (2013). Client Needs Survey
Ev w68  Work and Pensions Committee: Evidence

3.5 The Minister for Employment has stated that “the guidance which supports Jobcentre Plus advisers is subject to regular review to ensure its effectiveness for helping to tackle homelessness and the barriers it creates to employment.” We are keen to continue to work with officials to review and update this guidance.

3.6 Mental health is a particularly difficult issue, especially where it is undiagnosed JCP advisers should have access to supporting materials and additional training in order to increase awareness and understanding and enable a better response to mental health needs.

3.7 St Mungo’s strongly supports recommendations from the Work and Pensions Select Committee’s recent report Can the Work Programme work for all user groups?, in particular:

(i) DWP urgently review JCP processes for identifying jobseekers with severe barriers to employment, including homelessness;

(ii) that these jobseekers are more consistently allocated to the JSA Early Access group;

(iii) and DWP fund additional pre-Work Programme support to prepare those with the severe barriers for effective engagement with the Work Programme.

4. JCP’s role as a gateway to contracted-out services

4.1 JCP plays a critical role in providing an effective gateway to the Work Programme and comprehensive handovers to Prime Contractors are an essential part of this. Most Work Programme contracts have set out an aspiration for “warm handovers” including a three-way meeting between JCP, the Prime Contractor and the jobseeker to ensure the Work Programme provider is aware of the jobseeker’s specific needs.

4.2 To effectively fulfil its gateway function, handovers need to include all relevant details about a claimant, including their housing status. Clearly if JCP staff are to be able to provide such handovers they will need to be able to identify those jobseekers and claimants who are homeless in the first place. Evidently this is not presently the case.

4.3 The Department for Work and Pensions’ own research has recommended improvements in the referral and handover process in general. St Mungo’s welcomes Ministers’ recognition of the need to improve handovers and we would support moves to encourage co-location of JCP and Work Programme provider offices.

4.4 If Prime Contractors have the relevant information about a client’s accommodation status and support needs they can refer them to subcontractors delivering specialist support, improving the prospects of positive outcomes. St Mungo’s became a Work Programme provider offering specialist support for homeless jobseekers in June 2011. However, by early 2012 we had not received a single referral and therefore pulled out of the Programme. The evidence suggests that this lack of referrals was attributable to Prime Contractors lack of knowledge about jobseekers accommodation status.

4.5 If Prime Contractors were given better information with a referral, they would not only be more likely to use appropriate sub-contractors but would also be more likely to place jobseekers in the right Payment Group, and therefore have appropriate performance incentives.

4.6 St Mungo’s direct involvement with JCP has mainly been through the Flexible Support Fund (FSF) and our experience has been broadly positive. However the FSF is a small fund, which is designed to support a wide range of groups. On its own it is not enough to provide to meet the employment and training needs of homeless people. JCP advisers need to have more options for delivering employment and training support to homeless people, particularly for delivering pre-Work Programme support.

5. JCP’s use of the Flexible Support Fund (FSF)

5.1 In 2011 several JCP schemes, including the Adviser Discretion Fund and the Travel to Interview Scheme were replaced by the Flexible Support Fund (FSF). JCP Districts can use this fund to commission specialist providers to provide employment support to groups with higher needs.

5.2 In Spring 2012 St Mungo’s were commissioned on a payment by results basis by South London JCP District to provide specialist employment support scheme for 50 homeless people under the FSF. The JCP District required that 20 training outcomes and 10 job outcomes were achieved in a 13 week period. St Mungo’s was proud to deliver all but four of the required job outcomes.

44 Hansard (2013). HC Deb, 16 May 2013, c350W
46 DWP. (2012). Work Programme evaluation: Findings from the first phase of qualitative research on programme delivery, November 2012, chapter 5
48 Hansard (2013). HC Deb, 16 May 2013, c350W
5.3 St Mungo’s established a good relationship with the South London JCP District, which played a key role in our successful delivery. We appreciate the necessity of outcome requirements being both challenging and payments being heavily back ended. However, had the required outcome period had been significantly longer, the number of clients we successfully helped into employment would have been even greater, at no additional cost to JCP.

5.4 Some JCP districts are now commissioning six week programmes. It is highly unlikely that successful outcomes will be achieved where individuals face significant barriers to employment in such a short time period.

Case Study—Dave

After losing his job as a security guard Dave\(^{50}\) became homeless as his landlord refused to take housing benefit and did not return his deposit. He was referred to St Mungo’s by Jobcentre Plus. Dave’s skills were out of date and he had no references. He was finding it particularly difficult to get a job because of several difficulties in his life including a mental health problem and low self-confidence.

However, thanks to the Flexible Support Fund St Mungo’s was able to give Dave specialist support to help him move forward. Specialist staff spent time with Dave to help him work through some of the issues he was struggling with.

He began to take more responsibility for his actions and his confidence grew. Dave then accessed training and used St Mungo’s contacts to get a work placement.

This all took time and he is likely to get a job soon, however it will not be within the 13 week period that the Jobcentre stipulated.

St Mungo’s will not get paid for most of the work they have done with Dave.

5.5 FSF and other JCP contracts with providers helping homeless people into work or training need to recognise the specific challenges and barriers to employment this client group face and the time and cost implications. Challenges include long periods away from the job market or never having been employed, substance use problems, fluctuating mental and physical health conditions, low self-confidence and aspirations, histories marked by institutionalisation. Working through these issues inevitably takes time and in most cases longer is needed to achieve a work related outcome.

5.6 St Mungo’s strongly recommends that DWP and JCP examine the outcome periods for FSF contracts for homelessness providers in recognition of the barriers to work faced by homeless people.

6. JCP’s role in relation to the rights and responsibilities of benefit claimants

6.1 We understand the important role played by JCP in encouraging jobseekers to take personal responsibility for seeking employment, and that sanctions and conditionality can provide a useful motivational tool. However, we are concerned that sanctions are penalising people who are genuinely vulnerable and impeding their chances of both recovery from homelessness and of achieving an employment outcome.

6.2 During our research with Homeless Link and Crisis on homeless people’s experiences of the Work Programme we were concerned to find that 22% of those surveyed had been sanctioned.\(^{51}\) Imposing financial sanctions on people who are already experiencing extreme financial hardship and homelessness is likely to inhibit their practical circumstances to the extent that it becomes difficult to engage in jobseeking or work related activity. This negative is likely to outweigh any benefit. Moreover many people with severe barriers to employment may not fully understand the reasons why sanctions have been imposed meaning that any motivational effects will have been negligible.

6.3 St Mungo’s recommends that the Decision Makers Guide used by JCP advisers\(^{52}\) includes guidance on job-seeking conditionality and benefit sanctions that:

— Provides JCP advisers with extensive information about the barriers to work that homeless people face, and

— Stipulates that a claimant’s accommodation status must be a consideration when considering how or whether conditionality should be applied.

7. The impacts of benefit reforms

7.1 Given the central role JCP will play in implementing Universal Credit, and our experience of the difficulties JCP advisers have in working with our clients, St Mungo’s is concerned that JCP staff will need more skills to support homeless claimants effectively as the welfare reforms are introduced. It is essential that any current and future guidance for JCP advisers explicitly addresses the challenges homeless people can face in securing and retaining employment and the importance of identifying people who are living in insecure or temporary accommodation.

\(^{50}\) Name has been changed


Ev w70  Work and Pensions Committee: Evidence

7.2 We are particularly concerned about the move towards “digital by default”, and the reliance on digital technology in Universal Credit. Almost half of our clients would struggle to make or maintain a benefit claim online, let alone undertake work related activity involving digital skills. Moreover, many homeless people face difficulties in gaining access to computers. Unlike some homelessness providers, St Mungo’s hostels have computers, but we have too few to enable all our residents to maintain their benefit claims or undertake work related activity. Our clients have little free access to computers elsewhere.

7.3 We welcome news that Jobcentres are to be equipped with more internet access devices, and hope that these new resources are provided in sufficient quantity to meet need. We also welcome the recent introduction of Digital Champions to every Jobcentre. However it is important that JCP staff have the time, skills and resources to provide additional support to ensure benefit claimants with few or no digital skills do not lose out, or face unnecessary sanctions. Ideally all JCP staff should be equipped to provide digital support and themselves be given the necessary training to help them recognise and support clients without digital skills, Jobcentres could work with local voluntary and community sector organisations to provide this training and support.

8. The governance of JCP and regional variations

8.1 Our experience of working with homeless people who are not UK nationals shows that there is regional inconsistency in the application of the Habitual Residency Test and of benefit conditionality. We recognise that the HRT decision is made centrally, based on information collected locally. We have seen no evidence that the changes to JCP governance to date have led to more consistency. St Mungo’s would support measures to ensure the HRT and benefit conditionality for EEA nationals are applied more consistently across regions. Measures might include the development of statutory guidelines or any further changes to the governance of JCP which would encourage a more uniform approach.

24 May 2013

Written evidence submitted by The Salvation Army

Executive Summary

The Salvation Army is a Christian Church and charity, which seeks to serve a wide range of clients from a holistic perspective. Both through our welfare-to-work and homelessness services, as well as our work in the community, we have a unique breadth and depth of experience working with Jobcentre Plus. This experience suggests that there is some considerable variation in JCP performance, both across client groups and geographical areas. Particularly we are concerned that JCPs at times fail to correctly identify real but undisclosed needs and barriers to work and/or do not have the time or resources to adequately address the identified needs and barriers to work. In our view these issues should be addressed as a matter of urgency, either by additional training and a reduction in JCP caseloads or improving early identification mechanisms and contracting-out services for those furthest removed from the labour market.

About The Salvation Army

1. The Salvation Army is a Christian church and charity present in 700 communities in the UK. Its main areas of charitable work are:

   — Employment Services providing welfare to work programmes and work clubs. We are currently involved in the Work Programme as a tier one end-to-end subcontractor to three different primes in two contract package areas. In addition we provide one Work Choice and one Jobcentre Support contract.

   — Homelessness Services providing residential and community-based support mainly for single homeless people.

   — Community Services offering a diverse range of services mainly through our local churches in response to the needs they encounter in their local communities.

   — Older People’s Services providing residential care to older people.

   — Family Tracing Services reuniting families who have lost contact with a family member.

2. Drawing on its Christian beliefs, The Salvation Army adopts a holistic approach to service provision. As appropriate it works with people to ensure:

   — A secure and adequate income.

   — Affordable and decent housing.

   — Good mental and physical health including addressing addictions.

53 The 2013 St Mungo’s Client Needs Survey found that 48% of St Mungo’s clients do not have the necessary digital skills to complete an online form.
54 Hansard, 11 Mar 2013: c17
— A sense of purpose deriving from meaningful activity whether paid work, volunteering or learning.
— A set of supportive relationships.

Where we cannot deliver these things ourselves we work with others. Our service users have access to chaplaincy or pastoral care which they can engage with if they wish.

OUR OVERALL REACTION TO THE INQUIRY INTO JOBCENTRE PLUS

3. Our experience with a range of service users, including long-term unemployed, homeless people, and others with significant barriers to work, indicates that the service currently provided through Jobcentre Plus at times fails to adequately serve those facing greater disadvantages. As such, we welcome this effort to assess the support which JCP currently provides to jobseekers and identify areas for improvement.

4. We are a member of the Employment Related Services Association (ERSA) and Homeless Link, and endorse the points they are making in their submission to this inquiry. We are not competent to comment on every aspect of the questions posed on the inquiry, but have tried to focus on issues relevant to our experience as a voluntary sector provider and our holistic approach.

JCP’S EMPLOYMENT SERVICES

5. From our experiences as a voluntary organisation engaging with a range of client groups in a variety of settings, the adequacy of the service provided by JCP varies from individual to individual and location to location. We have some excellent relationships with Jobcentre Plus staff, including some invaluable JCP outreach work taking place in our Lifehouses (homeless hostels). On the other hand, we find that large case loads, combined at times with a lack of understanding of the issues faced by some clients, can lead to a situation where barriers to work are not adequately assessed and/or addressed. Both in our work as the provider of contracted-out services and in our services for homeless clients, we find that dealing with a client as a whole person, rather than just focussing on their employment status, will often result in the identification of needs and barriers that perhaps fall outside the scope and competence of JCP.

6. It is difficult to see how the issues raised above could be addressed without either reducing JCP caseloads and investing in further training or improving early identification systems and contracting-out services for harder to help jobseekers.

JCP’S ROLE IN RELATION TO THE RIGHTS AND RESPONSIBILITIES OF BENEFIT CLAIMANTS

7. We fully understand and support JCP’s responsibility in ensuring that jobseekers fulfil the requirements to actively seek work and to be available for work. We also understand the role sanctions can play in this process. However, we feel that any such approach should be combined with a holistic view of the person involved and a real appreciation of their needs and constraints at any particular time. Again experiences in this respect tend to differ from individual to individual and JCP to JCP. We have however come across some incidences where we feel that such a considered approach has not been taken, leading to actions that were not in the interest of the person involved or indeed in the interest of returning said person to paid work in the most timely and successful manner. For example, we have had occasions where JCP have sought to sanction one of our Work Programme participants for failing to use Universal Jobmatch, while we as Work Programme providers had clearly instructed the participant to refrain from direct job searches until a number of underlying issues had been addressed. Similarly we find that some of our clients with a history of homelessness are at times subjected to levels of conditionality by JCP which would seem inappropriate at this particular stage of their journey. When they subsequently fail to meet these requirements, they are in turn subjected to sanctions, with the associated risk of destabilising the progress they made up to that point.

8. As the sanction regime become more stringent, we are increasingly concerned that an incorrect assessment of the ability to engage in actively seeking and being available for work may have very profound effects on the lives of vulnerable people with undisclosed needs and barriers to work. Again a further investment in JCP guidance and training may be required. In addition, our experiences in areas where the partnership with JCP is working well suggest that these issues can at least partially be addressed by more successful collaboration between JCP and other local stakeholders. We are very aware that this is a two way street and are keen to proactively seek out and build such relationship where they do not yet exist. More explicit guidance on the shape of such relationship and the associated need to protect client confidentiality and ensure data protection would be very helpful to facilitate this work.

23 May 2013
Written evidence submitted by Scottish Refugee Council

1. EXECUTIVE SUMMARY

Scottish Refugee Council recommends that:

(a) Jobcentres need to adapt their service to be more accessible by all groups. A drop-in system should be implemented to remove some of the barriers created by requirements of initial contact made by phone or online.

(b) Systematic interpreting and translation service is provided over the phone, online and when meeting Jobcentre staff.

(c) More efficient cooperation between the Home Office and the DWP is required to ensure timely allocation of national insurance number and process of benefits to avoid administrative destitution.

(d) Reinstate the award winning Move On Response Team which demonstrated great efficiency in processing benefit claims and avoided destitution of newly granted refugees. The need for a specialist team will be greater with the move to the Universal Credit.

(e) Asylum seekers should access mainstream benefits while waiting for the decision on their asylum claim, this would allow continuity of support when people are granted leave to remain and destitution will be avoided.

(f) Jobcentre advisers need to receive training in understanding the needs and experience of refugees who seek work.

(g) Jobcentre advisers need to adopt an asset based approach, recognising skills and competences to increase efficiency in matching job seekers into suitable jobs.

(h) Jobcentres must provide more information about the British Labour Market to refugees.

(i) Sanctions should not be given to job seekers who are studying towards qualification that are necessary for them to secure employment.

2. INTRODUCTION WITH KEY AREA OF EXPERTISE OF RESPONDENT

An independent charity, we offer direct advice services to people seeking asylum and refugees. We conduct detailed policy work which aims to influence policy makers in both Scotland and the UK and bring the issues that matter to those seeking refuge in Scotland to the fore. We support organisations in the community working with, or run by, refugees and asylum seekers, enabling them to have a voice at all levels in Scottish society.

We recently published a three year longitudinal study into refugee integration which demonstrated valuable findings in relation to access to employment by refugees. This research is informing the review of Scotland’s strategy to support the integration of refugees into Scottish communities led by the Scottish Government. Scottish Refugee Council is a member of the core working group for this review. The new refugee integration strategy is aimed to be published by autumn 2013.

Our Refugee Integration Service works with new refugees to assist them in integrating into Scotland. Advice and advocacy is offered for a one-year period enabling people granted Leave to Remain to learn about and access their rights and entitlements.

Our advisers provide expertise in housing, welfare rights, employability, education and more to encourage people to actively participate in their communities and wider society.

The quantitative and qualitative evidence we present in this paper is based on the experience of refugees who access our services as well as on our integration research.

Scottish Refugee Council welcomes the opportunity to provide evidence to the Committee to examine the role of Jobcentre Plus in the reformed welfare system.

3. FACTUAL INFORMATION AND KEY ISSUES

3.1 Population profile—in working age, mostly fit and available to work

In 2012–13, 522 households accessed our Refugee Integration service. Out of those people:

— 72% were aged between 18 and 34 years old and 26% were aged between 35 and 59 years old, and only 1.15% were older than 60.
— 64% were male and 35% were female.
— 74% of the households had no children, 97% of whom were single.
— 12% of the households were single parents.
— 84% of our clients were on JSA, 8.8% on ESA and 5.7% on IS.

56 http://www.scottishrefugeecouncil.org.uk/policy_and_research/research_reports/integration_research
Our research shows that refugees are eager to work and are actively seeking employment. There is a clear indication that refugees are in constant struggle to access the labour market, regardless of either how long they have been in the UK or the skill level that they have.

3.2 Barriers to employment

From direct advice service, our recent research\(^{57}\) and our work with the Refugee Women’s Strategy Group,\(^ {58}\) we know that refugees experience specific barriers to access employment:

- Language barriers—newly granted refugees will need to improve their skills and confidence in English in order to successfully access employment. Jobcentre advisers should be aware of this and understand that attendance to ESOL classes is a necessary step to be included in the Job Seekers Agreement.
- Limited understanding of the labour market—refugees need support and assistance to improve their knowledge of how to seek work, their rights and obligations.
- Employment gaps due to the lack of right to work during the asylum process but also to the time required to learn English. Besides creating gaps in CVs, it can lead to lack of confidence and skill atrophy.
- Lack of recognition of foreign qualification by Jobcentres and employers. This often leads to refugees being underemployed, and so even when their English skills are very good.
- Unreasonable demand from employers who rarely accept Biometric Resident Permit as proof of the right to work and request the provision of Travel Documents. Not all refugees will be able to apply for a Travel Document, if they can it is costly and can take up to six months to be produced. Travel Document is the equivalent of a passport for British Nationals, who do not always have a passport and who do not have to respond to similar requests from employers. Employers need to access better information about documents that they can trust to establish if non-UK nationals have the right to work.
- Homelessness—95% of newly granted refugees who access our Refugee Integration Services have to present as homeless at the end of the 28 day move-on period when the support from the Home Office stops. In Scotland, all refugees in this situation have a right to be provided with temporary accommodation by a Scottish local authority. The latter is very expensive, £250/week on average, and is unaffordable to anyone who is not entitled to housing benefit. Refugees are therefore in a situation where they have to choose between accepting job offers or keeping their accommodation.

3.3 Accessibility of the Jobcentre—Language needs

Jobcentres are accessible only by appointment which must be arranged by phone. This requirement does not take into account the language needs of refugees and creates additional barriers to access services offered by Jobcentres. Due to the pace of the asylum process we regularly see refugees being granted status in less than two months\(^ {59}\) which mean they have had little time to acquire English language skills or the cultural knowledge that otherwise may have enabled them to navigate new systems.

In 2012–13, 70% of the households who accessed our Refugee Integration Services required an interpreter when they first accessed the service. This shows that the vast proportion of newly granted refugees will have language barrier when they need to apply for benefits, navigating the system and be able to seek work effectively.

Findings from focus groups we ran with newly granted refugees show that people find extremely difficult to access the Jobcentre and see the screening by phone as a real barrier. Refugees have reported that it is almost impossible to communicate on the phone if their English skills are limited, that they presented at the Jobcentre for simple queries (eg need for more information about the role of the Jobcentre or need to correct spelling mistakes on some documents) but were always turned away with a phone number to call. This acts as a deterrent for refugees to engage fully with the Jobcentre and achieve employment outcomes.

Recommendation:

- Jobcentres need to adapt their service to be more accessible by all groups. A drop-in system should be implemented to remove some of the barriers created by requirements of initial contact made by phone or online.
- Systematic interpreting and translation service is provided over the phone, online and when meeting Jobcentre staff.

\(^{57}\) http://www.scottishrefugeecouncil.org.uk/policy_and_research/research_reports/integration_research

\(^{58}\) The Refugee Women Strategy Group published a report, The Struggle to Contribute, which highlights barriers women face when seeking employment http://www.gla.ac.uk/media/media_231770_en.pdf

\(^{59}\) In April 2013, 72 households were granted leave to remain in Scotland, 30% of them received their decision within a month after applying for asylum, 27% waited between one and two months, and 22% waited more than one year.
Destitution at the transition from asylum support to mainstream benefits

While claiming asylum, people are not allowed to work and do not have access to the mainstream welfare system. Asylum seekers can apply to asylum support which is either financial support only or financial support with accommodation provided on a no choice basis. Financial support provided by the Home office is equivalent to 55% of the level of income support for a single person and will stop 28 days after someone is notified that they have been granted leave to remain. This 28 day period, often called the move-on period, is an overwhelming time for newly granted refugees. In this short period of time they have to apply for benefits and secure alternative accommodation. The latter will in most cases in Scotland be homeless accommodation provided by a Scottish local authority.

