

restoring faith in the safety net



Church Action
on Poverty

Jane Perry, Liam Purcell and Niall Cooper
with a foreword by Rt Revd Tim Thornton

June 2015

Acknowledgements

Church Action on Poverty is a national ecumenical Christian social justice charity, committed to tackling poverty in the UK. We work in partnership with churches and with people in poverty themselves to find solutions to poverty, locally, nationally and globally. Further information can be found at www.church-poverty.org.uk. Registered charity number 1079986. Company limited by guarantee, registered in England and Wales, number 3780243.

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Executive summary

We should all be able to rely on the safety net of social security being there for us if we hit hard times.

A **truly compassionate society** is one which expresses concern for the welfare and dignity of all its citizens. In a world of growing insecurity, a compassionate society is one which provides a bedrock of social security: the security of knowing that becoming sick, disabled or unemployed, or suffering a financial shock or crisis (be it a bereavement or a broken cooker), will not leave anyone penniless, hungry or at risk of destitution.

For those in the UK who find themselves unemployed or unable to work – whether through sickness, disability, caring responsibilities or insecure work – the social security system is designed to provide a safety net; an essential guarantee of a minimum income, enabling people to live free from fear of destitution or the stigma of poverty.

In the preparation of this report, we have heard many stories of real hardship caused by failures in the benefits system, often leaving people penniless and hungry. These stories are corroborated by evidence collected by the Trussell Trust food bank network, the Church of England and others, which points to the fact that over half of the people who turn to food banks do so due to delays or errors in, or removal of, benefit payments.

This report restates the case for a social security safety net. It also documents an increasing number of holes in that safety net – undue delays, errors, or excessive sanctions, many of which are leaving large numbers of people without income for days, weeks or even months at a time. Too many people, including children, are being left at risk of hunger or destitution as a result.

Churches have highlighted the way in which public attitudes to poverty are shaped by the powerful myths and lies we tell ourselves – myths which lay the blame for poverty on those who are affected by it. When repeated with great frequency by sections of the press, these myths undermine public support for the benefits system and for further action to tackle poverty.

As they continue with the roll-out of the new Universal Credit, it is essential that the new Government ensures that people are able to rely on receiving the money due to them and are not put at risk of destitution as a result of being left without any source of income for extended periods of time – especially where it is for reasons beyond their control.

We therefore urge the new Government to reaffirm the centrality of the safety net principle, and the Department for Work and Pensions to take steps to ensure that the holes we have identified in this report are addressed.

We also call on the House of Commons Work and Pensions Select Committee to launch an urgent inquiry into tackling the holes in the safety net.



The holes in our social safety net

- **Inefficiency and bureaucratic delays**
Leaving people with no income for weeks at a time while forms are processed
- **Uneven help to cope with delays**
Half the people in need who apply for short-term advances are turned down
- **People don't get money they're entitled to**
Many are underpaid because of administrative errors; many don't claim because information isn't available
- **Unacceptably long waiting times**
People wait months for assessments of their capacity to work
- **People wrongly found 'fit to work'**
Sick and disabled people let down by inadequate assessments
- **People vanishing from the system**
No data available about whether people find work after being found 'fit to work'
- **Excessive and arbitrary punishments**
Benefit sanctions for minor 'offences' are harsher than many criminal sentences
- **People punished with complete destitution**
People's incomes can be stopped entirely, often without access to hardship loans
- **No right of appeal or due process**
People whose benefits are stopped when they are accused of fraud or wrongdoing find it very difficult to challenge or appeal the decision.

Foreword

A functioning safety net, not food handouts, is the true long-term solution to food poverty and hunger.

Last December's *Feeding Britain* report¹ highlighted the role played by benefit delays and sanctions in the reality of food poverty and hunger. For far too many people, instead of providing security against hunger, the 'welfare safety net' is itself a contributory factor in creating insecurity and destitution. The welfare safety net is in urgent need of repair, as this report demonstrates.

Food handouts must not be a long-term response to the problem of food poverty and hunger in the sixth wealthiest nation on the planet. Even in the so-called 'developing world', mass feeding programmes and food aid are only ever seen as a short-term emergency response.

The test of the new Government is not whether it is effective at enabling its citizens to be fed with surplus food handouts, but whether it has reduced the need for people to turn to food handouts in the first place. Making this a reality requires a fully functioning welfare safety net. For this to exist, we must review what we mean by the welfare state.

As the *Emergency Use Only* report² from the Church of England, the Trussell Trust, Oxfam and Child Poverty Action Group showed, the principal reason for people turning to food banks is a sudden loss or drop in income. Sadly, whilst the benefits system was originally designed to cushion people from such shocks, and prevent a drop in income leading to destitution, the current reality is somewhat different.

Most people continue to believe that the welfare state provides a safety net when you fall on hard times. Yet for hundreds of thousands of people, the experience is quite different. And the language we use appears to create a part of our society who need welfare while the rest of us are somehow separate and not related to them.

For a variety of reasons – bureaucratic, administrative and policy – increasing numbers of people are being left out of pocket, or destitute.

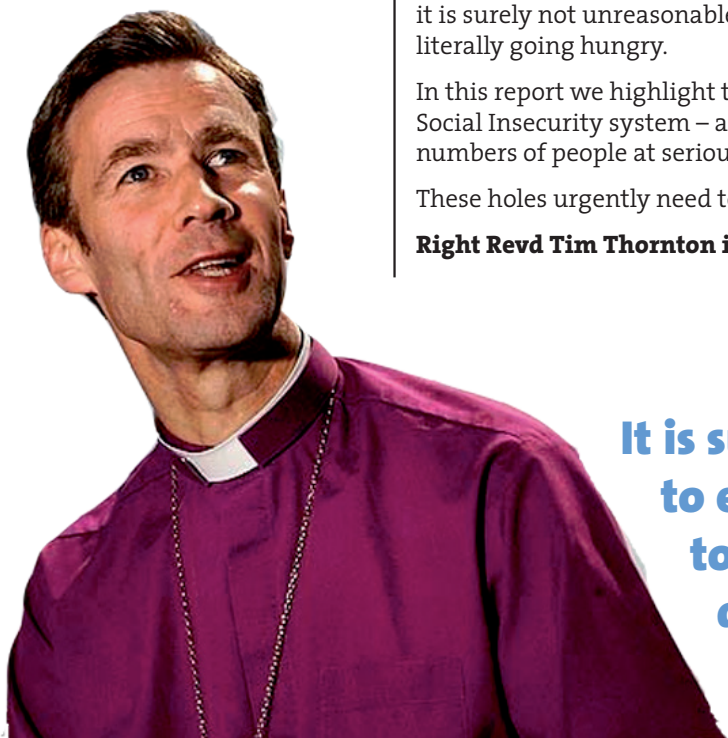
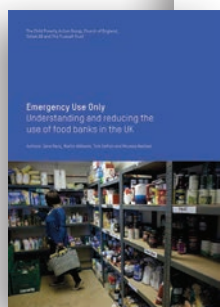
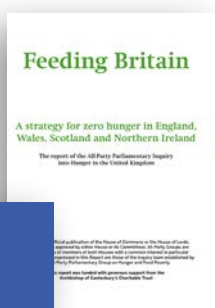
Whilst recognising that benefits are never on their own going to solve poverty (and almost certainly aren't going to be increased in the current political or economic climate), it is surely not unreasonable to expect the benefits system to prevent people from quite literally going hungry.

