



## Work & Pensions Select Committee Inquiry on Sanctions

### Submission from Feeding Britain (May 2018)

#### About Feeding Britain

Feeding Britain is a national charity established in 2015 by a cross-party group of MPs and peers, chaired by Frank Field MP. Our vision is a UK where no one goes hungry. We want to demonstrate how hunger and its underlying causes can be addressed, and use this learning to advocate for system level change to eliminate hunger in the UK.

We operate 12 local Feeding Britain pilots across the UK, which bring together local charities, community groups, local authorities and other stakeholders to deliver practical action to alleviate and prevent hunger in their communities. The pilots cover both rural and urban areas. Our work includes supporting people in immediate food crisis, through providing advice services in food banks and other emergency food projects, establishing fuel banks, community cafes and opening social supermarkets where vulnerable people can access low-cost food and support. We also work on policy changes that can be implemented at local and national government level to prevent people going hungry, and on initiatives that help to build longer term community resilience to hunger.

#### Consultation response

We welcome this latest inquiry into sanctions, as it has been and continues to be a major issue for the local projects we work with around the country who support people at risk of hunger. This submission compiles evidence submitted to Feeding Britain from our local pilots around the country. In addition, separate responses to the Select Committee have also been submitted by representatives of our pilots in Leicester and Coventry.

Overall, there is variation in levels of sanctions that our projects are seeing. Coventry Citizens Advice, for example, confirmed that they are seeing a significant increase in the percentage of food vouchers distributed because of sanctions (details will be provided in their submission). Others reported that overall instances of sanctions have reduced in recent months compared to the earlier peak, but they were still seeing some cases of unfair sanctioning.

#### Key issues of concern

- A particular concern from our Birkenhead pilot is with people moving from ESA on to UC, and consequently being faced with a requirement to spend 30 hours per week looking for work when they are not fit to do so. This can lead to a higher risk of being sanctioned, with little chance of claimants being able to rectify the 'fault' for which they were sanctioned in the first place.
- We received a similar example from Feeding Derbyshire: "a man who had a road traffic accident, with physical and mental health issues being told to look for work 30 hours a week when his GP tells him not to do this! This can put people at risk of sanctions and add to stress"

- Also relating to inappropriate work requirements, our Leicester pilot highlighted the situation for homeless people who, despite being totally without a home and in the midst of acute crisis, are required to spend 30 hours looking for a job, when they clearly have more pressing crises to resolve. Failure to do so leads to sanctions, with again little chance that they would be able to comply with the requirements to avoid future sanctions.
- A lack of digital access means that vulnerable groups are unable to make digital claims. An example from Feeding Derbyshire: “Recently we saw someone at the Foodbank, someone released from prison with no address, no ID, no bank account, no benefits since February when he came out of prison. Mother in prison, no other family support. He said he was thinking of committing a crime to go back to prison”.
- Extreme length of sanctions. We have heard from our pilots of exceptionally long sanctions. In Feeding Bradford’s recent data collection week, which provided a snapshot of emergency food aid use across the city, of 79 respondents who gave ‘benefit changes’ as the main reason for them accessing emergency food aid, 30 listed sanctions as the main reason. They included 1 person sanctioned for 6 weeks, 1 for 7 weeks, 1 for 8 weeks and 1 for 66 days. In Derbyshire one claimant has been supported by the food bank because she had been issued with a three-year sanction. Her case study highlights the very concerning vulnerability brought about by this sanction:
 

“She is a care leaver and very vulnerable and as a result lost her accommodation. All this has caused her to have mental health issues. She tried to get help to sort things out from the Derbyshire Law Centre. They focused, rightly, on sorting out the accommodation rather than the sanction as the most urgent issue. In the last few weeks she has moved in with her boyfriend and gone onto his ESA claim. This could mean that it has ended well, or it could mean that a vulnerable young person has been forced into a relationship based on need. In any case, the state withdrawing all benefits from a care leaver for three years is a problem. She was never informed about the availability of hardship payments by DWP or the local council, we got those in pay after she turned to us in desperation. Both the young lady and her boyfriend have recently joined our work and skills programme”.