The move-on period is often too short to enable all benefits to be processed on time and it is not unusual for newly granted refugees to experience destitution as a result.

When granting leave to remain, it is the Home Office’s responsibility to notify the National Insurance Allocation Centre so a National Insurance Number is allocated at the earliest opportunity to enable newly granted refugees to apply for benefits. In many cases, the Home Office fails to complete this notification and creates delays in processing benefits. Refugees will then have to wait to be given an interview to apply for a National Insurance Number for they benefit claim to be assessed and processed.

Scottish Refugee Council works in partnership with the Refugee Survival Trust, which is charity providing hardship grants to refugees and asylum seekers who are destitute. When the priority of the charity is to assist asylum seekers who do not have access to public funds, 23.5% of the grants awarded in April 2013 were given to refugees who were destitute while waiting for their mainstream benefits to be processed, 75% of whom experienced delays because of delays in national insurance number allocation.

Case study 1—representative case of delay in NINO allocation and benefits process

Mrs J is a 42 year old single woman from Iran. She was granted refugee status on 4 March 2013 and her support from the Home Office stopped on 31 March as a result.

On 14 March 2013, she accessed our Refugee Integration Service for the first time and said that she had not receive a National Insurance Number. Our adviser had to arrange an appointment with Maryhill Jobcentre to apply for Job Seekers Allowance as well as a national insurance interview at the Laurieston Jobcentre which is where National Insurance Number interviews are held in Glasgow.

On 15/03/2013, Mrs J attended her appointment at the Jobcentre to apply for Job Seekers Allowance but was advised that until a national insurance number is allocated to her, her claim will not be processed.

On 31/03/2013, Mrs J’s support from the Home Office terminated.

On 02/04/2013, Mrs J attended her appointment for her national insurance number. She had no money to pay for food and our adviser successfully applied for a hardship grant from the Refugee Survival Grant.

On 17/04/2013, Mrs J received her first JSA payment, more than two weeks after her national insurance number was allocated.

Delays in processing benefits lead to destitution for claimants and have a detrimental impact on people’s health and well-being. There are concerns that the move to the Universal Credit will worsen newly granted refugees’ circumstances at the transition stage. From meetings with colleagues at DWP, we understand that applications for universal credit will be processed and payment should be made on the 37th day after the application which is longer than the move-on period. This would equal 11 days destitution. As the Universal Credit will be paid in arrears this will have a disproportionate and discriminatory effects on refugees who are likely to have no social support networks.

Recommendations:

— More efficient cooperation between the Home Office and the DWP is required to ensure timely allocation of national insurance number and process of benefits to avoid administrative destitution.

— Reinstate the award winning Move On Response Team which demonstrated great efficiency in processing benefit claims and avoided destitution of newly granted refugees. The need for a specialist team will be greater with the move to the Universal Credit.
Asylum seekers should access mainstream benefits while waiting for the decision on their asylum claim, this would allow continuity of support when people are granted leave to remain and destitution will be avoided.

3.5 Role of the Jobcentre as an employment service

3.5.1 Support to gain employment

Newly granted refugees reported in focus groups that their understanding of the Jobcentre is to assist them and other unemployed individuals to seek and access employment. Refugees report however that their experience of dealing with Jobcentre advisers did not match their understanding and expectation. In most cases, people’s experience was that Jobcentre’s role was more about completing an administrative process which main goal is to verify if they are still eligible to their benefits. They also feel that Jobcentre advisers do not understand some of the barriers to employment that refugees experience and therefore are offered unsuitable support or job offers.

Case study 2—representative of unsuitable support provided by Jobcentres

One participant to a focus group we ran with our service users explained that he was volunteering with Scottish Refugee Council two days a week with the fundraising team and getting trained on specialist software. At the same time, he successfully applied to Citizen Advice Bureau to become a volunteer adviser and had to attend training prior to start.

Despite being fully involved in meaningful activities that increased his chance to find work, the Jobcentre had informed him that he had to start a month placement at the Jobcentre as part of the Work Programme. If he refused, he would be sanctioned. He was very distressed as the opportunity offered as part of the work programme would give him less valuable experience as the task he would complete would not enable him to gain more skills.

Our adviser advocated on his behalf and succeeded in convincing the Jobcentre that the work programme was not appropriate in his case.

3.5.2 Assessment of skills and matching job seekers into suitable jobs

Refugees also reported that they feel their skills, qualifications and aspirations are not fully assessed and therefore they do not access appropriate support. Support, including financial support, available to gain qualification is often conditioned to being able to present a job offer.

Case study 3—representative of unsuitable support provided by Jobcentres

A participant to a focus group that we ran with our service users explained that he speaks four languages and asked the Jobcentre for support in getting an interpreting diploma. The training cost £1,050 and he could not afford it by himself.

He was advised at the Jobcentre that financial support would be available to him if he came back with a job offer.

He felt extremely frustrated as without the qualification it is unrealistic that he will be able to get a job offer.

3.5.3 Sanctions

Refugees who access our Refugee Integration Services have experienced unreasonable sanctions motivated by Jobcentre advisers’ perception that they were not actively seeking work. In most cases, our advisers were successful in overturning such decision as they ignored the fact that refugees attend part-time courses that are relevant to their Job Seekers Agreement and also continue to seek part-time work. Our advisers have also noticed a lack of consistency in Jobcentre advisers’ understanding of what should be in the Job Seekers Agreement and it does not always comply with the ethos of the agreement which we understand from our colleagues at the DWP that it should be person centred, flexible and realistic and lead to sustainable employment outcomes.

3.5.4 Understanding of the labour market

Refugees report to our advisers but also in focus groups that they would like the Jobcentre to help them in understanding the British Labour Market. They perceive the Jobcentre as an agency who has a lot of information not only on existing vacancies but also on sectors that currently recruit and on training available. Refugees feel that the Jobcentre could help them in identifying sectors for which their skills would be attractive so their job search could be more efficient. Refugees would also like to receive advice on new skills they would require and how they can gain more skills, eg training, volunteering or internship. Refugees reported that their experience of employability advice at the Jobcentre is to be channelled in specific low paid work rather than having options about career path they could take.

Recommendation:

64 Our Refugee Integration Services regularly runs focus groups with our service users to gather qualitative evidence about the experience of refugees in accessing services.
— Jobcentre advisers need to receive training in understanding the needs and experience of refugees who seek work.
— Jobcentre advisers need to adopt an asset based approach and recognising skills and competences to increase efficiency in matching job seekers into suitable jobs.
— Jobcentres must provide more information about the British Labour Market to refugees
— Sanctions should not be given to job seekers who are studying towards qualification that are necessary for them to secure employment.

24 May 2013

Written evidence submitted by Serco Limited

The Governance of Jobcentre Plus

I. Serco thoroughly welcomes the opportunity to respond to this inquiry and to help the Department for Work and Pensions clarify the role of Jobcentre Plus (JCP) in what is a significant time for welfare reform.

II. We understand the motivations behind the removal of JCP’s executive agency status. The economic climate means that we all must focus on delivering efficient and cost effective public services, and we appreciate that JCP needed to contribute to the 40% cost reduction in the Department for Work and Pensions corporate centre. Serco believes that it is too early to draw definite conclusions about whether this structural change has realised the efficiencies the Department were aiming for, with it only being implemented in October 2011. We also believes that to effect real change there must also be several additional layers of service redesign, including in areas such as the customer journey, Key Performance Indicators and targets, partnership working with stakeholders and allocation of budget control. These are evidenced in more detail below. Serco further suggests that the parameters of this inquiry are quite narrow; in examining the role of JCP the Department must also examine its own position, considering whether a shift away from the current hybrid—a deliverer of some public services directly and procurer of others—towards a pure service commissioner is more appropriate. We would also welcome the exploration of alternative commercial models to underpin JCP, for example a public/private partnership running a JCP regional district.

JCP’s Employment Services

Approaches to identifying jobseekers’ needs and barriers to employment

III. As a Work Programme provider in two different regions of England, Serco’s frequent experience is that customers referred to us have not had their needs identified or their barriers addressed by JCP. Serco believes there needs to be an effective triage system at the beginning of the customer journey, which sits with Jobcentre Plus. This will quickly identify needs and barriers, such that the customer can be signposted to additional public services or referred to other services procured by the DWP. Understanding needs and barriers is fundamental to matching a jobseeker with sustainable work; it is crucial that the role of JCP is to place customers into long-term work rather than employment that will see the customer cycle between jobs and receipt of benefits over short periods of time.

IV. A customer-focused service such as this also supports the government and departmental agenda to increase efficiencies and decrease costs. Identifying needs and addressing barriers means that the appropriate intervention can be taken earlier; the longer someone is out of work the harder they are to support back into employment. The duration of unemployment also has a strong correlation with deteriorating physical and mental health, which whilst detracting from individual and societal wellbeing also bears a cost for other public services. An improved, upfront triage service would also see fewer customers returning to JCP, where an additional budget will be required to recommence support.

The effectiveness of the “Get Britain Working” measures

V. Serco welcomes the increased variety of support available to customers at Jobcentre Plus as a result of the Get Britain Working initiative. Serco believes that customer journeys need to be bespoke and responsive to individual needs and barriers, and the widening of service options by JCP goes a significant way to achieving this. Furthermore, choice and empowerment of the customer is fundamental to the success of a service, autonomy and control being essential to individual wellbeing and progression. Serco urges JCP to ensure that each and every customer is fully involved in discussions and decisions about their journey back to work including the selection, within eligibility criteria, of Get Britain Working options.

JCP’s role as a gateway to contracted-out services such as Work Choice and the Work Programme, including processes for referral and handover

VI. Serco strongly supports JCP’s role as a high street gateway to employment services. To improve the rate of Britain’s economic activity it is absolutely essential that there is an accessible and well known service open to all and free at the point of use. However, as we identified in paragraph III, if JCP is to fulfil the role of an
effective gateway it must provide a fit for purpose and upfront assessment of individual need, followed by suitable signposting and delivery of procured services.

VII. Our frequent experience as a Work Programme provider is that customers are often allocated to an incorrect or inadequate benefit type for their needs due to poor upfront triage. This results in the referral of customers to us who have needs that Work Programme services are not designed to address. This is particularly the case with customers drawing Employment and Support Allowance. Serco recommends that JCP’s triage processes are improved to ensure appropriate onward referrals to other procured services.

VIII. To improve its role in handing over to Work Choice and Work Programme services, JCP must have also have a stronger focus on forecasting customer flows. Work Programme providers are able to deliver significantly higher performance if demand is predictable and staffing, budgeting and subcontracting arrangements can be adjusted accordingly.

IX. Serco believes that Work Programme performance would also significantly improve if referrals from JCP consistently included full information on the customer’s journey, together with the outcome of initial and on-going triage processes. We frequently have to duplicate Jobcentre Plus’ effort to gain even an initial understanding of individuals’ needs and barriers to employment. To mitigate against this, Serco recommends that the Department consider the introduction of a shared IT system across all employment services providers. We understand that this would be a significant change with cost implications; however, we believe that this would be more than recouped by the resulting efficiencies and increased performance.

JCP’s use of the Flexible Support Fund, including how spending decisions are made and evaluated

X. As with the Get Britain Working initiative, Serco welcomes the Flexible Support Fund as something that allows for greater responsive to local and individual needs and barriers. However, we are concerned that in evaluating outcomes there is no measure of its ability to support customers into sustainable employment. Serco would like to reiterate that the role of any employment service should go beyond securing job starts and should be to assist jobseekers into long-term work. Our experience in this market indicates that without metrics and targets against an outcome, it is unlikely to become an operational focus.

The effectiveness of JCP’s relationships with other key stakeholders, particularly local authorities

XI. Serco’s welfare to work delivery model is based on bringing existing service deliverers and other stakeholders together to achieve a common aim—support long term unemployed people into sustainable employment. Our experience and wider market observations demonstrate that improved working relationships, which may involve knowledge sharing, reciprocal referral arrangements or even the joint procurement of services result in more efficient, cost effective delivery with increased performance. An effective employment service must at a minimum have a full and nuanced understanding of the local labour market—size of employers, dominant and growing sectors, skill demands, demographics of the workforce and economically inactive—in order to identify and address barriers, and place customers in to sustainable employment. This understanding is significantly improved through the engagement of sector-wide stakeholders, as well as stakeholders related to single customer groups (single parents, those aged 16–24 and ex-armed forces, for example). Serco’s experience of receiving customer referrals from Jobcentre Plus is that engagement with the Probation Service is in particular need of improvement.

XII. Serco suggests that Jobcentre Plus revisits its role as a key stakeholder in employment services in light of the government’s localism agenda and introduction of community budgeting. There must be change at both the national and local level of JCP to achieve this, to grant individual and regional groups of Jobcentres more autonomy to participate in community budgeting, and to recognise at a local level that there must be a step change in the way JCP works with stakeholders. Serco welcomes JCP’s involvement in the pilot areas.

XIII. Whilst our suggested changes have so far focused on JCP’s existing remit, it is also imperative that its role is reviewed in the context of the introduction of Universal Credit. The Department for Work and Pensions must seriously consider what shape the required post-employment support for recipients of Universal Credit will look like, and whether this will sit with Jobcentre Plus. Serco suggests that this would be a significant expansion of JCP’s current role, and would need to be supported by robust staff training and the procurement of an additional and comprehensive menu of support options available to customers.

JCP’s Role in Relation to the Rights and Responsibilities of Benefit Claimants

The level and appropriateness of JCP’s use of benefit sanctions, including differences of approach between JCP Districts

XIV. As a Work Programme provider we fully support benefit conditionality. We believe that sanctions can be an effective method of increasing full engagement with employment services, facilitating jobseekers’ progression towards sustainable employment. Our experience is that sanctions have more impact and are better understood by the customer if they are imposed as soon as possible after the related behaviour; however, there is often a long lag time between our sanction requests and JCP action. Serco welcomes the significant improvement in this with the introduction of the electronic Decision Making and Appeals process, yet suggests that if benefit sanctions are to remain within JCP’s remit processes undergo further review. We would also
suggest that the Department consider a restructure where the ability to sanction transfers with the customer to contracted providers, such as those delivering the Work Programme.

SUPPORTING A FLEXIBLE LABOUR MARKET

JCP’s effectiveness in matching jobseekers to suitable job vacancies, including through the introduction of Universal Jobmatch

XV. Serco’s observation of thousands of customer journeys over the past seven years is that far too many individuals are placed into unsuitable work by JCP that, due to their needs and circumstances, is not sustained. As we have evidenced in various paragraphs above, it is crucial that the role of JCP is to place customers into long-term work rather than employment that will see the customer cycle between short term jobs and receipt of benefits. To satisfactorily fulfil this role, Serco believes that JCP must introduce more effective upfront diagnostics so each customer’s needs are understood and sustainable jobs can be sourced.

Whether JCP is sufficiently focused on sustained job outcomes as well as off-benefit flows and how this is, or should be, measured

XVI. Serco does not believe that JCP is sufficiently focused on sustained job outcomes. Whilst there are very significant benefits to there being a variety of different programmes, options and providers within the employment services market, delivery at all stages must take a fuller view of the customer journey. All providers and programmes should have a common aim and related common performance measurement of sustained job outcomes, such that the entire customer journey has the same emphasis. JCP’s current off-benefit targets create a disconnect in this regard. As we noted earlier now submission., our experience indicates that without metrics and targets against an outcome, it is unlikely to become an operational focus. Serco is pleased to see that the merits of taking a view of the full customer journey are recognised by the Total Place Community Budgets initiative, and refers the Select Committee to the following link for further evidence: http://communitybudgets.org.uk/understanding-the-as-is-position/

THE IMPACT OF BENEFIT REFORMS

XVII. Serco welcomes the introduction of Universal Credit, and as a Work Programme provider we will work hard to ensure it is a success. It is encouraging that with an increased emphasis on making work pay there will be an added incentive for customers to find work. The online aspect of Universal Credit should also reduce the time Jobcentre Plus spends administering benefits, allowing it to have a fuller focus on employment support. Serco would like to note however that Universal Credit will significantly alter the customer journey, and consequently service delivery will need to change and meet new needs. Serco requests that JCP take a proactive role in interacting with Work Programme and Work Choice providers so a co-ordinated response to these changes can be made, particularly over the years when Universal Credit is being introduced.

SUMMARY

XVIII. In summary, Serco would like to stress that JCP must refocus its role on delivering sustained employment outcomes. As we have evidenced, this will reduce inefficiencies and cost and allow the adage of JCP as a revolving door to be lost. This can be achieved through a much improved diagnostics process for each customer, and a change in the performance management regime of individual jobcentres and the organisation as a whole. Increased performance across the whole customer journey would also be realised if the flow of information from JCP to contracted provision was improved.

Serco is very aware that JCP’s remit must change with the current wide ranging welfare reform. We see this as a significant and positive opportunity, with the potential for timely proactive engagement with community budgeting to ensure a joined up approach to delivering employment services.

Serco would also like to reiterate opportunities for the Department for Work and Pensions to consider in the future. In particular, these are: the change in the Department’s own role towards pure service commissioner; alternative commercial models to underpin JCP; the introduction of a common IT system across all employment service providers; the transfer to contracted provision of the power to impose benefit sanctions; and the engagement of the wider employment services market and related stakeholders in the delivery of Universal Credit support.

24 May 2013
Written evidence submitted by Single Parent Action Network

1. SUMMARY

1.1 Single parents are shoehorned into a job-seeking service designed for single people. There is a poor record of Jobcentre Plus (JCP) helping single parents move into sustainable employment.

In particular:

— There is not enough account taken of single parents needs to find work that also fits in with their caring responsibilities, or to help them access childcare which is not helped by the scaling back of specialist support (Lone Parent Advisers);

— Single parents are likely to have been away from the job market for some years and yet there are few training opportunities including refresher training;

— The current Jobsmatch service relies on employers posting vacancies, without contact from JCP to advise on job design, and there are limited part-time and flexible job opportunities advertised; and

— Those single parents that are moving into employment are moving into poorer paid and low skilled work (despite their qualifications).

1.2 It is unclear how current practice at Jobcentre Plus will help single parents to become less reliant on welfare benefits in the future including satisfying in-work conditionality. Single parents are receiving an increasing number of benefit sanctions; these are not helping them move into work and can be applied for their caring responsibilities.

1.3 At JCP there is currently too much emphasis on policing job seeking benefits and a lack of application of the legal rights that should take greater account of the needs of single parents and their children.

1.4 We propose recommendations to improve the service by providing a more holistic approach to the support for single parents including:

— Specialist support for single parents including the wider involvement of Lone Parent Advisors;

— Greater opportunities to access training courses that further sustainable employment;

— Improved access to childcare support when seeking employment;

— Transparency about rights in Job Seeker Agreements as well as responsibilities;

— A review of the sanctions imposed on single parents and why these are applied; and

— Working more closely with employers to support a better flexible and part-time job market including in the development of Jobsmatch.

2. BACKGROUND

2.1 The Single Parent Action Network (SPAN) is a national organisation based in Bristol, helping membership groups and individual single parents through a range of services to empower themselves and move forward in their lives and communities. We also have a national online webservice www.spanuk.org.uk offering support and online training across the country. The evidence for this submission is drawn from our grassroots delivery as well as two SPAN documents, A Longitudinal Qualitative Study of the Journeys of Single Parents On Jobseekers Allowance (2012) a research study published in collaboration with the University of the West of England and our analysis The longer term experience of single parents on the Work Programme (2013) which includes single parents’ interactions with Jobcentre Plus.

2.2 There are approximately two million single parents (nine out of ten are women) in the UK. The majority are already in employment (59%). Both the previous and current Governments have wanted to further increase this number both to address child poverty and to reduce welfare expenditure. Since 2008, 400,000 single parents have moved from Income Support to job seeking requirements. Single parents are a significant user group on the Work Programme (WP) making up 7.4% (62,333) of all attachments between June–July 2012. They do worse than jobseekers overall at moving into sustained employment. Out of the 31,240 job seekers who have moved into longer-term work 1,650 were single parents (3.7% for all clients compared to 2.7% for single parents).

2.3 Despite the change in job seeking obligations the employment rate for single parents has not significantly changed. The adequacy of employment services offered at Jobcentre Plus and contracted services such as the Work Programme could play a vital role in improving the employment outcomes for single parents.

2.4 In this submission we concentrate on three key areas for the Inquiry; 1) Addressing job seekers needs and approaches to barriers to employment. 2) The rights and responsibilities of benefit claimants and the sanctions regime and 3) Working with employers and the Jobmatch service.

3. Addressing Job Seekers needs and Approaches to Barriers to Employment

3.1 In our research study (2012)\(^68\) we followed 50 single parents over a three-year period. Of the 50 single parents none got a job as a direct result of their interaction with Jobcentre Plus (JCP). Of the 14 parents who moved into work, their success with finding employment was dependent on how close they were already to the labour market (some already had limited hours with the same employer), the level of support they had from family, travel times to home (most of those who found work did so near to their home) and whether they could find flexible employment to take account of their need to also care for their children.