In this report we highlight the stories and real hardship faced by people affected by the Social Insecurity system – and identify holes in the net which currently leave significant numbers of people at serious risk of destitution.

These holes urgently need to be filled.

Right Revd Tim Thornton is the Bishop of Truro.

It is surely not unreasonable to expect the benefits system to prevent people from quite literally going hungry



Would the safety net be there for me if...

I needed to claim benefits?

Administrative delays and errors leave millions without the money they are entitled to.

Delays and time-lags in receiving benefits

If you get ill or lose your job, the welfare safety net is there to help. Isn't it? Many of us have claimed benefits at some point in the past, when the system was fairly simple – you went to the Department for Social Security (DSS) office, you answered a few questions, you signed on, and you got your dole. But nowadays it's not quite so simple. What is the actual reality of claiming benefits today?

For increasing numbers, even when they successfully apply for a benefit (and that in itself is a major obstacle for some), it can now take weeks to receive any money. The same thing can happen if you are already claiming benefit and your circumstances change – lengthy delays and long periods without any money, whilst your eligibility for benefit is reassessed.

Recent changes to the benefits system seem to be based on an untested assumption that everyone who needs to claim benefits has either a 'final month's paycheque' or savings to tide them over until their first benefit payment arrives – in many cases weeks after they make their first claim. As the stories on these pages show, the reality for many people is quite different.

Andrew's story

I've just signed on at the Jobcentre and I'm waiting for my appointment. But they have left me for over two weeks with no money or support. They have taken away the phones in the Jobcentre as well, which makes it very difficult to contact them when I have no family or anyone. They have cut people off with basic service. If it wasn't for Foodbank I would have no food and then I would have gone out to steal food if I had to. Thank God for the food bank.

West Cheshire Foodbank

Megan's story

My partner has just moved in with me and our benefits are being readjusted. This has taken three weeks so far. We have no benefits apart from child benefit for two children aged seven and five. Our new baby is due in July.

West Cheshire Foodbank

For many people, the experience of trying to claim benefits is of increasing frustration; of being forced to wait on the phone (on an expensive premium rate number) for extended periods of time to speak to anyone at the Department for Work and Pensions; of receiving contradictory advice; or of being forced to complete complicated (and confusing) forms online, which even experienced benefits advisers can find difficult. Yet any error on the part of the claimant can result in further delay or outright rejection of their claim.³

Key facts: delays and time-lags

People have to wait for increasingly long periods of time to receive benefit payments. Universal Credit, by making payments monthly in arrears, is only making matters worse.

- In October 2014, the 'waiting periods' before claimants are entitled to money were increased from three to seven days. In 2015–16, an estimated 1.2 million people claiming Jobseeker's Allowance or Employment Support Allowance will have to serve these seven 'waiting days' before they are entitled to benefit money. The DWP estimate this will leave 280,000 people 'most at risk of suffering financial hardship'.
- In addition, the time taken to process benefit claims mean it can take weeks for benefits to be paid. The DWP's own target allows them up to 16 days to make a payment. Significant numbers of people wait longer. There are no recent statistics on how long people actually have to wait to receive their benefit. Universal Credit makes this worse, as payments are monthly in arrears.

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A number of recent changes have only served to increase the time you have to wait to receive payments:

Period with no payment of benefits increased from three to seven days

People who claim Jobseeker's Allowance (JSA – the benefit for people who are unemployed and seeking work) or Employment Support Allowance (ESA – the benefit for people who are unable to work due to illness or disability) are not usually entitled to receive benefit for a number of initial 'waiting days' at the start of any claim period⁴.

After 7 October 2014, the number of waiting days increased from three to seven for most claims. The Department for Work and Pensions (DWP) itself calculated that around 245,000 JSA claimants and 35,000 ESA claimants would be 'most at risk of suffering financial hardship' as a result⁵. In 2015–16, an estimated 1.2 million people claiming JSA or ESA will have to serve these seven 'waiting days'.

Waiting for a fortnight or more for benefits to be processed and money to arrive

Once an application has been received, the DWP aim to deal with the claim within a "reasonable length of time". However, the Department no longer routinely publishes performance data on how long it actually takes for initial claims to be paid – the latest figures available are for September 2013⁶. Until 2011, the DWP had targets for "average actual clearance time" of nine days for JSA, and 14 days for ESA. These targets were dropped from subsequent business plans and replaced with a target to process 90% of JSA claims, and 85% of ESA claims, within 16 days⁷. No more recent information is available, nor is there any published information on how long claims falling outside of this target took to be processed.

Even if the DWP is meeting its own watered-down target, 90 per cent of people claiming JSA and ESA could be left for up to 16 days without money – and one in 10 for even longer.

Universal Credit – paid monthly in arrears – potentially lengthens delays in payments still further

Under Universal Credit (the new benefit for people on a low income who are in or out of work, which is gradually being introduced), claimants not only have to wait seven days before they are eligible for any support, but will have to wait until the end of their first monthly 'assessment period' before they receive any money. Because Universal Credit brings together support delivered by a number of benefits (including housing, childcare and children costs), the potential loss or gap in income to individuals and families could be substantial⁸. This raises real concern about the impact on those with little or no savings who may be forced to rely on relatives, payday loans, doorstep lenders or food banks.

Sinead's story

I was found fit for work and had my ESA claim cancelled. As I work part-time (10.5 hours), I was told by the benefit office to make a claim for Universal Credit. I tried to do this at the Jobcentre but was told that I could not make a claim as even though my ESA claim had ended, it needed a number of days to show on the computer as cancelled.

