

# Co-operative & Communities Scrutiny Committee Report

## **Review of support for people having their benefit sanctioned**

March 2015

## **Contents**

1. Introduction
2. Summary of the review
3. Summary of the issues raised by CAB and responses of Jobcentre Plus and the Council
4. Conclusions and recommendations
5. Acknowledgements

## 1. Introduction

The Co-operative & Communities Scrutiny Committee has taken a lead role in scrutiny of the welfare benefits reforms and their impact. Over a period of time the committee became increasingly aware of issues relating to the impact of benefit sanctions:

- a) The Crisis Network Co-ordinator brought to the Chair's attention that fact that the Telford Citizens' Advice Bureau (CAB) were seeing an increasing number of people looking for help because of benefit sanctions and, of particular concern, an increase in the number of adults with learning disabilities having their benefit sanctioned because of failures of communication or lack of support.
- b) In May 2014, members heard from Council officers that the CAB had reported the number one reason for people seeking help was benefit sanctions. They were also seeing an increase in the length of sanction from 4 weeks to 3 months, hearing that from the customers' point of view the reasons for the sanctions appeared unfair and that 70% of cases had reconsiderations/appeals outstanding.
- c) Nationally, benefit sanctions had received significant media attention and in September 2013 the government announced the appointment of Matthew Oakley to lead an independent review of the operation of Jobseeker's Allowances sanctions.

The committee agreed this was a matter of concern and decided to carry out a review to explore the issues in more detail.

## 2. Summary of the review

The objectives of the review were:

- to establish the extent, nature and impact of benefit sanctions in Telford and Wrekin;
- to explore how partners are working together to support people who have had their benefit sanctioned and to help prevent initial or repeat sanctions; and
- to make recommendations to the relevant organisations aimed at addressing issues identified.

The review had three key stages:

### 1) Understanding the national context

To understand the national context members turned to the key documents related to the independent review of the operation of JSA sanctions led by Matthew Oakley.

#### a) **Response to the call for information for the Independent Review of Jobseeker's Allowance Sanctions (Citizens' Advice, January 2014)**

The submission sets out evidence of communication failures seen by the CAB in three core areas which had led to the inappropriate application of sanctions. The report makes a series of recommendations aimed at remedying the failures identified, and includes a number of case studies which highlight the impact of communication failures on individuals.

Examples of communications failures seen by the CAB included:

- poor communication of the mandatory nature of activities and the consequences of non-attendance / non-compliance with activities (use of jargon, language unclear, poor timing of letters, reliance on letters, lack of reminders or other methods of communication such as text)
- notifications incorrectly addressed or with incorrect details of the appointment such as wrong date, time or location
- claimants unaware that they needed to look for work, sign-on or go to appointments at JCP at the same time as attending the back to work scheme
- lack of understanding about requirements and implications of notifying absence
- poor communication of the reasons for a sanction
- sanctions applied before notices are received
- inadvertent termination of other non-sanctioned benefits
- lack of information about other financial support available
- failure to flag up the reconsideration and appeals processes

It is suggested that the submission is read in conjunction with this scrutiny report as background information and in particular the case studies which illustrate the types of failures of communication and their impact on people. The report can be found at: [http://www.citizensadvice.org.uk/index/policy/policy\\_publications/er\\_benefitsandtaxcredits/cr\\_benefitsandtaxcredits/review\\_jsa.htm](http://www.citizensadvice.org.uk/index/policy/policy_publications/er_benefitsandtaxcredits/cr_benefitsandtaxcredits/review_jsa.htm)

**b) Independent review of the operation of Jobseeker's Allowance sanctions validated by the Jobseekers Act 2013** (Matthew Oakley, July 2014)

The report reflects previous reviews which established the importance of effective communication around the sanction system - good communication helps prevent compliance failures and sanctions - and acknowledges the steps taken by DWP to address issues raised in previous reports to improve clarity for claimants. The review found that the system is not fundamentally "broken" but that there are key problems around clients' understanding of the sanction system and in particular **for more vulnerable groups and claimants with specific barriers to work.**

The review outlines 17 recommendations for improving communication surrounding the benefit sanctions system to ensure claimants are more fully aware of: the requirements being placed on them when they are referred to a mandatory back to work scheme; the processes surrounding the system of sanctions, reconsiderations and appeals while they are on that scheme; and how they can claim hardship payments where appropriate. The review also states "the scale of the challenge the Department faces in ensuring full claimant understanding should not be underestimated. That means that these reforms are unlikely to prove to be a silver bullet and that this Review should not be seen as the final word on this subject." The report of the review can be found at: [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/335144/jsa-sanctions-independent-review.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/335144/jsa-sanctions-independent-review.pdf)