3.2 In terms of services offered at JCP single parents frequently saw different advisers at each signing-on session, and often had to repeat information. In this context it was difficult to build up a rapport with the advisers. Parents talked about not being sure what reception and assessments were going to be made by the next adviser. Single parents thought some advisers treated these sessions as a box ticking exercise. Other single parents were worried and unclear about being sanctioned for not having fulfilled their obligations:

"I mean I could look at the newspaper and find no particular suitable jobs. Am I supposed to write that down because it’s not exactly something I can prove and is it enough?" (Single job)

3.3 Single parents have moved into a job seeking service that has largely been designed for the single job seeker rather than a job seeker with sole parenting responsibilities. Single parents thought that Jobcentre Plus staff could fail to link them to jobs that were appropriate to their skills or caring responsibilities. They were also left disappointed by the lack of training opportunities that were open to them on Jobseeker’s Allowance (JSA). This was a particular issue for single parents who had been out of the job market for some time and needed training to move into employment or refresher training to move back into the field of work they had undertaken before having their children. In our research half of the parents had not been in work since their youngest child was born (for at least seven years). Over half of the single parents in the study received no training whilst on JSA.

3.4 Single parents missed the specialist support of Lone Parent Advisers. These advisers were available to parents on Income Support but not Jobseekers Allowance. Autonomy of local Jobcentre Plus services introduced since our research means that offices do not have to provide specialist services to particular user groups. Single parents, many who had been out of employment for years, were keen to have support to move into work but were left confused by how to go about doing so and did not feel supported by advisers. They would have liked advisers to help them in terms of job searching and contacting potential employers about work placements or opportunities to job share.

"…one of the questions she said to me was how was I going to find work and I just looked at her blank and I went and thought that was for you to tell me and she turned round and went no you have got to tell me”. (Single parent)

Single parents felt that the onus to find childcare was placed on them rather than something the Jobcentre helped with. The amount of information given to single parents about how to find childcare varied substantially.

"…my childcare issues aren’t their concern, their concern is getting me off Jobseeker’s and getting me into employment.” (Single parent)

3.5 Recommendations

— Reinstate role of Lone Parent Specialists both in Jobcentre Plus and within the specification for contracted services.

— Greater emphasis given within Jobcentre Plus to help single parents prepare for work rather than policing their benefit compliance.

— Support for training programmes including refresher training for single parents.

— More information and support in single parents accessing childcare.

4. The Rights and Responsibilities of Benefit Claimants and the Sanctions Regime

4.1 In terms of rights there are legislative protections for single parents and their children that should allow their job preparation and job search to be different from that of other jobseekers:

— The Welfare Reform Act 2008 contains a provision to protect the wellbeing of children in relation to Jobseekers Agreements\(^69\) (and this protection is included in the Welfare Reform Act 2012 Claimant Commitment);

— Lone Parent Flexibilities, including the right to restrict hours of work to care for a younger dependent child; and

— The Public Sector Equality Duty in particular the duty to promote equality of opportunity between men and women in service delivery.

We found from our Analysis (2013)\(^70\) that the rights of single parents and their children were not adequately communicated or applied. Similar expectations were placed on them as other job seekers and this could leave


\(^69\) Section 31, Welfare Reform Act 2009.

\(^70\) *The longer term experience of single parents on the Work Programme* (2013).
them exposed to sanctions as they found it harder to comply with unrealistic job preparation and employment. The threat of sanctions did not help these parents move into work.

4.2 The DWP’s own commissioned research report (2011) found that the majority of single parents “were not aware of the specific flexibilities, a proportion had been told they were allowed to only look for work that was during school hours only (12%) or have the availability and costs of childcare taken into account when working out their availability to work (8%)”.71

4.3 In our Analysis (2013) we found JCP had set unrealistic Jobseekers’ Agreements (JSAg) and this exposed single parents to being sanctioned. For instance one parent’s JSAg states she must work the hours from the moment she drops her child off at school to the moment she picks her up, allowing no time for her travel to a place of work. On top of this she must be prepared to travel 90 minutes each way to work. In JSAg it was common for single parents to have to specify that they are prepared to travel 90 minutes each way for a job, even where their hours of work are restricted (such as school hours) and this is written into JSAgs. This rigidity on long travel times does not lead to sustainable employment. Our longitudinal research (2012) found single parents were more likely to sustain employment when it was local. Moreover, despite the young age of some of the children (one had a child aged five) single parents are still having full-time hours written into their JSAg without them having a knowledge of the flexibilities or where there is that knowledge, imposed in their JSAg without negotiation.

4.4 Under the Welfare Reform Act 2012 the majority of Lone Parent Flexibilities, which are largely designed to protect the care of children, have been diluted to guidance rather than written into law. Single parents in the near future will have to rely even more heavily on the discretion of advisers at Jobcentre Plus as to how much account is taken of the needs of their children in their job preparation and job search.

4.5 In our Analysis (2013) not one parent had been told about the public sector equality duty at Jobcentre Plus. In 2009 the Equality and Human Rights Commission using their powers under section 31 of the Equality Act carried out an assessment of Jobcentre Plus, functions to see whether they were complying with the previous Public Sector Equality Duties. They concluded that Jobcentre Plus needed to do more in relation to gender equality including moving away from assuming that equal treatment will lead to equal opportunity. We found that not only were services not designed to take account of single parents needs but that the way services were delivered could put single parents at a disadvantage and made it harder for them to comply with instructions from advisers, thus exposing them to threats of sanctions.

4.6 The DWP’s own research identified that some single parents were receiving sanctions that could relate to their caring responsibilities,72 for instance, a single parent being sanctioned when her child was ill and was not able to attend an appointment. Another parent was sanctioned for not applying for six jobs each week (single parents’ restriction on hours means there are likely to be many less jobs available for them to apply for).

4.7 The figures below show the rise of sanctions imposed on single parents since 2008.

<table>
<thead>
<tr>
<th>Number of JSA lone parent claimants</th>
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<tbody>
<tr>
<td>January 2008–December 2008</td>
<td>1,340</td>
</tr>
<tr>
<td>January 2009–December 2009</td>
<td>4,970</td>
</tr>
<tr>
<td>January 2010–December 2010</td>
<td>14,070</td>
</tr>
<tr>
<td>January 2011–December 2011</td>
<td>20,580</td>
</tr>
<tr>
<td>January 2012–April 2012</td>
<td>8,940</td>
</tr>
</tbody>
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4.8 Recommendations

— That the legal rights of single parents and their children are clearly communicated and applied at Jobcentre Plus and that Job-seeking Agreements and the new Claimant Commitment reflect these rights.

— That more detailed information is kept on the reasons why single parents are receiving sanctions.

— Sanctions are not imposed on single parents due to their caring responsibilities.

5. Working with Employers and the Jobsmatch Service

5.1 Both our Longitudinal Study (2012) and our Analysis (2013) show the shortage of quality part-time and flexible employment open to single parents. Jobcentre Plus need to play a more proactive role in encouraging employers to design and advertise more part-time and flexible jobs and to develop the Jobsmatch service.

71 Lone Parent Obligations supporting the journey into work, DWP Research Report 736, May 2011, Page 86
72 Lone Parent Obligations: work, childcare and the Jobseeker’s Allowance regime, May 2012
5.2 Like all jobseekers who are on a jobseeking benefit there is pressure to take any work. However, single parents have the additional need to find a job that also fits around the care of their children. There are fewer jobs available to them than are open to people who can work full-time. Only employees with 26 weeks’ continuous service with an employer have a right to request flexible working. Jobseekers looking for flexible employment currently have to rely on advertised vacancies. Evidence has shown these jobs are less available and where they exist tend to be lower skilled and poorer paid. A study (Women Like Us, Joseph Rowntree Foundation, March 2012) found that although a quarter of jobs were advertised as part-time roles they were much less likely than full-time jobs to pay at a reasonable level. They found that for every one part-time vacancy paying £20k full-time equivalent, there were 18 full-time vacancies at this level. Without change this will undermine the effectiveness of welfare changes as many single parents are unable to find work that fits with their caring responsibilities or they move into poorly paid employment with on-going in-work financial support from the government.

5.3 Our Longitudinal Study (2012) showed that despite their qualifications single parents moved into low paid work mostly care work, childcare, supermarkets and cleaning. Our Analysis (2013) also showed single parents who had qualifications and experience but were unable to find flexible employment including jobs in the public sector. These jobseekers included a trained psychiatric nurse, qualified teachers and a qualified social worker. There was pressure for parents to take any work irrespective of whether it would secure them a decent wage or fit in with responsibility for their child.

5.4 Whilst smoothing some of the financial transition between benefits and work, the Universal Credit does not address some of the other barriers faced by single parents including the poor choice of flexible employment that is open to them. The Universal Credit will introduce in-work conditionality to push claimants to work more hours and reduce their dependency on benefits. Certain groups like single parents with younger children will be expected to work within school hours. However, in-work conditionality will mean that over time, as their children get older, they will be expected to increase their pay. This will have particular impact on single parents who were pushed into low paid work with few prospects for advancement when their children were younger.

5.5 The Jobsmatch service involves employers posting vacancies online. It is important that JCP staff work with employers before they post vacancies to encourage them to design flexible and part-time vacancies otherwise the system will remain biased towards full-time vacancies. For instance, this week on Jobsmatch if you were looking for a teaching job in London there were 7971 vacancies open to you with full-time hours and 668 with part-time hours.

5.6 Recommendations

— Review of the work first agenda for claimants on Jobseekers Allowance with greater emphasis on employment that will sustain parents in the longer term.

— That Jobcentre Plus works more closely with local employers to encourage more part-time and flexible vacancies beyond low skilled and low paid work before vacancies are posted on Jobsmatch.

— Jobcentre Plus trial a job sharing register of vacancies and incentivise employer take up to encourage a greater spread of vacancies being open to single parents.

24 May 2013

Written evidence submitted by John Slater

SUMMARY

1. Jobcentre Plus (JCP) is a monolithic dysfunctional organisation where claimants are seen as an enemy that must be sanctioned at every opportunity. Senior management is completely divorced from the day to day reality of JCP employees. It is culturally and operationally incapable of providing the leadership, compassion, innovation, flexibility, support, management of third party suppliers and professionalism required to deliver the services and roles set out by the Committee. Any organisation that employs over 80,000 people will typically struggle to respond quickly, flexibly and innovatively to change but JCP is at the extreme end of poor in this regard. The Committee needs to consider the current size, structure and leadership of JCP as part of its inquiry.

SUBMISSION MAIN BODY

2. I have extensive professional experience of working in large and often multinational companies delivering change programs. JCP exhibits all the typical symptoms of a failing dysfunctional organisation. Senior management is divorced from the day to day reality faced by customer facing staff and this breeds resentment and ultimately failure.

3. Without senior leaders constantly demonstrating the required “culture” (ie this is how we all behave around here) lower level managers and employees working on the front line make it up themselves and this leads to the problems reported recently by The Guardian newspaper. The Guardian exposed sanction targets

being set for each JCP building which Ministers and senior management have stated is not official policy and should not be happening. The spreadsheets released to The Guardian by a JCP whistleblower look very professional and are clearly not the product of a lone rogue manager. When was the last time Darra Singh, Robert Devereux, Sue Owen, or Terry Moran spent a day on the “front line” really talking to staff and customers? Leaders that inspire really do walk around the business and talk to people.

4. I have worked with a number of public organisations and know senior people who work for large private organisations that have public authorities as key customers. I have talked to a number of senior people who openly laugh at the thought of public bodies managing private companies effectively. Comments are generally along the lines of we just threaten them with the lawyers or tell them it will require a contract change that will cost them a lot and they back off.

5. Based upon my limited experience of JCP and the National Audit Office’s report on how the Atos contract is managed I would suggest that JCP is probably one of the poorer public sector organisations when it comes to commercial management. Large consultancy organisations that work with “customers” such as JCP deliberately blur the lines between organisations and offer “help” with developing policy or dealing with changes. This is a deliberate ploy to allow them to influence the shape of future policy and make their company appear invaluable to the public authority. The goal is to make the public authority believe that they cannot afford to get rid of their company and that it would be in everyone’s interest if they could do other work for the public authority. The sell will always be along of the lines you know us and it means you don’t have to deal with yet another company. JCP does not have the skills or the will to manage small commercial organisations let alone large multinationals.

6. There are clearly issues with normal day to day management of the “business”. A number of people have submitted Freedom of Information Act requests in response to publications and statements made by JCP. These may have been about a percentage being cited for a particular measure and people asking how the number was derived. Invariably, the response is that the information isn’t held (ie they don’t know) or it answer turns out to be a circular reference to a different document that also simply states the number. If JCP is unable to “do the basics” adequately then it has no chance of coping with the more complex issues.

7. JCP staff and senior management appear to have a total disregard for the law. Whilst most of what the JCP does is based upon primary or secondary legislation they have an unfortunate habit of implementing local policies that have no basis in law. This leaves the Secretary of State open to legal challenge and gives rise to cases such as Reilly and Wilson versus the Secretary of State for Work and Pensions [2013] EWCA Civ 66. There are numerous examples where JCP is breaching the law in relation to sanctions, preventing claimants recording their business with the JCP. I believe that there are a number of requests for Judicial Reviews underway that will only add to the list of losses for the Secretary of State.

8. A highly pertinent example comes from meeting minutes obtained via the Freedom of Information Act. Minutes of a meeting with Atos revealed a discussion of how to deal with people that “failed to attend” for medical examinations. The suggestions were:

(a) Consider limiting the number of times good cause can be considered—eg two strikes and claim is closed.

(b) Suspend benefit payment until compliance (this could be for FTR too?).

(c) Consider benefit sanction for non-compliance.

(d) BF223 not to be issued by Assessment Centre, but used by Department if outbound call fails or used in electronic format.

(e) Fail to participate cases (under influence of drink/drugs) should be treated as failed to attend.

9. It is clear that there is absolutely no recognition by the people discussing these options that they are dealing with seriously ill human beings. Their focus was solely on “how can we fail their claim”. It must be recognised that absolutely none of the suggestions have a basis in law. In effect someone who is seriously ill and regularly being admitted to hospital could find their benefit terminated because they missed two medical assessments. People who are drug addicts or alcoholics could have their claim purely because of their addictions. If the suggestion related to people suffering from cancer, motor neuron disease, MS, etc I suspect the suggestion would not have made it into the meeting minutes. Another question needs to be asked as to why such discussions are taking place with a company such as Atos?

10. Unfortunately two years ago I became ill and unable to work. While a number of specialists were trying to diagnose by condition I applied for Employment Support Allowance (ESA). In addition to my savings this meant I was able to pay my bills and stay in my home, but only just. Setting the ESA Assessment to one side I was called to attend a work focused interview (WFI) at my local JCP whilst I was appealing a decision (which I won comfortably).

11. My condition means that I frequently suffer with extremely poor bladder and bowel control which can be highly embarrassing. Upon arriving at the JCP I asked if I could use a toilet. The gentleman on reception refused. I explained my situation and that if I did not get to a toilet very soon her was going to see a grown

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75 Terry Moran, formerly chief operation officer at the Department for Work and Pensions and Senior Responsible Owner for Universal Credit
man wet himself. He laughed to my face and told me that “I would just have to cross my legs”. Fortunately I managed to make it across a main road to local council offices where I was allowed to use a toilet.

12. During my WFI I explained how unhappy I was and that I wanted to make a complaint. The advisor ignored me went into what I can only describe as a script that was totally irrelevant to me. When challenged as to what help the JCP could offer me given my academic and professional background she had to admit that there was nothing and that being forced to attend the WFI was in effect a total waste of my time. The whole experience and associated stress exacerbated my illness for several weeks afterwards.

13. I decided to complain about my treatment by the staff at the JCP building. This proved to be a complete farce. I was initially ignored and when forced to address my complaint I was told a pack of lies (this is not an exaggeration). JCP policy was presented as law and no adequate explanation was forthcoming when I proved otherwise. The “final letter” from the Chief Operating Officer’s office was laughable. If a senior executive at any of the multinational companies I have worked for had allowed such a letter to leave their office they would have been dismissed.

14. To date, in relation to my complaint, the Information Commissioner has confirmed that the Freedom of Information Act was breached, the Equality and Human Rights Commission has confirmed that the Equality Act was breached and the Independent Complaint Examiner is investigation a number of other serious issues. One of these is the fact that the adviser has stated that they remembered me and confirmed that I did not complain. Unfortunately, for JCP and the advisor I record all of my dealings with the DWP and JCP and have a clear audio recording of me stating that I wanted to make a formal complaint about my treatment.

15. If JCP is to stand any chance of addressing the points listed by the Committee it requires a complete cultural change. I suggest that JCP staff see claimants as the enemy and their role being to get them off benefits as quickly as possible and by any means.

16. There is compelling anecdotal evidence concerning how JCP employees treat claimants. Whilst this may be anecdotal it is consistent across the many examples published and I suggest cannot be ignored. One lady reports being sanctioned for not applying for certain jobs. It turned out that she didn’t apply for them because they were all managerial positions that she had neither the experience or qualifications for. However, this mattered not to the JCP advisor who proceeded with the sanction. Another person reported being sanctioned for arriving ten minutes late to sign on. He had to walk five miles to the JCP building but this was not good enough for the advisor who sanctioned him. A lady reported that her father died and she didn’t apply for many jobs that week as she was looking after her grieving mother and arranging her father’s funeral. Sadly it appears that we now live in a society where we no longer have sympathy for fellow human beings who have lost a parent, we simply sanction them! This behaviour mirrors the information published by The Guardian Newspaper where advisors were being told to get creative about sanctioning people in order to hit their targets.

17. If JCP put as much effort into genuinely helping people as it does in looking for inventive ways of sanctioning them then perhaps it will have more success. The vast majority of what JCP is supposed to do is based around change. This covers being able to cope with rapid and frequent change due to government policy and facilitating the change necessary by claimants that will enable them to get new jobs. Unfortunately I do not believe that JCP realises this or that it has the necessary leadership and skills to cope with it.

18. It appears to me that JCP has a number of deeply ingrained “corporate beliefs” that will be difficult to change. I suggest that some of these are:

(a) All claimants are lazy benefit scroungers.
(b) Given a choice claimants would rather live on benefits than work.
(c) You cannot trust claimants to do anything unless you are looking over their shoulder.
(d) No matter what the question, the answer if private sector suppliers.
(e) A one size solution is good enough for all claimants.

19. Unless the current set of corporate beliefs and behaviours are changed it doesn’t matter what new policies or changes are introduced the outcomes will remain the same. I suggest that not all claimants are the same and therefore JCP needs to have a different approach for each type. My personal feeling (I accept that this is not backed up by research but I would be prepared to bet it’s not that far out) is that there are broadly the following groups of claimants:

(a) Those that will get new jobs regardless of what help is made available to them via JCP. They are confident, driven and flexible.
(b) Those that desperately want to work but for a number of reasons (loss of confidence and self belief possibly due to the sheer scale of rejection that have experienced) don’t know what to do anymore and to some degree have given up. I suspect that this is the biggest group and ranges from people that with a little of the right kind of short-term focused support will prosper to those that require longer term help.
(c) Those that have never worked and the tiny minority that appear to have decided that they are going to live on benefits for life.
20. I suggest that JCP needs to understand the different groups and the type of support that each requires. If this is to be done properly some difficult questions need to be asked and real-world answers agreed upon.

21. It could be that for group (a) above JCP simply leaves them alone for six months, unless they specifically ask for help, as the majority are likely to have found a new job in that time. If, after six months, they haven’t found a job then focused help can be provided.

22. For group (b) above I suspect that they will require a range of interventions. Some will be aimed as rebuilding their self belief and self worth and possibly being sent of genuinely helpful training course or job placements. The interventions must be aimed at helping them to recognise the skills they have and the best types of jobs to apply for. It mustn’t be forgotten that some people may in the position where they haven’t ever had to write a CV and haven’t had to apply for a job for over 20 years. Why should we assume that all people have an innate ability to be effective in the current job market?

23. I suspect that group (c) will be the hardest to deal with. They probably won’t have academic or vocational qualifications and won’t have ever worked. If JCP truly wants to get people from this group back to work it will require intervention from a range of specialists able to address psychological and practical problems that are specific to each claimant. I suspect that the cost of genuinely helping this group will be significantly more in the short to medium term than the benefits they receive. There needs to be a genuine political will to want to help these people. If JCP starts out on a programme to help and then simply gives up because it’s too hard or too expensive it will only serve to reinforce the beliefs of claimants that led them to remain unemployed in the first place.

24. JCP and to some degree the Government itself need to address the mantra of “whatever the question the private sector is the answer”. The goal of any private sector company is to make a profit and there is nothing wrong with that. If private sector companies contracted to get people into work are paid a set fee upfront and then a success fee when people obtain and stay in employment their focus will be profit and not helping claimants. Companies will look for and focus on “quick wins”. These will be people were they don’t need to do very much and will therefore provide the biggest return. I suspect these claimants will come from group (a).

25. For all other claimants the companies will assess what chance they have of getting them into work. If the cost of doing this exceeds what they are being paid (even with the success fee) they will either spend up to a financial limit that is less than they have been paid already and then stop or not bother in the first place. I believe that evidence of this happening with current JCP suppliers has been reported to reputable current affairs TV programmes.

26. It must be recognised that private sector suppliers to JCP are selling when the talk about the services that they can offer. I suggest that the people within JCP that deal with contracts need to be more cynical about what is being offered. If it is as easy as these suppliers claim to get people into work then why are so many people unemployed?