I reapplied for Universal Credit a few days later. There was a problem with the computer systems and after completing my third online claim form that day, I was told to ring Universal Credit to claim over the phone. I rang the number, even though it is really expensive, and made my claim. A few days later I got a call from a company who said they were assisting the DWP and Jobcentre with calls due to the backlog of cases; they told me that I was not entitled to claim Universal Credit as I was a lone parent, I had to make a claim for Jobseeker's Allowance. I had to make an appointment with the Jobcentre to make my claim, and when I turned up, they told me I couldn't claim JSA, I needed to claim Universal Credit. I rang Universal Credit and told them about the mixed information I was getting and tried to make a claim over the phone; the adviser told me again that I would need to claim JSA. I asked to speak with a manager, and eventually a manager rang me back and said that I could claim Universal Credit.

I have now been waiting nearly three weeks for my interview with the Jobcentre to provide all of my information to get my rent money sorted, I was told it's meant to be after two days! Even though I live in Swinton I have been told that I must attend the Walkden Jobcentre, on a Thursday morning at 10am. I work from 11:30am, so I rang Universal Credit to see if they could change it. They couldn't. I now somehow have to drop my three kids off in school, get to Walkden Jobcentre for 10am, then back to the far side of Swinton to work by 11:30am. I asked them how I was supposed to manage this and they simply told me to get a day saver bus pass.

To top it off they told me over the phone that I would be expected to do 25 hours of job searches per week. How am I meant to do that as well as working part-time and juggling three kids and school?

I am frustrated with the benefits offices not knowing what they are going on about and giving me a load of rubbish and incorrect information, nobody is helpful and I really feel like lone parents are seen as second-class citizens. I am really worried that I am risking being evicted and me and my three kids being thrown out on the street as our rent isn't being paid because of all this messing around. I am not sleeping because of all the worry and even things like money is getting on top of me, I got £200 wages last month to try and live off because of all these problems and the Jobcentre expect me to spend some of that money on day savers to get to and from the Jobcentre whenever they see fit... I really do feel like nobody knows what is going on and nobody actually cares.

City West Housing Trust, Salford

Interim or advance payments

If you are waiting for a decision or payment of benefit, you can apply for a 'Short-term Benefit Advance' (STBA). To receive a STBA you must submit a separate application which demonstrates that the 'financial need' because of the delay poses serious risk to you or your family's health or safety.

However, nearly half the people who applied for STBA in 2013–14 were turned down. In a response to a Parliamentary Question from Frank Field MP, the Minister of State at the DWP revealed that of a total of 313,000 applications for STBA, around 144,000 (46%) were unsuccessful⁹. There is no right of appeal against a decision to turn down an application for a benefit advance.

If DWP staff think that other resources are available to you, they may not see you as in financial need and may refuse your STBA. You may be judged not to be in financial need (and refused an STBA) if there are other resources you can rely on, even if these resources do not belong to you or to a member of your 'benefit' family, as the following example from DWP guidance illustrates:

Key facts: advance payments

Many people are denied access to advance payments that could help them to manage delays in their benefits.

- In 2013–14, 46% of people who applied for a Short-Term Benefit Advance were turned down.
- The number of people applying for advances is dropping, probably because people are unaware that advances are available.

23-year-old claimant judged not to be in financial need because she lives with her parents and therefore has an "alternative source of support", although "she says that ... her parents won't support her".¹⁰

Worryingly, the number of people applying for short-term benefit advances has reduced by more than a quarter in the past year – down from 261,000 in the first nine months of 2013–14 to 184,000 in the first nine months of 2014–15 – with a quarter fewer receiving money as a result¹¹. The real concern is that this has nothing to do with a reduction in need – but rather that fewer people are aware of the possibility of applying for a benefit advance¹².

People missing out on money they are entitled to

Many people do not claim benefits they are entitled to, either because they are not aware they are eligible for benefit or because they choose not to claim. The Government has not published any figures for benefit take-up for more than five years. The latest figures available (for 2009–10) show that between 700,000 and 1.2 million people were missing out on Income Support, Jobseeker's Allowance or Employment Support Allowance which they were entitled to.¹³

Even assuming you are able to make a successful claim for benefits, you cannot be certain of receiving the full amount of benefits or tax credits to which you are entitled. And the sums involved are not trivial. The latest figures show that more than a million people were owed a total of more than £930 million in underpaid benefits in 2013–14¹⁴, including:

- £230 million underpaid to people claiming Income Support, JSA or ESA
- £370 million underpaid in Housing Benefit
- £330m underpaid to pensioners in receipt of the state pension or pension credit

A further £561 million was underpaid in Tax Credits to almost a million people (960,000) – 300,000 of whom were underpaid by more than £500 and nearly 60,000 underpaid by more than £2,000.¹⁵



Cartoon by @MartinShovel

Key facts: missing out on money

Hundreds of thousands of people are missing out on money that they are entitled to.

- Over a million people were underpaid in 2013–14 because of errors.
- They were owed over £930 million of benefits and £561 million of Tax Credits.
- Even more people miss out because they don't claim in the first place – often because they don't know what they're entitled to, or because of the stigma associated with claiming benefits.

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Liz and Frank's story

In June 2010, Liz was diagnosed with cancer; in July she had an operation to remove a large section of bowel. She started chemotherapy that September. The plan was for it to run through for 26 weeks, up to the end of March 2011.

Liz had worked in the local NHS for many years. However, the major operation and the chemotherapy that followed meant she was unable to work, due to the nature of her job bringing her into regular contact with highly contagious diseases whilst her immunity was compromised. After a few months of being off sick, her rate of pay went to 50%, which presented Liz and her family with a real problem.

Her partner Frank takes up the story:

“We spoke to the Macmillan people who advised us we should be able to claim about £50 a week in Housing Benefit and Council Tax Benefit. However, the reality was very different – by the time the claim was finally sorted, we’d had eviction notices, and the amount they agreed we were entitled to was a total of just £7 a week, much less than we’d been advised. So that was disappointing. It might not seem a lot, but at the time, that £180 per month was missed.”

The family also had a problem that, when Liz’s National Insurance contributions ran out, HMRC stopped the Tax Credits too. They were advised to claim Employment Support Allowance, which they did, only to be informed that they weren’t entitled due to being employed. It emerged that Liz was considered to have worked too many hours, despite being off sick for nearly a year, and also that, because she no longer had cancer and the chemotherapy was precautionary, it didn’t count as sickness.