**c) Government's response to the Independent review of the operation of Jobseeker's Allowance sanctions validated by the Jobseekers Act 2013** (July 2014)

This sets out the background and context for the independent inquiry and the government's response to the review's recommendations. Section 1 sets out the government's position and key information about sanctions:

- In return for benefit payments claimants must meet specific mandatory requirements set by their adviser that are designed to help them into work. If they do not – and they do not have a good reason for doing so – their benefit payments will be 'sanctioned' i.e. stopped completely or reduced for a period of time.
- The Government strongly believes that this system is right and that sanctions are an essential part of JSA (and have been since the introduction of the benefit in 1996). Sanctions aim to motivate claimants to take the necessary action to find work, and to ensure the system is fair to the taxpayer.
- From the end of October 2012 a new structure for sanctions was introduced. The new system aims to provide a better incentive for claimants to comply by providing clearer and tougher consequences (in particular for claimants who repeatedly fail to meet their responsibilities, and for the most important requirements such as failing to accept a suitable job offer).
- Since early 2010, the volume of sanctions has been increasing, as have sanctions as a proportion of the JSA caseload. It remains the case, however, that the vast majority of JSA claimants do not receive a sanction (in 2013, on average, five per cent of JSA claims resulted in a sanction in any month). It is clear that the increases have been driven by a rise in sanctions on claimants who have failed to take all reasonable steps to find work and those who have failed to participate in the Work Programme – claimants who largely require more support and encouragement to move into work.
- A range of safeguards are in place to help ensure that sanctions are only applied where appropriate.
- Claimants may apply for hardship payments if they are facing hardship as a consequence of a sanction.
- The Government believes the vast majority of JSA sanction decisions are correct and have followed a process that reflects these safeguards. In 2013 our decision makers considered nearly two million cases, out of which they imposed 871,000 sanctions or disentitlements. Only around 13 per cent of the decisions were changed on reconsideration or appeal, and often that was because the claimant brought forward new evidence.
- The Government is committed to continually improving this system, in particular to ensure safeguards are applied as intended.

All 17 of the Oakley recommendations are “accepted”, or “accepted and already underway” or “accepted in principle”. This report does not intend to duplicate the information here but it is recommended that the response is read in conjunction with this report as key background information. The response can be found at: <https://www.gov.uk/government/publications/jobseekers-allowance-sanctions-independent-review-government-response>

## **2) Understanding the local picture and issues**

Members met officers from the CAB to explore the scale and nature of the issue as seen locally by Telford CAB, the action being taken by partners to address issues and to seek their views on what more could be done. A summary of the issues discussed is included in the next section of this report.

Members also downloaded statistics from the DWP website on the number of Jobseekers' Allowance Sanction decisions for claimants signing on in the Telford, Madeley, Wellington (and for comparison Shrewsbury) Jobcentres from October 2012 – March 2014 which is attached as Appendix 1.

### **3) Hearing the views of other key agencies**

Once the committee had established key local issues with CAB, members met the Partnership Manager from DWP Jobcentre Plus to discuss the issues raised and then Council officers to hear the Council's point of view. A summary of the issues discussed with Jobcentre Plus and the Council is included in the next section of this report.