27. I suggest that there is another issue that needs to be considered with private sector suppliers. If one looks at the board of directors and senior management teams of suppliers there are clearly not people who have experienced extended periods of unemployment. In fact they invariably have highly marketable skills and experience. I think it is fair to ask how can companies genuinely help people if those running them are not able to relate to what claimants are experiencing? I come from a working class background where my parents frequently had two jobs each and I can remember hiding because the “man from the Pru” was knocking at the door and my Mother didn’t have the money to pay him. However, I wouldn’t be so arrogant to claim that I can understand the issues and problems faced by the long term unemployed because I haven’t experienced it. I haven’t had to deal with the impact of receiving 100’s if not 1,000’s of rejection letters or simply receiving nothing at all.

10 May 2013

Written evidence submitted by Sunderland City Council

EXECUTIVE SUMMARY

In this written submission, Sunderland City Council has attempted to contribute to the Inquiry from its experience in each of the subject areas identified. Our concerns are primarily about the practical implications at local of recent changes and the fairness with which procedures are being applied. We also question whether Jobcentre Plus (JCP) ability to act as a strategic contributor locally has been changed at all as a result of the changes within the Department for Work and Pensions (DWP).

JCP’s employment services, including: approaches to identifying jobseekers’ needs and barriers to employment; the effectiveness of the “Get Britain Working” measures; JCP’s role as a gateway to contracted-out services such as Work Choice and the Work Programme, including processes for referral and handover; JCP’s use of the Flexible Support Fund, including how spending decisions are made and evaluated; and the effectiveness of JCP’s relationships with other key stakeholders, particularly local authorities.

1. We believe that it is right for JCP to act as a gateway to the Work Programme, however we are concerned about the well-reported and ongoing failure of the programme to meet expectations.
2. We believe that as much expertise lies with some JCP and local authority staff, with regard to tackling the traditional JCP customer groups’ employment needs and barriers to employment as it does with some of the contractors engaged to deliver the Work Programme. We would echo calls for more engagement with local authorities in order to deliver effective outcomes than have been achieved to date.

3. We also welcome initiatives such as the Universal Credit Support Services Framework, as an attempt to start to address some “non work issues” for specific customer groups, but also believe that JCP has further to go for instance in ensuring that some staff are aware of and follow agreed procedures—such as Working with Representatives/Implied Consent.

4. The recent transfer of Crisis Loans and Community Care Grant budgets and responsibilities for meeting these needs highlighted significant problems in the training and awareness cascaded to front line DWP/JCP staff, in terms of their responsibilities and those of local authorities in relation to grants that remained with the DWP and those needs that the council could meet. JCP staff were not familiar with Short Term Benefit Advances or Budget Advances or, if they were, did not offer them appropriately and instead referred all applicants to local councils.

5. Gateshead Council has been liaising directly with contacts at DWP regarding this problem which is also being experienced by neighbouring authorities. The following extract from the JCP’s response to these concerns illustrates why our concerns remain.

6. “Right now the main issue is how quickly we respond to your concerns to make your life easier and the customer experience better for everyone.”

7. “This is a major cultural change for our staff (as well as yours) and trying to assist them in understanding that neither Short Term Benefit Advances (STBA) nor the Local Authority provision are crisis loans by another name is very difficult and will take time to establish. Also ensuring that our staff provide the correct responses to enquiries and that the right options are explored is part of that, and we do have an extensive checking regime in place which will gradually ensure such occurrences are considerably reduced. I will look to see what activities we could undertake to speed this process of understanding up as quickly as possible.”

8. This lack of training and understanding of the changes in the system has placed councils under additional pressure and issues are only now in process of being resolved. Given that this is only a small scheme compared to Universal Credit, we are concerned about the level of training which will be given to DWP staff, in order to support these bigger transitions.

JCP’s role in relation to the rights and responsibilities of benefit claimants, including: the effectiveness of benefit conditionality, particularly job-seeking conditionality and the mandatory “work-focused interview”; and the level and appropriateness of JCP’s use of benefit sanctions, including differences of approach between JCP Districts.

9. We believe that it is right for JCP to continue to manage these responsibilities. We are concerned, however, over reports of formal or informal sanction targets being applied to JCP offices and individual staff in relation to performance reviews. We believe that sanctions should only be applied to individuals where appropriate and would welcome these figures (post 22 October 2012 and the introduction of the new sanctions regime) being made available again. We are aware of some individual decisions to sanction people that do not appear appropriate.

10. We believe any lessons from this extension of timescales and powers should be learnt prior to introducing the new conditionality framework into Universal Credit.

11. We are also concerned that customers who are sanctioned have a 15 day waiting period before they can claim a Hardship Allowance. Some customers who then try to apply for Hardship Allowance are also incorrectly being referred to councils to claim Crisis Support. Most councils are not giving out cash payments and, just as importantly, customers who were sanctioned could not previously apply for Crisis Loans when it was the DWP scheme. We would question why customers are now being advised differently.

Supporting a flexible labour market, including: JCP’s effectiveness in matching jobseekers to suitable job vacancies, including through the introduction of Universal Jobmatch; whether JCP is sufficiently focused on sustained job outcomes as well as off-benefit flows and how this is, or should be, measured; and employers’ assessment of the effectiveness of JCP as a recruitment partner.

12. We believe that it is right for JCP to act in support of a flexible labour market. There have been concerns raised however over the ability of JCP staff to support those it refers to as its “non traditional clients” (eg those with higher skills and knowledge levels) back into employment. With the growth in public sector job losses and the reporting of previous issues, this should be a priority.

13. It is also clear that Universal Job Match needs further refinement—issues have been reported with regard to the appropriateness or otherwise of some of the vacancies (eg for multi level marketing positions rather than jobs) and that some of the entries are for data gathering purposes or recruitment firms, rather than actual jobs.
14. This system needs to be secure and trusted by both jobseekers and employers—especially given its increasing importance and the apparent compulsion for the former to use it.

The impacts of benefit reforms, including: the implications for JCP staff roles of the implementation of Universal Credit, including the skills staff will need in order to offer effective in-work support; changes to staff roles brought about by the move to “digital by default”; and plans to support claimants affected by the benefit cap.

15. As detailed above, we believe that staff within JCP have not always been able to address the needs and aspirations of its non-traditional customer base (eg some of those with higher or specialised skills and knowledge that have recently become unemployed). We have some concerns about how well staff will manage the extension of support to people that it currently does not need to engage with as much as it will in the future (eg those in receipt of Working Tax Credit, some disabled people and carers).

16. We believe that people working more than 16 hours per week (eg those currently receiving Working Tax Credit) should be offered support to increase their hours where appropriate. However we do not believe this should be compulsory.

The governance of JCP, including: whether ending the executive agency status of JCP, and bringing it under the central control of a single DWP Chief Operating Officer, has brought about efficiencies and streamlined management as intended; and the potential for more radical future changes to JCP.

17. While it remains unclear at local level whether the scrapping of agency status for JCP has brought about the planned efficiencies, what is clear is that it has had little impact upon the ability of DWP or JCP to respond to local circumstances. Indeed, it is puzzling that services for workless individuals have undergone a high degree of centralisation of control when all other public services are being either instructed or encouraged to become localised and therefore more responsive.

24 May 2013

EXECUTIVE SUMMARY

In this written submission, Sunderland Partnership has attempted to contribute to the Inquiry from its experience in each of the subject areas identified. Our concerns are primarily about the practical implications at local of recent changes and the fairness with which procedures are being applied. We also question whether Jobcentre Plus (JCP) ability to act as a strategic contributor locally has been changed at all as a result of the changes within the Department for Work and Pensions (DWP).

JCP’s employment services, including: approaches to identifying jobseekers’ needs and barriers to employment; the effectiveness of the “Get Britain Working” measures; JCP’s role as a gateway to contracted-out services such as Work Choice and the Work Programme, including processes for referral and handover; JCP’s use of the Flexible Support Fund, including how spending decisions are made and evaluated; and the effectiveness of JCP’s relationships with other key stakeholders, particularly local authorities.

1. We believe that it is right for JCP to act as a gateway to the Work Programme, however, we are concerned about the well-reported and ongoing failure of the programme to meet expectations.

JCP’s role in relation to the rights and responsibilities of benefit claimants, including: the effectiveness of benefit conditionality, particularly job-seeking conditionality and the mandatory “work-focused interview”; and the level and appropriateness of JCP’s use of benefit sanctions, including differences of approach between JCP Districts.

2. We believe that it is right for JCP to continue to manage these responsibilities. We are concerned, however, over reports of formal or informal sanction targets being applied to JCP offices and individual staff in relation to performance reviews. We believe that sanctions should only be applied to individuals where appropriate.

Supporting a flexible labour market, including: JCP’s effectiveness in matching jobseekers to suitable job vacancies, including through the introduction of Universal Jobmatch; whether JCP is sufficiently focused on sustained job outcomes as well as off-benefit flows and how this is, or should be, measured; and employers’ assessment of the effectiveness of JCP as a recruitment partner.

3. We believe that it is right for JCP to act in support of a flexible labour market. There have been concerns raised however over the ability of JCP staff to support those it refers to as its “non traditional clients” (eg those with higher skills and knowledge levels) back into employment.

The impacts of benefit reforms, including: the implications for JCP staff roles of the implementation of Universal Credit, including the skills staff will need in order to offer effective in-work support; changes to staff roles brought about by the move to “digital by default”; and plans to support claimants affected by the benefit cap.
4. As detailed above, we believe that staff within JCP have not always been able to address the needs and aspirations of its non-traditional customer base (eg some of those with higher or specialised skills and knowledge that have recently become unemployed).

The governance of JCP, including: whether ending the executive agency status of JCP, and bringing it under the central control of a single DWP Chief Operating Officer, has brought about efficiencies and streamlined management as intended; and the potential for more radical future changes to JCP.

5. It is not clear to us whether the scrapping of agency status for JCP has brought about the planned efficiencies. Nor is it evident that this has had any impact upon the ability of DWP or JCP to respond to local circumstances.

23 May 2013

Written evidence submitted by Tees Valley Unlimited

EXECUTIVE SUMMARY

This submission draws attention to problems with the Universal Jobmatch system as a source of statistical data on the labour market. Whilst data on job vacancies would be useful in understanding the labour market and the demand for jobs and skills, it seems that little consideration was made of the needs of statistical users in the design of the Jobmatch system. Data from the Universal Jobmatch system has proved to be of limited use, as it has been poorly categorised with non-standard codes. The system works badly and is awkward to use. I am also concerned with the lack of any response to users’ problems. A great deal of work needs to be done to the data to make it useful and alternative methods of access (preferably through the NOMIS76 system) would be very welcome.

INTRODUCTION

1. I work for Tees Valley Unlimited, the Local Enterprise Partnership (LEP) for the Tees Valley. I have 27 years experience of analysing and presenting data relating to local areas, in particular the local economy and labour markets, in a local government and LEP context. I wish to comment on the Universal Jobmatch job vacancy system as a source of data to understand the economy.

NEED FOR JOB VACANCIES DATA

2. As a LEP, job vacancy data is useful because our prime role is to regenerate the local economy. To do this, we need to understand the labour market and business environment to the fullest extent we can, and to track how they are changing. Therefore, data on the number, type and trend in job vacancies is a useful source of data on the economy eg a rise in advertised vacancies is an early indicator of improving labour market conditions, and the sorts of jobs and skills that local employers are looking for. We also have a role in ensuring that the skills of the workforce meet the needs of local employers, so some idea of the demand for labour—both its extent and the characteristics of jobs that employers are seeking to fill—is important.

PROBLEMS WITH THE UNIVERSAL JOBMATCH SYSTEM

3. We used to access data from the previous system of vacancies held by Jobcentre Plus through NOMIS. Whilst access to this system through NOMIS was easy, the data was not of especially high quality. The Department for Work and Pensions (DWP) replaced this with the Universal Jobmatch, accessible through the Direct.gov website. It was promised that the new system would be a great improvement over the old system, with much wider coverage. However, the new system has proved to be poorly designed for users such as ourselves who wish to use the system as a source of statistical data.

4. I would summarise some of the failings of the system as:
   — There is little evidence of the system being designed to meet the needs of users who wish to get statistical data from it. There is no metadata (something that explains the terms used) for statistical users at all that I can find.
   — The system is hard and awkward to use.
   — The date ranges available are often unhelpful.
   — The geographies are often non-standard (for instance I assume that the “Tyne Tees” region corresponds to the North East, but it’s unclear what the “Home Counties” region might be).
   — Industry categories are non-standard and include a rather unhelpful category of “all”. Large numbers of jobs are categorised as being for recruitment agencies, which isn’t very informative. Agencies may be the source of the job advert, but most statistical users of the data would be more interested in the industry of the actual job.
   — The “occupation” categories are not even occupations, let alone use standard occupational codes, but are actually job titles.

76 National Online Manpower Information System (NOMIS) is a web based portal run by the office for National Statistics
— The system purports to classify vacancies by qualification required, but the vast majority of records are classed as “unknown”.
— Some of the available reports are so badly constructed that they are of no use (e.g. a report on the Top 10 Industries categories that appears in the form of a coloured bar chart, but with no key to tell you the meaning of the different colours).

5. Finally, despite the initial promises, there are no more job vacancies in the new system than the old. Whilst we do not have direct experience of the quality of the vacancies held in the system, we have heard anecdotal evidence that it contains some very dubious records. From examination of job titles, we concur that there do seem to be issues with the data in the system—for example, we are surprised at the number of vacancies for “Diplomats” that are apparently available in our part of North East England.

6. The result of this is that we have very little useful data on job vacancies—the data on detailed characteristics of vacancies especially is of very little value.

7. I did raise my concerns with DWP but was disappointed to receive no substantive response, and no improvements have been made to the system since its inception. In January, DWP promised a response to concerns raised by users in the initial consultation about the introduction of the system, but nothing has appeared yet.

8. A general desire of many users is that the data is made available via the NOMIS system, similarly to the previous data, instead of the current poorly designed website. The NOMIS team are experienced in providing easy and effective access to many data sources, including data from ONS and other DWP data.

9. My concerns are shared by many other statistics users, locally and nationally. Responses to a posting I made on a statistics user forum about the failings of the Jobmatch system included:
   "Yes, you are not alone, the reporting system is shocking and it makes you wonder about the service Universal Jobmatch provides to jobseekers."
   "It really is awful. A lot of them aren't even proper job titles."
   "NOMIS worked well, whereas the current incarnation, despite all the ‘extras’ is appalling."
   "I am really disappointed with the Universal Jobs Match data, it doesn’t work properly and it doesn’t compare to NOMIS. I used to publish vacancy statistics for a monthly bulletin but since Universal Jobmatch was introduced I have had to omit this analysis."

CONCLUSIONS & RECOMMENDATIONS

10. As a source of data for people trying to analyse and understand the labour market, the Universal Jobmatch system as currently presented is not fit for purpose. The system is badly constructed, and contains data which is poorly coded and categorised. The coverage and data quality are also suspect. To make the system useful, a lot of work needs to be done with the data, in order to classify vacancies in a useful and meaningful fashion, using standard geographies, Industry and Occupation codes. A much more flexible reporting system is required—most users would like to be able to access the system through NOMIS, which would offer a great benefit compared to the current set of reports.

21 May 2013

Written evidence submitted by the UK Council on Deafness

ABOUT UK COUNCIL ON DEAFNESS (UKCOD)

UKCOD is the UK’s leading membership body for organisations concerned with Deafness. We provide access to specialist information, conferences and collaborative working opportunities, whilst providing a collective membership voice to political and cross sector partners.

INTRODUCTION

Deaf people are four times more likely to be unemployed than the general population. Jobcentre Plus offers vital services that deaf people rely on. UKCOD feel that the accessibility of these services for deaf people could be improved in a number of ways.

We use the term “deaf” to mean all deaf people, including those who use British Sign Language (BSL), those who lipread and may wear hearing aids or cochlear implants, and those who are deafblind.

RECOMMENDATIONS

Our main recommendations are as follows:
— Jobcentre Plus centres should work with local deaf centres to setup job clubs for deaf people. There are already successful examples of Job Clubs for deaf people such as the Hearing Resource Centre in Eastbourne. These should be emulated and expanded on a wider scale.
There should be greater collaboration between the Jobcentre Plus local deaf clubs and businesses. This would create a clear support pathway to get deaf people off benefits and into work.

Jobcentre Plus centres should provide a Video Relay Service for their deaf service users. This will give deaf people the opportunity to access vacancies at short notice, which they often miss due to delays in receiving the information. It is important that deaf people have the same opportunity to access job information as other applicants.

Visual displays are needed in Jobcentre Plus centres so that deaf people are aware that there name has been called.

Frontline Jobcentre Plus staff should have deaf awareness training. It is important staff have the right training and skills to cater for deaf people’s different communication needs.

Sign Language Interpreters, lipspeakers, notetakers or speech-to-text reporters should be provided for deaf people as requested when they sign on and not merely for interviews with a Disability Employment Advisor.

All interpreters, lipspeakers, notetakers or speech to text reporters provided by the Jobcentre Plus should be NRCPD registered. The have been a number of cases where interpreters have been provided who only possess a level two qualification in British Sign Language, and where staff have been attempting to communicate where it is not appropriate.

Job adverts should also be available in a BSL format. This will ensure they are fully accessible for those deaf people who use BSL.

Job adverts should not insist on applicants telephoning them to apply. Nor should deaf people be made to have interviews by telephone. This unintentionally discriminates against deaf people and means that the application process is not fully accessible to them.

Jobcentre staff should be aware of some vacancies where there may be limitations on a deaf person’s ability to do a job.

6 August 2013

Written evidence submitted by Dr David Webster, Honorary Senior Research Fellow, Urban Studies, University of Glasgow

Summary

This submission presents key findings to date from a critical examination of unemployment benefit sanctions and disallowances based primarily on statistical analysis. It shows that the severity of the regime has increased drastically under the Coalition Government and is increasing further. One fifth of Jobseeker’s Allowance (JSA) JSA claimants have been sanctioned/disallowed, 4.2% per month of all claimants and 8% per month of those aged 18–24. Disallowances for “voluntary leaving” and “losing a job through misconduct” were previously a major component but have almost disappeared in the recession, with disallowances for (not) “actively seeking work” showing a very big increase, and big increases also for non-participation in training (including the Work Programme) and non-compliance with a Jobseeker’s Direction. Severity is greater at times when it is least productive. A gap has been emerging in the treatment of white and minority ethnic groups, and disabled people are over-represented among repeat sanctions/disallowances. The reasons for these differences should be investigated. Although sanctions increase job search and exit from benefits, they cannot be justified when all their effects are considered. These include worse matches of people to jobs, lower productivity, wastefully large numbers of job applications, damage to health, families and relationships, homelessness, destitution as reflected in the rise of Food Banks, increased crime, diversion of Jobcentre Plus (JCP) resources from their proper role, and creation of a climate of fear and hostility which undermines the whole system. Sanctions, which are financial penalties intended to affect behaviour, should be abolished. Entitlement conditions have to be retained, but should be accompanied by a proper safety net for those disallowed, and an approach to influencing claimants, where justified, which is properly based on behavioural psychology, as pioneered by the Prime Minister’s “nudge unit”.

JSA SANCTIONS AND DISALLOWANCES

1. This submission addresses the second of the issues identified by the Committee:

   “JCP’s role in relation to the rights and responsibilities of benefit claimants, including: the effectiveness of benefit conditionality, particularly job-seeking conditionality and the mandatory ‘work-focused interview’; and the level and appropriateness of JCP’s use of benefit sanctions, including differences of approach between JCP Districts.”

2. I have been researching unemployment for 20 years and my PhD by published work is available at http://theses.gla.ac.uk/1720. I am currently carrying out a critical examination of unemployment benefit sanctions and disallowances in Great Britain, based primarily on a statistical analysis going back as far as records will allow. The work is not complete, but I am keen for the Committee to have the benefit of key findings to date.
DISALLOWANCES AND SANCTIONS

3. Much current discussion is losing sight of the distinction between “disallowances” and “sanctions”. For instance, the Opposition spokesman Liam Byrne stated on 19 March (col. 834) that “the general legal power of the Department for Work and Pension (DWP) to issue sanctions...is a broad sui generis power that has been in place since 1911”. This is a misconception.

4. Although few JSA claimants (11.9%) currently have a contribution-based entitlement, the system remains an insurance scheme. As for any such scheme, various conditions have applied to unemployment benefit since its introduction in 1911; these were strictly defined in the original Act and in no way constituted a “general legal power” (Tillyard 1949). Disallowance because a condition is not met is different from a “sanction”. In relation to unemployment benefits, “sanctions” on any scale date only from the 1980s and stem from the belief that unemployed people should be “activated”. “Sanctions” are penalties intended to make claimants do particular things, such as apply for specified numbers of jobs per week. They are about “changing behaviour”, not entitlement.

