

Empowering Sanctioned Claimants: Achievable or not?



An Attempt to Mitigate the negative impacts of the sanctions regime: A Possible Way Forward



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**Notes on funder and facilitating organisation**



**Comic Relief** is a major charity based in the UK with a vision of a just world, free from poverty. Comic Relief work all year round to help make their vision a reality. Their mission statement is to ‘drive positive change through the power of entertainment’ and since first setting up in 1985, they have been carrying out 3 main areas of work: fundraising campaigns (Red Nose day and Sport Relief); tackling poverty and injustice and raising awareness of issues were it is felt the biggest impact can be evidenced



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**Thrive** is an award-winning charity, based in Stockton on Tees, which aims to close the gap between the rich and the poor by building the capacity of financially and socially excluded communities. Thrive provides opportunities for people on the margins of society to have a voice and effect real transformative change

**Acknowledgements**

We are grateful to the people in our community who came forward and willingly shared their experiences. Without their honesty and openness in some very trying circumstances, this journey would not have been possible.

**"I worked for 21 years and lost my job 2 years ago. They've stopped my money 3 times, it's not fair"**

Thrive participant

We would also like to thank all partners who continue the daily fight to put an end to this unjust and unfair sanctions regime. Affecting change may only occur with a continuation of awareness raising, lobbying and collection of data from our communities, and ‘as long as poverty, injustice and gross inequality persist in our world, none of us can truly rest’ Nelson Mandela (2005)

**“We think it is definitely time to re-think the sanction’s regime because rather than incentivising people to find work it is having the opposite effect. Thus, sanctions are breaking people’s spirits and damaging their physical and mental health. This is the last straw for those whose cupboards are already bare. One PTC Commissioner commented ‘You used to come out of the Job Centre happy if you had found a job. Now you come out pleased if you haven’t got a sanction.”**

Davy Milligan (Poverty Truth Commission)

**“Sanctions - punishing people on benefits - is increasingly treated as a normal and acceptable practice. But it is not acceptable. The UK welfare system is becoming increasingly toxic - increasing poverty, stigma and mental illness.**

Dr Simon Duffy, Director of the Centre for Welfare Reform

**Executive Summary**

Thrive secured 2 year funding from Comic Relief to develop an understanding of the impact of the sanctions regime within Teesside on (a) the claimants, (b) the Job Centre staff who are tasked with implementing it and (c) the wider community through posing the following key questions:

1. What is the effect upon jobseekers of the new sanctions regime?
2. Do Job Centre Plus staff feel that collective representation from job centre customers of their issues is a positive move and improves their understanding of barriers faced by people subject to sanctions?

Between October 2014 and September 2016 40 sanctioned claimants in Teesside, and these were some of our findings (see appendix 2 for more information)

32 claimants had one sanction

* 30 were sanctioned for 4 weeks
* 2 were sanctioned for 6 weeks)

6 claimants had more than sanction. One person was under review and one claimant was sanctioned for three years.

15 claimants, (**37.5%)** received a sanction due to ‘insufficient job search activity’.

17 (**42.5%)** self-reported as suffering from mental health problems, chaotic lifestyles and limited support in the community.

22 claimants, (**55%)** were sanctioned due to ‘missed appointments’

12 claimants, (**30%)** did not realise they had been sanctioned until they went to withdraw out of the bank

17, (**42.5%)** sanctioned claimants appealed the decision, with 6 of the 17 (**35%**) decisions being overturned.

9 claimants, (**22.5%)** did not know that they could appeal the decision with an additional number of claimants choosing not to appeal as ‘*they didn’t think it was worth it’*

25 claimants, (**62.5%)** did not know about hardship payments

**100%** of sanctioned claimants suffered financially, and 23 sanctioned claimants (**57.5%)** talked about increased levels of anxiety and stress

With the information gathered, this project agreed on 7 recommendations to present to the Secretary of State for Work and Pensions and the Chair of the Welfare Reform Committee

* Ensure alternatives to financial penalties are sought
* Request that a written warning system is introduced and that sanctions are used as a last resort.
* Sanctions are fair and proportionate, taking into account the circumstances of the claimant.
* Work Coach Advisors to clearly demonstrate that they have worked with the claimant to agree the Claimant Commitment and it takes into account the claimants circumstances, skills and limitations.
* Information relating to any intention to sanction should be provided at the point of which the investigation is undertaken thus providing an opportunity for the claimant to present their case before any decisions are made.
* Decision makers to evidence that they have attempted to obtain evidence from the claimant and are able to make their decisions with ‘all’ the information needed.
* Early resolutions are sought and timeframes for reconsiderations and appeals are shortened. If the decision is to sanction, then Work Coach Advisors initiate the hardship payment process.