## 4. Summary of issues raised by the CAB and the responses of Jobcentre Plus and the Council

Issues raised by the CAB	Jobcentre Plus response	Comments from Local Authority
<p>The benefit sanction and appeals process (issues that are being addressed nationally through DWPs response to the Oakley review recommendations are marked in brackets):</p> <ul style="list-style-type: none"> <li>• Clients are presenting because of benefit sanctions applied inappropriately for the type of reasons highlighted in the national CAB submission to the Oakley Inquiry and in the Oakley Report. (Oakley recommendations 1-17)</li> <li>• Clients not aware that their benefit had been sanctioned until they were refused funds by their bank. (Oakley recommendations 1,2,4,5,7,17)</li> <li>• Adults with learning disabilities or people with literacy issues had their benefit sanctioned because they could not read or understand the implication of letters sent by Jobcentre Plus. (Oakley recommendations 5,6)</li> <li>• No time limit on length of sanction – sanctions normally last for a fixed period of 4, 13, 26, or 156 weeks. The length of sanction depends on the type of non-compliance.</li> <li>• The Mandatory Reconsideration process and Mandatory Decision Makers for appeals mean clients cannot contact decision makers directly and the CAB cannot advocate on the client's behalf with a decision maker.</li> </ul>	<p>General points and background information:</p> <ul style="list-style-type: none"> <li>• The CAB leaflet about benefit sanctions should be cross-referenced with DWP's How to Keep Your Benefit Payment.</li> <li>• Decisions about sanctions are not made by local Jobcentre advisors. The central team in Telford do an initial interview but information is sent to remote decision makers who contact the claimant to notify them when a sanction has been applied. The decision is communicated in a letter or by telephone. The decision is flagged up on the computer system so staff in Jobcentre offices know a sanction has been applied and they may make sure the claimant is aware of the decision at their next interview depending on the circumstances and individual, but DWP policy is not to break "bad news" face-to-face for staff safety reasons. The proper process is that decisions are made and communicated remotely. Decisions are communicated and it should not be a surprise to the claimant but some people may not open a letter and that is why JCP want to bring in the Local Support Services Framework (LSSF). The LSSF is being piloted in advance of the introduction of Universal Credit to help people who may not otherwise be able to engage with Universal Credit. It would be good to start a LSSF pilot</li> </ul>	<p>It was recognised that sanctions have been part of the benefits system for many years but the use of sanctions has increased at a time when the responsibility for crisis assistance transferred from the Department for Work and Pensions to the Local Authority.</p> <p>The local authority recognised the issues identified the Oakley Review. It was reported that the benefits team deal with people on a daily basis who have had their benefits sanctioned and have no money.</p> <p>It was also recognised that there is no flexibility within the DWP guidance to allow local discretion with regard to JSA sanctions.</p> <p>Council officers had seen cases where, from the information received, it seemed that the person had tried hard to do everything that is required but received a sanction. E.g. a client had an interview for a job that he had secured outside the JCP process. This coincided with a JCP appointment and the client was sanctioned. The client can appeal but this takes a long time and the decision maker is not local.</p> <p>Every time there is a change in circumstance e.g.</p>

<ul style="list-style-type: none"> <li>• Mandatory decision / Appeals process is slow and there is no time limit - sometimes the sanction ends before the appeal decision is made. (Oakley recommendation 16)</li> <li>• Claimant Commitment documentation is very long and advisors do not seem to spend enough time explaining it to clients so that they understand the implications of what they are signing or negotiate adjustments. Clients do not have an advocate with them at the meeting unless CAB has identified this as an issue and a meeting can be arranged with JCP. (Oakley recommendation 8,9)</li> </ul>	<p>in Telford because it is about helping vulnerable people interact with Universal Credit but would also address issues with vulnerable people falling foul of sanctions. Partners in Telford and Wrekin work well together but they could be doing more and the LSSF could make a step change.</p> <ul style="list-style-type: none"> <li>• People who have their benefit sanctioned are made aware of hardship payments – not everyone applies for a hardship payment when they have been notified about a sanction. Decisions are made out of the office so the next time someone comes in, the JCP member of staff will remind them. It is also important for partners to have information about hardship payments and this is communicated via the Crisis Network. The majority of people under sanction receive some form of hardship payment – typically around 60% of their JSA personal allowance, or perhaps more if there are children involved – but not if benefit has been disallowed. (The hardship payments are administered by JCP and are separate from DHP and Crisis Assistance administered by the LA.)</li> </ul> <p><b>Claimant Commitment - what systems are in place to ensure that clients are signing with informed consent?</b></p> <ul style="list-style-type: none"> <li>• JCP has started training work programme providers on the Claimant Commitment (CC). Training more support workers would help them to understand how the CC works so</li> </ul>	<p>if a partner moves in or starts work the client has to re-apply for housing benefit and this results in a gap which causes problems.</p> <p>When a person has their benefits stopped this can cause on-going financial problems as the benefit when it is restarted is not backdated.</p> <p>The Council has worked with the Crisis Network to produce a leaflet that the JCP will use to provide information about local services available to some one who has been sanctioned.</p> <p>There is an opportunity for the JCP to have staff based at First Point In Southwater. However it was recognised that if the JCP staff worked to the same process the change in location would not make any difference to the outcomes for the client. If JCP staff are to be based at First Point they would have to offer a different service.</p> <p>Funding a JCP post at First Point would have budget implications.</p> <p>The Scrutiny Review in Wolverhampton has identified the work of the City Council’s Welfare Right Team is working with the University and the CAB to enable law students to defend claimants entitlements and maximise entitlement.</p> <p>The work of the Council’s Job Box and Job</p>
---	---	---