Frank takes up the story again:

“Anyway it was a joke, basically we used our savings and got by without needing the food bank etc. Eventually my wife went back to work – probably too soon in my opinion but financially pressured – so we advised the Housing Benefit people at the council to end the claim.

“Within days we had a demand for repayment with a legal notice for the amounts paid to us (well, credited on our accounts). Our advice was to get them to un-credit it but the council’s agent, Capita, seemed unwilling to do it – we left it at that. Not sure even now whether it got uncredited or whether some day soon we’ll get a bailiff’s knock.

“Neither of us were particularly well at the time but the council’s attitude stinks, in fact the whole system stinks. I’m not a great example of someone working the system – I think I’m quite clever but it foxed me, I don’t know how anyone manages it.”

*Share (partners in Church Action on Poverty’s Listen Up! programme in Sheffield)
Names have been changed*

Would the safety net be there for me if...

I was sick or disabled?

Benefit changes have damaged the safety net that is particularly vital for people who are sick or disabled.

Excessive delays in assessment

Employment and Support Allowance (ESA) is a new benefit for people of working age who have limited capability for work because of their sickness or disability, but who do not get Statutory Sick Pay. Introduced from October 2008, it is a replacement for Incapacity Benefit.

In late 2010, a programme was begun to assess whether around 1.5 million people who were already in receipt of Incapacity Benefit (or other similar benefits) were eligible for Employment and Support Allowance. The assessment programme, initially carried out by the private company ATOS, was due to be completed in spring 2014. However, in June 2014, ministers admitted that the backlog of ESA claims yet to be processed stood at 712,000¹⁶. Maximus Health Services UK, who took over the contract from ATOS in March 2015, warned that the backlog could still take a further 18 months to

clear¹⁷. Many people experience the whole process of assessment as hugely stressful. Having months of uncertainty about whether they will lose their entitlement to benefits only makes matters worse.

Those making *new* claims for ESA are also facing delays. According to the Government, the assessment phase for new ESA claims “usually takes 13 weeks”¹⁸. However, the latest figures show that in June 2014, 292,600 people were waiting for an initial assessment (for their first claim), including 53,700 who had been waiting between three and six months, and 170,900 whose claims were ‘still in progress’ after six months or more¹⁹.

Robert’s story

Robert was working full-time and put on to Employment and Support Allowance due to a leg injury. He had an appointment at a work-related activity group, but could not go as he collapsed in town when the injury to his leg turned out to be a serious blood clot. Robert was rushed to hospital, so he missed the appointment and had his benefits stopped. Robert came out of hospital to be told that as his injury is now “different” he has to make a new claim, which they say will take three weeks to sort out. He had been in town to collect the two weeks’ money he was owed, which he hasn’t had and they now say he won’t get, because it is a new claim. This means that there will be a minimum of five weeks that Robert will be without money.

West Cheshire Foodbank

Trevor’s story

On the sick for 30 years and I am unable to walk. I have a vertebra pushing in my spine. It is going to get worse. I have medical certificates but in February I failed my medical because for some reason my medical certificates were not available. I have been sending in sick notes ever since [seven months later at time of writing] and they are taking no notice. I have been told to wait for a ‘decision maker’ to consider my case but no one has done so. I have had £80 hardship payment only and I am having to rely on my family for help.

West Cheshire Foodbank

Key facts: ESA assessment delays

Waiting for assessment for Employment and Support Allowance (ESA) can cause financial hardship and distress for vulnerable people.

- In June 2014, over 292,600 people were waiting for an ESA assessment.
- 224,600 of them had been waiting three months or more.

Previous Incapacity Benefit claimants found 'fit for work'

By June 2014, over 1.4 million people had had their disability benefit claims terminated as a result of having been assessed as being 'fit for work'.²¹ Whilst anyone assessed as 'fit to work' can apply for Jobseeker's Allowance, their benefit is stopped in the meantime. Even if they were to submit an immediate application for Jobseeker's Allowance, this could leave them without money for several weeks. It is likely that some have found work, but it is not clear how many have neither found work, nor applied for Jobseeker's Allowance, but simply disappeared from the benefits system altogether.

Barbara's story

Barbara lives alone in private rented accommodation in the poor end of town. She has a long-standing mental illness and shows signs of suffering from alcohol and possibly tranquilliser abuse. In the past she was a victim of domestic violence. Until two or three years ago, Barbara had a reasonable income and managed to get by. But since then her life has become more and more difficult.

Barbara had been 'signed off on the sick' by her doctor, and she now has to go back and forth to the ATOS offices, to be assessed for Employment Support Allowance (ESA). She found herself caught in a cyclical process – applying for ESA, being assessed by ATOS and deemed suitable for work, receiving JSA and getting into rent arrears, and then being approved for ESA and being repaid by DWP the money they owed her (which could be quite a large sum).

It is hard to understand this bizarre process and, from Barbara's perspective, it reinforces her belief that the world is against her, increasing her isolation, loneliness and depression. Barbara had worked as an administrator in a government department until a few years ago. She is an expert at filling in forms, but cannot see why she has to fill in the same form every few months for the same benefit.

*Our Lives: Challenging attitudes to poverty in 2015*²⁰



Key facts: being found 'fit for work'

There is a worrying lack of information on what has happened to over a million people who have been judged to be 'fit for work' or had their claims terminated for other reasons.

- You can be judged too fit for the new Employment Support Allowance, and yet not fit enough to be eligible for Jobseeker's Allowance. Advisers who turn down ESA claims are not required to even tell people they can apply for JSA.
- By June 2014, 1.4 million people had been assessed as fit for work and had their ESA terminated. No information is available on how many have gone on to find work, claim JSA, or become destitute as a result.

James' story

After being refused Employment and Support Allowance and being declared fit for work, I was told to go on to Jobseeker's Allowance. I was refused JSA as I would not readily be available for work due to an upcoming spinal operation. Subsequently I have been left in a political black hole of being declared fit for work (although I'm due for spinal surgery). This has left myself and my family in hardship. I have two sons (aged four and eleven) and it's quite ridiculous the situation I have found myself in through no fault of my own. Foodbank has been brilliant, and without the help I would have had no means of buying food since 21 January 2015 (date of writing 19 Feb 2015).