To date, engaging in positive discussions with key decision makers to redress the negative impacts of this current regime has proved futile. Meetings with DWP Locality Managers, the Regional External Relations Officer and Labour Market Strategy / Sanctions Strategy representatives resulted in Thrive having to predominantly defend their findings. It appeared that the DWP was committed to the value of the conditionality system – as in 95% of claimants conform willingly and have no problems, that it was not punitive and the 17 recommendations from the Oakley Report (2014) have been implemented by the DWP – thus ensuring communications were improved and claimants fully understood the process

The ***Oakley Review (2014)*** making reference to the Gregg Review of 2008 stated that benefit sanctions *could* provide

*‘a vital backstop in the social security system for jobseekers. They {will} ensure that, in return for the support provided by the state, claimants are held accountable for doing all they can to take on that support and to move back into work. This is a key element of the mutual obligation that underpins both the effectiveness and fairness of the social security system’*

This report found that the system was ‘not fundamentally broken, *howeve*r there were a number of areas where improvements needed to be made, particularly for more vulnerable individuals.

The Oakley Review had limitations in that it had “restricted terms of reference; it was confined to issues of process and communication, considered only some individual types of JSA sanction (accounting for one third of the total), and did not consider ESA sanctions at all.” (Webster 2015)

Beyond the Oakley Review – A report ordered by the House of Commons (March 2015) commented on the disagreement surrounding the sanctions regime:

*‘because they hold subsistence level benefit payments from people who have little or no income.’ It was noted that the ‘regime needed to draw on robust evidence in relation to what works; has clear and coherent rules, has strong safeguards to protect the vulnerable; is fair and proportionate and effectively mitigates the risks of severe financial hardship. The sanction regime, as currently applied, does not always achieve this’*

However, 17 Recommendations were listed within the Oakley Review (see appendix 1) and Thrive were informed that these recommendations*,* ‘guide the implementation of the policy guidelines…. {and} conditionality works with 95% of JSA claimants complying with the regime’ (meeting between DWP and Thrive 2016)

Correspondence with the Employment Minister echoed the same sentiments:

“*There is clear evidence that sanctions are effective: over 70% of JSA and over 60% of ESA claimants say sanctions make it more likely that they will follow the rules. The system of sanctions focusses benefit claimants on doing everything that they can to find work – this approach is working. The number of sanctions is going down and employment is at a record level*. *The decision to temporarily halt a benefit payment is always thoroughly considered and is not something we do lightly … there are a number of steps in the decision making process to ensure that our decisions are correct…”*

Taken from a letter from Rt Hon Priti Patel, MP, Employment Minister

**Introduction**

**Background – why Thrive embarked on this project:**

Thrive have been working with financially and socially excluded community members for over 10 years and,

*" have a track record of working closely with and for people in deprived communities...they {Thrive} have already begun to make a difference to not only people’s lives, but how those with power, be it from the Job Centre, Police or private firms, have had to see problems afresh from the eyes of their clients”*

Suzanne Fletcher MBE

Gathering data and testimonies from financially excluded and over-indebted households in the community led to a surprising number of benefit sanctioned case studies coming to our attention. This stimulated our curiosity and led to further research in the community – were other organisations coming across the same issue? For what reasons were people being sanctioned? And what impact was this having on claimants already precarious financial situations?

Early **local research** gathered in 2014 from organisations including Stockton’s GP Service Navigator project, Citizen’s Advice, the Moses Project and Prefer Homes, (services dealing with men with issues such as drug and alcohol abuse and homelessness) were seeing an exponential growth in the number of sanctions being issued to their client base. The Prefer Homes worker, was spending 60% of her time appealing sanctions decisions and submitting subsequent hardship claims. Stockton Council and Citizen's Advice (SDAIS) reported:

*"What we have seen from local evidence and the case studies attached is that decision making is not consistent around sanctions and there appear to be some poor decisions taken which are frankly unreasonable and inconsistent.. three out of the four claimants have mental health issues".*

Stockton Borough Council and Stockton District Advice and Information Service with support from a number of local organisations responded to a call for information and conducted a small survey to gather data on the issue relating to benefit sanctions within the Borough of Stockton.

