**Mind’s response to the Work and Pensions Committee’s request for contributions re: Universal Credit: tests for managed migration**

1. In previous evidence to the committee we set out our wider concerns around the Government’s process for managed migration. Even with the significant amount of discretion within the current pilot regulations, we believe the basic structure of requiring people receiving legacy benefits to make a new claim is likely to leave too many people with mental health problems without a source of income. However given the Government is still looking to proceed with this approach for the initial pilot, the rest of this response is focused on how it could set tests that would help mitigate some of the impact of that decision.

Any problems or advantages associated with the Department’s preferred approach of defining tests after the pilot is complete.

2. **We agree with the Committee’s view that the Department can and should set tests for the pilot of managed migration.** Unless the pilot is evaluated against some established criteria of success then it is not clear on what basis the Department could make a meaningful decision on whether it is safe to proceed with the wider roll out. We appreciate that it may be sensible for the Department to establish detailed success measures for the full roll-out of managed migration after it has completed the pilot. We also appreciate that there will be some measures the Department can only meaningfully set once it has designed the detail of how the pilot will work. However at the same time it is important to emphasise that the Department has made already made commitments about how the process will work for the people going through it, and that it needs to be capable of demonstrating whether it is able to meet those commitments before rolling-out the process widely.

3. For parliament and others to provide effective scrutiny ahead of the full roll-out of managed migration, the Department will need to be able to demonstrate that the process of evaluation and review has been comprehensive and robust. **We recommend that following the pilot, the Department commission an independent review of its readiness for managed migration, and that this process involves seeking the views of external experts (for example the Social Security Advisory Committee and the National Audit Office) as well as people with direct experience of going through the benefits system.**

4. The tests we suggest in this response are less detailed then we would expect for the full roll-out of managed migration, but we believe they represent measures of success which should be considered fundamental to any process of migration, regardless of the detail of the design.
Summary of priority tests for the pilot of managed migration

5. We believe that in the evaluation of the managed migration pilot the Department will need to provide answers to the following key questions

- Are people successfully moving from legacy benefits to Universal Credit?
- Are people going for periods of time without income or with reduced income?
- Are people receiving the standards of support and service they should expect?
- Are there particular groups of people who have struggled more with the process of managed migration?
- Is the Department able to transfer the outcome of a Work Capability Assessment to a Universal Credit award without disruption or delay?
- Is the Department able to transfer people between two different payment systems without causing financial hardship?
- Is the wider Universal Credit claims process meeting the needs of people in the most complex or difficult circumstances?

The rest of this response focuses on the detail of the Committee’s proposals and includes suggestions for amending or expanding some of its tests in order to capture these priorities.

Whether the tests listed in the annex are appropriate, and any changes, additions or refinements you might make (for example, how should the Department define “vulnerability” amongst claimants)

Payment timeliness

6. We know that a measure on payment timeliness will be crucial and that this measure will need to reflect the particular situation that people going through managed migration find themselves in. As Neil Couling said before the Committee in October, people receiving legacy benefits already have a flow of income from benefits and the aim of this process is for people to move smoothly onto a new flow of income.\(^1\) Therefore this measure shouldn’t look exclusively at whether people who have already put in a claim for Universal Credit have received their first payment within the expected timeframe. That would potentially exclude people who receive a late payment because, for example, they did not receive the right support to make a claim until after their deadline day.

7. We recommend that any measure of payment timeliness looks at the proportion of people receiving legacy benefits who receive their full Universal Credit payment within five weeks of their deadline day. There is likely to be a relatively small proportion of people who are found to no longer have an entitlement to benefits and who might legitimately be excluded from this figure. The most important thing is that measures of payment timeliness start with the assumption that people receiving a migration notice should be due a payment and

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\(^1\) Oral evidence: Universal Credit: Managed Migration, HC 336
take into account the variety of different ways in which they might not have accessed that payment before their existing benefits stop.

