

Punishing Poverty?

A review of benefits sanctions and their impacts
on clients and claimants



Manchester CAB Service
On behalf of the Greater Manchester CABx Cluster Group
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Contents

Executive summary	4
Introduction.....	6
Conditionality and sanctions within the benefits regime	6
Universal credit and changes to the sanctions regime.....	7
Hardship payments.....	8
Evaluating the effectiveness of sanctions	8
The Social Security Advisory Committee sanctions review	10

Survey results

• Which benefit	10
• Reasons for sanction	11
• Appealing the sanction	12
• Duration of sanction	13
• Amount of sanction	13
• Household composition of respondents	14
• Coping financially with the sanction	15
• Other consequences of the sanction	17
Conclusion and recommendations	22

Executive Summary

Benefits sanctions are financial penalties that are given to claimants who are deemed to have not met the necessary conditions for claiming benefits. Although officially there are no targets for the number of sanctions that are made, Greater Manchester CABx had become concerned about the apparent increase in the number of clients they were seeing who had sanctions against them, and the duration of these sanctions. From July-September 2013 they conducted a research survey to investigate these issues, and to look at how claimants who were already on very restricted incomes coped with the further reductions made.

Background

1. The 1997-2010 Labour Governments made significant changes to the conditions that apply to those claiming Job Seekers Allowance and increased the sanctions applied where claimants failed to meet those conditions. For the first time, sanctions were extended to include lone parents with older children and disabled claimants who were judged likely to be able to enter the labour market in the future. These measures were intended to promote more active job search, deter voluntary unemployment and encourage entry into the labour market by those who had not previously been required to show they were available for work.
2. The Coalition Government has further strengthened the conditions and sanctions that apply to those claiming Job Seekers Allowance (JSA) and those in the work-related group of Employment and Support Allowance (ESA) claimants. Since 2012, benefit payments can be suspended for a minimum of four weeks and for up to three years where a claimant fails to take sufficient steps to search for work, to prepare themselves for the labour market or where they turn down an offer of employment or leave a job voluntarily.

Results

3. 60% of those sanctioned had been receiving JSA, but a further 33% were unfit for work and were receiving ESA.
4. 40% of respondents said they had not received a letter from the Job Centre informing them of the sanction.
5. Almost a quarter of respondents did not know why they had been sanctioned. 29% of respondents said they had been sanctioned because they had not done enough to look for work. However, many people commented that the sanction had been applied unfairly, when they had in fact looked for work or attended an interview as required, because of a very narrow interpretation of the rules or for reasons that were beyond their control.
6. More than half the respondents said they had not received any information about how to appeal against the sanction. Nonetheless, three-fifths (62%) of respondents had appealed. One third of these appeals had been successful and a further 23% of those who had appealed were still waiting to hear the outcome. Administrative delays in receiving formal notification of the sanction meant that a number of people had been refused leave to appeal because they were out of time, adding further to the perception that they had been treated unfairly.

7. The majority of respondents had been sanctioned for four weeks or less, but almost one third had been sanctioned for 10 weeks or more. The average duration of the sanction was 8 weeks.
8. Two-thirds of respondents had been left with no income after the sanction was imposed. Those with children reported they only had child benefit and child tax credits.
9. Just under a quarter (23%) of those sanctioned were living in households with children. More than 10% of respondents were lone parents.

I had no income, and had to borrow from my parents (who are also on benefits and don't get much income. It has affected me mentally, and I am severely depressed and having anxiety attacks
10. Respondents coped with the loss of income by borrowing money from friends and family (80%), from the bank or on their credit card (8%) or from a pay day loan company (9%).

Starved and lived off what I had. Scrounged food from bins and only left the house after darkness fell. Had no electric or gas. Struggled and went without nothing for 3 days
11. They also cut down on food (71%), heating (49%) and travel (47%). Almost a quarter (24%) had applied for a food parcel. Some respondents had been left to scrounge for food from skips or bins, or had had to resort to begging to feed themselves.

I'm worried benefit won't be sorted in time for rent as this could make us all homeless yet again. Last time we were homeless was a result of fleeing domestic violence and me and my children were put in B&B.
12. The sanction had a severe impact on the mental and physical health of many respondents. Existing health conditions were exacerbated because of poor diet and stress, and a number of respondents said they had attempted suicide or that they felt suicidal.
13. There were also serious effects on the wider family, particularly children, because of the loss of income. There were stresses also on adult relationships: one respondent said 'the strain has quite literally smashed our family to pieces'.
14. Many respondents felt they had been unjustly treated because of the Job Centre's own administrative errors or because a sanction had been imposed unreasonably given their circumstances.

Conclusion and recommendations

15. The Government's Social Security Advisory Committee (SSAC), in its 2012 review of conditionality and sanctions in the benefits system, concluded that for conditionality to work it was essential that there was: (1) good communication; (2) personalisation; and (3) fairness.
16. The evidence of this survey is that **none of these conditions is currently being met** and that the imposition of sanctions is causing great hardship not only to claimants but to their dependants. The hardship is likely to make claimants *less* rather than *more* likely to be in a position to find and keep paid work.
17. We recommend that the findings of the SSAC should be implemented swiftly and effectively. Further, we recommend that greater consideration needs to be given to what the intended effects of sanctions are and how to avoid the many unintended consequences revealed by this survey.

Introduction

Benefits sanctions are financial penalties that are given to claimants who are deemed to have not met the necessary conditions for claiming benefit.

Although the Government has, in the past, denied that there are official targets for the number of sanctions that are made¹, Greater Manchester CABx had become concerned about

- The number of clients they were seeing who had sanctions against them
- The reasons for the sanctions being made
- The fact that clients did not appear to be receiving the correct notifications about their sanctions, why they had been made, or how to appeal against them
- The proposals from the Government to increase the duration of sanctions up to a maximum of three years.

They decided to conduct some research in to these issues, and look at how claimants who were already on very restricted incomes coped with the further reductions made. This report summarises the survey findings.

Conditionality and sanctions within the benefits system

The social security system has always placed certain conditions on working-age benefit claimants, with sanctions applicable to those who fail to observe those conditions. The 1997-2010 Labour governments extended the use of sanctions as part of their welfare reforms, making the receipt of benefits for those out of the labour market increasingly dependent on fulfilling responsibilities to actively look for work, to look for work more effectively and deterring individuals from becoming voluntarily unemployed². They also extended the groups of those who could be sanctioned to include lone parents and those claiming Invalidity Benefit (IB; now Employment and Support Allowance (ESA)), in order to encourage these groups to enter the labour market.