The information gathered was as follows:

*“Our local experience is that there is mixed understanding of the claimant commitment by JSA claimants and a proportion believe that if there are exceptional circumstances why someone can’t attend the work programme on an occasion or meet a specific commitment then a Job Centre Plus member of staff will take this into account when deciding whether to refer someone for a decision of a sanction. What we have seen from local evidence is that decision making is not consistent around sanctions and there appear to be some poor decisions taken which are frankly unreasonable and inconsistent.*

*A proportion of claimants report that they are not aware when a sanction is imposed until they become aware that benefit has not been paid into their account.*

*People with mental health problems {are} particularly vulnerable dependent on their current state of health and support from DWP {in cases of this nature} could avoid sanctions and the chain of events that {then} follow.*

*Decision makers {do not always have the appropriate information at their disposal so therefore} must ensure that they have sufficient information to make an informed decision. {There have been} numerous appeals, (including late appeals ) which need to be administered at a cost far outweighing the financial penalty of any sanction. The DWP should be supporting people to move from ESA to JSA and complying with the conditions to get JSA”*

Stockton Borough Council: Call for Evidence

**Nationally:** The number of benefit claimants subject to sanctions in the year leading up to June 2013 was 860,000 – ‘the highest since statistics in their present form began to be published (guardian 6 November 2013). Between June and November 2013 the Department for Work and Pensions issued 600,000 'sanctions' (reduction to or cessation of Job Seekers' Allowance), with this being the biggest single reason for referral to foodbanks

So what could be the reason for this ‘exponential growth in the number of sanctions being issued’ (Scottish Council for Voluntary Organisations, 2013)

***Changes to the sanctions regime:*** Conditionality (the principle that entitlement to benefits should be dependent on satisfying certain conditions) has been an enduring feature of welfare benefit entitlements in the UK.

***Paul Gregg (2008)*** presented guiding principles that were felt, should underpin an effective sanctions regime The vision laid out in his review made it:

*“clear that everyone should be engaging in activity to move themselves closer to and ultimately into work. Sanctions are an important element within the system, to be used as a last resort when individuals fail to attend meetings without good cause, when all avenues to work with the individual have met with resistance or when the basic conditions for receiving benefit are not met. The Review believes that an effective sanctions regime would be one that drives behaviour to increase the chances of finding work, and penalise non-compliance without creating excessive hardship*”

It was recommended that, an effective benefit sanction regime should therefore:

* Increase compliance with labour market requirements, particularly attending meetings with advisers
* Be clear and easy to understand
* Be fair, timely and consistent in the way it is imposed
* Be proportionate and not excessive in hardship

However, since the election of the Coalition government in 2010, there was an escalation in the administration of sanctions which has had a massive impact on those people who have been sanctioned.

As noted in Joseph Rowntree *Welfare Sanctions and Conditionality in the UK* (Watts et al 2014)

*“the scope and scale of behavioural forms of conditionality, as well as the severity of the sanctions applied for failure to comply with the required conduct (e.g. attending appointments with employment advisers), has increased substantially since the 1980s. Some particular groups - notably lone parents, sick and disabled people, offenders and some categories of migrants - have also been targeted for specific conditionality measures”*

**The Welfare Reform Act 2012** which was introduced from 22 October 2012 set out government’s intentions for a ‘stronger and clearer system for conditionality and sanctions:

* higher level sanctions (for example for leaving a job voluntarily) will lead to claimants losing all of their JSA for a fixed period of 13 weeks for a first failure, 26 weeks for a second failure and 156 weeks for a third and subsequent failure (within a 52 week period of their last failure)
* intermediate level sanctions of 4 weeks for a first failure, rising to 13 weeks for a second or subsequent failures (within a 52 week period of their last failure) may be applied following a period of disallowance for not actively seeking employment or not being available for work
* lower level sanctions (for example for failing to attend an adviser interview) will lead to claimants losing all of their JSA for a fixed period of 4 weeks for the first failure, followed by 13 weeks for subsequent failures (within a 52 week period of their last failure

[www.legislation.gov.uk](http://www.legislation.gov.uk) The Jobseeker’s Allowance (Sanctions) (Amendments) Regulations 2012