	<p>they can advocate for the claimant. We need to look at a local system with partners - including housing officers and RSLs – so that they understand the mechanics of the CC and how it is built up by the customer. This can be taken forward. JCP has resources for training and can offer it to partners tailored to the audience.</p> <ul style="list-style-type: none"><li>• When a customer first signs-on, a basic Claimant Commitment is agreed but a more detailed Claimant Commitment is worked out 2-4 weeks later. If the person is an adult with a learning disability they are seen by one of the Disability Employment Advisors (DEA) who are adept at helping people with disabilities, but not all vulnerable people present with problems (e.g. Aspergers or Autism) and they can be difficult to identify. For this reason vulnerable people who do not present with problems such as mental health issues may not get the support they need. JCP advisors are getting better at identifying vulnerable people. Autism training has been done in Shropshire and is planned for Telford to help staff know what to look out for. Further training will help them recognise people who may be vulnerable so they can be offered help. People with Autism can be very honest which can work against them – for example if the advisor asks what they have done to look for work they say “nothing” when they have done things but need a</li></ul>	<p>Junction scheme to get people into long term employment is part of the solution so that people are not relying on the benefit system.</p>
--	--	--

	<p>prompt and they don't realise the significance of what they are saying.</p> <ul style="list-style-type: none"> <li>• More training could be done with support workers so they start to understand the whole Claimant Commitment process. For example, a homeless person may have an easement in what they can do in looking for work during the initial period when the priority is finding somewhere to live. The Claimant Commitment will set out what they will do to look for work. The form is quite long with a lot of drop downs but is used to evidence what the claimant is doing to look for work.</li> <li>• When a person signs-on they would not routinely be informed that they can bring someone to the meeting with them. Some come along with the support worker - the Troubled Families Support Advisor – so it happens but is not a matter of routine for everyone.</li> </ul>	
<p>A benefit sanction can lead to a spiral of debt with all the attendant consequences for the individual, their family and can put additional pressure on public services and the public purse. Some specific examples seen by CAB:</p> <ul style="list-style-type: none"> <li>• Mental and physical health issues – puts pressure on NHS or social services</li> <li>• Non-payment of priority bills (Council Tax, TV licences) had led to people being fined, or</li> </ul>		<p>When a client has been sanctioned council staff do not get involved if the individual appeals against a sanction but could make a referral to the Crisis Network or CAB. There are legal requirements regarding the benefits managed by the Council but within these requirement the Benefits Manager has some discretions.</p>

<p>court action or bailiffs (the rate of TV licence evasion is high in Telford)</p> <ul style="list-style-type: none"> <li>• Mobile phones seen as essential by the client and are prioritised over buying food – Food Banks provide a vital service.</li> </ul>		
<p>Some vulnerable clients have repeat sanctions. The Preventative Advice Officer does a lot of preventative work (Autism Hub, financial capability, money buddies etc.) but they cannot do everything. (It was noted there had been a 13.9% decrease in the number of sanction decisions in Telford from January 2013- January 2014 which could be attributed to both the Preventative Advice Officer project and the CAB own campaign to deliver preventative advice/ messages re sanctioning at our main location and within our outreaches.)</p>	<p><b>How do JCP staff currently work with other organisations to ensure that vulnerable people have the support they need so that they are not inappropriately sanctioned? How can this work be improved?</b> (See also section 1)</p> <ul style="list-style-type: none"> <li>• JCP is involved in the Autism Hub once a month which is good but people need a better understanding of different vulnerabilities.</li> <li>• DWP has a Vulnerability Hub which defines vulnerable people as those with “complex needs or requiring additional support to access services” and sets out a list of vulnerabilities. The list is very long and wide e.g. divorce, leaving hospital, people who self-harmer, people in rural isolation, ex-forces, young, old, alcohol misuse etc. Approx 20% of JSA claimants fall into a vulnerable category which equates to around 400 people in Telford and Wrekin. 20% is a national figure identified for people who it is estimated will not be able to interact with Universal Credit without support.</li> <li>• The questions JCP advisors should be asking</li> </ul>	<p>The Council can identify some people who currently receive local authority services who would require support adults with learning disabilities who are supported by the Council who are job seekers. However, there is still an issue regarding vulnerable people who are not currently receiving support and trying to find work. It was recognised that people who do not have a registered disability e.g. dyslexia may also need support. Working with Adult Care Assessment Teams and Local Advocacy Services could help ensure that people understand the requirement of the benefits system may be a way to ensure that more vulnerable people get the support they need.</p>