For unemployed claimants the sanctions imposed for failure to meet conditions imposed by the JobCentre, for leaving a job voluntarily or for dismissal due to misconduct involved the loss of Job Seekers Allowance (JSA) for a period ranging from 2 to 26 weeks. Between 2001 and 2005 the total number of sanctions imposed was fairly constant, at 130,000 to 150,000 per year³. In 2005 sanctions were extended to lone parents on Income Support with a youngest child aged 14 or over, who failed to attend a work-focused interview. Sanctions were also introduced for IB claimants who failed to attend a work-focused interview, if they could not show 'good cause'.

The requirement to look for work (and therefore to claim JSA rather than IS) has been extended in stages to lone parents with younger and younger children. Since 2012 this requirement applies to lone parents whose youngest child is aged 5 or over. For lone parents, benefits were originally reduced by 20% for the sanction period, with subsequent

¹ See for example <http://www.theguardian.com/society/2013/may/15/dwp-no-evidence-jobcentre-benefits-targets>

² http://ssac.independent.gov.uk/pdf/occasional/Sanctions_Occasional_Paper_1.pdf, p. 54

³ Ibid, p. 54

sanctions deducting a further 20% up to a maximum penalty leaving the lone parent with 10 pence, in order that they retained passported benefits. Since 2008 the sanction has been a complete loss of benefit for non-compliance, rather than a progressive percentage reduction.

Despite initial Government denials, it is clear that recently some JobCentres have been set targets for sanctioning claimants, with DWP staff creating 'league tables' based on the number of sanctions issued by individual JobCentres⁴.

The effects are apparent in the dramatic increase in the number of sanctions issued: in 2009 the number of claimants sanctioned was 139,000, consistent with number earlier in the decade; by 2011 this had increased to 508,000⁵.

Universal Credit and changes to the sanctions regime

The Coalition Government, in its review of the welfare system and its proposals for the introduction of Universal Credit, took the view that the sanctions system was too complex and was not applied sufficiently quickly or consistently across different groups of benefit claimants⁶. The Welfare Reform Act 2012 introduced changes to the sanctions regime in the new Universal Credit system to be introduced from 2013, with more severe sanctions and a wider group of claimants to whom sanctions may be applied.

The new sanctions regime has already been implemented for those claiming JSA (from October 2012) and those in the work-related group of ESA claimants (from December 2012). The **minimum** period for which benefits payments for claimants in these groups can be suspended is now **four** weeks, rather than two, and the maximum period for which payments may be disallowed is now **three years**. Claimants subject to sanctions lose all of their individual benefit allowance for the full period of the sanction.

Universal Credit

Within the new Universal Credit system, being phased in from 2013, four conditionality groups have been identified⁷:

- **Group 1: Full conditionality:** jobseekers; all work-related requirements apply.
- **Group 2: Work preparation:** people with a disability or health condition who have a limited capacity for work.
- **Group 3: Work-focused interview:** lone parents or lead carer in a couple with a child aged 1-4; keeping in touch with the labour market.
- **Group 4: No conditionality:** people with a disability or health condition which prevents them from working; carers; lone parents, or lead carers with a child under 1.

Table 1 overleaf sets out the sanctions system within Universal Credit and the four levels of sanctions which may be applied⁸:

⁴ <http://www.theguardian.com/society/2013/mar/21/jobcentre-set-targets-benefit-sanctions>

⁵ <http://www.corporatewatch.org/?lid=4371>

⁶ <http://ssac.independent.gov.uk/pdf/universal-credit-and-conditionality.pdf>, p.4

⁷ <http://ssac.independent.gov.uk/pdf/universal-credit-and-conditionality.pdf>

measured in terms of earnings, job quality and broader social impacts such as criminal activity are generally less positive.”⁹

Other reviews point to the negative effects of sanctions such as family breakdown, debts and ill health.¹⁰

The Social Security Advisory Committee’s review of evidence on sanctions in 2012 found¹¹:

- Many claimants are unaware of the sanctions system, of the consequences of failing to comply with conditionality and of how to get benefit reinstated. This highlights the importance of clear and unambiguous communication particularly at the start of any claim.
- Sanctions tend to disproportionately affect the most disadvantaged and vulnerable, who may be least able to change their circumstances and face the greatest difficulties in finding and keeping paid work, and may also have the most difficulty in meeting the conditionality requirements.
- Employment taken up as the result of sanctions tends to be poorly paid and unstable.
- Personal Advisers find it difficult to combine their role of providing support with that of enforcing conditionality, because of their concern that about the impact of sanctions on their relationship with claimants. Personal advisers are often sceptical about the effectiveness of sanctions and feel frustrated about the bureaucratic delays in imposing sanctions. This in turn makes them reluctant to impose sanctions.

The Committee concluded that for conditionality to work in practice, three kinds of practical steps were required:

1. **Communication**: ensuring that benefit claimants have a clear understanding of the conditions which a benefit claim involves and of the penalties for non-compliance; where a claimant is under threat of sanction, information on how to provide evidence of good cause for non-compliance and how to get a sanction reversed. When a sanction is imposed, clear information about why and for how long.
2. **Personalisation**: Conditions need to be unambiguous, achievable and demonstrable and tailored to individual claimants’ circumstances. Vulnerable claimants need to be identified and given appropriate support. Before a claimant is sanctioned their reasons for non-compliance need to be investigated. Sanctions should be used only as a last resort.
3. **Fairness**: unintended consequences of sanctions should be monitored and appropriate hardship arrangements need to be available. Claimants should be given the chance to learn from the imposition of a sanction and avoid further sanctions when they re-comply.