Ian Duncan Smith (the then Secretary of State for Department of Works and Pensions) was noted as saying (Press Release 20 Feb 2014, The Guardian 1 October 2013) at this time:

“As part of the government’s long term economic plan, we are ending the something for nothing culture and supporting those who want to work hard and play by the rules. People who are in a job know that if they don’t play by the rules or fail to turn up in the morning, there might be consequences. So it is only right that people on benefits should have similar responsibilities. However, ***sanctions are only used as a last resort… The new sanctions regime {will} also make sanctions more proportionate:*** with shorter sanctions for minor offences and tougher ones for repeat offenders…”

**Supporting evidence: the impact of the sanction regime nationally**

There are a high number of reports (predominantly relying upon the collection of qualitative data) which highlight the impact of the current sanction regime. Reports consistently make reference to the punitive nature of the sanctions regime. They provide evidence that questions the government’s intention of sanctions being used as a last resort and being proportionate to the offence that has occurred. What becomes apparent is that sanctions are administered for minor infringements and not due to claimants ‘not actively seeking work’ and a high percentage have occurred due to a ‘lack of communication’ between the DWP and the claimant. For the purpose of this report, I will reference some of the most pertinent of these reports, but Thrive would like to acknowledge the sheer volume of reports, newspaper articles and individual testifying stories which discuss the punitive nature and harsh impacts of benefit sanctions. It is also worth noting the frustration we found in our local community with relation to the implementation of sanctions and the strong desire to raise awareness and affect change.

***Time to rethink Benefit Sanctions***, 2015 ( a report by Church Action on Poverty, the Baptist Union of Great Britain, the United Reformed Church, the Methodist Church, the Church of Scotland and the Church of Wales) found that **in 2014, over 1,000,000 sanctions were imposed**, 8880,000 remained after appeals. They also found that:

*‘the penalties attached to sanctions often did not appear reasonable or proportionate to the “failure” that had occurred. If a similar system operated in a workplace - where pay was immediately removed for a month for being late for a meeting or not achieving a weekly target - we might reasonably expect action to be taken against the employer’*

People subjected to these sanctions appeared to have a poor relationship with the DWP and feel powerless, voiceless and stigmatised.

*"Our time spent in JCP offices showed us a difficult relationship between staff and clients, with negative attitudes on each side, and a general ‘us and them’ feel to encounters".*

This report also noted that,

*“The UK’s sanctions regime is one of the most severe in the developed world. The evidence that any sanctions system has long term beneficial effects is notably thin. There is however no evidence that a system as harsh as the UK’s has beneficial effects*”

**Welfare Sanctions and Conditionality in the UK (2014)** a round-up collection of evidence collated during the initial stages of a 5 year Economic and Social Research Council (ESRC) funded research study – *‘Welfare Conditionality: Sanctions, Support and Behaviour Change’* found that:

 “*sanctions were used much more frequently within the welfare benefits system and the severity of sanctions had also increased with conditionality now being applied to previously exempt groups (e.g. lone parents, disabled people)”.*

Benefit sanctions are having a strongly disproportionate effect on young people under 25, and there is now evidence of severe impacts on homeless people and other vulnerable groups.

There are also concerns that welfare conditionality leads to a range of unintended effects, including: distancing people from support; causing hardship and even destitution; displacing rather than resolving issues such as street homelessness and anti-social behaviour; and negative impacts on ‘third parties’, particularly children.

After spending 18 months in a Stockton based foodbank, Kayleigh Garthwaite (2016) cited **benefit conditionality**, otherwise known as sanctions as the most common reason for a person’s referral to the foodbank.

**Thrive’s response: Empowering Sanctioned Claimants**

Thrive secured 2 year funding from Comic Relief to develop an understanding of the impact of the sanctions regime within Teesside on: (a) the claimants, (b) the Job Centre staff who are tasked with implementing it and (c) the wider community through posing the following key questions:

1. What is the effect upon jobseekers of the new sanctions regime?
2. Do Job Centre Plus staff feel that collective representation from job centre customers of their issues is a positive move and improves their understanding of barriers faced by people subject to sanctions?