**Dropout rate**

8. **We would recommend an additional measure which looks purely at the proportion of people receiving legacy benefits who successfully migrate to Universal Credit.** For those who have not migrated, the Department should collect and measure the reason for this, so that it can meaningfully distinguish between:

- People who made contact with the Department but did not claim Universal Credit
- People who did not make contact with the Department following their migration notice
- People who made a claim but were not found eligible for Universal Credit

9. Data collection to support this measure should be detailed enough to be able to understand the circumstances of people who have not successfully migrated. This should include, for example, information on successful migration by legacy benefit type, by disability indicator, or health condition, and by stage that the person had reached in the process (e.g. initial letter, defective claim).

10. The Department has referenced its ability to extend an individual’s deadline day as one of the key safeguards that it says will mitigate against the risk of people dropping out of the system. For this reason it’s key that the Department looks at the number of people who have requested an extension and conducts some analysis to understand the circumstances in which these extensions are granted or refused. The exact nature of this analysis will depend on what the process looks like, but might include broad categories to explain why people have requested an extension (for example due to a health condition or due to work commitments) as well as why this was refused.

11. The Department has committed to making sure that no-one will fall through the gaps through the process of managed migration. We believe if anyone sees their legacy benefits stop because they were unable to manage the process of claiming Universal Credit, or because they were fearful of making a claim despite having an entitlement, then that should be seen as a clear sign that the process is not working as it should be.

**Work Coach Performance**

12. While we do not have detailed comments on the Committee’s proposals on Work Coach performance, we do believe the Department will need to be sensitive to potential unintended incentives or consequences when it comes to setting any specific tests in this area. We understand that the Committee and others scrutinising the Department will legitimately want to understand what impact managed migration is having on the wider work of the Department, but we would also want to make
sure that in practice DWP staff were encouraged to prioritise getting people the right level of payment at the right time.

**Wider tests on Departmental performance**

13. One aspect of the migration process that we know is of particular concern to people receiving Employment and Support Allowance is how effectively the Department is able to transfer the outcome of a previous Work Capability Assessment to an award of Universal Credit. This makes a difference to the overall amount of benefit a person should receive, as well as to their conditionality requirements. While the former should be captured within any measure of payment timeliness, this wouldn’t capture the impact of being subject to inappropriate levels of conditionality when transferred onto Universal Credit, something that we know can potentially have a devastating affect for people who are very unwell. **Currently transferring the outcome of a Work Capability Assessment is a manual process but we believe one key test of readiness for managed migration needs to be whether the Department is capable of automatically carrying these outcomes across in order to avoid any delay.**

14. The Department has cited increased uptake of benefits as part of its rationale for proceeding with managed migration, through being able to encourage people to claim additional components that they could be entitled to. **While we continue to believe that the current approach to managed migration creates an unacceptable level of risk for people with mental health problems, we believe it’s important that the Department is able to demonstrate whether it is meeting its own aim of increasing benefit uptake.**

**Customer satisfaction**

15. We agree with the Committee’s proposals for the Department to consider customer satisfaction as one of the key tests for managed migration. **As with the proposal for payment timeliness we believe this should specifically look at the experiences of people who have been through the managed migration pilot** (rather than the existing claimant satisfaction measure which looks at people who are already claiming Universal Credit, who have made recent contact with the Department, and who are not represented by a formal advocate or MP). This work might include analysis of:

- The experience of receiving a migration notice and wider communications from the Department. Were these understandable? Did they cause worry or distress? How easy was it to get clarification or more information?

- The experience of asking for an extension. Was it clear how to do this or what information to provide? Did DWP staff understand the person’s circumstances and reasons for asking for an extension?