⁹<http://ssac.independent.gov.uk/pdf/universal-credit-and-conditionality.pdf>, p. 7

¹⁰ Ibid., p.8

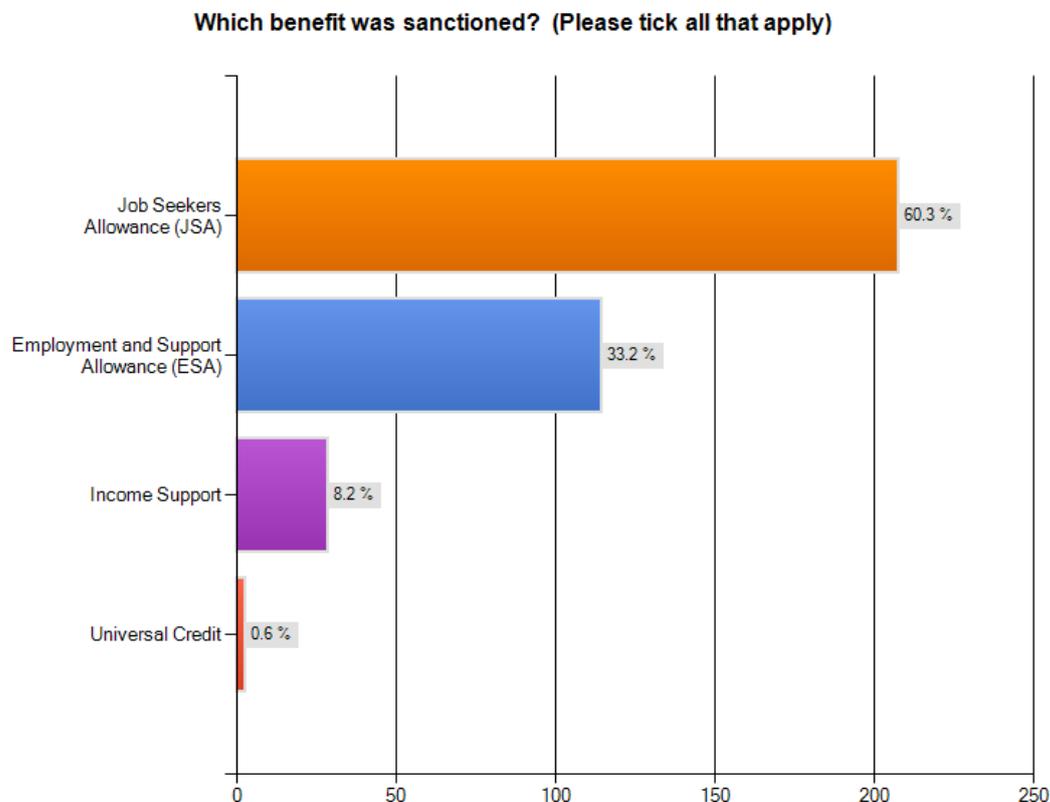
¹¹ Ibid

The sanctions survey

The ten Bureaux in Greater Manchester undertook a survey to examine CAB clients' experience of benefits sanctions. The survey was conducted between July 18 and September 16 2013, using a self-completion questionnaire distributed through Survey Monkey. The survey was promoted nationally to bureaux using social media and individual bureaux then made clients aware of the survey. 376 responses were received over the 3 month period for which the survey was open.

Survey results

Survey respondents came from all over the UK, from Truro to Teeside, Kircaldy to Cardiff, Belfast to Birmingham. The single largest group of those sanctioned were receiving Job Seekers Allowance (60%), with a further 33% receiving Employment and Support Allowance.



Respondents also reported having their Disability Living Allowance (DLA), Housing Benefit and Council Tax Benefit cut.

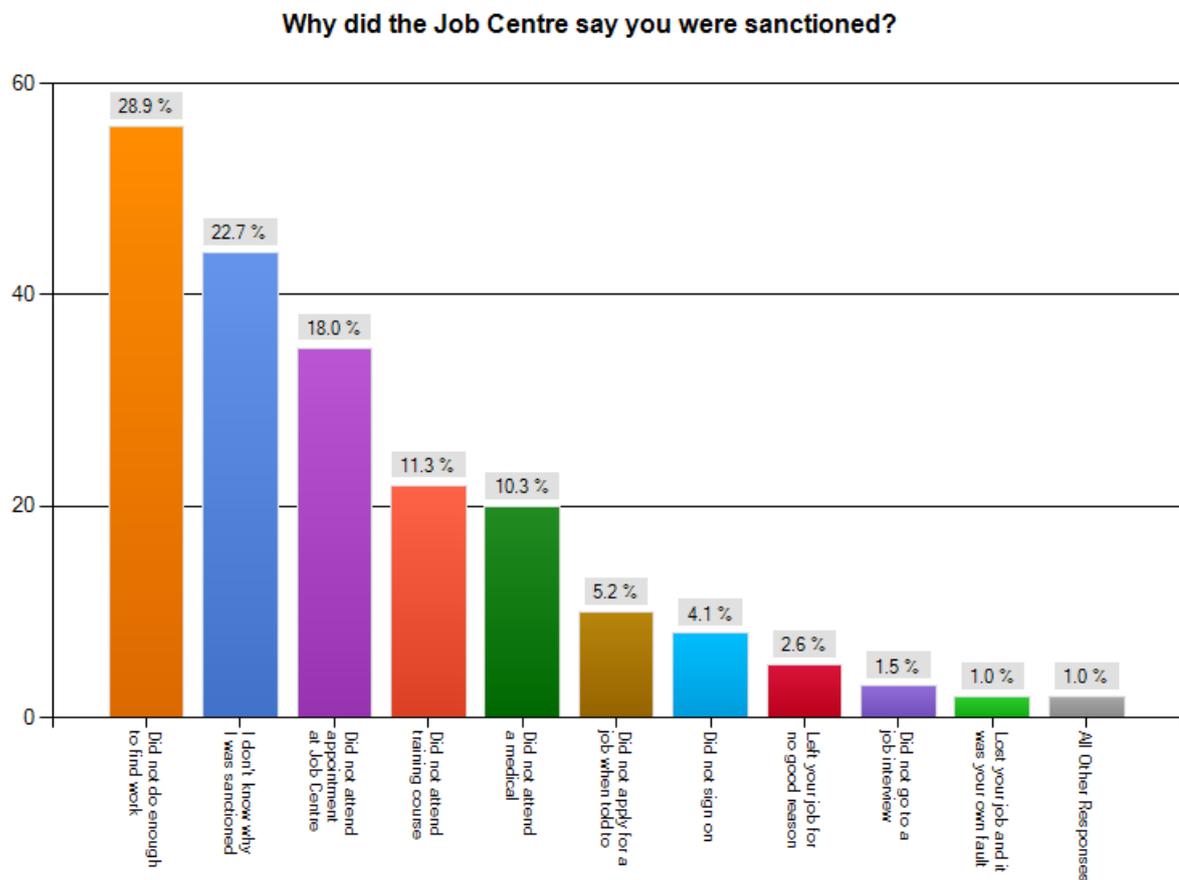
DLA is a benefit paid on the basis of the claimant's care needs and is not conditional. It is not included in the benefits that can be the sanctioned. The fact that some people reported that this benefit had been cut, indicates that communication from the DWP had been poor and that people did not understand their situation adequately (see next section).