Source: West Cheshire Foodbank

Scott's story

I was stopped ESA following an assessment after a knee operation. At the time I was unable to work and I was using crutches but didn't receive any points to continue to qualify for ESA. On the 18th of June my benefits completely stopped. I have not received any money since [10 weeks at time of writing at end of August 2014]. I visited [a local advice charity] who are supporting me and have written to Jobcentre Plus about my situation and that I am not fit enough for work at present. They gave me a voucher for food. Prior to problems with my knees I have worked for various employers and was also in the army for two and a half years. I would like to work if I was not suffering with knee problems. I have ongoing appointments, treatment and possibly further surgery.

West Cheshire Foodbank

Employment and Support Allowance – no money during ‘mandatory reconsideration’

Since October 2013, people who challenge an ESA decision must ask the Department for Work and Pensions to investigate the matter internally rather than submitting a full appeal. This is known as ‘mandatory reconsideration’. ESA claimants who request reconsideration after being deemed ‘fit for work’ have their ESA payments stopped. They can make a claim for Jobseeker’s Allowance during the mandatory reconsideration period, but there are conditions attached (e.g. declaring that you are fit for work) which are likely to put many people off applying.

According to the DWP’s own figures, 177,100 requests for mandatory reconsideration of ESA decisions were made in the year to October 2014, with at least 83,600 ‘mandatory reconsiderations’ taking more than 14 calendar days to assess²² – potentially leaving people with no money whatsoever for a fortnight or more.

Evidence from a recent study of food bank use indicated that being found “fit for work” can cause claimants to have “significant periods of no payment of either ESA or JSA”. For some people, the severity of their health problems meant they simply could not manage to transfer their claim to JSA or attend appointments; others had attempted to claim JSA but been sanctioned because they were judged to have failed to actively seek work; others were simply unwilling to claim JSA²³.

John’s story

Originally on incapacity benefit for 10 years. On transfer to Employment and Support Allowance (ESA) I had a medical and was awarded zero points by ATOS. I asked for a review but the decision was upheld. I appealed but the medical representative humiliated me.

I was given bad advice by Jobcentre Plus that I could not claim other benefits. I lived off savings for over a year and made a new claim for ESA and was granted basic rate. My GP has always given me sick notes and I am living in dread of another medical. I have both physical and mental health issues. I only get 25% single occupancy discount. I feel like a corpse.

West Cheshire Foodbank

Jay’s story

Jay is in her late fifties and lives on her own in Teesside. She has limited support from family members. After leaving a violent relationship, Jay suffers from anxiety and depression which affect her ability to relate to other people. She also has physical and mobility problems that impinge on her daily life and present other barriers to improving her livelihood.

In spite of this, Jay was originally assessed as being ‘fit for work’ and ineligible for ESA or the care component of Disability Living Allowance (DLA). Even though she appealed this decision, she was required to sign on for Jobseeker’s Allowance in the meantime. The process of having to prepare an appeal placed huge demands on her, forcing her to rearrange her tribunal as she “could not face the stress of dealing with the issue”. She said “I wish I had never bothered appealing and would rather struggle and do without the money.”

After 14 months of uncertainty, and with the support of local agency Thrive, Jay was able to successfully appeal, and she received 14 months’ backdated DLA and moved from JSA to ESA. Her monthly income increased by £160.

However, Jay was placed (inappropriately) in the Work Related Activity Group rather than the support group, and this caused her further distress and anxiety. Non-compliance with the Work Programme would have resulted in sanctions. Jay was receiving medication from the doctor for anxiety and depression, struggling with her mobility, and felt unable to face signing up for initiatives designed to improve her chances of gaining employment. Jay’s priority at this time was not to seek employment but to “build her confidence, sort out her problems with her mobility and the physical pain she was constantly suffering with” alongside “sorting her head out”.

It took a further 11 months to hear the outcome of Jay’s appeal against being placed on the Work Programme. The appeal was successful, and Jay is now in the support group and does not have to comply with any other initiatives. For Jay, there has been a dramatic improvement in her sense of wellbeing.

Thrive, Stockton on Tees

Key facts: mandatory reconsideration

If you think your assessment for Employment and Support Allowance is wrong, you can ask for it to be reconsidered – but your ESA payments will be stopped during the reconsideration period.

- Between October 2013 and October 2014, 173,000 ESA claimants were affected by mandatory reconsideration.
- 83,600 people have had to wait 14 days or more to receive a decision.

Would the safety net be there for me if... the DWP thought I'd done something wrong?

Minor 'offences' can lead to you being sanctioned and left without money for weeks or even months. And if the Jobcentre – rightly or wrongly – suspect you of fraud, your benefits can be suspended indefinitely without notice or the right of appeal.

Sanctions

Last year over 640,000 sanctions were imposed on people like Sarah (see the box on the right)²⁵. Use of sanctions within the benefits system increased as a result of reforms brought in by previous Labour and Conservative-LibDem Coalition Governments. From October 2012, the severity of sanctions also increased – benefits can now be stopped completely for anything from one to three months, and in a small number of cases for up to three years – and conditionality is now applied to previously exempt groups, such as lone parents and disabled people.²⁶

For single people (aged 25 or older), the sanction takes away all of their JSA personal allowance. A sanction for four weeks would cost £289.60 in total, and a sanction for 13 weeks would cost £941.20.

ESA claimants who fail to comply with 'work-related activity' conditions can receive an open-ended sanction, resulting in the loss of their entire allowance (£101.15 per week for a single person) until the action is carried out, plus an extra fixed-period sanction of one week for the first failure, two weeks for a second failure, and four weeks for further failures.

Research carried out for the *Time to Rethink Benefit Sanctions* report published by the Joint Public Issues Team and Church Action on Poverty at the start of March 2015 found that over 93,000 children were affected by sanctions in the 12 months to March 2014²⁷.

Key facts: sanctions

JSA and ESA claimants who are judged not to meet the conditions of their 'claimant agreement' can have their money stopped for between four and 13 weeks – potentially leaving them destitute.

- In the year to September 2014, 605,595 people receiving Jobseeker's Allowance were sanctioned.
- In the same year, 36,810 people receiving Employment Support Allowance – including people with substantial mental health problems – had their benefit stopped as the result of a sanction²⁴.