- The experience of claiming Universal Credit more generally for people going through managed migration. Are the wider systems for making a claim
Financial duress

16. One of the biggest concerns we have heard from people with mental health problems currently receiving ESA is that many people would find a sudden change to their pattern of payments unmanageable. For that reason we are urging the Department to make sure that at the point of migration people are given the option of maintaining their current pattern of payment (including fortnightly payments and managed payments to landlords). **Whatever approach the Department takes to this issue, it will need to provide evidence of whether the move to Universal Credit has created additional financial hardship, over and above any hardship people may have been experiencing before the point of transfer.**

Vulnerable claimants

17. This is one area where we believe it would be difficult to set an appropriate test before understanding more about how managed migration will be designed in practice.

18. We know that the biggest group of people going through managed migration will be the 750,000 people in receipt of Employment and Support Allowance. We do not believe it is right to automatically equate being unwell or disabled with being ‘vulnerable’, however for the purposes of managed migration we know that a very high number of people in this group may need adjustments or specific kinds of support in order to claim Universal Credit. For that reason we believe it would be a mistake to design a relatively rigid process for managed migration, and then create particular safeguards or flexibilities which are only available to people who can meet the threshold of being considered ‘vulnerable’. That approach inevitably gives staff a significant amount of responsibility and discretion for identifying when people are unwell, and disadvantages people who struggle to disclose their condition or articulate how it can affect them.

19. Instead we believe the overall design of managed migration needs to work for people who are in complex circumstances or who need particular kinds of support. For example when it comes to requesting an extension to the deadline, the Department could choose to grant an extension to anyone who requests one for the first time, regardless of what reason they give. This would provide help to people who need more time as a result of a health condition or disability, but would also be a more supportive system for people who might be struggling with the process because of commitments around childcare or work. A similar rationale would apply to other flexibilities like giving people greater choice over their payment frequency, or postponing the requirement to agree a claimant commitment if someone is at risk of missing their deadline day.
20. It’s vital the Department is able to use the evaluation of managed migration to understand how it is working for people in ‘vulnerable’ circumstances. However we do not think that they would achieve that understanding by focusing on the numbers of people who they identify as vulnerable or who they extend adjustments to. Instead we believe that data and qualitative research they undertake through the evaluation needs to look at the experiences of particular groups who we know are often disadvantaged when navigating the benefits system including for example, people who are disabled or unwell, people who are homeless and people with caring responsibilities.

Annex 1: Mind’s proposed priority tests for the managed migration pilot

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<thead>
<tr>
<th>Area</th>
<th>Metric</th>
<th>Data used or expected</th>
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<tbody>
<tr>
<td>Departmental performance</td>
<td>Drop-out rate</td>
<td>Data recorded for every migration notice sent recording whether the person made contact with the Department, and whether they made a successful Universal Credit claim. This data should be able to distinguish between people who no longer had an entitlement and people who did not claim for another reason. It should also be broken down by benefit type, disability status, claim stage and other relevant characteristics where possible.</td>
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<tr>
<td>Effectiveness of extension process</td>
<td>Data recorded on extension requests granted and refused, with analysis of reasons for refusals, combined with insights on this part of the process gained through qualitative customer satisfaction research (see below)</td>
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<tr>
<td>Payment timeliness</td>
<td>Data recorded for every migration notice sent recording whether a full payment was made within five weeks of the deadline day.</td>
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<tr>
<td>Successful transfer of LCW elements</td>
<td>Transparent information about the process for transferring LCW elements along with evaluation of how it is operating in practice.</td>
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<tr>
<td>Impact on claimants</td>
<td>Customer satisfaction</td>
<td>Survey work and qualitative research with people who have gone through the process of managed migration. This should cover experiences of claiming Universal Credit along the lines of the existing Universal Credit Full Service survey, as well as more specific communications and tasks involved in managed migration.</td>
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<tr>
<td></td>
<td>Experience of vulnerable claimants</td>
<td>Survey work and qualitative research with specific groups of people going through the process of managed migration including disabled people and people with health conditions.</td>
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<td></td>
<td>Financial duress</td>
<td>Longitudinal analysis looking at measures of financial difficulty before and after the process of managed migration.</td>
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