5. Loss of this distinction confuses the issues and is unnecessarily stigmatising to unemployed people. For instance, to give up a job is not any kind of offence. We do not have serfdom in the UK. However, there is a potential “moral hazard” if unemployment benefit can be claimed immediately. Therefore, a disallowance to unemployment benefit has always applied to “voluntary leaving”, of up to six weeks from 1911 to 1986, and now 13 weeks on the first occasion. Yet we find the Explanatory Memorandum to the Jobseeker’s Allowance (Sanctions) (Amendment) Regulations 2012 talking of “categories of sanctionable failure” and “three categories of sanction.......The first situation is when claimants fail to comply with the most important jobseeking requirements; these (include)......without good reason—voluntarily leaving employment”. Similar confusions are contained in the new Regulations themselves.

THE LEVEL OF JSA SANCTIONS AND DISALLOWANCES

6. There is a common misconception that sanctions and disallowances affect only a small minority of claimants. In fact one fifth (19%) of all JSA claimants over the five years April 2008 to March 2012 were subject to sanctions or disallowances. That is 1,483,760 people. Referrals are around double the number of adverse decisions, so something approaching three million people will have been threatened. There were 778,000 sanctions or disallowances in the year to October 2012. Under the Coalition Government, the monthly rate of sanctions has been 4.2% of all JSA claimants. For JSA claimants aged 18–24 the rate is 8% per month; this is one in 200 of the entire 18–24 population age group each month.

7. Figure 1 shows total referrals and adverse decisions from April 2000 to October 2012, while Figure 2 plots adverse decisions against the claimant unemployment rate. All the charts in this submission show figures as a percentage of JSA claimants since in order to see the severity of the regime it is necessary to take out the effect of changing volumes of unemployment.

8. The low point was 2005: thereafter there was a rise when John Hutton MP was DWP Secretary of State, and then some fluctuations before a further rise under the Coalition Government. Some recent fluctuations have been due to the handover in summer 2011 to private contractors of responsibility for initiating Work Programme sanctions, and to the “stockpiling” of some sanctions following the Reilly-Wilson judgment in August 2012; otherwise, the Coalition Government figures would be higher.

9. The above figures do not include any sanctions under the new, more severe, Regulations applying from 22 October 2012. The DWP promised to publish figures for 22 October 2012 to 31 January 2013 on 15 May 2013. This publication did not take place, because of “significant doubts around the quality of the statistics”. However, the DWP “score card” (The Guardian, 28 March) implied a big further rise in sanctions/disallowances in December and January, to over 7% per month. This is shown in Figures 1 and 2.

REASONS FOR SANCTION/DISALLOWANCE

10. Figure 3 shows the main reasons for sanction/disallowance in 2004 and in the year to October 2012. Failure to attend an advisory interview is the most frequently occurring reason, though its relative importance has fallen a little. By contrast there has been a huge fall in the numbers of people disentitled for leaving a job voluntarily or losing it through misconduct. Figure 4 shows that this is due to the current recession. People hold on to a job more carefully when it is harder to get another; the same phenomenon was observed in previous decades. Since voluntary leaving/misconduct accounted for over a quarter of all sanctions/disallowances in 2004, the increases in the other categories have been correspondingly greater.

11. Figure 5 shows that “Actively seeking work” accounts for much the biggest share of the increase in sanctions/disentitlements since 2004. This entitlement condition relates to the definition of unemployment: to be unemployed you must be looking for work. It was introduced in May 1919 and its administration produced major controversy in the later 1920s, leading to its abolition in March 1930 following a Labour Party backbench revolt. It was reintroduced in 1989 but had little impact until the introduction of JSA in 1996. It then died away until John Hutton, under whom the proportion of referrals resulting in disentitlement rose from around 60% to around 80% (Figure 6). Under the Coalition Government it has had a spectacular further increase.
12. Also seeing a big rise since 2004 are sanctions for non-participation in training and employment programmes (other than S.17A Back to Work schemes but including the Work Programme) (Figure 7). Sanctions for refusing a Jobseeker’s Direction have tripled in the latest year, from a low base.

13. Passing of the retrospective Jobseekers (Back to Work Schemes) Act in March 2013 will have rapidly increased the number of s.17A sanctions, but these do not yet show in the figures.

VARIATION OF SANCTIONS/DISALLOWANCES IN RELATION TO UNEMPLOYMENT OVER TIME AND BY GEOGRAPHY

14. It is clear that any effect of sanctions/disallowances on the level of unemployment over time is very minor (Figure 2). The big changes in unemployment are due to macro-economic factors. It is also striking that sanctions/disallowances have increased so much when unemployment is high. Rational policy would dictate the opposite. There is no point putting more pressure on claimants when there are fewer jobs. Unemployment was 2.52 million in January–March 2013, while the ONS vacancy survey estimated an average 0.503m unfilled vacancies February–April 2013. Moreover, there are now twice as many JSA claimants as there were in 2004. The extra claimants (barring the additional 140,000 lone parents and some transferred from Incapacity Benefit (IB) / Employment Support Allowance (ESA), who have their own issues) are people who would not normally be out of work and by no stretch of the imagination should need sanctioning.

15. The Guardian on 18 April 2011 published an analysis showing that areas with higher unemployment tend to have higher rates of fixed length sanctions. Further analysis of my own contained in a supplementary submission to the Committee dated 8 August 2013 confirms that claimants in areas of higher unemployment are more likely to be penalised for non-attendance or lateness at interviews, and for non-participation in training or employment schemes. By contrast, penalties for voluntary leaving, misconduct, “neglect to avail” of an opportunity and refusal of a job are less frequent in areas of high unemployment. Figure 8 shows the relationship for advisory interviews across regions.

ETHNIC AND DISABILITY MONITORING

16. Peters and Joyce (2006) using data for 2004 reported that there was no difference in treatment of different ethnic groups. However, a considerable gap has been emerging since 2005 in the treatment of white and minority ethnic claimants (Figures 9 to 11). This is not necessarily due to discrimination. It could be due to an emerging difference in the occurrence of some characteristic which is positively correlated with sanction/disallowance. It is not due to the changing age or sex composition of the different ethnic groups. These have been such as to imply fewer sanctions/disallowances for the minorities. DWP should be asked to explain the emerging difference and to state whether it can be justified.

17. Potential discrimination against the disabled cannot currently be monitored and DWP should be requested to add the necessary data to the Tabtool. But there is a higher proportion of disabled people among those subject to repeat sanctions (Figure 12). This is of particular concern because of the new three-year sanctions for repeated non-compliance.

RECONSIDERATIONS AND APPEALS

18. The appeals system does not appear effective. In April 2000 to April 2012 inclusive, only 17% of those subject to sanction/disallowance asked for reconsideration, of whom 53% were successful. Only 2% appealed to a tribunal, of whom 17% were successful. Given claimants’ high success rate at reconsideration, it appears that not nearly enough ask for this. Peters and Joyce (2006) found that claimants saw the process as long and futile, feared a lack of support, or could not afford phone calls/stamps/fares. Tribunals play scarcely any role, and with the removal of legal aid from April 2013 are likely to play even less.

CAN SANCTIONS BE JUSTIFIED?

19. There is plenty of evidence that sanctions increase job search and exit from unemployment benefit (eg Abbring et al, 2005). However a policy has to be justified in terms of its overall effects.

20. Much of the belief in the use of sanctions to support “activation” arises from “supply-side” economic theories of the labour market which have been shown to be ill-informed and mistaken (Turok and Webster 1998, Webster 2000, 2005).

21. So far as I can establish, none of the economists who have shown that sanctions increase unemployment exit have examined whether this actually raises aggregate employment, or whether their findings apply both in and out of recessions. The Rayner Review (DE/DHSS 1981, para. 4.65 (1)), writing in the depths of an earlier recession, commented “a job filled by one unemployed person will usually result in there being one fewer job for another unemployed person”. This is equally true now. Moreover, forced matches between applicant and job will be worse, reducing economic efficiency. Petrongolo (2009) and Arni et al (2012), both found that sanctions push people into worse jobs, with lasting ill-effects. This fits with Chetty’s (2008) finding that people with resources take longer to find a job, indicating that choosiness pays off. If it pays off for the individual, it will for the economy—and Acemoglu & Shimer (1999, 2000) accordingly find that unemployment insurance increases output and productivity.
22. Additional job search and applications have costs, for both claimants and employers. Patacchini and Zenou (2006) found that left to themselves, people search more when labour demand and incomes are higher. This makes sense, as the returns to search will then be greater. In current conditions, sanctions induce greater than optimal job search, for both claimants and employers. Far too many applications are being made. Employers are receiving 45 applications for each low-skilled job, but only half of the applicants are suitable.

23. Sanctions have many other damaging effects. They damage health, and family and friends suffer hardship and damaged relationships (Peters and Joyce 2006, Vincent 1998, Saunders et al, 2001, Dorsett et al, 2011); they contribute to homelessness. Their financial impact is very variable, depending on the claimant's family circumstances and other resources. However, they account for a quarter of users of Food Banks in Scotland. Not surprisingly therefore, Machin and Marie (2006) showed (for the UK) that sanctions increase crime.

24. Much evidence has reached the media recently of increasing numbers of unfair sanctions/disallowances and of pressure on Jobcentre staff to increase them against their better judgment. Even when the regime was at its mildest in 2004, two-fifths of those with a sanction/disallowance thought it unfair, while 23% thought it could not have been avoided and another 21% were unsure how it could have been (Peters and Joyce 2006). Nor is this new; Bryson and Jacobs (1992) quoted many examples of claimants unfairly or dishonestly sanctioned/disallowed. Such sanctioning activity involves a big diversion of Jobcentre staff effort away from their primary tasks of nurturing the labour force and improving the efficiency of the labour market. The resulting climate of fear and hostility undermines support work; makes claimants reluctant to complain about malpractice by officials, contractors or employers; and undermines the usefulness and acceptability of national insurance for everyone.

Sanctions should be Abolished

25. The evidence strongly suggests that sanctions (as opposed to disallowances) should be abolished, with a return to the regime of insurance conditions originally envisaged in 1911, supplemented by a proper safety net for those who do not meet them. In so far as it is desirable to attempt to influence claimants’ behaviour—and given the record of frequently wrong-headed pressure such attempts need to be carefully justified—then this should be done through a scientific approach.

26. It appears that as the desire within government to “activate” unemployed people grew, no one actually considered what might be the best way to do it; by a simple process of inertia, the loss of benefits logically entailed by the quite different issue of entitlement was uncritically transferred across to sanctions. In this connection the Prime Minister’s “nudge” unit is to be congratulated on persuading the DWP to co-operate in experiments in two areas, Essex and the North East, to use behavioural psychology in a constructive way to develop claimants’ confidence. The claimants in the Essex trial were about 17.5% more likely to be off benefits after 13 weeks. It is most regrettable that the Opposition spokesman, Liam Byrne, dismissed both these trials, the latter as “mumbo-jumbo”. On the contrary, use of behavioural psychology to inform attempts to influence behaviour is extremely valuable and should have been done long before.

27. Supporting this approach, Lalive et al (2005), found that warnings without sanctions, and simple monitoring of job search, were effective in influencing exit from unemployment. McVicar (2010) found the same for monitoring. Ironically, one of the ministers promoting the current intensification of sanctions, Lord Freud (Minister for Welfare Reform), has himself previously supported this view (2007, p.95): “Perhaps a formal process which kicks off with a written warning, followed by a formal interview, would have more impact than any actual financial repercussions”.

Glossary

Adverse decision = A decision on a referral which is adverse to the claimant and results in a sanction or disallowance being imposed

BtW = “Back to Work” scheme

FTA = “Failure to attend”

MWA = Mandatory Work Activity

NOMIS = The National Online Manpower Information System, http://www.nomisweb.co.uk/

NTA = “Neglect to avail” of an opportunity of employment or training

Referral = Referral of a JSA claim by DWP staff to a Decision Maker to decide whether a sanction or disallowance should be imposed

Note on the Statistics

Data on sanctions and disallowances in the Figures are either from the DWP web Tabtool (April 2000 onwards) or from the volumes of Adjudication Officers’ Decisions previously published by the Employment Service or its predecessors. My work on the latter source is not yet complete as it has been very difficult to assemble a complete series.
In both sets of statistics, nothing is recorded on a referral until there is a decision. The Tabtool initially attributes each referral to the month of the initial decision. However, it also shows the latest status of each referral. So for instance if an initial adverse decision is changed to a non-adverse decision upon reconsideration or upon appeal to a Tribunal, the Tabtool will show it as a non-adverse decision. It will also change the month to which the referral is attributed, from the month to the initial decision to the month of the reconsideration or of the Tribunal decision. Figures from the earlier sources also attribute each referral to the month of the initial decision, but they do not show any subsequent revision. The Adjudication Officer series does give revisions, but not in such a way that they can be attributed to any particular previous decision.

The “year to October 2012” is actually a little less than a year because figures for October run only to the 21st of the month. This gives a slight downward bias to the sanctions/disallowance figures.

Data on numbers of and characteristics of JSA claimants are either from the DWP Tabtool or from NOMIS. Population data are from NOMIS. The claimant unemployment rate shown in Figures 2 and 8 is the number of JSA claimants as a percentage of the resident working age population (this yields quite low figures). Other unemployment rates use the official International Labour Organisation (ILO) definition; these are sometimes shown divided or multiplied by 10 simply in order to fit them conveniently to the chart.

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Figure 1
**Figure 2**

Percentage of claimants sanctioned/disallowed *per month* by claimant unemployment rate

- Claimant unemployment rate
- % of claimants sanctioned

**Figure 3**

Reasons for sanction/disallowance, 2004 and 2012 (%)

- per cent 2004
- per cent year to Oct 2012
Figure 4

Referrals and disentitlements for voluntary leaving & misconduct per month as % of claimants

- Leaving employment voluntarily - referrals as % of claimants
- Lost employment through misconduct - referrals as % of claimants
- Leaving employment voluntarily - adverse decisions as % of claimants
- Lost employment through misconduct - adverse decisions as % of claimants
- ILO unemployment rate % (UK)/20

Figure 5

Disentitlements for (not) 'Actively seeking work' per quarter as % of claimants, 1990-2012 (initial decision, whether or not reconsidered/appealed)

- ILO unemployment rate/10 (UK)
- Actively seeking employment as % of claimants

Note: This chart ignores reconsiderations/appeals in order to ensure comparability pre- and post-April 2008.
Figure 6

Actively seeking work: % of referrals resulting in disentitlement, with ILO unemployment rate (UK) (monthly data)

- Adverse decisions as % of referrals
- ILO unemployment rate % (UK) x10

Figure 7

All training schemes & employment programmes (inc. Work Programme): Referrals and adverse decisions per month as % of claimants

- All training schemes & emp progs - referrals as % of claimants
- All training schemes & emp progs - adverse decisions as % of claimants
- ILO unemployment rate/10 (UK)
Figure 8

GB Regions, April 2000 to October 2012: Adverse decisions per month for failure to attend advisory interview as % of JSA claimants, by unemployment rate

\[ y = 0.6872x + 1.6303 \]
\[ R^2 = 0.4051 \]

Figure 9

Percentage of JSA claimants referred for sanction per month by ethnic group - all sanctions & disentitlements
Figure 10

Adverse decisions as % of referrals by ethnic group - all sanctions & disentitlements (monthly data)

- "White"
- "Mixed"
- "Asian or Asian British"
- "Black or Black British"
- "Chinese or Other Ethnic Group"

Figure 11

Adverse decisions per month as percentage of JSA claimants by ethnic group - all sanctions & disentitlements

- "White"
- "Mixed"
- "Asian or Asian British"
- "Black or Black British"
- "Chinese or Other Ethnic Group"
Supplementary written evidence Dr David Webster, Honorary Senior Research Fellow, Urban Studies, University of Glasgow

GEOGRAPHICAL VARIATIONS IN JSA SANCTIONS AND DISALLOWANCES

SUMMARY

The evidence previously submitted on 22 May 2013 contained an error (now corrected) relating to the variation in the rate of total sanctions/disallowances across areas in relation to unemployment. This supplementary evidence reports a more thorough analysis of geographical variations in sanctions/disallowances. It shows that different types of sanction/disallowance relate differently to the local unemployment rate. Those related to leaving a job voluntarily or through misconduct, or to neglect to avail or refusal of a job opportunity, occur more often in areas where jobs are plentiful. Claimants are more often penalised for non-attendance at interviews, or for non-participation in training or employment schemes, in areas where jobs are scarce, although practice in relation to interviews appears to vary widely between local offices. The analysis also shows that there is a lot of variability between Jobcentre Plus offices in the overall rate of referrals for sanction/disallowance. This variability does not appear to have increased following the abolition of referral benchmarks in April 2011. However, the average rate of referrals has increased, suggesting, when taken together with other evidence reported in the media, general pressure on staff to increase sanctions/disallowances. Further useful analysis at Jobcentre level would require publication of data by individual reason. The finding that disqualifications for voluntary leaving/misconduct vary inversely with the rate of unemployment across areas as well as over time appears to be new, and casts doubt on the rationale for these disqualifications and particularly for their severity.

1. Para. 15 and Figure 8 of the Evidence on Jobseeker’s Allowance (JSA) Sanctions and Disallowances which I submitted on 22 May 2013 addressed the question of geographical variations in the incidence of sanctions and disallowances. Further work on this topic revealed an error in what was stated there. Although this has now been corrected, the further work has produced some significant findings and the purpose of this supplementary evidence is to report these. In doing so it provides some further information on the issue identified by the Committee of “differences of approach between JCP Districts”.

22 May 2013
Revised and corrected 8 August 2013
STARTING POINT: THE GUARDIAN’S ANALYSIS OF FIXED LENGTH SANCTIONS

2. The starting point for my previous discussion was an analysis by the Guardian (18 April 2011) of the incidence of fixed length sanctions in relation to local unemployment across local authority areas. It concluded that “the regions with high sanction referral rates tend to be more deprived areas”. It attached a spreadsheet. From the data provided I calculated that the correlation across local authority areas between the local unemployment rate and fixed length sanctions as a proportion of JSA claimants was 0.35 for referrals and 0.33 for adverse decisions. These are modest correlations but statistically significant.

3. However, these correlations are too low. The Guardian compared cumulative fixed length sanctions for each local authority over the whole period April 2000 to October 2010 inclusive, with the DWP’s count of the number of JSA claimants at August 2010 and ONS’s model-based estimate of ILO unemployment for the year to September 2010 (which was missing for 12 authorities). This is not comparing like with like, and in addition the DWP count is defective (see Appendix). I have recalculated the correlations using means for the whole period April 2000 to October 2010 for both JSA claimants (on the superior ONS count) and the unemployment rate. This produces higher correlations of 0.42 for both referrals and fixed length sanctions, thus confirming the Guardian’s result but making it rather stronger.

GEOGRAPHICAL VARIATIONS IN SANCTIONS/DISALLOWANCES BY REASON: A FULLER ANALYSIS FOR THE PERIOD APRIL 2000 TO OCTOBER 2012

4. I have now carried out an analysis of the relationship between sanctions/disallowances and the local unemployment rate across local authorities and regions, for each of the main categories of sanction/disallowance individually. Like the Guardian, I have only been able to do this on the basis of cumulative figures for the whole period from April 2000 to the latest month recorded, currently October 2012. This is due to limitations of the DWP’s Tabtool. Correlations for local authorities and regions of the monthly rates of sanctions/disallowances as a proportion of JSA claimants (ONS count) with the local mean working age resident-based unemployment rate are shown in Table 1.

The total for all types of sanction/disallowance

5. The correlation across regions between the total of all types of sanction and disallowance and the local unemployment rate is rather low, at 0.21, and is not statistically significant. Across local authorities it is effectively non-existent. For referrals, both correlations are actually negative, with that for local authorities being statistically significant.

6. However, closer examination shows that different types of sanction/disallowance relate differently to the local level of unemployment.

Varied length sanctions

7. The most striking feature of Table 1 is that for varied length sanctions, referrals and actual sanctions are quite strongly correlated negatively with the local unemployment rate (-0.50 to -0.76), at both local authority and regional level. In other words the higher is local unemployment, the lower is the proportion of claimants subjected to varied length sanctions. The main sanctions of this type are for giving up a job voluntarily without what officials consider a good reason, or losing it through misconduct; and for “neglect to avail of an opportunity”, ie doing something to undermine an opportunity of employment (such as turning up for interview inappropriately dressed), or refusing an offer of a job. These types of sanction are also each individually correlated negatively with the local unemployment rate, at both the local authority and the regional level (-0.28 to -0.87), and almost all the correlations are statistically significant. It was noted in the main evidence (22 May, para 10) that time series data show that disqualifications for “voluntary leaving” and “misconduct” fall during periods when it is more difficult to get another job. The negative correlation coefficients here indicate that this applies across areas as well as over time, in other words people are more careful to hold on to a job in areas where it is difficult to get another. In the case of “neglect to avail” and refusal of a job, there are likely to be two factors operating: in high unemployment areas, officials will have fewer vacancies to offer claimants, and claimants will also be less likely to turn down or spoil an opportunity.

Sanctions for non-attendance at advisory interviews

8. The penalty for non-attendance (which includes unpunctuality) at advisory interviews changed in April 2010 from disentitlement to a fixed length sanction. It makes sense therefore to make a separate analysis for this type of “offence” by combining the data for these penalties for the whole period April 2000 to October 2012, ignoring the distinction between disentitlement and sanction.