Although Housing Benefit and Council Tax reduction are also not subject to the sanctions regime, the local authority Revenue and Benefits Unit is informed by the Job Centre whenever a claim has stopped. This means that when a sanction is imposed claimants need

to inform their local housing office in order to make sure that their housing benefit and council tax reduction restart, otherwise they risk incurring rent and council tax arrears, in addition to losing their benefit income. Claimants may be unaware that they need to let their housing office know about a sanction, and may therefore lose these benefits too.

Reasons for sanction

Almost a quarter of respondents (23%) said they did not know why they had been sanctioned. Where they did know why, it was most frequently (29%) because they were told that they had not done enough to look for work.



Many respondents clearly felt that they had been treated unfairly, commenting that they had been sanctioned for failing to look for work or attend an interview when in fact they had, or that the rules had been interpreted very narrowly:

I was supposed to apply for 7 jobs a week, I applied for 10 one week and 5 the next week, so they sanctioned me for a week.

I had forgotten to write one of my job searches so I was one short. I put a complaint in, only to find that my money was stopped again. Not sure of their reason.

I attended an interview at job centre...I also gave them some photocopies of the letters that they specifically asked me for. I signed to say that I had attended the interview..[they]

suspended my money saying that I had not attended their interview on the day...Even though I had produced documents for them & also signed to say that I had attended their interview...They apologised (verbally) & I had to wait for them to re issue my money.

Had 2 job interviews. Informed job centre I would be a little late. Was 15 minutes late. They sanctioned me anyway.

I refused a job because I was in a women's refuge fleeing domestic violence and in the process of relocating.

Did not do enough to find work, in between FINDING work and starting it

A number of respondents reported that they had been sanctioned for reasons beyond their control:

Went to job interview instead of signing on at Job Centre as appointment clashed.

I have bad reception where I live. A4E calls and can't connect. 4 week suspension for something beyond my control.

Had to look after my mum. She is disabled and was very ill.

Turned up later due to road works and holiday traffic problems, and no phone credit to phone and let them know. So no money for 4 weeks

Administrative errors and failure to record information correctly also led to some respondents being sanctioned:

I was ill with enteritis and couldn't attend although did call and rearrange appointment. They told me they had no record and sanctioned me for three months.

They got sign-on date wrong and said it was our fault.

A letter was returned which they sent to the wrong address.

Job Centre did not record I had informed them I was in hospital when I was due to attend appointment.

Failed to fill in a form which I didn't receive.

One claimant had been sanctioned for failing to attend an appointment on New Year's Day:

The official reason was not attending an appointment. The jobcentre was actually closed (new year bank holiday) on the day in question.

Appealing the sanction

Forty percent of respondents said they had not received a letter from the Job Centre informing them of the sanction, and it is therefore not surprising that more than half of all respondents (51%) said they had not received any information about how to appeal against the sanction. Nevertheless 62% of respondents had appealed. One third of those who appealed were successful, a further 23% were still awaiting the outcome of their appeal.

A number of claimants had been refused leave to appeal because they were outside the one month time limit, because of administrative delays in informing them formally of the sanction:

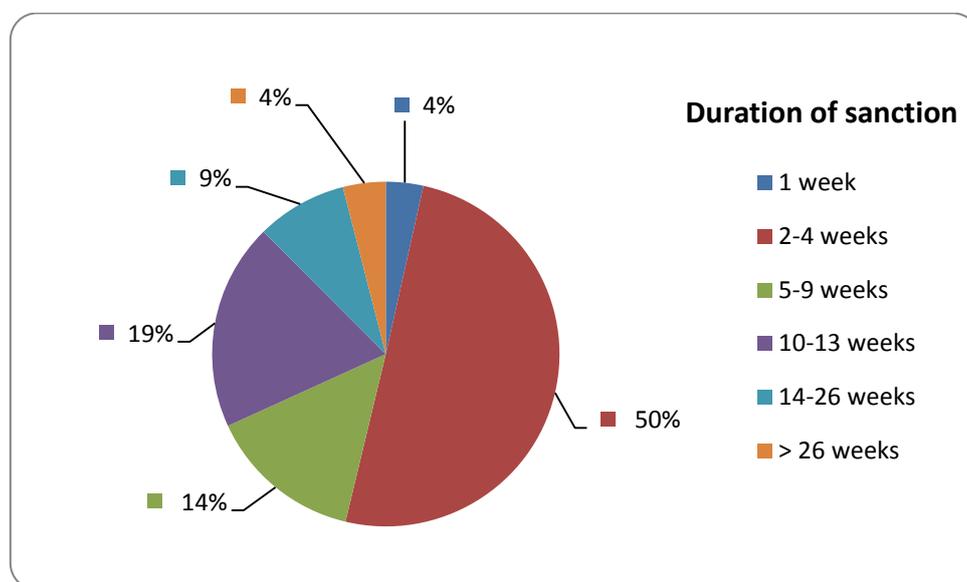
Job Centre dragged their feet with officially notifying me about sanction, so that it exceeded the one-month time limit, therefore request for appeal was rejected.

They said I was too late to appeal, but I didn't find out for weeks because they didn't tell me

Duration of sanction

201 respondents gave information on how long the sanction had been imposed for. A further 38 didn't know, couldn't remember or said that the sanction had been imposed indefinitely.

The average duration of the sanction imposed was just over 8 weeks. Half the sanctions imposed were for between two and four weeks¹². Almost one third of sanctions were imposed for 10 weeks or more.