Sarah's story

Sarah worked for a charity in Manchester until she was laid off at the end of July 2013 due to funding cuts. As a condition of receiving JSA she was asked to apply for eight jobs a week, but always applied for more as she was keen to get back to work. One week she was unable to fill out her job search on the computer because there were workmen fixing her roof and she had to stay in the house. The following week, when she went to collect her JSA, she was surprised to find it had been stopped without warning.

I found the experience at the Jobcentre Plus so awful I'd rather starve than go back there again... That whole attitude that people are scroungers is terrible, there's just no respect.

James' story

During the first three weeks of my sanction I continued to look for work as I was required to. By the fourth week however I was exhausted, unwell and no longer had it in me. I was not eating as I had no food and was losing a lot of weight. I told the Jobcentre I was unwell through not eating but was sanctioned for another three months for not looking for work properly.

Time to Rethink Benefit Sanctions

But statistics alone cannot convey the harshness of the current 'sanctions' regime, or the impact it has on those who are left with literally nothing to live on for weeks – or even months – at a time. Sanctions are not only harmful and disproportionate – they are often applied in arbitrary and unfair ways. The stories in these pages show just some of the unreasonable ways people have been affected by sanctions.

They also have a disproportionate impact on more vulnerable people. The researchers of *Time to Rethink Benefit Sanctions* found that over 100 people receiving Employment Support Allowance as a result of being assessed as unfit for work due to mental health problems are sanctioned each day.

Hardship payments

People who are sanctioned may be able to apply for a **hardship payment** to assist them during the time they are sanctioned. These loans, which must be repaid, are currently set at 60% of the sanctioned amount or £42.60 per week. Unless the claimant is in a 'vulnerable group' (e.g. pregnant, responsible for children, with a long-term health condition), hardship payments are not available in the first two weeks of a sanction.

Hardship payments must be applied for separately. The picture regarding access to hardship payments is uncertain – very little published data is available. However, the evidence is that awareness of hardship payments is low among sanctioned food bank users. Letters sent to those who are sanctioned do not indicate that hardship payments are available, or explain the process for applying.²⁹

What if a sanction decision is wrongly made?

The sanction regime involves Jobcentre or Work Programme staff deciding to refer a claimant for a sanction and then a decision being made. This process is inevitably subject to human error. Claimants who seek an explanation of, or initially dispute, their sanction can have their decision reviewed by a separate 'Decision Maker'. Taking just figures for Jobseeker's Allowance, between October 2012 and December 2014, 406,971 sanction decisions were reviewed (around 25% of all sanctions). Of these, over half (220,508 – 54%) resulted in a decision not to apply a sanction. If that decision did not resolve a dispute, the claimant could ask for mandatory reconsideration. Of 55,904 mandatory reconsiderations requested, 18,740 (34%) resulted in the sanction decision being reversed. A further one in five (8,973 decisions) were overturned at a formal appeal³⁰.

This means that in total, between October 2012 and December 2014, almost a quarter of a million sanction decisions were overturned – around 14% of all Jobseeker's Allowance sanction decisions and 61% of those who had asked to have their sanction decision reviewed. It is important to remember that this figure just represents those who felt able to challenge their case; the total figure for sanctions wrongly applied is unknown.

Sanctions which are wrongly applied and later turned over can still have catastrophic effects on those who are subjected to them. The length and increasing complexity of the appeals process means that even if successful, it holds no prospect of averting the immediate financial crisis caused by a sanction.³¹

Suspension of benefits

In addition to formal sanctions, payment of part or all of a benefit can be **suspended** in certain circumstances where the Jobcentre staff believe there is a problem with a claim. Ultimately if a suspension has occurred and the problem is not resolved (including the claimant failing to provide the right information within a calendar month or continuing to fail to have a medical), entitlement to the benefit will be terminated. Benefit suspensions are difficult to challenge: claimants can ask to have the decision changed, but there is no right of appeal against suspensions or terminations.

No statistics appear to be available for benefit suspensions or what happens to those whose claims are terminated.

William's story

William is 57 and was referred to the food bank by the local Jobcentre after being given a 13-week benefit sanction for not completing enough job searches. He has no IT skills and so couldn't use the system, but no allowance was made for this and nor was he offered any training.

William came to the food bank in the first week of his sanction. He was given food, and didn't return until weeks 11 and 12. He had been managing on hardship monies of £36 per week – this should have been £46, but £10 per week was deducted for outstanding repayments of crisis loans. William was apologetic for having to come back again but said that his tea, sugar and other basics had now run out.

We spoke with him, to find out how he had managed. He said he'd cut down on the amount he ate, and that the mild winter meant he had managed without heating. He pulled out an e-cigarette and, with a smile, said he had given up smoking. He was being rehoused and that, too, was keeping him going.

William's history had been one of addiction. He is now over that. But at 57 he could not find a job and in this climate he probably never would; so he had to sign on for benefit payments every fortnight, and was struggling to deal with a more complicated system that he didn't understand.

*Our Lives: Challenging attitudes to poverty in 2015*²⁸

Would the safety net be there for me if... I had a crisis?

What do you do if your cooker breaks, and you don't have the money to buy a new one? How do you pay to furnish your house, if you leave care and have to set up home for the first time? The answer now depends on which part of the country you live in...

It has always been acknowledged that those on low incomes may struggle to meet unexpected or one-off expenditures. For many years, this need was met by the Social Fund, which provided crisis grants or loans to assist with such financial emergencies. In April 2013, the Social Fund was replaced by hundreds of different 'Local Welfare Assistance Schemes' (LWAS), run separately by each local authority in England (and the devolved authorities in Scotland and Wales).

Each Local Scheme is designed and run according to different rules – with no national standards or guidelines as to whom should be helped or what kind of financial (or in kind) support should be provided. Whilst advocates of localisation argue that this makes each scheme responsive to local need, it also means that the people who are eligible for support, and the kind of support on offer, can vary wildly from one local authority area to the next.