9. The resulting correlations with local unemployment of penalties for non-attendance at advisory interviews are quite different at regional and local authority level. For both referrals for sanction and actual sanctions, there are strong positive correlations at regional level (+0.58 and +0.64 respectively), with the latter statistically significant, but no correlation at local authority level. This suggests that claimants are generally treated more harshly in areas of high unemployment, either by being required to attend more interviews or by being more
readily sanctioned for non-attendance or unpunctuality, but that there are substantial differences of practice between individual Jobcentre Plus offices.

Fixed length sanctions related to training and employment programmes

10. Fixed length sanctions other than those for not attending an advisory interview are incurred as a result of different kinds of non-participation in training and employment programmes (latterly including the Work Programme). These training and employment programme referrals and sanctions are correlated positively with the local unemployment rate at both the local authority and the regional level (+0.42 to +0.58), with the local authority level correlations both statistically significant. In other words, in respect of this type of sanction, the regime bears more harshly on claimants in areas of high unemployment. This is what the Guardian’s analysis found, although the effect is stronger than in the Guardian’s analysis, probably due mainly to removal of the confounding factor of the penalties for non-attendance at interview from April 2010.

11. One explanation for the harsher treatment of claimants in high unemployment areas in relation to this type of sanction would be if claimants are sent on training or employment programmes only after they have been unemployed for a significant time. Areas with a higher level of unemployment also have a higher proportion of long-term unemployed (Webster 2005). However, this explanation does not fit. Table 2 shows that, of claimants with a known duration, a majority given this type of sanction in 2000 to 2012 were unemployed for three months or less, and rates of sanction for long- and short-term unemployed claimants were similar. There must therefore be some other explanation.

Disentitlements

12. Table 1 shows that disentitlements for not actively seeking work are not related to the local unemployment rate. The remaining types of entitlement decisions (ie excluding “actively seeking work” and non-attendance at interviews prior to April 2010) have only a slight relationship with the local unemployment rate.

VARIATIONS IN REFERRALS FOR SANCTION OR DISALLOWANCE BY JOBCENTRE PLUS OFFICE

13. On 15 May 2013 the DWP for the first time published the number of sanctions and disallowances for individual Jobcentre Plus offices.25 This publication gave figures for every month from April 2000 to 21 October 2012. In principle this information could throw some further light on variations in practice between areas.

14. To analyse these data, it was first necessary to obtain figures for the caseload of JSA claimants at each office, which the DWP did not publish. I therefore put in a Freedom of Information request for the Jobcentre caseload figures (2013–2296, 21 June 2013).26 Within the Foi cost limit, the DWP was able to supply figures only for the period 1 March 2008 to 21 October 2012.

15. It has not been possible to match up all of the offices for this period between the two sets of data, and the DWP also stated a number of provisos to the caseload figures. These points are explained further in the Appendix. Because of these limitations to the data, the results given here are for quarters, not months, and individual Jobcentres are not shown.

16. The results show that there is a wide range of variation between Jobcentres in the rate of referrals. Looking at the whole period from 3rd quarter 2010 (the first complete quarter under the Coalition) to 3rd quarter 2012 inclusive, out of 715 Jobcentres included in the analysis, there were 69 with an average rate of 12.0% or more of the stock of claimants per month, and 32 with 6.0% or fewer. The range of variation in actual sanctions/disallowances was narrower, with 72 Jobcentres having a rate of 6.0% per month or more and 62 with 3.0% or fewer.

17. Neil Couling, DWP’s Work Services Director, stated in May 2013 (Couling 2013, paras. 2.1, 4.2) that internal “benchmarks” or targets for sanctions (presumably referrals) were introduced in 1996 and abolished in April 2011, in favour of building a “freedom and flexibility approach”. It might be expected that the range of variability between Jobcentres would increase following the abolition of benchmarks. However, Table 3 and Figure 1 suggests that this has not occurred. The standard deviation, which is affected by the absolute level of referrals, has continued to rise and fall in line with the average, but in the latest quarter remained below the level of the 2nd quarter 2008, when the average was lower. The coefficient of variation (standard deviation divided by the mean), which is a more appropriate measure in the present context, rose slightly in 2011 Q2 and 2011 Q3 but since then has fallen back clearly below the level of 2008 Q2 to 2010 Q1. Neither standard deviation nor coefficient of variation will be much affected by the limitations of the data. Neil Couling (par. 3.5) also said that “Looking at the data from London and the Homes Counties and across the UK it would appear that the response to the removal of sanctions benchmarks in 2011 was a marked reduction in sanctioning activity”. The decline in the two quarters following April 2011 was only in relation to the exceptionally high levels of the previous three quarters, and in any case total sanctions and disallowances have since risen again, to their highest level since the current statistical series began in 2000. It appears from this and other evidence reported in the media that while there may be no numerical “targets”, there is pressure on staff to refer more claimants for sanction/disallowance.
Ev w104  Work and Pensions Committee: Evidence

18. Because different types of sanction/disallowance relate differently to differing labour market conditions, as discussed above, little more can usefully be said about variations between local offices unless or until the DWP releases local office data disaggregated by reason for sanction/disallowance.

CONCLUSIONS

19. The new analysis presented here shows that different types of sanction/disallowance relate differently to the local unemployment rate. Those related to leaving a job voluntarily or through misconduct, or to neglect to avail or refusal of a job opportunity, occur more often in areas where jobs are plentiful. By contrast, claimants are more often penalised for non-attendance or lateness at interviews, or for non-participation in training or employment schemes, in areas where jobs are scarce, although practice in relation to interviews appears to vary widely between local offices.

20. The analysis also shows that there is a lot of variability between Jobcentre Plus offices in the overall rate of referrals for sanction/disallowance. However, variability does not appear to have increased following the abolition of referral benchmarks in April 2011; instead, the average rate of referrals has increased and, taken together with other evidence reported in the media, this suggests general pressure on staff to increase sanction/disallowance referrals. Because of the different behaviour of different types of sanction/disallowance in relation to differing labour market conditions, figures for total sanctions and disallowances are of only limited usefulness and further analysis must await publication of data by individual reason.

21. The finding that disqualifications for voluntary leaving/misconduct vary inversely with the rate of unemployment across areas as well as over time appears to be new. It casts doubt on the rationale for these disqualifications and particularly for their severity. It is not clear why the State thinks it has an interest in discouraging the free movement of labour. This does not sit well with the prevailing rhetoric of the “flexible labour market”. Winston Churchill, responsible as President of the Board of Trade for the relevant part of the original 1911 Act, did not want these disqualifications but was persuaded otherwise by his permanent under-secretary (Gilbert 1966, pp.270–73). For 75 years the disqualification was fixed at six weeks. This was raised to up to 13 weeks in 1986 and then (in 1988) to up to 26 weeks, and is now 13 weeks. The relevant Ministers in the 1980s said they were concerned by an upward trend in these severances (Brown 1990, pp.189–91). However, they do not seem to have realised that this was simply a reversion to normal turnover after a big fall during the massive recession of the early Thatcher years. There is no evidence of any serious subsequent policy analysis of the issue, either in the DWP or elsewhere.

REFERENCES


Webster, David (2005). “Long-Term Unemployment, the Invention of ‘Hysteresis’ and the Misdiagnosis of Structural Unemployment in the UK”, Cambridge Journal of Economics, Vol.29 No.6, November, 975–95

APPENDIX

DWP JOBCENTRE PLUS OFFICE DATA

The DWP spreadsheet published on 15 May 2013 gives the total number of sanctions/disallowances for each Jobcentre Plus office for each month from April 2000 to 21 October 2012. Over this period there have been many openings and closures of offices, so that the total number of offices listed is around twice the actual number of 740 Jobcentres at March 2013. The DWP spreadsheet of 21 June 2013 giving the number of claimants at each office covers the period only from March 2008 to 21 October 2013. This reduces the problem of matching Jobcentres between the two sets of data. However, a complete match has still not been possible. There are a number of dubious cases, usually where a Jobcentre’s caseload was apparently being run down in the months prior to closure or being built up after opening. In addition to those shown as “dormant” by DWP, the following offices have been omitted from the analysis: Leicester Eldon St, Derby Becket St, Nottingham Watercourt, Camberwell, Deptford, Feltham, Whinstable, Grimsby Crown House, Cockermouth, Millom, Aberdeen Chapel St, Dundee Gellatly St, Shawlands, Blackpool Tyldesley Rd, Walthamstow Forest Rd. In addition, the allocation of sanctions/disallowances and caseload between individual Jobcentres in a given town sometimes appears not to match. In these cases the data for the Jobcentres within the town or city have been combined. Figures for offices in the following towns have been added together: Lincoln, Mansfield, Luton and Dunstable, Harrow, Halifax, Milton Keynes, Portsmouth, Cardiff, Newport.
In relation to the spreadsheet of 21 June 2013 giving the number of claimants at each office from March 2008 to 21 October 2012, the DWP has stated a number of provisos:

— The figures have not been quality assured to National Statistics or Official Statistics publication standard.

— They have been created by matching data derived from the Jobseeker’s Allowance Payment System (JSAPS) and the Labour Market System (LMS). These systems are used to administer the claim process and are subject to user imputation errors. Therefore matching between these two data sources can result in incorrect or nonmatches. They should therefore be treated with caution. My understanding is that it is imputation errors which have caused small numbers of claimants (usually 10, but sometimes 20 or more) to appear at offices which were otherwise dormant. I have ignored these. The presence of these errors implies that the figures generally are not correct to the nearest 10, but have a somewhat wider margin of error. This however is still presumably quite small.

— The number of sanctions and disallowance referrals in each month is taken from the date on which the decision was made. For a number of reasons the claimant may no longer be claiming JSA at this point therefore a direct comparison may not be valid. The ONS claimant count measures “live” claimants on the second Thursday of the month, whereas DWP JSA statistics measures “live” claimants on the last day of the month. To ensure that any timing issues are negligible, the analysis here relates to quarters rather than individual months.

— DWP JSA statistics only include computer processed claims. This is in contrast to the ONS claimant count, which includes claims which are processed clerically. The DWP JSA statistics allow at least nine weeks for late processed claims to be input onto the DWP computer systems, whereas the ONS claimant count statistics only allow approximately three weeks. At Great Britain level over the period March 2008 to October 2012, the NOMIS (ONS) claimant total is about 2% greater than the DWP total. This difference would not matter very much if every Jobcentre had the same proportion of total claims processed by computer. But this does not seem likely, nor does it appear to be the case. I established from NOMIS, who publish the ONS claimant figures online, that the last time they made changes to their Jobcentre boundaries was in May 2008. I then made a comparison between the DWP FoI caseload figures and the NOMIS claimant figures for individual Jobcentres in March–May 2008. It was not possible to match up all the Jobcentres. However, it is likely that the great majority of them had the same boundaries during these three months. The comparison shows that the ratio of the DWP to the NOMIS figure varied quite widely between offices. The median ratio was 0.94 or 0.95 and the interquartile range was 0.06 or 0.07. In other words there were a lot of Jobcentres where the undercount of claimants was 6% or 7% greater than in a lot of other Jobcentres, and some where the difference was even bigger. This problem presumably also affects the DWP’s own internal management information.
Table 1
REFERRALS AND ADVERSE DECISIONS AS PERCENTAGE OF JSA CLAIMANTS: CORRELATIONS WITH LOCAL UNEMPLOYMENT RATE

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
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<td>ADVERSE DECISIONS</td>
<td>REFERRALS</td>
<td>ADVERSE DECISIONS</td>
</tr>
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<td>ALL SANCTIONS &amp; DISALLOWANCES</td>
<td>-0.36***</td>
<td>-0.05</td>
<td>-0.35</td>
</tr>
<tr>
<td>All varied length sanctions</td>
<td>-0.61***</td>
<td>-0.50***</td>
<td>-0.76**</td>
</tr>
<tr>
<td>All fixed length sanctions</td>
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<td>+0.42**</td>
<td>+0.32***</td>
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<tr>
<td>All entitlement decisions</td>
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<td>-0.62*</td>
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<td>-0.76**</td>
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<td>Failure to attend advisory interview §</td>
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<td>+0.58</td>
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<td>+0.43***</td>
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<td>+0.06</td>
<td>+0.09</td>
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<td>Entitlement decisions excluding Actively Seeking Work &amp; FTA interview</td>
<td>-0.14**</td>
<td>-0.14**</td>
<td>+0.20</td>
</tr>
</tbody>
</table>

† Guardian analysis altered by the present author as described in the text

Unemployment rate is claimant unemployed as a percentage of residents aged 16–64, average for Apr 2000–Oct 2012, supplied by NOMIS

* significant at 0.05 level ** significant at 0.01 level *** significant at 0.001 level
n = 379 (LAs), 11 (Regions)
### Table 2

**FIXED LENGTH SANCTIONS (EXCLUDING FAILURE TO ATTEND INTERVIEW) BY DURATION OF UNEMPLOYMENT, APRIL 2000 TO OCTOBER 2012**

<table>
<thead>
<tr>
<th></th>
<th><strong>Percentage of total sanctions</strong></th>
<th><strong>Sanctions per month as a percentage of claimants</strong></th>
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</thead>
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<tr>
<td>Total</td>
<td>100.0</td>
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</tr>
<tr>
<td>Up to 2 weeks</td>
<td>6.8</td>
<td>0.38</td>
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<tr>
<td>Up to one month/four weeks</td>
<td>8.6</td>
<td>0.59</td>
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<tr>
<td>One to three months</td>
<td>31.1</td>
<td>0.62</td>
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<tr>
<td>Three to six months</td>
<td>11.7</td>
<td>0.30</td>
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<tr>
<td>Six months to one year</td>
<td>15.6</td>
<td>0.46</td>
</tr>
<tr>
<td>Over one year</td>
<td>18.8</td>
<td>0.63</td>
</tr>
<tr>
<td>Unknown</td>
<td>7.4</td>
<td>n.a.</td>
</tr>
</tbody>
</table>

*Sources: Sanctions—DWP Tabtool; claimants by duration—NOMIS. DWP uses the category “up to one month” while NOMIS has “up to 4 weeks”. This difference has been ignored.*
### Table 3

**JOBCENTRE PLUS OFFICES: ALL REFERRALS FOR SANCTION/DISALLOWANCE PER MONTH AS PERCENTAGE OF CLAIMANTS, 2008 Q2 TO 2012 Q3**

<table>
<thead>
<tr>
<th>Year</th>
<th>Quarter</th>
<th>Mean (GB)</th>
<th>Standard deviation</th>
<th>Coefficient of variation</th>
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</thead>
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<td>2008</td>
<td>Q2</td>
<td>7.88</td>
<td>3.63</td>
<td>0.46</td>
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<tr>
<td></td>
<td>Q3</td>
<td>7.43</td>
<td>3.06</td>
<td>0.41</td>
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<td></td>
<td>Q4</td>
<td>5.82</td>
<td>2.36</td>
<td>0.41</td>
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<td>2009</td>
<td>Q1</td>
<td>4.82</td>
<td>2.01</td>
<td>0.42</td>
</tr>
<tr>
<td></td>
<td>Q2</td>
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<td>Q3</td>
<td>5.34</td>
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<td></td>
<td>Q4</td>
<td>5.71</td>
<td>2.24</td>
<td>0.39</td>
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<td>2010</td>
<td>Q1</td>
<td>6.28</td>
<td>2.49</td>
<td>0.40</td>
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<td></td>
<td>Q2</td>
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<td></td>
<td>Q4</td>
<td>10.16</td>
<td>3.24</td>
<td>0.32</td>
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<tr>
<td>2011</td>
<td>Q1</td>
<td>9.90</td>
<td>2.94</td>
<td>0.30</td>
</tr>
<tr>
<td></td>
<td>Q2</td>
<td>7.56</td>
<td>2.73</td>
<td>0.36</td>
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<td>6.46</td>
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<td></td>
<td>Q4</td>
<td>6.72</td>
<td>2.48</td>
<td>0.37</td>
</tr>
<tr>
<td>2012</td>
<td>Q1</td>
<td>7.96</td>
<td>2.68</td>
<td>0.34</td>
</tr>
<tr>
<td></td>
<td>Q2</td>
<td>9.22</td>
<td>3.20</td>
<td>0.35</td>
</tr>
<tr>
<td></td>
<td>Q3</td>
<td>10.80</td>
<td>3.50</td>
<td>0.32</td>
</tr>
</tbody>
</table>

Figure 1

Jobcentre Plus offices: All referrals for sanction/disallowance per month as percentage of claimants, 2008 Q2 to 2012 Q3

Source: As Table 3.
Ev w110 Work and Pensions Committee: Evidence

REFERENCES

1 There were some small-scale uses of what would now be called “sanctions”, ie financial penalties aimed at making claimants do a particular thing, from 1930, although they were called “disqualifications”. The term “sanction” was not used until much later.

2 For instance, the Minister of State said on 19 March (col. 828) that “While the vast majority of jobseekers live up to their part of the contract, there are a small minority (emphasis added) who are reluctant to do everything they can reasonably be expected to do to get back into work.”


4 The claimant unemployment rate is used in this chart simply because it fits better. The claimant rate, while much lower than the true ILO unemployment rate, is very highly correlated with it.


6 The percentage of male claimants refused UB because of voluntary leaving or misconduct fell from 6.1 in November 1974 to 0.3 in February 1982 (Department of Health & Social Security, Unemployment Benefit Summary Statistics, November 1983, p.3). Fenn (1980, p.251) concluded from his study of unemployment benefit disqualifications covering Great Britain in 1960 to 1976 that “employees appear to quit more often in periods of high demand for labour”. Also, the Ministry of Labour’s Annual Reports showed the number of disqualifications by Courts of Referees for voluntary leaving or misconduct more than doubling during the recovery from the Great Depression from a low of 99,053 in 1932 to 203,298 in 1938.

7 Deacon (1976)

8 Although “Actively seeking work” is an entitlement condition, it has in effect been turned into a sanction issue because claimants are made to make and document arbitrarily large numbers of job applications. To be unemployed on the ILO definition it is necessary only to have taken an action to look for work in the last 4 weeks.

9 DWP Press Release, 15 May 2013

10 At the time of writing the Guardian spreadsheet was still available at https://docs.google.com/spreadsheet/cccc?key=0AonYZs4MzlZbsJGNkUEg4czNtdUlsWkJuWWtucGlqZmc&hl=en#gid=0

11 The DWP Tabtool gives ethnic group and disability status for those sanctioned/disallowed, but not for all JSA claimants. This information can be obtained for ethnic group from May 2005 onwards from NOMIS, but not for disability.

12 Observers do not appear to have noticed that the Netherlands sanctions regime described by Abbring et al (2005), was much milder than the UK regime, even before the changes of October 2012. Yet it was apparently “effective” in the terms defined by those authors.

13 Chartered Institute of Personnel and Development-Success Factors, Labour Market Outlook, Spring 2013, p.2. Bryson & Jacobs (1992) commented as follows (p.158): “It is sometimes regarded as self-evident that claimants’ requirement to seek out vacancies benefits employers in filling vacancies. This view was not supported by employers…..There was some irritation expressed at the number of jobcentre applications received from unsuitable candidates, one or two saying that they felt like they were running their own jobcentre” and (p.199) “there were concerns that benefit penalties compounded employers’ difficulties in weeding out unsuitable candidates”. I have not found any more recent research on this point.


15 Citizens Advice Bureau survey, reported in the Glasgow Herald, 25 March 2013. See also Citizens Advice Scotland (2012b)

16 See also the case history in Saunders et al (2001, p.38)

17 This evidence has appeared particularly in the Guardian (search Google on “Guardian sanctions”) but also for instance in the Glasgow Herald, Stephen Naysmith, “Scots jobless ‘targeted with benefit penalties’”, 29 March 2013, and very widely on the web in postings which are too numerous to list. See also Citizens Advice Scotland (2012a), p.3, (2012c) passim and (2013) p.6. I have also had many personal accounts given to me, usually at reliable second hand.

18 Vincent (1998) found that “nearly all” those sanctioned or disallowed thought it unfair.

20 Neil Couling, the DWP’s Work Services Director, has recently drawn attention to the hostility created by sanctions (Couling 2013, para. 3.14): “One unintended consequence of the publicity about these issues (ie sanctions ‘league tables’ etc) has been to raise some additional health and safety questions in jobcentres. The applications of sanctions and conditionality already generates a significant number of incidents and there is a strong likelihood that this media attention and comment in Parliament will serve to exacerbate these risks”.

21 The “nudge unit” is officially known as the Behavioural Insights Team, overseen by the Cabinet Office.


23 At the time of writing the Guardian spreadsheet was still available at https://docs.google.com/spreadsheet/ccc?key=0AOnYZs4MzZbdGNKUEg4czNtdUlsWkJuWWToteGljZmc&hl=en#gid=0

24 The mean number of JSA claimants and the unemployment rate were both provided by NOMIS, the latter using as denominator the number of residents aged 16–64. It is not possible to obtain an average for the ONS model-based ILO unemployment rate for local authorities over any lengthy period of years because figures are unavailable for many local authorities for many years. An awkward feature of the Guardian’s analysis is that the composition of fixed length sanctions was not the same throughout the period April 2000 to October 2010. Prior to April 2010, failure to attend an interview (the most common type of sanction) attracted disentitlement. Only from April 2010 were these “failure to attend” cases included within fixed length sanctions. It has not been possible to alter this feature of the Guardian’s analysis because the data for April 2000 to October 2010 can no longer be retrieved from the DWP Tabtool.