Amount of sanction

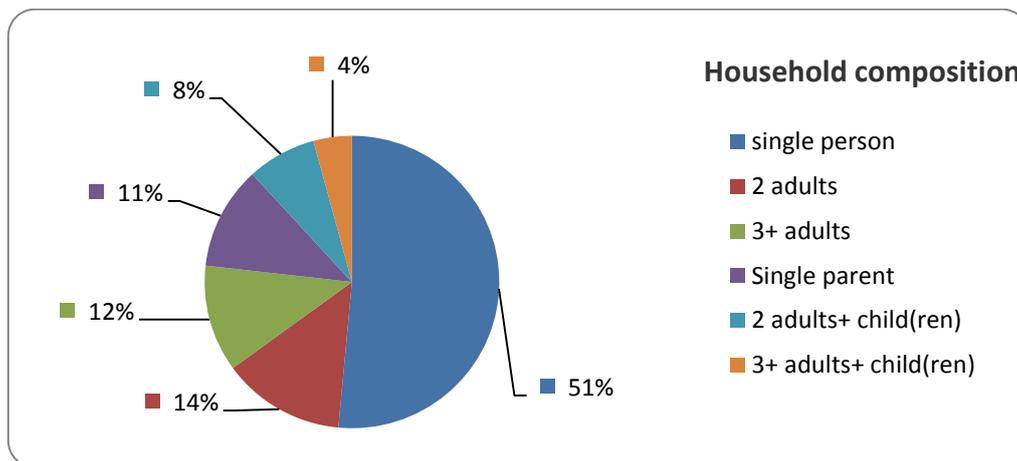
We asked respondents to tell us the amount by which their benefits had been cut per week. Several respondents gave their answer as a percentage of their usual income, e.g. 50% or wrote things like, "all of it", so the results were difficult to analyse. However of the 235 respondents who answered this question, 53% gave an answer that indicated that **all** of their benefit had been cut for the period of the sanction.

Almost two-thirds of respondents (63%) had been left with no income after the imposition of the sanction. Those with children reported that they only had child benefit and child tax credits.

¹² Some survey respondents were reporting sanctions imposed before the most recent changes in October and December 2012, which introduced a minimum sanction period of 4 weeks.

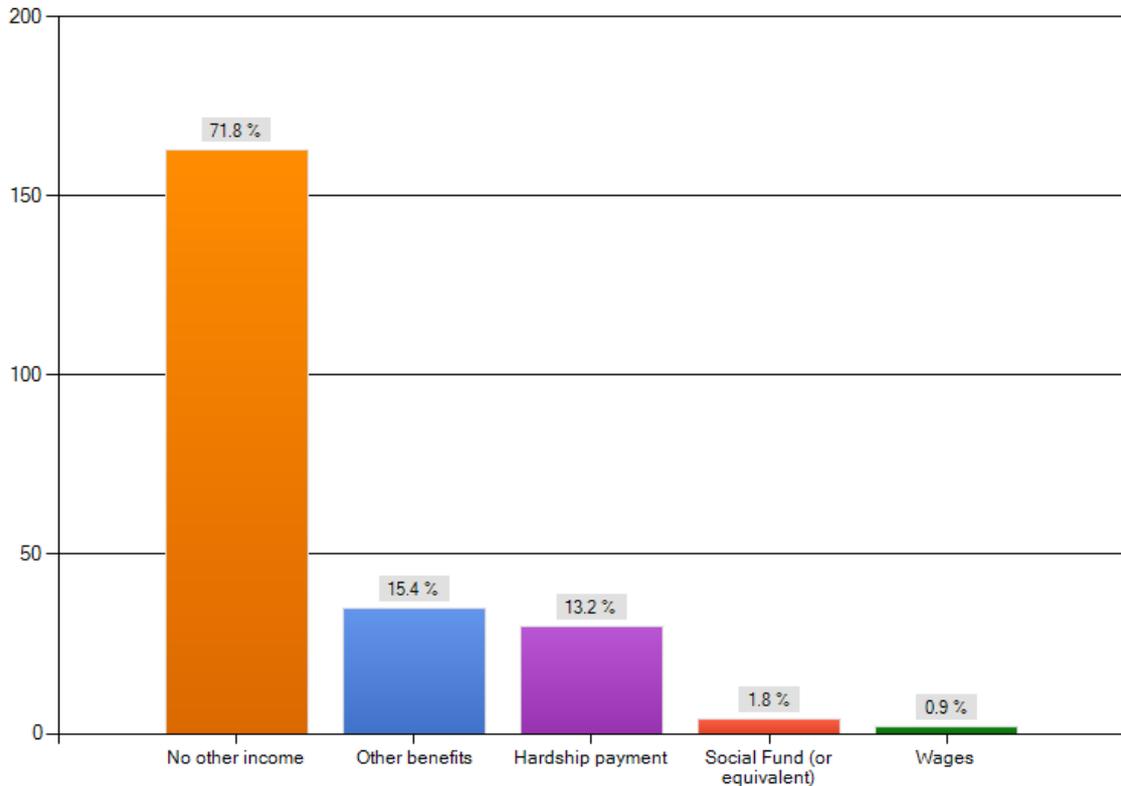
Household composition of respondents

The majority of respondents were living alone (51%), but almost a quarter of those sanctioned were living in households with children. More than 10% of respondents were lone parents. Where there are others in the household, the sanction clearly affects the whole household, not just the individual claimant, even though other household members are not subject to the claimant's conditionality rules. This is a particularly serious issue for children's welfare.



Almost three quarters of respondents said that they had no other income for the period that they were sanctioned. Thirteen percent had had hardship payments and 15% reported that they had had other benefits.

Did you have any other income for the period you were sanctioned?



Coping financially with the sanction

Four-fifths of all those sanctioned had needed to borrow money from friends and family; 9% had taken out a payday loan, and 8% had borrowed from a bank or on their credit card.

I had to rely on my mother who is on ESA (support group) and DLA.

Friends brought me food and money to put on my electric key.

Went overdrawn at bank.