It is key that Thrive present opportunities to change practice and improve livelihoods for people who are marginalised and have little confidence to affect change. Building the confidence and capacity in communities to ultimately affect change within the current sanctions regime is challenging and therefore this work is not envisaged to cease at the end of the 2 year funding. Recommendations from the findings will be disseminated and inform future actions

Empowering Sanctioned Claimantssupported 40 jobseekers. The design of the project aimed to build claimants’ confidence so that they felt able to develop positive relationships with work coach advisors. The project also provided opportunities for claimants to speak out about their experiences and work with Thrive to challenge the regime and affect change.

**Our Findings**

Appendix 2 provides a summary of the information gathered from the 40 sanctioned claimants living in Teesside

32 claimants had one sanction (30 were sanctioned for 4 weeks / 2 for 6 weeks) and 6 had more than sanction. 1 ‘claimant’ infringement was under review and one claimant was sanctioned for 3 years.

Our findings highlighted that claimants who had been sanctioned dis not have enough income to maintain basic levels of subsistence, which severely affected their quality of life. 29 claimants went without any income for 4 weeks – 5 of these sanctioned claimants had support from their family, but 24 had **no** **other financial assistance** hence their needs were not met. For each claimant who was sanctioned for 4 weeks and went without any income, this equates to an individual financial penalty of **£292.40** each.Taking into account of the 29 claimants loss of JSA for a 4 week period confirms a total loss of **£8,479.60.**

Minimum Income Standards (MIS) are set according to what people think is needed for a minimum socially acceptable standard of living in the UK. Using a Minimum Income Calculator, a single parent living with 2 school age children would require an income of £30,940 per year (£618.33 per week) to ensure a social acceptable standard of living and a single person with no dependents would need £17,311 (£286.54 per week). Clearly individuals and households reliant upon benefits fall short of this minimum income standard (Davis A et al (2016); Poverty and Social Exclusion 2016)

**Meaningful Claimant Commitments and Proportionate Sanctions?**

Job Seekers Allowance (JSA) is a benefit to financially support people whilst they are unemployed and actively looking for work. Whilst receiving JSA, claimants are supported by work coaches who will support them to find work. As part of this process claimants are asked to sign a Claimant Commitment. Examples of Claimant Commitment requirements include a minimum number of jobs to be searched for each week, a maximum distance which the claimant would be willing to travel to work, or agreement to attend specific training to enhance skills. ‘A personalised approach to labour market activity… encouraging claimants to take responsibility for themselves when preparing for work and finding work’ are the fundamental priorities underpinning the rationale for this regime. ‘Work is still the best route out of poverty and an escape from benefit dependency (whatdotheyknow.com 2016). Accepting the claimant commitment is a condition of entitlement.

In theory, the requirements outlined the Claimant Commitment should be discussed and decided together between the claimant and their work coach advisor, not ***enforced*** and reviewed regularly – making adjustments as deemed necessary. All of the claimants interviewed throughout this project acknowledged that they had signed a Claimant Commitment and had *some* awareness of what was entailed. However, none of the claimants felt as though they had been actively involved in the decision making process about what requirements would be put into the Claimant Commitment and argued they had not had appropriate discussions about their individual situation and needs. Claimants expressed that they had signed ‘whatever the advisor had listed’ on their Claimant Commitment, and signed because they thought ‘they had to’. This led to a poor understanding of the Claimant Commitment on behalf of the claimants or Claimant Commitments which did not fit their situation and needs.

***So what happened as a result:***

15 claimants, **37.5%** received a sanction due to ‘insufficient job search activity’.

*‘I didn’t even know I was sanctioned till I went to get my money out of the bank … I struggle each day … I have some trouble with drink and drugs… don’t know what they mean’ about not applying for enough jobs…’ ‘I was told that I had applied for one job less than I should have…I had no internet access and did the best I could’ ‘I was already working 15 hours a week.. what more did they expect .. I still kept applying for jobs..’*

22 claimants, **55%** were sanctioned due to ‘missed appointments’

*‘I told the job centre my son was in hospital ill .. I was told not to worry and this was not a problem.. I later realised I was sanctioned for failing to attend my appointment. I gave the job centre evidence of my son being in hospital they said it was insufficient evidence’*

*‘ I missed one appointment…sometimes, I get a bit confused over all the different appointments .. I didn’t do it on purpose’*  (Claimant with additional needs, low level skills and poor mental health)

*‘They changed my appointment and I had moved address so didn’t know about it .. I was still sanctioned’*

*‘I had a family bereavement and was told my appointment would be changed…this didn’t happen and I was sanctioned’.*

