

TELFORD & WREKIN COUNCIL

CABINET - 19th MARCH 2015

CABINET RESPONSE TO SCRUTINY REPORT: REVIEW OF SUPPORT FOR PEOPLE HAVING THEIR BENEFIT SANCTIONED

REPORT OF ASSISTANT DIRECTOR NEIGHBOURHOOD & CUSTOMER SERVICES AND LEAD CABINET MEMBER CLLR HILDA RHODES

PART A) – SUMMARY REPORT

1. SUMMARY OF MAIN PROPOSALS

- 1.1 This report provides a response to a series of recommendations made by the Co-operative and Communities Scrutiny Committee in relation to their review into the impact on people of benefit sanctions and the support that is available.

2. RECOMMENDATIONS

- 2.1 That Cabinet note the recommendations made by the Co-operative and Communities Scrutiny Committee along with the responses at Appendix A of this report.

3. SUMMARY IMPACT ASSESSMENT

COMMUNITY IMPACT	Do these proposals contribute to specific Priority Plan objective(s)?
	No
	Will the proposals impact on specific groups of people?
	Yes
The impact of the sanctions regime implemented by the DWP through Job Centres is having a Borough wide affect on many residents who are reliant on unemployment related benefits.	
TARGET COMPLETION/ DELIVERY DATE	The completion date for all the accepted recommendations in the report will largely depend on the roll-out of Universal Credit across the Borough and the outcomes of the “Universal Credit – Delivered Locally” pilots that are in operation across the Country.
FINANCIAL/ VALUE FOR MONEY IMPACT	Yes
The recommendations and responses made to the Scrutiny review of benefit sanctions mainly involve officer time and training which will be provided from within existing budgets. The financial impact of Universal Credit can not be quantified until further details are made available by DWP. MLB 25.02.15	

LEGAL ISSUES	Yes
<p>The new benefits regime in the form of Universal Credit is being introduced in phased stages through the Welfare Reform Act 2012 and associated legislation.</p> <p>Delivery is to be co-ordinated through the Department of Work and Pensions (DWP) however within the Pathfinder areas the DWP have recognised the need to work in partnership with local authorities.</p> <p>The DWP has developed the Local Support Services Framework which provides a structure for collaborating with local authorities to provide localised claimant support delivering services at a local level in a flexible and responsive way, making best use of existing local capacity, infrastructure, partners and supply chains.</p> <p>Collaborative working has been implemented with individual local authorities through Universal Credit Delivery Partnership Agreements under which councils have received funding for delivering support services. It is assumed that any future negotiations in respect of developing a partnership agreement could be used to include where appropriate the matters outlined in the Co-operative and Community Scrutiny Committee.</p> <p>Legal Services should be closely consulted in the negotiation of the contents and form of any partnership agreement developed with the DWP.</p> <p>The Council can rely on existing powers, freedoms and flexibilities in order to enter into a partnership agreement and subsequently develop collaborative working initiatives with the DWP to implement shared objectives under the Local Support Services Framework.</p> <p>PM – 19/02/2015</p>	
OTHER IMPACTS, RISKS & OPPORTUNITIES	No
IMPACT ON SPECIFIC WARDS	Yes
<p>There is a Borough wide impact; however the impact is greater in those wards where there is the highest concentration of unemployment.</p>	

PART B) – ADDITIONAL INFORMATION

4. INFORMATION

4.1 Introduction and Background

- 4.1.1 The Co-operative & Communities and Finance Scrutiny Committees have taken an active role in scrutinising the impact of the Welfare Benefit reforms that have been introduced by the Government over the last 2 years and implemented by Telford & Wrekin Council.

During the scrutiny of the various strands of the welfare reforms, evidence emerged from a number of sources of the increasing detrimental impact on residents across the Borough caused by the Department for Work and Pensions' (DWP) sanctions regime.

As a result, the committee agreed to undertake a review to explore the issues in more detail.

The full report of the findings of the scrutiny committee is included.