Others had postponed paying bills in order to cope, thereby building up debts:

Did not pay utility bills

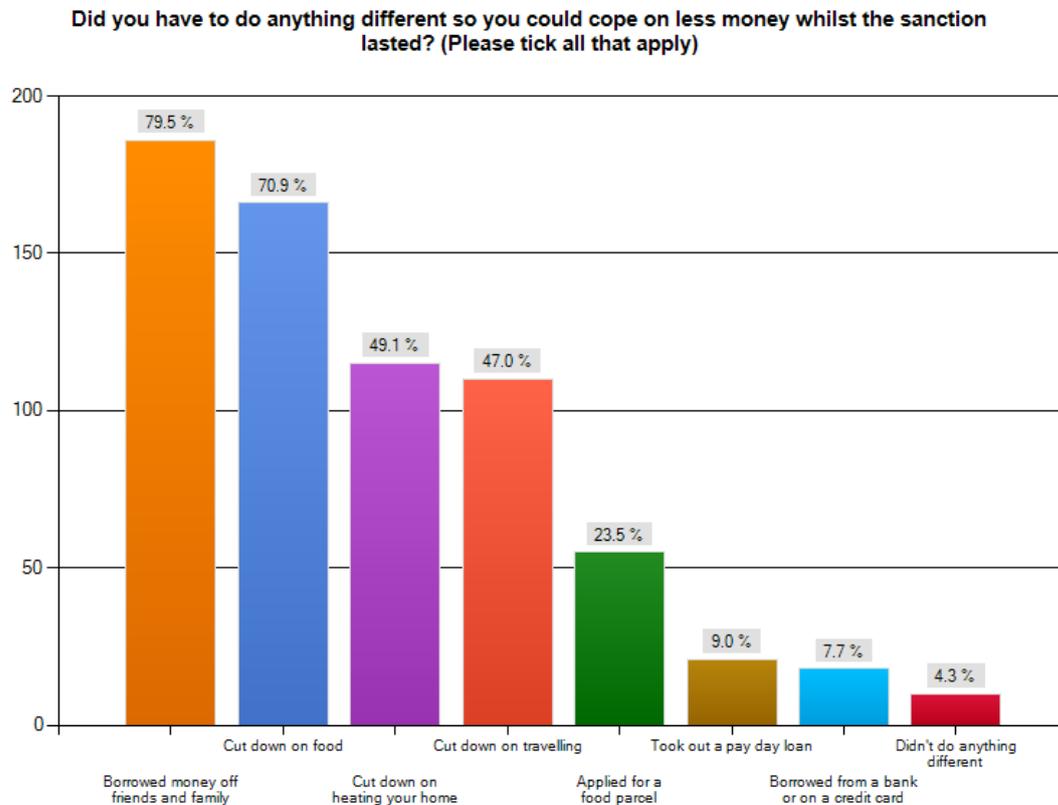
Postponed paying bills.

Several people said that they had had to take out illegal loans:

Because I had no income I was forced to borrow from illegal sources, this mainly occurred because I had to downsize due to the bedroom tax. Obviously this was difficult because of my chronic illness, no income so I am hoping appeal will happen soon.

Respondents reported that they had had to sell furniture and other household items, or pawn goods in order to cope financially.

Overall, more than 80% of respondents said that they had got into debt as a result of the sanction.



Most people had had to cut down on food (70%), and/or on heating (49%) and travel (47%). Almost a quarter of respondents had had to ask for a food parcel.

Had to go to Salvation Army for a small food parcel. During the rest of the time had to do without food, and cats had to go without also. Bills weren't paid either.

Some respondents had been left in a very desperate state:

Buy damaged food, market scrounge about at end of day

Used the skip from the local shop for food

Starved and lived off what I had. Scrounged food from bins and only left the house after darkness fell. Had no electric or gas so had to get ready-to-eat food. Struggled and went without nothing for 3 days with just bread and a block of cheese that my friend kindly gave me as it was past its sell by date.

Begged in the city.

Slept on a park bench and in empty shed.

I stopped doing anything and have become agoraphobic.

The consequences of the sanction extended to wider family in some cases:

My mum and dad had to keep me, (I live with them,) and as dad lost his job and was on JSA this meant that it affected the whole family as I couldn't pay them any board money . It was a real struggle.

For those with children, it was particularly hard to cope:

Went without meals so my son could eat. My sanction should have been for a week but they took 8 weeks to pay me again, despite me constantly phoning etc. I also complained and received no reply.

And there were other adverse effects on children:

My daughter stopped attending school. I couldn't afford the taxi she needed to get her there without distress and trauma.

Other consequences of the sanction

The final survey question asked respondents for any other comments on the effects of sanctions on them or their family. More than 150 respondents took the trouble to complete this question, often with extensive accounts of the serious long-term effects on their own physical and mental health, the social and material impact of serious financial hardship, and the adverse effects on their family's well-being

The possibility of ending up **homeless** because of **rent arrears** was a frequent worry:

Because my housing benefit wasn't paid for 3 months and still hasn't been reinstated I'm facing eviction and I'm a full time carer to my adult son.

I'm worried housing benefit won't be sorted in time for my rent as this could make us all homeless yet again and the council have no homes. Last time we were homeless was a result of fleeing domestic violence and me and my five children were put in B&B by the council in two rooms.

Several people said they had been unable to leave the house because of lack of money:

It's all getting too much. We are now prisoners in our home, no point going out, can't buy or do anything

Had bad effect, especially as school holidays and can't afford even bus fares etc for a day out

The **anxiety** created by the imposition of a sanction had a serious effect on mental health for many people. A number of people described feeling **suicidal** because of the stress of the situation and several said they had made suicide attempts. For those with pre-existing **mental health problems** the effect of the sanction was to **exacerbate** their condition:

I suffer from severe mental depression and this has definitely not helped my condition. Still currently without any money even though I am doing full time work experience and not sure how I am going to eat until the sanction is lifted.

Due to having no money for food or to pay bills I was diagnosed with depression and on medication.

Was very depressed. Felt suicidal/ashamed/embarrassed.

I was on ESA due to a nervous breakdown in 2009 and have not been given even the slightest chance of recovery as I have had this constant & losing battle with DWP/ATOS ever since. I stay with a friend who feeds me, but have been suicidal for a long while now. I have now given up completely on claiming any benefits at all, as I can no longer face the prospect of the never-ending challenges. I have absolutely no hope left in me at all.