	<p>at first interview stage are - does this person need extra support to communicate with DWP, does the person have other conditions that may not be obvious such as mental health issues? The Vulnerability Hub helps staff to identify vulnerabilities and we need to keep reminding them it is there and to keep using it – there is a link with DWP’s social justice strategy. The focus for JCP is getting people back to work and off benefits and that is the pressure that staff are under, but this needs to be kept on the agenda locally. Locally JCP can do this internally but also through the Crisis Network by working with partners so they can help people to self-identify as vulnerable. For example partners on the Crisis Network who identify a vulnerable person who has had their benefit sanctioned should always advise them to ask for a reconsideration and to apply for a hardship award and to support them in doing it. People with Aspergers or Autism are totally honest and maybe at risk of repeat sanctions if they are not identified and supported.</p> <ul style="list-style-type: none"><li>• JCP staff need to know where to refer a person to for help. The Partnerships Manager is on the LEP Social Inclusion Group which is looking at helping people who are marginalised and supporting them into work, using European Social Fund which will start to flow from March 2015. Currently JCP has</li></ul>	
--	--	--

	<p>access to an intranet site which has contact details for local support organisations that they can refer people to. The site has been put together locally with partners and is updated centrally in Staffordshire and everyone has access. However, the list is not fully comprehensive and more information is needed about organisations such as the housing associations – for example WHT has a support worker on the Financial Inclusion team. It would be useful to have a list of the support workers in social housing and a list of the addresses that they cover. Bromford Housing has an Opportunities Team which includes skills coaches to support people into work and it would be useful to know which addresses they cover so JCP advisors can match people with the help available.</p> <p>The first question that should be asked is “does this person need support?” and this needs to be built into the process as a trigger for referrals and support. At the moment there are no formal referrals to the Crisis Network – clients are referred for Crisis Assistance and they access the Network through that. It is not in JC+ interest to sanction or have repeat sanctions – it means staff are spending time on this when they could be spending time helping people into work.</p>	
Clients under sanction have had their Housing	<b>How does JC+ communicate the sanction to Local</b>	The Local Authority had received notification of a

<p>Benefit and Council Tax Support suspended or stopped. (Oakley recommendation 4)</p>	<p><b>Authority? How can communication be improved to ensure that people do not have their Housing Benefit or Council Tax Support stopped inappropriately?</b></p> <p>JCP notifies the LA if a benefit is sanctioned or disallowed. Benefit is disallowed if the person has been found to have no entitlement. Sanctions are applied when the person is eligible to claim benefit but they have failed to comply with the requirements. If benefit has been disallowed, Housing Benefit will be stopped. If benefit is sanctioned the LA is notified but Housing Benefit should not be stopped.</p>	<p>change in the process through which Council's will be informed that a sanction had been applied. Under the new system the Housing Benefit and Council Tax benefit will continue until the housing Benefit Team have contacted the person to assess what income they have.</p>
<p>Issue with the on-line system for applying for Crisis Assistance and preference for on-line claims rather than telephone claims.</p>		<p>There will be many people who will need support when all benefit claims will be made on line.</p>
<p>Issues will only be addressed by all partners (LA, JCP, CAB etc.) working together in a genuine partnership to share best practice and give the client a good experience. The local Partnership Manager at Jobcentre Plus is willing to engage and has got involved but the culture and lack of capacity within JCP constrains integrated and sustained partnership working at an organisational level. There is an opportunity for Telford and Wrekin to champion positive implementation of the welfare benefit reforms by developing stronger partnership working with Jobcentre Plus.</p> <ul style="list-style-type: none"> <li>• The lack of capacity and prioritisation of partnership working at JCP would need to be</li> </ul>	<p><b>Is there scope for JCP to increase capacity for partnership working?</b></p> <p>The Partnerships Manager covers Shropshire and Telford and Wrekin. Issues concerning JC+ capacity for partnership working would need to be raised internally with managers.</p> <p>JC+ is setting up the Youth Hub with TWC. The DWP secondment to TWC ended – this was to get around data protection to get informed consent from JSA claimants to share their details with TWC. This was a one-off and can't be done for everyone so it has stopped but they whole issue of data sharing is being looked at nationally as part of the LSSF and it would be good to get a</p>	<p>While it was recognised that partnership working can mitigate the effect of benefit sanctions and help ensure that people have the appropriate advice and support so they do not receive inappropriate sanctions the sanctions policy rests with the DWP and the implementation through the Job Centre Plus. A number of suggestions were made regarding the role of the Council:</p> <p>To reduce the number of sanctions - It was recognised that the role of the Council in reducing the number of people who are sanctioned is limited as this process is managed by the DWP. However the Council can ensure that council staff working with vulnerable people are able to</p>