4.2 Response to Recommendations of the Scrutiny Report

Cabinet commend the work of the scrutiny committee in exploring the local impact of this important national issue. Cabinet recognise that the sanctions regime that has been implemented by the local Job Centres is as a result of national DWP policy and there is very limited local influence or discretion as to how the policies are applied by Local Job Centres

However it is reassuring to see that there is a substantial amount of work happening locally to support residents who are affected by benefit sanctions; particularly the work of the CAB in assisting residents to challenge and appeal decisions, and the work of the Council's own Crisis Assistance Team and the Telford Crisis Network in ensuring that sanctioned customers receive a basic provision of food and gas/electricity where required

Since the commencement of the scrutiny review into this issue, the landscape has changed somewhat in that the national roll-out of Universal Credit has been brought forward by the DWP, with Telford & Wrekin Council's implementation date being proposed as 1st June 2015.

Universal Credit will in itself bring further changes to the sanctions regime operated through Job Centres. The claimant commitment that will be introduced in Universal Credit will theoretically be more specifically tailored to the circumstances of the individual claimant than the current scheme. There will also be an increased responsibility for Job Centre staff to explain the claimant commitment to benefit claimants to ensure they fully understand their responsibilities and the consequences of non compliance.

Universal Credit will also fundamentally reshape the relationship with between The Council and The Job Centre. The "Universal Credit – Delivered Locally" pilots are currently exploring the opportunities for Councils, Job Centres and third sector organisations to work together to provide a range of joint support services to claimants. The details of this

relationship will start to develop as we work with Job Centre colleagues on the implementation of Universal Credit locally.

Responses to the specific recommendations from the scrutiny report can be found at Appendix A.

5. PREVIOUS MINUTES

5.1 None

6. BACKGROUND PAPERS

Appendix A – Response from Cabinet to specific recommendations within the report

Report prepared by Angie Astley, Assistant Director – Neighbourhood & Customer Services

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Appendix A

Cabinet Response: Scrutiny Review of Support for People having their Benefits Sanctioned

Scrutiny Committee:	Co-operative and Community Scrutiny Committee
Report:	Scrutiny Review of Support for People having their Benefits Sanctioned
Lead Scrutiny Member:	Cllr. A. McClements
Lead Scrutiny Officer:	F. Bottrill, Scrutiny Group Specialist
Date reported to Cabinet:	19th March 2015
Cabinet member:	Cllr. H. Rhodes
Lead officer:	Angie Astley, Assistant Director Telford & Wrekin Council & Mr. Phil Wright, DWP

Recommendation	Agreed Yes / No	Cabinet response including proposed action or reason for rejection	Responsible Cabinet Member	Responsible Officer	Action by date
<p>1) That the Council holds discussions with the DWP at a regional level to:</p> <p>a) Consider the option of joint working to reduce the negative impact of benefit sanctions including:</p> <ul style="list-style-type: none"> 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 	Yes	<p>The Council have recently learnt Universal Credit will be rolled out to some customers across the three Job Centres across the Borough on 1st June 2015.</p> <p>The very nature of Universal Credit will require us to work very closely with colleagues at Job Centre to prepare for implementation and manage our relationship ongoing. Meetings have already been scheduled with the DWP's Universal Credit Regional Implementation Manager which will give us a fresh</p>	Cllr Hilda Rhodes	Lee Higgins	1st July 2015