*‘I was attending a CSCS course but also booked in with my advisor at the same time .. I attended the course and was sanctioned…I didn’t know I could appeal’*

**Who was sanctioned?**

**38** sanctioned claimants lived in areas throughout Teesside with high levels of deprivation

**29** males and **11** females were sanctioned

**9** households had dependent children living with them

17 (**42.5%)** self-reported as suffering from mental health problems, chaotic lifestyles and limited support in the community

**Did people appeal?**

12 claimants, **30%** did not realise they had been sanctioned until they went to take their benefit out of the bank

17, **42.5%** sanctioned claimants appealed the decision, with 6 of the 17 (**35%**) decisions being overturned.

9 claimants, **22.5%** did not know that they could appeal the decision with an additional number of claimants choosing not to appeal as ‘*they didn’t think it was worth it – why bother, I was told by the job centre staff that it would take 6 months’.* One grandparent who is awaiting the outcome of a decision would already be 2 weeks into the sanction therefore she does not want to appeal as *‘this could take up to an additional 6 weeks.’*

25 claimants, **62.5%** did not know about hardship payments

**Impact of the sanction**

Reducing a claimants income by imposing a sanction led to **all** **project beneficiaries having either a limited ability or no ability to pay household bills.**

 ‘*I nearly lost my* *home, couldn’t pay lodge’.*

Putting money on any gas or electricity card was impossible, households spiralled further into debt and were unable to buy food. Claimants were often ‘*going without food so that their children could eat’*, *‘living off porridge’,* relying on foodbank referrals or *‘relying on family’* to feed them. Basic dietary requirements were unobtainable, impacting on claimants physical and emotional wellbeing. This evidence is supported by Kayleigh Garthwaite’s recent book *Hunger Pains*, which linked sanctions to increased foodbank use in Stockton-on-Tees

23 sanctioned claimants **57.5%** talked about increased levels of anxiety and stress,

 “*living on £36 per week….I have mental Health problems…. after being sanctioned I attempted suicide*”.

Low mood levels and heightened feelings of anxiety led to sanctioned claimants becoming more socially isolated. Not going out or having the bus fare to visit family was noted in a number of testimonies

Family relationships suffered,

‘*we missed bills, I became stressed and argued with partner, had to borrow money for everyday living costs’… ‘Added extra pressure on Mum, who is now facing eviction due to non-payment of HB/CT, as {he} was unaware this would stop’*

**Case study**

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| --- |
| **Josh** is 19 years old, this is his second sanction which is for 6 months he was 18 and living in a Hostel in Middlesbrough when he was sanctioned.He was moving out of the Hostel to go and live with a friend, he informed the Jobcentre of his new address prior to moving. A letter was sent to the Hostel after moving to attend an appointment with his JCP adviser, the letter was not passed onto Josh and he did not attend the appointment. His adviser rang him and informed him that he had been sanctioned due to the missed appointment. Josh explained he had not received the letter and that he had provided his new address with plenty of notice, his adviser explained that he could appeal against the decision and that he may be eligible for a hardship payment. He did appeal but was not successful nor did he receive a hardship payment.The effects of the sanction where huge for Josh as he had no family that he could turn to for help. He used a local church food bank which was a great help to him. He was unable to pay any of his bills which caused arguments between him and his friend, he was asked to move/look for somewhere else to live.Josh has now started an apprenticeship programme and is living with his girlfriend, however he is still in financial hardship due to his low apprenticeship wage and is still sanctioned for a further 6 months should he need to make a claim for JSA. |

**Searching for A Way Forward – using the information gathered to affect change? Responses from DWP**

Having collated the data, **action** was the next step.

Thrive decided to host an event which would discuss the fairness and appropriateness of the benefit sanction, and we wished for our local politicians alongside members of the DWP to be in attendance to encourage open discussion. In 2015, Thrive approached Stockton-on-Tees local MP’s MP’s – Alex Cunningham and James Wharton to present the findings to date and seek their support to reach out to the Secretary of State, Ian Duncan Smith and Employment Minister, Priti Patel.