<p>addressed at senior management level</p> <ul style="list-style-type: none"> <li>• There is room for more innovative ways of service delivery, for example a JCP advisor at First Point, ways to sustain JCP involvement in the Autism Hub.</li> </ul>	<p>pilot in Shropshire because that would help everybody. The local LSSF team are looking at this – currently there is a legal gateway to share information on people up to age 19 and they are looking at the gateway to share after then. There has never been a problem with getting informed consent in terms of people refusing.</p> <p><b>Would JCP consider an advisor at First Point?</b> There were discussions about having a JC+ advisor at First Point in Southwater – this needs to be clarified.</p> <p><b>How can JCP support the Autism Hub?</b> JCP is involved in the Autism Hub and an advisor attends monthly.</p>	<p>provide appropriate support regarding the claimants JSA commitments and also working with local advocacy organisations. It was discussed that it would be helpful to discuss the issues identified with a regional DWP representative to understand how the recommendations from the Oakley review are being implemented locally.</p> <p>To ensure people who have been sanctioned have access to the support they need to prevent a crisis situation developing. It was recognised that the Crisis Network is working well – but there will be people who are not aware of the support that is available.</p> <p>Working with other local authorities to share good practice and raise the profile of the issues resulting from benefit sanctions. It was discussed that this work could be taken forward jointly with Scrutiny in Wolverhampton.</p>
<p>Other issues raised:</p> <ul style="list-style-type: none"> <li>• No local contact for the CAB to the local JCP offices – they have to go through the Call Centre and advisors do not have detailed information about individual circumstances</li> <li>• Job Junctions and Job Box Mentors doing a good job and all agencies need to be aware of them to refer clients in.</li> </ul>	<p><b>Working with Job Junctions and Job Box Mentors – can a local system be implemented to refer clients directly rather than sign-posting?</b> Job Junctions and Job Box Mentors are promoted by JCP and there has been some talk of JCP advisors attending the Job Junctions. It was noted that CYP Members visiting Job Junctions had met several people who had been referred by JCP.</p>	

<ul style="list-style-type: none"> <li>• Issues with zero hours contracts. Most agencies employers now offer zero hours contracts which do not specify the number of hours the employee will work. Zero hours contracts have an impact on job seekers if a client is offered a zero hours contract, they may refuse the offer as they are only paid for the time worked and work is not guaranteed. If the client refuses the offer they may be sanctioned.</li> <li>• More funding is needed to support vulnerable groups. The CAB estimate that for every vulnerable person who comes forward for help there are another 2-3 who are hidden (slip through the net) but they have insufficient resources to provide a home service or targeted support to reach these people.</li> <li>• The Food Banks provide an excellent and essential service and must continue to be supported.</li> </ul>	<p><b>Zero hours contracts</b>  Clients are only sanctioned for refusing employment if JCP has referred the client to the job. They would not be sanctioned for turning down a zero hours contract.</p> <p><b>Funding to support vulnerable groups</b>  ESF funding for social inclusion is with the LEP and the call for projects will start in January 2015. Money can be doubled by match funding. The funding will be allocated to projects which remove the barriers to work and move people closer to work.</p> <p><b>Funding to support Food Banks</b>  JCP has some funding for unique projects to help people into work. It could not be used to fund the Food Banks directly but could for example fund the creation of employment opportunities around the food banks such as warehousing.</p> <p><b>Local Support Services Framework (LSSF)</b>  The Partnerships Manager proposed the LSSF and the LSSF Triage system would be a way forward to address issues. These are local authority led support frameworks which are agreed by local partners to prepare for Universal Credit by putting support in place to help people navigate through Universal Credit. Universal Credit is digital by default and is a totally different way of working. Individuals or families will have a UC account which will have everything on it relating to benefit</p>	
---	--	--

payments including appointments, so people will need to access it every day or very regularly.