The Centre for Responsible Credit has identified serious problems with many of the local schemes, with only one fifth of local authorities judged to have performed well and put in place effective welfare schemes. Whilst these have demonstrated some very good practice, around one third of local authorities performed badly, spending less than 40 per cent of their total allocation on direct financial assistance to vulnerable people. Some local

authorities spent less than 10 per cent. Overall, only half of the £178 million allocated to authorities was spent in 2013–14.³²

A report by The Children's Society³³ raises concerns about eligibility for provision, especially now local authorities must set their own rules. They found that some LWAS are cutting off access to emergency support for:

- **Low-income working families:** Previously, families did not need to be receiving benefits in order to be eligible for a Social Fund crisis loan. This helped to ensure that working households could gain support in an emergency. But a quarter of LWASes indicated that claimants would have to be in receipt of out-of-work benefits in order to be entitled to support.
- **Those who are under 18:** 10 LWASes report restricted access for 16- and 17-year-olds, including eight local authorities who reported that an award would not be considered where the applicant was aged under 18.
- **Those who have access to consumer credit:** this risks driving households further into unmanageable debt, especially if they accrue high rates of interest on their borrowing, storing up further problems for the future.
- **Those who can ask family or friends to help:** a number of local schemes require that applicants are deemed unable to get necessary support from family and friends. Requests for borrowing from family and friends can be hard to refuse, but can put pressure on relationships.
- **Those who are unable to fulfil a lengthy residency period** (up to 1 year).

Whilst localisation of crisis support is not necessarily a bad thing in itself, the lack of centralised guidance and monitoring is of grave concern.

Key facts: Local Welfare Assistance Schemes

The Social Fund which used to supply crisis loans has been replaced by separate schemes run by local authorities.

- It is unclear how effective many local schemes are in providing assistance in a crisis – nor whether the Local Welfare Assistance Schemes will survive the next round of government cuts.
- No statistics are held centrally on the numbers of people assisted or turned down for Local Welfare Assistance.

Reclaiming our social security

To save our social safety net, we need not just to change policies, but also to change people's hearts and minds.

There is one factor which, more than any other, has allowed the holes in our social safety net described in this report to appear, almost unnoticed. The way we talk, as a society, about the benefits system and about vulnerable people has changed. When we change the way we talk, we also change the way we think. And those shifts in language and thinking have led to real changes in policy, with devastating impact for people who are reliant on benefits. To reinstate a fully functioning safety net, we need to challenge the negative language that is currently used, and tell a different story.

Language: words matter

The very words we use to talk about issues make a real difference. Look at how the benefits system has been discussed in public by journalists and politicians over the decades, and you will see a real change. Instead of 'social security', 'social insurance' or 'benefits', the most common term used is now 'welfare'. That term carries much more negative connotations, and has become associated with ideas such as a dependency culture and people getting 'handouts' from the state.

In recent years, there has been an upsurge in the use of hostile and overtly negative language in public debate about those claiming benefits. 'Scroungers'. 'Skivers'. 'Feral underclass'. 'Lazy'. 'Feckless'. 'Cheating'. Research in 2014 found that in some newspapers, 40% of articles about poverty issues included this kind of offensive language, or otherwise portrayed people in poverty in a negative light.³⁴

By contrast, if we choose different words, we can evoke a completely different set of ideas about the benefits system. By talking about the social safety net or social security, we remind our listeners and readers that the benefits system is there for all of us and reflects our responsibilities to one another.

Frames: shaping how we think

Words can actually shape how we think. Every one of us understands the world through 'frames' – sets of ideas or stories which shape how we think and tell us what to expect. If we hear a particular frame being used regularly, and especially if we use that frame ourselves, it becomes part of how we



think and the way we view the world. Frames like 'our welfare system provides generous handouts' and 'people on benefits are lazy scroungers' have no basis in reality; but they have become so well established that, for many people, they are the default, unquestioned way of understanding and talking about the issue.

We know that frames shape people's perceptions. For example, when surveyed, people estimate that the proportion of benefit expenditure going to unemployed people is 14 times higher than it really is; that the level of benefit fraud is 30 times higher than in reality; and that Jobseeker's Allowance is 30% higher than the actual figure.³⁵

It is very difficult to challenge a frame that people have accepted. All of us tend to reject new ideas or information if they contradict our usual ways of thinking. So just sharing more accurate figures is not enough to change people's minds about the benefits system, when they have already accepted a set of ideas that are reinforced every day through news stories about scroungers and skivers.

Research has also found that 'mythbusting' approaches – which try to tackle misconceptions with research and data – can be counterproductive.³⁶ They focus attention and energy on the myths that they are trying to counter,

The 'frames' we use to discuss poverty and benefits are limiting and unhelpful

without offering an alternative frame that would challenge people to *think* differently.

We can't challenge a powerful myth if we accept and use its ways of talking and looking at the world. The only way to change the frames that are dominant in our culture is to speak a different language: to offer new frames that are more powerful and persuasive. Numbers, research and facts can't do that. We need a story that's rooted in a set of values and a positive vision of the world.

Visions and stories

The dominant frame, promoted every day by newspapers and some politicians, is persuasive because it is based on its own set of values. It says that it's important to be self-reliant; that depending on others is a weakness; that 'financial prudence' and 'making tough choices' are more important than compassion or solidarity. It says that poverty and wealth are the inevitable results of choices made by individuals; and that those in poverty are undeserving of help and morally suspect. It tells us, in the face of all the evidence, that there are enough jobs for everyone, and that anybody not working must be lazy.

If we want to replace the dominant frame in people's minds, we need to offer a big story rooted in a coherent set of values that can inspire and engage people. We need to talk about the positive values the benefit system embodies – the vision of a better world that it represents. As Christians, we

need to talk about the intrinsic value of all human beings, made in the image and likeness of God.

Central to the notion of the welfare state is the idea that it should provide a safety net for the most vulnerable. That was what the original architects of the system envisaged when the Liberal government before the First World War introduced basic welfare provision. Later, William Beveridge published his famous report during the Second World War, in which he talked of banishing the five "great evils" — squalor, ignorance, want, idleness and disease. That led to the modern welfare state and an acceptance that government, spending taxpayers' money, had a responsibility to help those who temporarily could not support themselves.

Whilst other aspects of the benefits system may be strongly contested, at least in theory the safety net principle retains cross-party support. According to the Prime Minister: "Modern, compassionate Conservatism understands that spending money... to provide an economic safety net ... is a positive good, not a necessary evil."³⁷

We now need to reclaim the fundamental principles which underlie the safety net: that it is there for all of us in hard times; and that no one should be left to go destitute and hungry. Whilst charity and voluntary action may have its place, only a publicly funded – and universally available – safety net can offer the protection that we all ultimately rely on in our times of hardship or greatest need.

Spending money to provide an economic safety net is a positive good, not a necessary evil

David Cameron

Conclusion

As Universal Credit and other reforms of our benefits system are taken forward by the new Government, it is essential that the safety net is preserved and strengthened.