Further supplementary evidence submitted by Dr David Webster, Honorary Senior Research Fellow, Urban Studies, University of Glasgow

SUMMARY

The delayed Jobseeker’s Allowance (JSA) sanctions statistics for the period 22 October 2012 to 30 June 2013, published by the Department for Work and Pensions (DWP) on 6 November 2013, have remarkable implications which ought to be known to the Committee before finalising its Report. The number of sanctions in the year to 30 June 2013 was 860,000, the highest for any 12-month period since statistics began to be published in their present form. Sanctions for not actively seeking work and for non-participation in training and employment schemes have risen further, while those for missing an interview and for refusing a job have fallen, the latter very sharply indeed. The latter suggests a dwindling focus within DWP on finding people jobs. Up to 30 June 2013, the number of job outcomes achieved by the Work Programme has been greatly exceeded by the number of sanctions imposed for non-participation. Contrary to what was claimed by Lord Freud prior to their introduction, 3-year sanctions have built up very quickly, with the 700 to date understating the strong likelihood that this media attention and comment in Parliament will serve to exacerbate these risks. The total of reconsiderations under the Coalition Government Government has increased by 15,000 per month to a new high of 20,000 per month, representing a substantial redirection of DWP resources away from other tasks. Claimants’ success rate at reconsideration has reverted to its long-term level of about 50 %. However, Tribunals, which are not under the control of the Secretary of State, have raised the proportion of appeals decided in claimants’ favour from a long-term level of 17.0 %, up to 42.2 % in November 2012 to June 2013. This remarkable increase is strong evidence that large numbers of claimants are being wrongly sanctioned even in terms of current legislation. The fact that only 1.7 % of claimants appeal to a Tribunal—the only independent element in the system—indicates the need for urgent reform. Finally, the format used by DWP for its new statistics is wholly inadequate and involves a serious loss of information and accountability.
Ev w112  Work and Pensions Committee: Evidence

1. I previously submitted evidence to the Committee “JSA Sanctions and Disallowances” on 22 May 2013, and supplementary evidence “Geographical Variations in JSA Sanctions and Disallowances” on 8 August 2013. At that time there had been a suspension by the DWP of the normal publication of statistics on sanctions and disallowances, so that data were available only up to 21 October 2012. On 6 November, the DWP published statistics for the period 22 October 2012 to 30 June 2013.1

2. These new statistics present a substantially different picture of the operation of the sanctions regime from that which was previously available. I am therefore writing to draw the attention of the Committee to the implications, some of which are quite remarkable.

3. This supplementary evidence should be read in conjunction with that submitted on 22 May as many relevant points made there are not repeated here. It does not deal with Employment Support Allowance (ESA) sanctions.

Scale of Sanctions

4. The number of JSA sanctions in the year to 30 June 2013 was 860,000, the highest for any 12-month period since statistics in their present form began to be published, in April 2000. As a percentage of JSA claimants, monthly referrals since October 2012 have repeatedly reached levels not seen since April 2000. Eight of the last 12 months have seen over 4.9% of claimant unemployed receiving an adverse decision, a level only ever reached in five previous months, all of them under the Coalition Government (Figure 1).

5. Over the whole life of the Coalition Government, JSA sanctions have run at 4.35% of JSA claimants per month. This compares with 2.60% during the Labour Government from April 2000 to April 2010.

Reasons for Sanctions

6. There have been considerable further changes in the numbers of JSA sanctions for particular types of “failure” (Figure 2). In particular, sanctions for not actively seeking work and for non-participation in training and employment schemes have risen further, while those for missing an interview and for refusing a job have fallen, the latter very sharply indeed.

Not actively seeking work

7. There has been a continuing huge increase in sanctions for “not actively seeking work”, which usually means not applying for as many jobs in a fortnight as the adviser instructs (Figure 3). They are now running at 287,000 per year, compared to 60,000 per year before the Coalition Government, and at almost 2% of claimants per month. This is the highest level since the Baldwin government’s campaign against the unemployed in the 1920s, which saw disqualifications of over 2% per month for the very similar “not genuinely seeking work” from October 1928 to March 1929 and in April-May 1929.2 This reason for disqualification was ended by a Labour Party backbench revolt resulting in abolition in March 1930. Sir William Beveridge later commented (1930, p.280) about this reason that “it was better to take the risk of an occasional loss to the fund by a few idle workmen than to drive all workmen on fruitless journeys and perpetuate the disorganisation of the labour market….The condition will not, it may be hoped, ever rise from its dishonoured grave.” Although it did rise from its grave, being reintroduced by the Conservative Government in 1989, it was not much used before the present Coalition Government: the previous peaks were of about 0.54% per month in the quarter ending December 1997 soon after Jobseeker’s Allowance began,3 and 0.64% per month under John Hutton in November 2007. We are therefore now seeing a very substantial change in the administration of British unemployment insurance.

Failure to carry out a Jobseeker’s Direction

8. From a lower level, there has also been a huge increase in sanctions for failure to carry out a Jobseeker’s Direction, from under 4,000 per year before the Coalition Government to 27,000 per year. In only 18 months, they have tripled from 0.05% of claimants per month to 0.15% (Figure 4).

Refusing a job opportunity

9. Sanctions for refusing a job opportunity had doubled under the Coalition Government, from around 3,000 per month in May 2010 to over 6,000 (0.5% of claimant unemployed). However they have fallen off sharply since October 2012, to only just over 1,000 in recent months (0.1% of claimant unemployed (Figure 5). It is unlikely that this is due to a sudden change of behaviour by claimants. It is more likely to be because Jobcentres are focusing on sending claimants on training/employment schemes, or sanctioning them, and are introducing claimants to fewer employment opportunities, relying on the computerised Universal Jobmatch instead. It appears that offering claimants job opportunities has fallen down the scale of DWP priorities.

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78 To be added
79 To be added
10. Sanctions for failure to participate in training or employment programmes (including the Work Programme) have fluctuated, but reached 226,000 in the year to June 2013, up from 102,000 in the last year of the previous government. Some of the fluctuations may reflect the release of “stockpiled” work experience sanctions following the retrospective Jobseekers (Back to Work Schemes) Act last March. Overall, these sanctions have been at around 1.0 % of unemployed claimants per month under the Coalition Government. This contrasts with a previous level of 0.2 % (Figure 6).

11. Up to 30 June 2013, the number of job outcomes achieved by the Work Programme has been greatly exceeded by the number of sanctions imposed for non-participation (Figure 7).² The Programme appears to be more a sanctions programme than an employment programme.

12. Sanctions for failing to participate in Mandatory Work Activity—an innovation by the Coalition Government—have now reached 10,000 per year, or 0.06 % of claimants per month.

13. By contrast, sanctions for not attending or being late for advisory interviews have fallen off sharply, from an annual rate of 290,000 in October 2012 to 210,000 by June 2013. They have also fallen as a percentage of the claimant unemployed (Figure 8). This may at least partly reflect the fact that many advisory interviews now take place within the Work Programme rather than Jobcentre Plus. These sanctions are now 4 weeks, compared to 1 or 2 weeks from April 2010 to October 2012. Before April 2010, the penalty was “disentitlement”, meaning that the claimant’s existing claim was discontinued but they could start another after a small number of waiting days.

14. Sanctions for voluntarily leaving a previous job, or being dismissed from it for misconduct, have historically been by far the most important reason for benefit disqualification. But as noted in my evidence of 22 May (para.10), since the start of the present recession they have hardly featured at all, and this continues to be the case. This is because people are more careful to hold on to a job when they know it is more difficult to get another.

15. Non-availability has also been historically important but this type of disqualification has run at around 1,000 or less per month since 2000 and this remains the case. However, the new regime now imposes a loss of benefit of 4 weeks when previously a claimant able to prove that they had become available could reclaim almost immediately. It is difficult to understand the logic of the new penalty and the Explanatory Memorandum to the 2012 Regulations made no attempt to explain it. It leads to absurd results, as in a case personally known to the author where a grandmother in Glasgow acting as a lone parent to her grandson had a week’s holiday arranged for her and the child by the local authority social work department and was then sanctioned for four weeks. It turned out that as a “kinship carer”, she should not have been on the JSA regime in the first place.

16. The BBC reported on 12 November 2010: “Questioned on BBC’s Newsnight, Welfare Minister Lord Freud said the new sanctions would only be imposed in a small minority of cases, saying: “I would be incredibly surprised if we really talk about people going through to the third strike. In reality the numbers will be very few indeed.” (italics added) Yet only 8 months into the new regime, 700 JSA claimants have already had these imposed (Table 1.7 of the DWP statistics release of 6 November).

17. Since it takes time to build up the three “strikes” leading to a 3-year sanction, and these statistics relate to the start of the new system, the above figures underestimate the rate of 3-year sanctions which has been achieved.

18. In dramatically understating the likely scale of the new 3-year sanctions, Lord Freud was following in the footsteps of Peter Lilley, who stated on 24 October 1994 (col.637) about the then forthcoming Jobseekers Act 1995: “The hon. Member for Garscadden (the late Donald Dewar) asked whether I expected the new sanction, which will mean that able-bodied people with no dependants and no caring responsibilities can lose all benefit, to apply often. I do not believe that it will apply often.” (italics added)

19. In the two years since June 2011 there has been a massive rise in the number of “reserved” or “cancelled” JSA sanction decisions, especially in the latter. Decisions are cancelled when the claimant is no longer claiming JSA at the time of the referral. Decisions are “reserved” when the claimant has stopped claiming between the time of referral and the time of decision. “Reserved” and “cancelled” decisions were at 72,000 per year in...
2006, but were 532,000 in the year to June 2013. As a percentage of all decisions, they have doubled from around 15% to around 30% (Figure 9).

20. At the time of my evidence of 22 May, I had noticed the rise in reserved/cancelled decisions to October 2012, but had assumed that it was in some way compensating for the pronounced fall from 18.8% of decisions in May 2010 to 9.1% in July 2011. It is now clear that the rise is more significant than this. It appears that people are being driven off JSA by the sanctions regime.

21. This in turn could explain why there has been a sharp increase in the gap between the number of unemployed people identified by the official Annual Population Survey, and the number in the claimant count. The GB seasonally adjusted claimant count has fallen rapidly in recent months from 1.473 million in February 2013 to 1.331 million in August and 1.245 million in October. By contrast, there has been no comparable fall in the seasonally adjusted official unemployment measure, which showed 2.447 million unemployed in GB at January to March 2013 and 2.403 million at July to September 2013. The gap between the two measures therefore increased by 98,000 between February and August 2013.

22. Because of the importance of the claimant count as a leading indicator for assessment of the national economy, for understanding the effects of unemployment and for measuring the health of local economies, the DWP should be asked to provide a full explanation for the rapid increase in reserved and cancelled decisions.

RECONSIDERATIONS AND APPEALS

23. The new statistics for reconsiderations (internal to DWP) and appeals (to a Tribunal) published by DWP give only the totals for the whole period 22 October 2012 to 30 June 2013. In the accompanying charts, these figures have been averaged out across the individual months.

24. The total of reconsiderations under the Coalition Government has reached a new high of 20,000 per month, from a previous level of 5,000 per month. The total of appeals rose under the Coalition Government from around 700 per month to over 2,000 in early 2011, but has since fallen back to little over 1,000 (Figure 10). The recent fall in appeals will probably have been influenced by the withdrawal of Legal Aid from 1st April 2013.

25. The increase of 15,000 reconsiderations per month represents a substantial redirection of DWP resources away from other tasks.

26. As a proportion of initially adverse decisions, reconsiderations have increased substantially from 17.0% over the period April 2000 to April 2012, to 25.3% in the period November 2012 to June 2013. This is the highest level since the current 1998 Social Security Act appeal system was introduced in 2000, although there was a previous peak of 25.0% in December 2003. By contrast, Tribunal appeals did rise under the Coalition Government from a long-term level of under 2.0%, up to a peak of 4.1% in June 2011, but have since fallen back to their long-term level (Figure 11).

27. The changes in claimants’ success rate at reconsideration and appeal are particularly striking. In relation to reconsiderations, DWP decision makers appear to have responded to the Coalition Government’s early pressure on staff to make more referrals by increasing the proportion of reconsiderations in claimants’ favour from a long-term level of just over 50%, up to 60% (Figure 12). But the Social Security Act 1998 removed what since the beginning of National Insurance had always been an independent decision-making service, and put decisions under the direct control of the Secretary of State. Since December 2010, claimants’ success rate at reconsideration has come back down to about 50%.

28. By contrast, Tribunals are not under the control of the Secretary of State. They have raised the proportion of appeals decided in claimants’ favour from a long-term level of 17.0%, up to 42.2% in November 2012 to June 2013 (Figure 12). This remarkable increase is strong evidence that many if not most of the additional sanctions imposed by the Coalition Government over and above previous levels are unreasonable and therefore unlawful. However, because Tribunals’ decisions do not set any precedent, they cannot put a stop to malpractice by DWP.

29. If sanctioned claimants who ask for reconsideration have a success rate of 50%, but only one quarter ask for reconsideration, and if those who appeal to a Tribunal have a success rate of 42.2% but only 1.7% appeal, then it is evident that huge numbers of claimants are being wrongly sanctioned, even in terms of the currently existing legislation—probably into the hundreds of thousands a year. It is clear that the reconsideration and appeal system established by the Social Security Act 1998 is unfit for purpose and must be reformed as a matter of urgency. Evidence that claimants find it difficult to use the reconsideration/appeal system has been available for years (Peters & Joyce 2006, pp.35–37) but has been ignored.

INADEQUACY OF THE NEW FORMAT FOR DWP SANCTIONS STATISTICS

30. The format adopted by the DWP for its JSA sanctions statistics release of 6 November 2013 is extremely inadequate. Far less information is available than previously and there has therefore been a serious loss of accountability.
31. Although there are some improvements, particularly the split between reserved and cancelled decisions, the change of format for the most part has caused a loss of information compared to what is available on the DWP web Tabtool for 2000–12. For instance, we have lost much of the data on referrals, all data on duration on JSA at time of referral and all data for parliamentary constituencies and (more vitally) local authorities; the demographic breakdowns of Table 1.6 and the reconsideration/appeals data of Table 1.8 would previously have been available on a month-by-month basis, whereas now we are given only a total for the rather odd period of 22 Oct 2012 to 30 June 2013.

32. Most problems of data availability would be readily resolved simply by uploading the statistics from 22 October 2012 to the DWP’s Tabtool in the same way as the data to 21 October 2012. There is no technical reason why this cannot be done. While the former division into varied length/fixed length/entitlement referrals and decisions is no longer applicable, this is not in itself any barrier to displaying the data via the Tabtool, which already contains a large number of different datasets relating to different benefits, each with their own categories. Of course the Tabtool has its own weaknesses and could certainly itself be improved, but it has provided far more scope for detailed analysis of the sanctions data than is offered by the new sanctions format.

33. The DWP’s consultation paper on sanctions statistics of 17 October 20127 gave a commitment to continue to publish statistics on a quarterly basis. The newly published statistics do not honour this, except where monthly data are given. Uploading the data to the Tabtool would resolve this issue.

34. I have written to the DWP raising these points and have been promised a reply by 22 November. It is hoped that the Committee will urge the DWP to publish information on the harsher sanctions regime from 22 October 2012 in at least as much detail as before.

16 December 2013

REFERENCES
Deacon, Alan (1976) In Search of the Scrounger: The administration of Unemployment Insurance in Britain 1920–1931, Occasional Papers on Social Administration No.60, London, Social Administration Research Trust

Figure 1
Figure 2


Figure 3

JSA: Adverse decisions per month for not Actively Seeking Work as % of claimant unemployed
Figure 4

JSA: Adverse decisions per month for failure to carry out a Jobseeker's Direction as % of claimant unemployed

Figure 5

JSA: Adverse decisions per month for refusal of employment as % of claimant unemployed
Figure 6

JSA: Adverse decisions per month for failure to participate in employment or training schemes as % of claimant unemployed

Effects of Reilly & Wilson
Transfer to Work Programme contractors 'Poundland' case

Figure 7

JSA claimants and the Work Programme: Monthly job outcomes and monthly sanctions for non-participation (thou.)

Note: In the statistics published for 22 Oct 2012 to 30 Jun 2013, the DWP has included Work Programme sanctions with other employment and training scheme sanctions. However, in the almost six months from 1 May to 21 Oct 2012, the Work Programme accounted for 88.1% of the sanctions in the latter category.
Figure 8

JSA: Referrals and adverse decisions per month for failure to attend advisory interview as % of claimant unemployed

Note: In its sanctions statistics publication of 6 November 2013 relating to the period 22/10/2012 to 30/6/2013, the DWP has failed to include any information on referrals (as opposed to adverse decisions) by reason.

Figure 9

JSA sanctions and disallowances: Reserved or cancelled as % of total decisions

Note: The DWP has yet to publish any information on the split between reserved and cancelled prior to 22 October 2012.
Figure 10

Figure 11
20 November 2013

1 https://www.gov.uk/government/collections/jobseekers-allowance-sanctions

2 Deacon (1976) Table 10 p.103 and Dept of Employment & Productivity (1971), Table 111.

3 Statistics on sanctions and disallowances prior to April 2000 were published in a slightly different way so that the figure quoted is for decisions before any reconsiderations or appeals. If calculated in the same way as current statistics, the 0.54 % figure would be slightly lower.

4 As noted in Figure 7 itself, in the statistics published for 22 Oct 2012 to 30 Jun 2013, the DWP has included Work Programme sanctions with other employment and training scheme sanctions. However, in the almost six months from 1 May to 21 Oct 2012, the Work Programme accounted for 88.1% of the sanctions in this category. Reducing the sanctions shown in Figure 7 by 11.9% leaves them comfortably clear of the job outcomes shown in the same chart. A sanctions figure for Oct 2012 cannot be produced from the data published by DWP.


6 http://www.bbc.co.uk/news/uk-politics-11742916

7 The consultation document appears to be no longer available on the DWP website but an announcement about it can still be found at https://www.jiscmail.ac.uk/cgi-bin/webadmin?A2=OFFICIAL-STATISTICS;7b6dc056.1210

Written evidence submitted by the Welsh Language Commissioner

The Welsh Language Commissioner welcomes the opportunity to comment on the effectiveness of Jobcentre Plus, and how its role should, perhaps, change in the context of reforming welfare including Universal Credit.

This comment is submitted as evidence to assist you in investigating the functions of the Centre.

The principal aim of the Commissioner is to promote and facilitate the use of the Welsh language. This entails raising awareness of the official status of the Welsh language in Wales and imposing standards on organizations. This, in turn, will lead to the establishment of rights for Welsh speakers. Two principles underpin the Commissioner’s work:

— In Wales, the Welsh language should be treated no less favourably than the English language.
— Persons in Wales should be able to live their lives through the medium of the Welsh language if they choose to do so.
In due course, secondary legislation will introduce new powers allowing the setting and imposing of standards on organisations. Until then, the Commissioner will continue to inspect statutory language schemes through the powers inherited under the Welsh Language Act 1993.

The post of Commissioner was created by the Welsh Language Measure (Wales) 2011. The Commissioner may investigate failure to implement a language scheme; interference with the freedom to use Welsh in Wales and, in future, complaints regarding the failure of organisations to meet standards.

One of the Commissioner’s priorities is to scrutinise policy developments in terms of the Welsh language. Therefore the Commissioner’s main role is to provide comments in accordance with this remit and to act as an independent advocate on behalf of Welsh speakers in Wales who could be affected by this investigation. This approach is used to avoid any possible compromise of the Commissioner’s functions in the area of regulation, and should the Commissioner wish to formally review the performance of individual bodies or the Welsh Government in accordance with the provisions of the Measure.

In carrying out this investigation of the functions of Jobcentre Plus, we ask you specifically to give consideration to the following comments:

— The Commissioner believes that, in conducting this investigation it is vitally important to give equal consideration to the Welsh language from the outset in investigating the functions of Jobcentre Plus.
— The importance of safeguarding frontline Welsh language services should be noted as a result of any further reorganisation of the welfare system.
— The Commissioner has already informed the Department of Work and Pensions of her concerns regarding Universal Credit and the lack of Welsh language provision as part of the pilot scheme and also the Child Maintenance Group regarding its lack of forward planning in designing a new website when no consideration was given to a Welsh website at the beginning of the planning process.
— The Department of Work and Pensions’ Welsh Language Scheme notes clearly that “Our policies, initiatives and services will be in accordance with this scheme. They will support use of the Welsh language which will help the public in Wales to use Welsh as part of their everyday life. When we contribute to the process of developing or introducing new policies, initiatives, services or legislation led by other organisations, we will do so in a way that accords with this scheme.”
— The importance of considering the Welsh language in all aspects of the investigation alongside all other factors in investigating the functions of Jobcentre Plus cannot be overemphasised.
— We ask you to share your plans with the Welsh Language Commissioner before you implement them in order to provide the Commissioner with an assurance that the Welsh language has been fully considered.

Once again, thank you for the opportunity to provide comments on your investigation. We ask that you give full consideration to the comments noted above.

31 October 2013

Written evidence submitted by Working Families

1. EXECUTIVE SUMMARY

— Jobcentre Plus (JCP) is not sufficiently equipped to provide tailored advice to parents trying to get back to work.
— Jobcentre Plus should be more proactive in encouraging employers to design and advertise family-shaped jobs and the new Universal Jobmatch recruitment tool needs to be more sophisticated to help part time job seekers.
— Parents of disabled children report a lack of understanding from JCP and are given insufficient support in their search for work.