### **To what extent is the current sanctions regime achieving its policy objectives?**

If the purpose of sanctions is to encourage people into work, their use can be counterproductive. By leaving people in severe financial distress, and having to take desperate measures to make ends meet, they create an environment in which it is very difficult to constructively search for work. If a person is negotiating the emergency food system in order to access food, that is time they are not able to be searching for work. We are also concerned that sanctions, often perceived as punitive and unfounded, erode people’s trust in the benefits system and the role of JobCentre Plus which makes it more difficult for people to build the trust with job advisors that could help them into work. They also risk creating a culture of box ticking, or jumping through hoops, in which people engage in activities to avoid sanctions rather than because they are the most constructive ways for them to move into work.

## **Is the current evidence base adequate and if not, what further information, data and research are required?**

We feel it would be important for data to be collected on the number of people who drop out of the welfare system completely following a sanction. We are concerned about anecdotal reports of increasing numbers of people 'voluntarily' removing themselves from the system because of its perceived hostility, or their despair at being able to meet its requirements. What happens to those people once they are outside the welfare safety net is of huge concern.

## **What improvements to sanctions policy could be made to achieve its objectives better?**

The key things that could make a difference are:

- The introduction of a nationwide yellow card system, to allow people at risk of sanctions a second chance in the case of genuine mistakes or unavoidable missed opportunities, and also to allow people time to provide additional information that demonstrates the reason for an infraction before a sanction is applied.
- Better information on health conditions or other personal circumstances collected at the outset of claims, to ensure that work search requirements are set fairly and realistically.
- An easement on work search requirements for people experiencing or at risk of homelessness, to give them a breathing space until their immediate crisis is resolved.
- A limit to the length of time that a person can be sanctioned
- More robust monitoring of the degree to which claimants who are sanctioned are, as a matter of course, actually provided with information on a) how to appeal a sanction and b) the financial and hardship support available to support people during the sanction period.
- A consideration of a ban on sanctions for particularly vulnerable groups, or claimants where a sanction would have an adverse effect on the wellbeing of children or dependents. In cases where children go hungry or become dependent on emergency food aid because their parents or carers have been sanctioned, the sanction in effect becomes a punitive measure against people with no responsibility for the original fault.
- More provision to support digital access, both for UC claims and to help people fulfil the job search requirements. In addition, better support for people who, due to exceptional circumstances, are unable to make a digital claim and who require alternative arrangements.

**Could a challenge period and/or a system of warnings for a first sanctionable offence be beneficial? If so, how should they be implemented?**

Yes, as above we feel that a yellow card system would be a beneficial development. Claimants could be issued a formal letter, explaining the sanctionable offence and the steps that they would need to take in future to avoid a sanction in similar instances.

For subsequent offences, the yellow card system could also introduce a time delay, whereby the sanction is not applied immediately, but claimants get a reasonable window of time between being informed of the sanctionable offence and the sanction being applied, to allow them to provide further supporting evidence to justify the alleged infraction.

**What effects does sanctions policy have on other aspects of the benefits system and public services more widely? Are consequential policy changes required?**

It is unacceptable that food banks and other community run emergency food projects are expected to support people when they are sanctioned. This places an additional burden on charities and community groups (financial, staff and volunteer time, food resources) at a time when resources are already greatly stretched. This goes beyond projects directly providing food, but also includes a wider range of organisations who support people who have ended up in crisis as a result of sanctions, including advice services, organisations providing free legal support, homeless charities and mental health support services.

If sanctions are to be a part of the benefits system, there should be robust mechanisms in place to ensure that they do not result in claimants, or their dependents, being forced into hunger and destitution. We would argue that a referral to a food bank, or other non-statutory service, cannot be seen as an acceptable government solution to the risks to claimants created by the sanction. In fact, we suggest that DWP should be required to publish data on the number of referrals to food banks issued by Job Centre Plus staff as a result of sanctions.