Under the LSSF there would be a **Triage** system - "Triage is the process to assess customer needs at the initial point of contact and to identify customers requiring additional support at the earliest point in the customer journey. For some this will simply be direction to the nearest digital access point, whereas for others it will be the start of one to one support and signposting to appropriate help."

Triage is where we need to get to - it would be a solution to the issues raised about early identification of need and putting support in at the early stages. This is about preparing for UC but would also address the issues identified in relation to sanctions. It would bring services together as a comprehensive package to help people make a claim, be financially savvy, help with budgeting or debt advice, help into work and provide in-work support.

There is no funding available via DWP for LSSF until UC goes live (although DWP provided some funding to the early pilots). Locally funding could come from the ESF social inclusion funding via the LEP.

## 5. Conclusions and recommendations

Based on both the local and national evidence the Committee has concluded that there is a significant negative impact resulting from benefit sanctions that needs to be addressed. While many of these issues have also been identified in the Oakley Review and the Government has responded to these recommendations positively – the Committee seek assurance that these actions are being implemented locally. In particular Members were extremely concerned about the effect of the benefit sanction system on vulnerable people and the hardship that sanctions can cause for individuals and their families – which results in increased demand on other local council, health and voluntary services.

The Committee commend the work of the Benefits Team at the Council and recognise the essential service they provide to vulnerable people. The team and management have been instrumental in the effective design and implementation of the discretionary hardship fund and also the work with Just Credit to establish a loan scheme to reduce demands for pay day loans. The Committee would also like to thank the CAB for their contribution to this review.

### Recommendations

1) That the Council holds discussions with the DWP at a regional level to:

a) Consider the option of joint working to reduce the negative impact of benefit sanctions including:

- The option of a JCP officer working at First Point in Southwater. It is recognised that for this post to have the desired outcomes the post holder must have flexibility and work to an agreed protocol between the Council and JCP.
- The need to consider the capacity of JCP managers to engage in meaningful partnership working to reduce the number and impact of benefit sanctions.
- Develop a pilot the Local Service Support Framework (LSSF) pilot in Telford and Wrekin which would introduce a triage system at interview stage so vulnerable people can be identified and support put in place. Consideration may be given to linking this pilot with the Family Connect service. The Council should consider applying to the Local Enterprise Inclusion Fund to support this work until DWP funding can be drawn down following the implementation of Universal Credit.

b) To provide a local response on the implementation of the Oakley recommendations to the Council specifically:

- What training has been provided to ensure that JCP staff are able to identify vulnerable people e.g. with learning difficulties and autism
- How has the JCP developed and maintained the intranet list of support organisations so that this provides a comprehensive list of local organisations to which individuals can be referred. This should include the ability for JCP advisors to

identify if a claimant is a RSL tenant and make an appropriate referral to the RSL for support or for other tenants to the Housing officer. It is recommended that this list of support organisations is shared with the Council and partner organisations to avoid duplication of effort in developing this database.

- Ensuring that JCP staff should routinely advise claimants with sanctions of hardship payments and there should be a robust referral system to the Crisis Network. This system needs should be more than sign posting a client to the relevant service or organisation in order to maximise uptake.
- 2) The Council ensures that all staff working with vulnerable adults are aware of the issues regarding benefit sanctions and that claimants will have commitment that they must meet in order to continue to receive JSA. Staff should support clients where appropriate to meet their claimant commitment and where a sanction has been applied ensure that they have access to relevant services and request 'reconsideration'
  - 3) That the Council continues to work with local voluntary and advocacy organisations to ensure that clients and service users are aware of requirement to meet their claimant commitment in order to continue to receive JSA and that when a sanction is applied the individual has support to request 'reconsideration'.
  - 4) That the work of this Scrutiny Review is shared with Scrutiny in other West Midlands Local Authorities to identify any common issues that can be taken forward at a regional or national level and that a copy of this review is send to the Communications Group established following the Oakley Review.
  - 5) That the Council has discussions with Wolverhampton Welfare Rights Team and the Wolverhampton University with a view to extending the support provided law students to defend claimants entitlements and maximise entitlement to the Telford and Wrekin area.

## 6. Acknowledgements

Members of the Co-operative & Communities Scrutiny Committee

Cllrs. Angela McClements (Chair), Stephen Bentley, Nigel Dugmore, Nathan England, Mike Ion, Jane Pinter, John Thompson, Karen Tomlinson and Co-optee John Ellis.