I had no income, and had to borrow from my parents (who are also on benefits and don't get much income. It has affected me mentally, and I am severely depressed and having anxiety attacks which I have never had before becoming a jobseeker! I believe this is going to affect me in the long run, and I will find it difficult when I do find work, because I am now petrified of speaking to people. I was very confident and bubbly before I became a jobseeker, now I tend not to leave my house unless necessary.

I wasn't long out of a safe house for domestic abuse I tried to commit suicide and my doctor had to put my medication up and I have to get someone to collect them weekly.

For others there had been [effects on their physical health](#), because of [lack of money for an adequate diet](#) or because of [stress](#), or both:

I had to ask my mum to help me with my gas and electric and wasn't able to feed myself properly and [that] didn't help as I have coeliac and my family were appalled that I had to live like that for 4 weeks. My health suffered because of it.

I've lost over 2 stone in weight through lack of food.

The stress has made me physically sick with irritable bowel syndrome, which I haven't suffered with for many years. I have previously battled depression and am hoping I won't end up back on antidepressants again.

I am a type 1 diabetic and I ended up being hypoglycaemic several times.

We couldn't afford a meal each day so often didn't eat for days on end. I suffer with hypoglycaemia and need to eat, so this left me with many black outs, confusion, incredibly weak and sick.

I lost weight and got ill. I felt like a scavenging wild animal, not like a human. It's a miracle I didn't end up homeless.

The sanction had [wider impacts on family relationships](#) in some cases:

My mum has been taken to court and fined for not being able to pay the shortfall in council tax and is struggling to pay the rent arrears accrued when I was sanctioned and the strain has quite literally smashed our family to pieces - I feel like a burden on her and have felt suicidal on more than one occasion.

The stress put us both in hospital with stress-related problems. We were refused hardship payments but later got this [revoked] because we went to CAB and Shelter. It had a massive effect on our son, who at one point was being considered for going into care because we couldn't provide for him.

My partner also cares for me so he was left incredibly stressed and upset from this situation due to firstly no money (he has to look after me full time pretty much) and secondly my conditions and mental state became so hard to cope with (it also affected his mental health, he attempted suicide when he could not cope).

At 52 years of age I lost my home and my 21 year-old son, who has had to move in with his girlfriend's family. We are both sofa-surfing with absolutely no hope for a future of any kind...I stay with a friend who feeds me, but have been suicidal for a long while now.

I have been kicked out of my mother's household due to being sanctioned and I'm now homeless.

This had a devastating effect. I am separated so couldn't have my children as couldn't afford the bus fare to travel for them.

For those living with children, the effects of the sanction were particularly hard:

It was so difficult. Had no gas or electric. Sent my children to my mum's 5 out of the 7 days of the week.

For nearly a month I didn't get any money before I got hardship [payment]...At this time I was pregnant with my daughter and had another 2 kids in the house...If it wasn't for my child tax credits and borrowing money I wouldn't have been able to feed myself. We done without heating during the winter because I couldn't afford to pay for gas.

I went begging on the streets to get money to buy food as my partner is 7 months pregnant

Many respondents wrote at considerable length about their [feeling that they had been very unjustly treated](#).

Whilst I was on the sanction I visited jobcentre on 3 different occasions to ask how I was to live on no money for 4 weeks? On each occasion I was told there was nothing they could do. I later found out that the correct procedure was to give me a hardship form to help me out. I eventually got the form and handed it in. The jobcentre have since rejected the claim as it was handed in too late. I sent in 3 reconsideration requests explaining the jobcentre was at fault for not telling me I could claim this and again all 3 requests denied...I feel the jobcentre have deceived me to avoid paying out money.

A number felt that the [limitations which their ill-health placed on their ability to work](#), or the kinds of work they could do [had not been given adequate consideration](#):

I am epileptic and can't apply for certain jobs that's why I am limited, I apply for 5-10 jobs that I can do, but it's not enough.

I can't work, I take 23 pills a day and I'm also diabetic, yet the group they put me on was for work? They have no right to take money away just like that. Totally unfair, I've lost half a stone as I can't buy enough food to eat and as a diabetic I'm supposed to eat 5 small meals a day. No chance. As I don't, I'm open to foot infection, eyesight problems, coma or death or amputation. I'm worried sick. Also stress brings on a relapse of other condition.

There were numerous complaints from respondents that they had [not been told about the sanction](#), and had only discovered when they found their money had stopped, that they

didn't understand the reasons for the sanction or that the sanction had been imposed unreasonably, given their circumstances.

I believe it was the Work Programme that had been in the wrong in the first instance for not reimbursing claimants travel expenses when they should be, yet I was the one punished for not attending 1 hour of job search when I couldn't afford to go.

The original sanction letter made no sense and I couldn't understand it at all either. It didn't give any dates as to when or IF the sanction would end.

I had no idea I had been sanctioned until I got a letter from the housing association stating that my housing/council tax benefit had been stopped due to suspension of JSA which I wasn't even claiming

In other cases the injustice stemmed from poor administration which led to a sanction being imposed when the claimant was not in any way at fault:

I was sanctioned for not supplying information regarding my job search. The forms I was given did not ask for [this] information. (The wrong paper work was given) My paper file was 'lost' during the appeal process, and was 'found' in secure waste awaiting shredding, My file (the one being destroyed) contained information that refuted the validity of the sanction.

I was sanctioned by the DWP on their error. They never changed my address when I sent in a change of address form. They later admitted it was completely their fault and an admin error. They left me without payments for six months and didn't reply to a single letter and they wouldn't speak to me on the phone as they held old details for me.

Respondents felt that it was unfair that the expectations with which they had to comply did not apply to the agencies they had to deal with:

The sanction was so annoying. A4E missed three appointments. When I attended they said to go home. But I miss one appointment and get sanctioned.

The sanction I got was for not attending triage...It was them that mucked up the dates and I was the one that paid for their mistake.

The requirements placed on claimants that had led to the sanction being imposed, sometimes failed to take into account the realities of life, whether this was the lack of resources in rural areas for those on a low income, the effects of disability, lack of familiarity with computers, or bereavement, as these claimants' stories indicate:

Stopped disabled wife's money as well. Had to survive on £8.77 army pension for 18 weeks could not attend job centre appointment as live in a village with no bus service and can't drive due to epilepsy and not owning a car. There isn't a post office phone box or internet where I live and they have closed the only jobcentre in the county of Rutland, leaving us to travel 30 odd miles into a neighbouring county for appointments.