2. INTRODUCTION

2.1 Working Families is the UK’s leading work life balance charity. We provide free legal advice via a telephone helpline to disadvantaged parents and carers who work or wish to work. We hear first hand from parents about their dealings with Jobcentre Plus and we receive referrals from JCP to our helpline. We also work with employers to create family friendly workplaces and showcase best practice through our “Top Employers for Working Families” annual awards. Working Families Chief Executive, Sarah Jackson, has been invited to Chair the Department for Work and Pensions (DWP) group “Promoting Flexible Working to Private Sector Employers” and has taken evidence from Jobcentre Plus as part of that work.

3. JCP ROLE IN IDENTIFYING AND ADDRESSING BARRIERS TO WORK

3.1 Working Families recognises the importance of JCP advisers in encouraging parents into work. However, evidence from callers to our helpline suggests that there is a need for training for advisers if they are to offer tailored advice for parents. In particular, many parents identify childcare and the costs of childcare as
a key barrier to work but we have cases where Jobcentre Plus advisers have wrongly advised claimants about the potential for help with childcare costs. JCP needs to demonstrate to parents that a move into work will improve their financial position.

A family with children with a joint Jobseeker’s Allowance (JSA) claim went to the Jobcentre for advice about help with childcare costs if the woman returned to work. Her partner had mental health disabilities but was not getting any support with his health problems. He was unable to look after the children when ill. JCP did not advise the couple about moving the partner to Employment Support Allowance (ESA), which may have been appropriate at this point. Instead the couple were simply told that they would get no help with childcare costs if he was not in work and referred them to Working Families’ helpline.

This example demonstrates not only a lack of understanding of the potential support that the family might claim but may also indicate a breach of equality duties by failing to take due account of the man’s disability.

3.2 Jobcentre Plus is responsible for administering Maternity Allowance (MA). Payment of MA is crucial wage replacement for low income mothers who are self employed or who have a close connection with the labour market but who do meet the earnings or service requirements to qualify for Statutory Maternity Pay (SMP). However, we have examples of JCP referring clients to our helpline to discuss MA issues and evidence of a lack of understanding of MA and other benefits:

A self-employed woman rang JCP contact centre to ask what financial help she might get when she had her baby. JCP told her that she would get Maternity Allowance but were rude when she asked for how long—they said “you find out”. When she asked about the Sure Start Maternity Grant the adviser said that she wasn’t on benefits, so she wouldn’t get it. In fact, when she called us, we explained that she could claim child benefit, tax credits and the Sure Start grant when her baby arrived (depending on the level of her tax credits) and we advised her to make a claim within three months of the birth, then again if necessary when her tax credits were finalised.

4. Helping Parents into Part-time Jobs

4.1 Many parents struggle to find part time or flexible work that fits around their caring responsibilities. Too few jobs are advertised on this basis, and the right to request flexible working only applies to employees who have completed 26 weeks service with their employer. JCP should act as a broker between parents and employers, encouraging the latter to consider job redesign when advertising vacancies, and encouraging parents to seek flexibility when being interviewed for jobs. The ability for employers to advertise directly on Universal Jobmatch means that JCP must be more proactive in encouraging employers to consider job design and to advertise jobs flexibly.

4.2 The new Universal Jobmatch only allows a choice of “full time” or “part time” job searches with part time defined as up to 30 hours a week. A more sophisticated search which allows for flexible options—both flexible full time and flexible hours within a part time role—would be helpful to parents and offer a wider recruitment pool to employers.

4.3 Parents of disabled children need flexible hours in order to attend hospital and other appointments with their children. Our survey of 1,000 parents of disabled children found that 27% were not in paid work and that 91% of these agreed that finding a job with the right pattern of work would be a barrier to their return to work.

“My daughter has epilepsy, which isn’t controlled. Employers don’t want to employ someone who has to take time off for appointments or when their child is poorly” (parent of disabled child).

“What happens when your child is in hospital? My daughter has spent twice four months as an in patient. It was planned hospital admission and the lack of flexibility of my boss that eventually made me give up work” (parent of disabled child).

The pattern of work was also the principal concern for the working cohort of parents: 61% had tried to change their pattern of work while 56% had tried to change the number of hours that they work. Sixty-two per cent of the working cohort worked less than 30 hours a week and the vast majority of those not working, but expressing a desire to do so, wanted to work for less than 30 hours a week. School hours jobs and term-time working were particularly desired by both those in and out of work given the difficulties these parents face in finding and affording holiday childcare. JCP should encourage employers to offer term time only and school hours jobs.

4.4 An additional problem arises for parents who want to study or retrain to improve their chances to return to work on a part time basis.

A single parent was moved from Income Support (IS) to JSA and wanted to undertake a retraining course for 15 hours a week over two days. However, as the college classed it as a full time course, JCP would not give her JSA: they say she is a full time student. The parent was prepared to look for work for 2.5 days. Our advice was that she should try to find 16 hours of work per week to

80 Finding Flexibility: parents of disabled children and paid work, Working Families 2012
Ev w124  Work and Pensions Committee: Evidence

5. Back to Work Support

5.1 Despite 91% of the non-working parents of disabled children in our survey expressing a desire to do paid work at some level, only 38% had sought assistance from JCP. Over half the parents who were not working had been out of work for at least six years, making it very hard to get back to work. These parents may benefit from retraining, together with a systematic programme of job-seeking skills. Our survey revealed a lack of understanding from JCP of the particular needs of parents of disabled children.

"They don't help. They just print off a list of low paid jobs without reflecting my qualifications or skills. When I ask why, they tell me I should look at these jobs 'for now'. But my son's situation won't change so there's no 'for now' for me". (parent of disabled child)

"Zero help. I had to battle it myself all the way. In fact, most professionals/agencies told me that single parents in my situation just don't work. I refuse to accept that". (parent of disabled child)

Many parents of disabled children want to work but are unemployed or underemployed, with knock-on effects on their family poverty. JCP should show more understanding of the limits and restrictions on parents with disabled children struggling to balance work and care.

24 May 2013

Written evidence submitted by Working Links

Introduction

Working Links welcomes the opportunity to comment on the Work and Pensions Select Committee inquiry into the Role of Jobcentre Plus (JCP) in the reformed welfare system. Working Links has been in operation since 2000 and since that time we have helped over a quarter of a million people into work through programmes such as Employment Zones, New Deal, Flexible New Deal and the Work Programme. Our organisation is passionate about making a difference to people’s lives and it is our belief that sustained employment is the best route out of poverty. Our goal is to help people move away from welfare dependency—benefits should not be seen as a long term option for those that can work, but merely a transitional measure.

Working Links places partnerships at the heart of its delivery and we work closely with JCP as well as public, private, voluntary sector organisations and employers of all industries to help the long-term unemployed into sustained employment.

In the context of increasing pressure on welfare spend, the introduction of Universal Credit and benefits reform, Working Links believes this inquiry offers an important opportunity to review the role of JCP as “gatekeeper” to employability programmes such as the Work programme and Work Choice and more generally its role within a world of multi-agency service delivery driven by Universal Credit.

Our response is based upon our operational knowledge as well as insights from thought leadership research which we have commissioned to help inform and shape our delivery of services to long-term unemployed people.

Key Points

— Working Links enjoys a positive working relationship with Jobcentre Plus particularly in those offices where we “co-locate” to provide a warm handover for jobseekers who are moving on to the Work Programme.

— There are numerous examples of best practice throughout our delivery areas. But we believe that more could be done to share these examples of best practice across the JCP network which would in turn improve service delivery to jobseekers moving from JCP onto the Work Programme.

— Working Links believes that Universal Credit will bring a step change in the way that JCP operates—drawing it closer to other agencies responsible for elements of public service provision. We consider that in order to incentivise the right behaviours, JCP needs to be measured on the actual sustained outcomes rather than whether someone has signed off benefits.

— To further improve service delivery for jobseekers and boost employment outcomes, Working Links would recommend that further attention is given to the diagnostic tools used by JCP with a view to considering a model like the Australian Jobseeker Classification Instrument (JSCI).

— Government’s policy intent is to help people move off benefits and into employment of more than 16 hours per week. Working Links would argue that it is important to utilise the right tools to achieve this outcome (Universal Jobmatch) and to build in a way of measuring progression as an outcome in employability programmes.
SHARING OF BEST PRACTICE

The use of the “warm handover” where providers and JCP work closely together to support customers as they move from JCP onto the Work Programme is very effective and more should be done to formalise the sharing of best practice across JCP to help support jobseekers as they transition on to the Work Programme and encourage their engagement. For example, in Cardiff, JCP advisors are part of the induction process—it helps those advisers get a better sense of what we do when a customer moves over to Work Programme and helps the jobseeker with a smoother transition—resulting in increased engagement and motivation on the part of jobseekers. In the South West, we have a Finding and Getting a Job Programme in partnership with JCP that helps people gain employability skills. We work with JCP to help people who have been unemployed for under a year and have been identified as needing extra help in gaining the skills that employers require. Customers come on our six-week course to learn about interview techniques, confidence building, CV writing, application forms and get specific training relating to the local labour market. This type of collaborative working is incredibly important and ensures a seamless process for jobseekers.

Jos, 53, of Dawlish, decided to return to the South West after 25 years in New Zealand. He couldn’t find work despite having an educational portfolio working as a lecturer and assessor in New Zealand. He struggled for months until he was referred to the Finding and Getting a Job Programme, delivered by Working Links in partnership with Jobcentre Plus in the South West.

It was during this six-week programme run by Working Links and Jobcentre Plus that Working Links helped him turn his New Zealand-based qualifications into ones recognised by UK employers. Bernie said: “It’s fantastic to see the partnership between Working Links and Jobcentre Plus working to such great effect. It’s all about moving people back into work and Jos has found the perfect job.”

MEASURING OUTCOMES

Worklessness increases the demand on a range of social support functions not employment support services. The changes brought forward by the introduction of Universal Credit are intended to promote a more integrated multi-agency approach and a radical shift in the way that JCP interacts with other key players in the system such as local authorities, housing associations and voluntary sector providers. This move to a much more integrated approach is extremely welcomed and in our view will help improve sustainable outcomes in the longer term.

However, at the moment JCP’s success is measured by a simple off benefit flow. It is this focus on off benefit flows, according to think tank Policy Exchange, which leads to a situation where it is a “revolving door” for some as they move in and out of work without receiving the necessary support from other agencies to help them break down the barriers to employment. The report argues that only around a half of claimants leaving Jobseeker’s Allowance are still in work eight months later and a third of those are claiming Jobseeker’s Allowance again.

And according to the National Audit Office (NAO) in 40% of cases the reason for a claimant moving “off-flow” is not recorded—they could be on other benefits, in prison or be off benefits but remain out of work. Under the current system, there is little incentive for JCP as an institution to record the reason for the off-benefit flow or have a good understanding of whether its interventions have proved successful in helping someone move into longer term employment.

It is Working Links’ belief that JCP needs to move away from the off-benefit flow measurement towards one which considers sustained outcomes. In doing so we will avoid the current challenge of sustained outcomes not being pursued—with the resulting “cost burden” simply shifted to local authorities or other support services. We would argue that JCP outcomes could potentially be measured in the same way as Work Programme providers.

JOBSEEKER CLASSIFICATION INSTRUMENT

In order to promote sustainable employment, Working Links argues that a more sophisticated classification tool needs to be implemented, enabling JCP to understand the factors affecting the sustainability of outcomes and to provide an effective “sign-post” to agencies and more effective targeted support for its customers. In Australia, the Jobseeker Classification Instrument considers a range of factors and circumstances (for example transport issues, living arrangements, work experience, disability, qualifications). Unemployment benefit claimants are assessed against 18 categories and the results are the assessed as a basis for a more effective diagnostic approach to determine interventions. We would argue that the Australian model has many merits for consideration within the JCP framework.

In addition to the specific tools that JCP has at its disposal we would argue that there needs to be a culture shift towards more sharing of data and diagnostic approaches. Our advisors often find that change of circumstance information is inconsistent or lacks detail and we would note that this is particularly relevant for the current JSA client groups.
Ev w126  Work and Pensions Committee: Evidence

Supporting a Flexible Labour Market—Universal Credit and Conditionality

One of the challenges of supporting jobseekers has been identifying and sharing employer vacancies. Whilst Universal Jobmatch (UJ) has been controversial because of concerns about cost and privacy we wholeheartedly welcome the spirit and intention of Universal Jobmatch as a means of facilitating this. However, we do share concerns about the “functionality teething problems” and about a consistent approach amongst JCP in advising jobseekers and training them to use Universal Jobmatch.

As a broader principle we do believe providers should be incentivised to help people not only sustain in work but progress and boost their earnings (in keeping with the taper for the withdrawal of benefits as earnings increase). Universal Jobmatch could play an important role here—supporting this activity by matching employers and employees according to progression opportunities and ambition.

Conclusion

Working Links has a strong relationship with Jobcentre Plus and believes there are many examples of best practice across our delivery areas. We believe the sharing of best practice has a beneficial impact but that more could be done to share examples of best practice across the JCP network which would in turn improve service delivery to jobseekers moving from JCP onto the Work Programme.

In terms of improving the way that JCP operates, we would identify improvements to diagnostic capability and the replacement of the off-benefit flow measurement as the two recommendations which would have most impact.

We consider that in order to incentive the right behaviours, JCP needs to be measured on the actual sustained outcomes rather than whether someone has signed off benefits. To further improve service delivery for jobseekers and boost employment outcomes, Working Links would recommend that further attention is given to the diagnostic tools used by JCP with a view to considering a model like the Australian Jobseeker Classification Instrument.

24 May 2013

Written evidence submitted by Zacchaeus 2000 Trust

Introduction

1. The Zacchaeus 2000 Trust (Z2K) is a London-wide anti-poverty charity that promotes the improvement of living conditions on the basis of economic and social justice through the provision of evidence-based policy alternatives to government, and by direct engagement with the lives of the poorest and most vulnerable.

2. Z2K provides a generalist advice and casework service offering in-depth and long term support for people struggling on low incomes. This service primarily focuses on those facing debt as a result of: over and under-payments of benefits; benefit sanctions; unmanageable debt repayment arrangements; bailiffs; utility bills; Council Tax liabilities; rent arrears; and most other debt-related matters. Z2K also offers support in the form of non-legal representation at Tribunals, County Courts and Magistrates, and supports and trains other organisations to do the same.

3. As such we have extensive experience of supporting vulnerable benefit claimants who interact with Job Centre Plus (JCP) on a regular basis. It is on the basis of this experience that this submission has been produced.

Executive Summary

4. The experience of Z2K’s client of sanctions suggest that poor administration and other issues are undermining the effectiveness of the system and placing vulnerable claimants at risk.

5. We are also concerned that JCP staff are issuing unreasonable directions which cannot be fulfilled by a claimant or act to undermine their ability to find employment.

6. Finally we are worried that JCP staff are not prepared to properly support claimants affected by the Benefit Cap that they have not previously seen.

Benefit Conditionality and the Role of Sanctions

7. While Z2K supports the concept of a benefits system of rights balanced by responsibilities we remain sceptical of the effectiveness of promoting positive employment outcomes through work-related conditions backed by financial sanctions, particularly in the case of vulnerable claimants.

8. The evidence available to support the efficacy of sanctions is far from conclusive. For example a Joseph Rowntree Foundation review,81 of the evidence available found that research was limited. What research there is shows that while there were some savings made from getting people off benefits those that found employment had an increased likelihood of low wages and high job churn.

9. However while the current system is in place it is in the interests of all concerned that it functions properly in a transparent manner. It is necessary for the system to be fully understood by all benefits claimants if it is to properly act as both a deterrent and a means to improve the behaviour of those who fail to meet their conditions.

10. Unfortunately we are not able to properly assess the new sanctions regime that has been in place since October 2012 as the Department for Work and Pensions (DWP) has delayed the publication of its statistics. If the increased minimum length of sanctions were acting as a deterrent as intended you would expect to see a decrease in the number of claimants sanctioned overall as well as the numbers sanctioned multiple times. However the leaked “score chart” published in The Guardian82 in March implied that there had been a large rise in the rate of sanctions per month in December 2012 and January 2013.

11. The reason for this could be that in our experience sanctions are often poorly administered. Our clients routinely report being given no prior warning of a sanction threat and no explanation of its cause. If a claimant does not know why they were sanctioned or were not capable of meeting the condition placed upon them in the first place then this renders the sanction ineffective.

12. It is a regular occurrence that the DWP letter notifying the claimant arrives sometime after the sanction has already been made and gives a generic explanation without detailing the specific reason for the sanction. This means that claimants often fail to connect their specific action or failure to act with their loss of benefit, undermining the intended aim of the sanction.

13. Sanctions are often levied as a result of simple administrative error. For example one of our clients was sanction for not attending a JCP meeting because he was busy attending a course the JCP had sent him on. He successfully appealed this sanction with our support but this waste of time and resources could’ve been avoided if his JCP adviser had raised the issue with him prior to sanctioning.

14. In cases of vulnerable claimants such administrative errors can have devastating consequences. A 19 year old client of ours, who was pregnant at the time, was sanctioned for two weeks last August without explanation. Despite the fact she that was obviously pregnant, JCP officials told her and her youth support worker that they were unable to arrange a crisis loan for at least three days. As such a single pregnant mother would have been left without money for food and electricity for three days if we had not been able to support her.

15. From the range of client’s experience of sanctions we can thus identify the following reoccurring problems:

- Lack of proper explanation of conditions by JCP adviser leading to claimant lack of understanding of requirements and consequences;
- Sanctions resulting from unexplained administrative errors;
- Poor speed and efficiency of administration; and
- Negative impact of hardship resulting from sanctions impacting on vulnerable claimants.

16. From our experience it is hard to see how a sanctions system functioning like this can deliver increased compliance and positive employment outcomes.

UNREASONABLE DIRECTIONS AND THE WEDNESBURY PRINCIPLES

17. Another problem we have observed from our casework is the issuing of unreasonable directions which cannot be fulfilled by a claimant or act to undermine their ability to find employment. The following case study illustrates this well.

18. “Dr Kay”, a client of ours, was instructed, without explanation, to begin daily signing. This was despite the fact that his JCP adviser had told him that they had no vacancies suitable for him, nor practical suggestions appropriate to his job search. Whilst daily signing has sometimes been reported as a requirement for homeless, young or long-term unemployed claimants Dr Kay was a well-qualified middle aged man who had only been claiming Jobseeker’s Allowance (JSA) for a matter of months.

19. This was not only an irrational direction but one which effectively undermined Dr Kay’s daily search for work, since many key contacts for him were with staff at academic institutions who could only be contacted during lunch-times. After notice of an appeal was served at the JCP they hastily withdrew this direction while failing to provide a proper explanation for it.

20. This case, and other similar ones, is of importance because it demonstrates that JCP staff regularly make unreasonable decisions, unlawful following the Wednesbury principles. During the passage of the Welfare Reform Bill Z2K organised a seminar at which we explained the need for JCP officials to apply the Wednesbury principles when making all their decisions, particularly about sanctions. There is of course nothing new about these principles as they are the heart of all administrative law yet officials have often never heard of them. Following the seminar Lord Freud said the following in the House of Lords83:

82 http://www.guardian.co.uk/society/2013/mar/28/jobcentre-scorecard-areas-stopping-benefits
Ev w128  Work and Pensions Committee: Evidence

“We spoke about the Wednesbury principles at our seminar, and I can reassure noble Lords that the decision-making process is and will continue to be consistent with these fundamental principles of public law... Decision-makers clearly have a general duty under public law to make decisions in accordance with the Wednesbury principles, to consider relevant matters raised by a claimant and to explain their decision to claimants. Our training and guidance is designed to ensure that decision-makers adhere to these duties.”

21. It would be interesting to discover therefore whether the Wednesbury principles are included in JCP staff training and if so why they are flouted with alarming regularity.

**IMPACT OF THE BENEFIT CAP**

22. Z2K is also concerned that the Benefit Cap will require JCP staff to begin job searches for claimants that they have not previously had to engage with, such as those receiving Incapacity Benefit; ESA (WRA); Income Support (both disabled people and parents); and Carer’s Allowance.

23. This will pose specific challenges due to the need for sympathetic employers and flexible working arrangements, especially in the context of an urgent need for employment in order to protect the claimant’s accommodation. This may lead to inappropriate placements that are not sustainable, and could possibly lead to distress and difficulties for more vulnerable claimants.

24. Although Discretionary Housing Payments (DHP) might be used to increase the amount of time JCP have to place a client before they become homeless, it is unclear what mechanism will be in place for JCP to share information with local authorities, and as the discretion lies with local authorities, there is an increased danger that this information will not be acted upon.

25. There is a very real danger that claimants will focus on securing affordable accommodation over and above seeking employment. This is entirely understandable given these claimants additional responsibilities, especially lone parents with young children. It is important that JCP work closely with local authorities to share information on households vulnerable to homelessness, so they can work together to prevent this. On the part of JCP this might involve looking again at their claimant commitment or on the part of local authorities this might involve providing a DHP or other assistance where JCP have yet to complete tasks necessary to helping the client to access employment.

24 May 2013