This report has revealed an increasing number of gaps in the welfare safety net. Some result from overambitious and poorly managed welfare reforms, some are the direct result of policy change, but others seem simply to be the result of bureaucratic flaws and administrative failings.

For those who have to use the benefits system, the consequences are increasing levels of insecurity; lengthy delays; and a system lacking sympathy or understanding. The end result for large numbers is a complete loss of income for days, weeks or even months at a time.

What is equally troubling is the absence of hard data as to how many people are falling through some of the most significant holes – what has happened, for example, to the 1.4 million people whose claims for Employment and Support Allowance have been terminated? How many have gone on to find work or claim Jobseeker's Allowance – and how many have fallen through the gap between ESA and JSA, or simply given up trying to claim benefits of any kind?

Principles

Restoring the safety net should be a priority for the new Government. Basic social security cannot, and should not, be provided by charities or community groups: ensuring that everyone has access to a basic standard of living, particularly at times of crisis, has to be a Government responsibility and priority.

Ensuring our welfare state is 'fit for purpose' will require a willingness on the part of ministers to balance the need to 'make work pay' with the need to ensure that the safety net also functions for those who need it most. We offer six core principles which should shape further reform and improvement:

■ Preventing destitution

Being left with literally no money for any length of time is both morally unacceptable and damaging to people's physical and mental health, with unknown costs to both those affected and wider society. A key principle must therefore be the prevention of destitution.

■ Positive intervention

Policies should be based on the principle of increasing people's security and well-being. Any policies designed to make life on benefits 'less attractive' by increasing people's levels of stress or insecurity have no place in a humane society.

■ Continuity of payment

People need to have the basic security of knowing that the benefit money they rely on will continue to be paid in a predictable and timely manner – even when their circumstances change.

■ People-centred welfare

A compassionate and effective benefits system would put people at its core – rather than seeing them simply as 'benefit units' to be 'moved off welfare.' Key to this would be reforming performance systems, targets and culture to ensure help and support is paramount.

■ Due process

When anyone turns to the benefits system for help, they should be dealt with according to the same standards of due process as in any other area of life. This would include the principles that money cannot be stopped without warning, that decisions to stop or suspend payments can always be appealed, and that payment is continued pending appeal.

■ Transparency

Government can only be held to account if information is readily available. At present there are worrying gaps in the data about the increasing numbers of gaps in the safety net.

Recommendations

The roll-out of Universal Credit provides an opportunity to address many of the holes identified in this report.

Alongside the priority to 'make work pay', restoring the safety net principle should be at the heart of how Universal Credit is rolled out to nearly eight million benefit claimants over the next few years. If Universal Credit is to improve the safety net rather than worsening it, the DWP will need to:

- **Ensure continuity of income**

We welcome the fact that Universal Credit has removed the need to make a new claim in many cases where financial or relationship circumstances change, but the operation of the new rules needs to be monitored carefully to ensure that there are no temporary suspensions of payments as a result of changes in circumstances or the need to reassess eligibility.

- **Monitor the impact of the switch to monthly payments**

This is necessary to ensure that no undue hardship is caused by paying in arrears. It should become easier for people to apply for and obtain short-term advances while waiting for their first payment to arrive, and they should have the right to appeal against a refusal.

- **Ensure there is no hole in eligibility**

Universal Credit must not leave anybody in the situation people can be in at present, of being simultaneously judged 'too fit' to receive Employment and Support Allowance, and yet 'too sick' to receive Jobseeker's Allowance.

- **Rigorously monitor the roll-out of Universal Credit**

This should ensure that no one experiences a loss of income or undue uncertainty over whether they will continue to receive benefits during the transition from their existing benefits to Universal Credit.

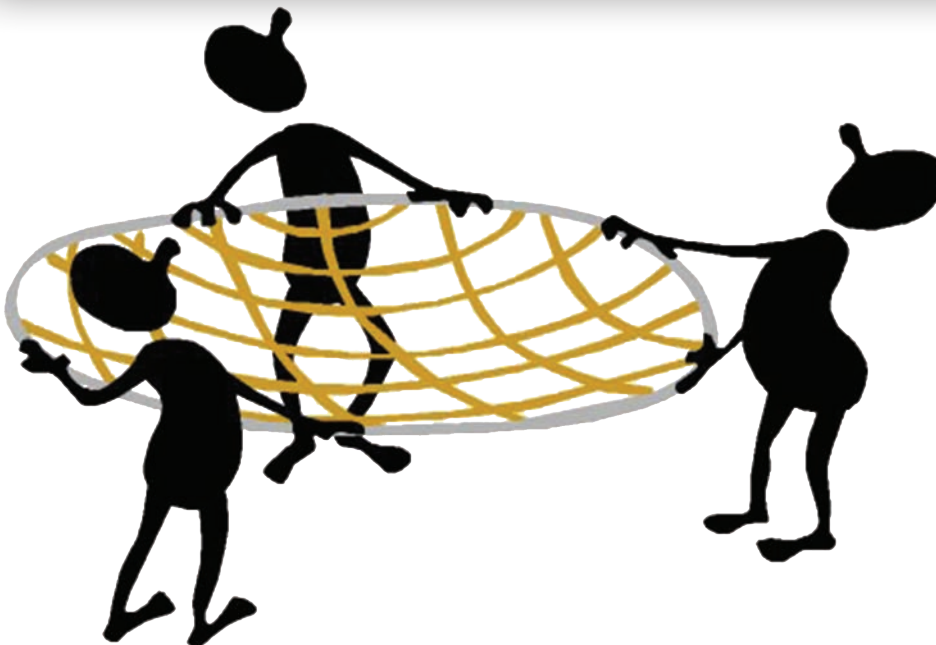
- **Carry out a full review of the sanctions regime**

It is essential to reduce undue hardship and lengthy periods without access to benefits, especially as a result of minor infringements of the conditions attached to claiming benefits. Sanctioning should become a tool of last resort, and not a means of reducing the numbers claiming benefits or of cutting the benefit bill.

- **Make the process of introducing Universal Credit fully transparent**

The DWP should regularly publish full data on the numbers claiming Universal Credit, the length of time to process applications and receive money, the number of refused applications, etc.

In the meantime, we also call on the House of Commons Work and Pension Select Committee to conduct an urgent inquiry into the holes in the safety net identified within this report, and to draw up recommendations for what further action is required to restore the safety net – both for people receiving Universal Credit, and for those who continue to receive legacy benefits while waiting to be rolled onto Universal Credit.



Endnotes

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