<p>and JCP.</p> <ul style="list-style-type: none"> 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. 	<p>Partial</p>	<p>opportunity to try to redefine our working relationship with the three local Job Centres which may include exploring the merits of co-locating some front-line services with the Job Centre.</p> <p>The Local Support Services Framework has been rebranded by the DWP and is now called “Universal Credit – Delivered Locally” 11 national pilot Councils have recently been announced who will test different methods of supporting Universal Credit claimants by providing a range of triage, advice and support services. These trial sites will commence in February 2015 and will be run over a period of 12-18 months before a full evaluation is undertaken by the DWP.</p> <p>The trialing sites will focus on a range of support options but with 3 main elements:</p> <ul style="list-style-type: none"> triage digital inclusion 	<p>Cllr Hilda Rhodes</p>	<p>Angie Astley</p>	<p>1st April 2016</p>
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		<ul style="list-style-type: none">• financial inclusion <p>Following the evaluation, the DWP will produce a model of how it wishes Local Authorities to support Universal Credit claimants including decisions regarding the funding available.</p> <p>Telford & Wrekin do not intend to be early adopters of any formal support services arrangements until further details are known about the impact of Universal Credit locally and the results of the pilot sites.</p> <p>However, there are many ways in which Telford & Wrekin Council has developed its front line services over recent years which already pave the way for us being in a strong position to deliver some of the support service that will be expected of us under Universal Credit.</p> <p>For example, the bringing together of front line services such as the Council's benefit service, CAB,</p>			
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<p>b) To provide a local response on the implementation of the Oakley recommendations to the Council specifically:</p> <ul style="list-style-type: none"> • What training has been provided to ensure that JCP staff are able to identify vulnerable people e.g. with learning difficulties and autism 	<p>Job Box and Housing Options into First Point already enables a degree of customer triage.</p> <p>Also the investment that we have made into the Peoples Network is a step towards enabling better digital inclusion for residents.</p> <p>The following responses have been provided by the Local Partnership Managers of the Job Centre Plus in Telford.</p> <p>A programme of training on Autism Awareness has been running for all JCP staff across Telford and Wrekin since November. Three courses have been delivered by Adelphi Care with more dates planned so all relevant staff will have attended by end March 2015. JCP also have regular meetings and close liaison with The Autism Hub.</p> <p>All staff have access to an intranet based product, The Vulnerability Hub which gives case studies, guidance and learning products to</p>			
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<ul style="list-style-type: none">• 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.	<p>help them identify and support vulnerable people. There are also Disability Employment Advisers who have received specialist training in helping claimants with more significant health conditions.</p> <p>The intranet list of support organisations continues to be maintained by Jobcentre Leaders and is available for all Jobcentre staff. In particular, there is a close working relationship between Wrekin Housing Trust and local jobcentres.</p> <p>The jobcentres in Telford and Wrekin have a dedicated Employer and Partnership Manager (previously Kairen Francis, now Kully Chahal) who regularly meets local organisations. This is to promote two-way communications and enable JCP coaches to make appropriate referrals. Kully sits on the Carer Partnership Board and Phil Wright, Senior Operations Manager for Shropshire, sits on the Local Strategic Partnership</p>			
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<ul style="list-style-type: none">• 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.		<p>Board.</p> <p>From 14/7/14, a new hardship process was introduced for all JCP staff. Staff received communications in person to upskill them in the changes which included:</p> <ul style="list-style-type: none">• Ensuring every customer facing a sanction was given details of the hardship process at every intervention from the point at which doubt raised• Offering the customer a face to face hardship interview on the same day (or at least within 24 hours)• Hardship decisions made and communicated within 3 hours of the interview and payment made within 3 hours of the communication. <p>There was also a process change to Mandatory Reconsiderations whereby they can now be accepted in any format from the claimant. Jobcentre staff encourage all claimants to telephone for a Mandatory Reconsideration as this is then</p>			
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		<p>dealt with immediately.</p> <p>The Crisis Network team has been to each Jobcentre within Telford & Wrekin to promote their services and foster closer working relations and increase uptake.</p>			
<p>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'</p>	<p>Yes</p>	<p>The conditions of the claimant commitment are complicated and personalised to each individual claimant. However, the Council does recognise that it would be useful for all front-line staff who are working with financially vulnerable residents to understand the importance of their compliance with the claimant commitment, the implications of failing to comply, and how they can support the customer to challenge the decision where appropriate.</p> <p>It is envisaged that Universal Credit awareness training will be provided to all front-line staff and partner organisations as part of the roll-out in June 2015. We will ensure that awareness of the claimant commitment and</p>	<p>Cllr Hilda Rhodes</p>	<p>Lee Higgins</p>	<p>1st July 2015</p>

		sanctions are included as part of that training.			
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'.	Yes	See response to recommendation 4). Training will be provided to all partner organisations and stakeholders.	Cllr Hilda Rhodes	Lee Higgins	1st July 2015
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.	Yes	Cabinet fully support the sharing of any common issues or best practice that emerge from this review.	Cllr A McClements	Fiona Bottrill	1st April 2015
5) That the Council has discussions with Wolverhampton Welfare Rights Team and the Wolverhampton University with a view to extending the	Yes	Cabinet recognise the merits of this proposal. As much of the Welfare Rights work in the Borough is undertaken by organisations such as the CAB,	Cllr A McClements	Fiona Bottrill	1st September 2015

<p>support provided law students to defend claimant's entitlements and maximise entitlement to the Telford and Wrekin area.</p>		<p>Cabinet would encourage those organisations to consider how they may form stronger links with Wolverhampton University and consider how this idea may benefit them. Cabinet suggest that scrutiny share this recommendation with the CAB directly.</p>			
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