I was left with no money because I did not go to a course that I can't understand anyway as I have learning disabilities.

My sanction was because I didn't know how to use the job centre website. They recommended two jobs for me to apply for but at that time I didn't know how to use the web

site and was waiting to see my personal advisor for help, but he was on holiday when the sanction occurred.

I was sanctioned for not searching for enough jobs (20+ per week). I have no computer at home and the jobcentre had placed me on a 3 day a week course 9am - 4pm and it was very hard to search for jobs as I would have to rush home to run to the library and very often there were no computers free to use.

I am computer illiterate, did apply for job, but was sanctioned because it wasn't online.

The sanction was due to attending a family funeral, therefore "not available for work". I was forced to borrow money from family members already upset and shocked at the loss of my mother.

Conclusion and recommendations

The results of this survey indicate that the three requirements for effective conditionality of benefits set out by the Social Security Advisory Committee (SSAC) in their 2012 report – communication, personalisation and fairness – are not being met in a large number of cases.

Communication

It is clear that many claimants had not been provided with clear information on why a sanction had been imposed, or on how to provide evidence of good cause and how to get a sanction reversed. Forty percent of respondents said they had not received a letter informing them of the sanction, almost a quarter of those sanctioned said they did not know why the sanction had been imposed, and more than half said they had not been given any information about how to appeal.

Recommendations: Job Centre Plus should review its communications with clients and ensure that important information about sanctions and appeals reaches them effectively. In particular, clients should understand the reason why the sanction has been imposed and how they can appeal against it. They should also be given information about hardship payments.

Personalisation

The SSAC recommended that conditions imposed on claimants need to be unambiguous, achievable, demonstrable and tailored to individual claimants' circumstances. However, respondents' accounts of the circumstances resulting in a sanction indicate that in many cases these criteria are not being met. Often it seems that poor communication at some point in the claims process led to the claimant failing to meet the conditions imposed.

It is clear from respondents' comments that many had poor physical or mental health, and in at least one case the claimant was a recent victim of domestic abuse, but these circumstances did not appear to have been taken into account in the decision to sanction them. There was no evidence that the circumstances leading to non-compliance had been investigated, or that sanctions were being used only as a last resort after other avenues had been explored.

One third of those sanctioned were claiming Employment and Support Allowance, and were therefore not well enough to undertake paid work immediately. It is difficult to see how depriving them of their benefit for a significant period is likely to increase their chances of re-entering the labour market.

Recommendations: Job Centre Plus should ensure that clients' individual circumstances are investigated and taken into account when deciding whether to impose a sanction. Sanctions should be used as a *last resort*, when all other avenues of action have been explored, including that of providing additional support to the claimant to ensure that benefit conditions are met.

Fairness

The SSAC recommended that “unintended consequences of sanctions should be monitored and appropriate hardship arrangements need to be available”. The Committee does not define what ‘unintended consequences’ might cover. Clearly cutting a claimant’s benefit completely for a period of up to 3 years will result in serious financial hardship not just for them but for their families and dependents. This is presumably an intentional consequence of the sanctions system, although it is hard to see how this will contribute to claimants finding employment of a secure and sustainable kind. Respondents to the survey had lost their entire benefit for an average of two months. More than eighty percent of respondents had got into debt as a result of the sanction; this included difficulties with paying rent and the threat of eviction.

Homelessness clearly compounds the problems of worklessness and is likely to make it significantly harder to find employment, and must by definition be an unintended consequence. Similarly, lack of money meant many respondents were unable to afford regular meals, with consequences for their health, particularly where there were pre-existing health conditions. Exacerbating physical health problems seems to be a perverse and presumably unintended effect of sanctions, given that the intention is to promote job search and employment. Other consequences, presumably also unintended, were severe anxiety and depression, and financial demands and stress on the wider family.

It is worrying that almost a quarter of those sanctioned lived in households with children and more than 10% of respondents were single parents. Loss of income for the parent inevitably imposes hardship on children in the household, as respondents’ accounts made clear. Children were aware of the threat of eviction and of the stress on their parent(s). Although parents did their best to shield their children from the effects of the sanction (for example by going without food themselves so that their children could eat), children were affected. One child was taken out of school because her mother could not afford the taxi fare to get her to school. There was no evidence that DWP had sought to monitor these effects or that there was adequate access to appropriate hardship arrangements. A number of respondents said they had not been told about the possibility of applying for a hardship payment until it was too late to do so. Turning these payments into loans, under the 2012 legislation, adds further to the indebtedness that sanctions create, and therefore to consequences that extend well beyond the period of the sanction.

These consequences raise questions about what the boundaries are to the intended consequences of the benefits sanction. Is it fair to penalise children and other who are dependent on benefit claimants. What justification can be given for the effects of sanctions on other household members or wider family?

Administrative errors, such as failure to record information provided by claimants (e.g. change of address, reasons for being unable to attend appointments), which then led to a sanction, further added to respondents’ feeling that they had been treated very unfairly.

This survey shows that current operation of the sanctions system fails to meet the criteria for effectiveness identified by the Social Security Advisory Committee.

Many claimants who had had a sanction imposed had suffered serious consequences, particularly in terms of their mental and physical health, which *cannot* be regarded as an appropriate part of the conditional provision of social security.

A significant proportion of claimants had not been informed in writing that a sanction had been imposed; the reasons for the sanction, where claimants understood them, were often perceived as unreasonable; and the effect of the sanction in many cases seemed likely to push claimants further away from being able to enter the paid labour market. Claimants often felt that the sanction had been imposed because of administrative failures by DWP, rather than because they had failed to adhere to the conditions of claiming.

Further consideration needs to be given to the rationale for imposing sanction on those claiming ESA, and on the implications of imposing sanctions for anything other than a very short period of time, on families with children.

Recommendations: The DWP should put into place effective arrangements to monitor sanctions and the impacts on claimants and their families. Data from this should be published regularly.

Action should be taken to mitigate the negative effects of sanctions such as exacerbating ill health and penalising claimants' children.

Sanctions should be fair and proportional. Clients should not be sanctioned for things that are not their fault, such as administrative errors, or that are beyond their control. This links to our recommendations on personalisation, above. #

**Greater Manchester CABx Cluster Group
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