The committee would like to thank the following people for providing information and supporting this review:

Christine Jones, Advice Services Manager, Telford CAB

Majella O'Dwyer, Preventative Advice Officer, Telford CAB

Kairen Francis, Partnerships Manager, Jobcentre Plus

Phil Wright, Senior External Relations Manager, Staffordshire & Shropshire JobCentre Plus.

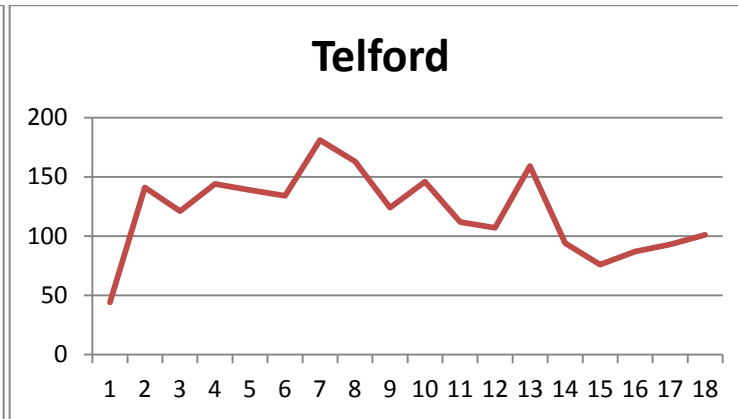
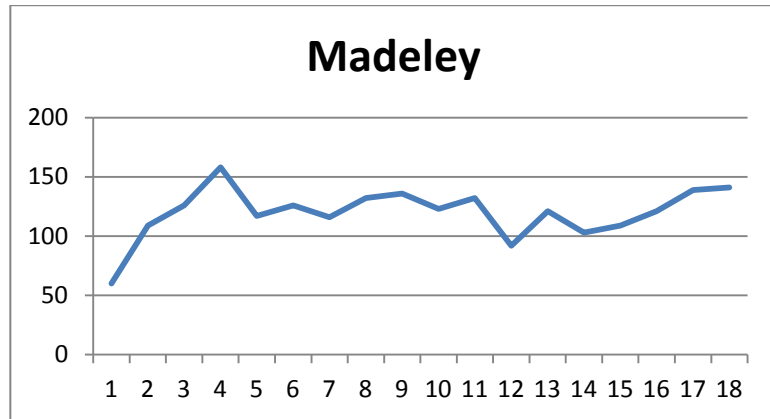
Angie Astley, Assistant Director Customer & People Services, Telford & Wrekin Council

Lee Higgins, Benefits Manager, Telford & Wrekin Council

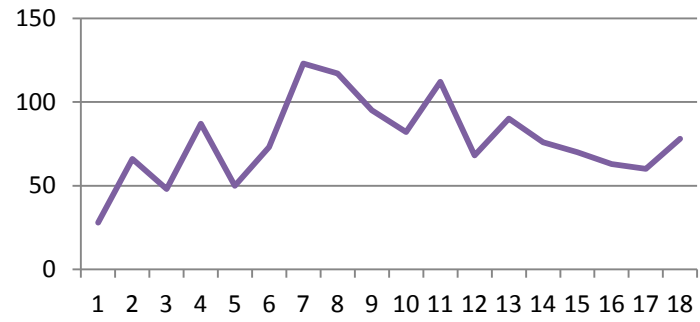
## Appendix 1

### Jobseekers Allowance Sanctions - Decision to apply a sanction or claim disallowed ('adverse') by Jobcentre Plus Office, District and Group and Month, 22nd October 2012 to 31st March 2014

	Oct-12 <sup>3</sup>	Nov-12	Dec-12	Jan-13	Feb-13	Mar-13	Apr-13	May-13	Jun-13	Jul-13	Aug-13	Sep-13	Oct-13	Nov-13	Dec-13	Jan-14	Feb-14	Mar-14	Total
	27,475	73,311	57,376	73,549	63,928	68,263	77,142	79,763	71,181	87,313	80,646	79,722	91,639	75,625	58,724	74,347	68,953	73,538	1,282,497
Telford - Telford House	44	141	121	144	139	134	181	163	124	146	112	107	159	94	76	87	93	101	2,165
Madeley - Church Street	60	109	126	158	117	126	116	132	136	123	132	92	121	103	109	121	139	141	2,169
Shrewsbury - Princess House	45	109	65	92	148	236	138	105	59	83	71	68	76	94	90	111	82	102	1,776
Telford - Wellington New Street	28	66	48	87	50	73	123	117	95	82	112	68	90	76	70	63	60	78	1,385



### Wellington



### Shrewsbury