James Wharton, MP was not responsive to any correspondence. Alex Cunningham, MP contacted the then Employment Minister, the Rt Hon Priti Patel, MP and received the following response:

 *“the government sees sanctions as playing an important part in the labour market system, encouraging people to comply with conditions that will help them to move into work. We want the conditionality system to be clear, fair and effective in promoting positive behaviours and we will continue to keep it under review so that it meets those aims.*

*Our commitment to keeping the conditionality system under review is clearly illustrated by not only the number of improvements already made to the Job Seekers Allowance and Employment Support conditionality systems following recommendations in the independent review led by Matthew Oakley in 2014, but also by our recent and positive response to the Work and Pensions Select Committee report issued on 22 October {2015}*

*In our response to the Chair of the Committee we have clearly outlined the work the Department of Work and Pensions has already undertaken to review the conditionality system, and the changes we intend to make*

*Our response to the Committee includes the announcement that we will trial a sanctions warning system….. & we have already accelerated the process for considering hardship payment claims so that they are paid within 3 days. In addition we will consider extending the definition of ‘at risk’ groups for hardship payment purposes to include those with mental health conditions and those that are homeless. This means that they could seek access to hardship payments from day one from a sanction being applied’*

**Letter (3 Oct 2015) from the Rt Hon Priti Patel, Employment Minister at the time declining attendance to Thrive’s benefit sanctions event**

Thrive re-contacted the Employment Minister and once again, attendance at an event *was* declined due to ‘*current diary commitments’*

Although Thrive were *‘applauded for the work they carry out in disadvantaged communities in Teesside’* with an acknowledgement of‘*the commitment and**initiative of* *local organisations {being} a vital compliment to what government is doing to provide opportunity for those facing the greatest challenges’*, unfortunately, the rest of the response highlighted the positive work conducted by the DWP, who now,

‘*invest significant resources to help job seekers move quickly into work via Jobcentre Plus and Universal Jobmatch which provides fast, easy access to thousands of jobs…. Specialised provision is delivered through the Flexible Support Fund aimed at supporting vulnerable jobseekers with mental health conditions, learning disabilities or other disabilities….*

*At the heart of this system of support is the requirement that people will take action to seek employment for themselves. Work Coaches agree the activities a job seeker should undertake with them at the start of a JSA claim … this takes into consideration their circumstances and capability, including health conditions, disability and caring responsibilities.*

*As taxpayers would expect, for the small minority of jobseekers who refuse to meet their agreed requirements or refuse to take up employment without good reason, a benefit reduction is applied. The system of sanctions focusses benefit claimants on doing everything that they can to find work – this approach is working. The number of sanctions is going down and employment is at a record level*

*The decision to temporarily halt a benefit payment is always thoroughly considered and is not something we do lightly … there are a number of steps in the decision making process to ensure that our decisions are correct…*

*There is clear evidence that sanctions are effective: over 70% of JSA and over 60% of ESA claimants say sanctions make it more likely that they will follow the rules. An independent review was carried out by Matthew Oakley in 2014 and all 17 of his recommendations have been accepted’*

**Letter (Feb 2016) from the Rt Hon Priti Patel, Employment Minister at the time declining attendance at Thrive’s benefit sanction event**

**Thrive’s contribution to the Benefit Sanctions in the North East of England, A parallel Report to the Committee on Economic, Social and Cultural Rights for the examination of the United Kingdom’s 6th periodic report (April 2016)**

The research in this report was assisted by Thrive Teesside and data gathered throughout Teesside supported the concluding observations. “The benefit sanctions scheme is causing real hardship for vulnerable individuals in the area of the North East of England. In particular, we found;

* The State has enacted deliberately retrogressive measures in relation to article 9. (fulfilling aspects of the right to social security)
* The State is not meeting its obligation to fulfil under article 9
* The State is failing to provide the minimum essential level of the right to social security
* The right to non-discrimination in the right to social security is not being met
* Aspects of the right to work are not being complied with.

Following the presentation of this report, The UN Committee on Economic, Social and Cultural Rights released its Concluding Observations following its examination of the UK. There is a strong condemnation of a wide range of social policies: <http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=E/C.12/GBR/CO/6&Lang=En>

The Committee is concerned about the extent to which the State party has made use of sanctions in relation to social security benefits and the absence of due process and access to justice for those affected by the use of sanctions (art. 9 and 11).

41. The Committee calls upon the State party to:

(c) Review the use of sanctions in relation to social security benefits and ensure that they are used proportionately and are subject to prompt and independent dispute resolution mechanisms; ...

The recommendation is now to be considered at all levels of government, and civil society pressure helps encourage that 'consideration'.

**Meeting with DWP Strategy Labour Market representative, DWP External Relation’s Manager and DWP Regional Manager: 28 September 2016**

In response to the non-attendance of the Secretary of State and Minister for Employment at Thrive’s sanction’s event on the 2 September, Thrive’s management team met with DWP representatives to present their findings to date and discuss the recommendations that were to be put forward

A way forward was not achieved. Thrive were left defending the evidence they had gathered and the DWP remained steadfast with their rhetoric surrounding the current regime.

 ‘*95% of claimants comply and having financial penalties as part of the conditions on claimants is effective’*

Strategy, Policy and Analysis Group DWP

The DWP questioned Thrive’s testimonies and asked

‘*whether participating claimants were really sanctioned … sometimes claimants have their claim shut down and this is not a sanction… take for example, a missed appointment that was not reasonably justified, their benefit entitlement would not be paid into the bank within the next 3 days…. So if we then didn’t hear from the claimant, their claim would be shut down after 5 days. Sometimes claimants get confused about this and think they are sanctioned’*

DWP Regional Manager

With regards financial penalties, DWP comments included:

‘*sanctions are not punitive and are proportionate to the offence that has occurred…financial penalties for non-compliance are now common practice within work environments… an example was cited relating to one organisation who imposed financial penalties against employees who took more than their allocated break times’*. Strategy, Policy and Analysis Group,

DWP representative.

The example of financial penalties being implemented in the workplace, however, does not equate to the loss of a minimum four weeks income as is the case with a benefit sanction

With regards claimant commitments and support offered to claimants, DWP comments included:

‘*Work coach advisors work closely with claimants and it is never about claimant commitments focussing on a number of jobs claimants need to apply for.. it is also about seeking to overcome potential obstacles and allowing the time for individual claimants to fully prepare for interviews…this would vary depending on need. For example, it was a university graduate who needed to travel some distance and give a presentation as part of an interview process, they will obviously need some time to prepare…they may even need to get their hair done… obviously we {Work Coach Advisor/DWP} wouldn’t expect them to carry out any other work related activity that week….however, the same principle would not apply, if it was a claimant going for an interview at, say for example, Greggs… we would be expected other work related activity to be carried out’*

DWP Regional Manager

And finally, with regards having meetings between claimants and work coach providers/DWP officials … *‘we {the DWP} would* ***never*** *attend an event where claimants are giving testimonies..*’

This was not a productive meeting overall. One of the initial project questions was, ‘Do Job Centre Plus staff feel that collective representation from job centre customers of their issues is a positive move and improves their understanding of barriers faced by people subject to sanctions?’ From this meeting, Thrive had to conclude that Job Centre officials do not see this as a positive move, and we question the unwillingness of staff to work with us on reducing the numbers of people sanctioned.

**Keeping the action alive – Taking forward the following recommendations**

* Ensure alternatives to financial penalties are sought
* Request that a written warning system is introduced and that sanctions are used as a last resort.
* Sanctions are fair and proportionate, taking into account the circumstances of the claimant.
* Work Coach Advisors to clearly demonstrate that they have worked with the claimant to agree the Claimant Commitment and it takes into account the claimants circumstances, skills and limitations.
* Information relating to any intention to sanction should be provided at the point of which the investigation is undertaken thus providing an opportunity for the claimant to present their case before any decisions are made.
* Decision makers to evidence that they have attempted to obtain evidence from the claimant and are able to make their decisions with ‘all’ the information needed.
* Early resolutions are sought and timeframes for reconsiderations and appeals are shortened. If the decision is to sanction, then Work Coach Advisors initiate the hardship payment process.

155 people have signed the recommendations to date. Some signatories are representatives of organisations delivering services throughout Teesside, others are individual members of the community



 

**Concluding comments**

This project sought to answer the following questions:

1. What is the effect upon jobseekers of the new sanctions regime?
2. Do Job Centre Plus staff feel that collective representation from job centre customers of their issues is a positive move and improves their understanding of barriers faced by people subject to sanctions?

Impact of the current sanction’s regime:

The data collected from 40 sanctioned claimants clearly evidenced the negative impact of the current sanctions regime. Reducing a claimants income by imposing a sanction led to **all** project beneficiaries having either a limited ability or no ability to pay household bills.

23 sanctioned claimants **57.5%** talked about increased levels of anxiety and stress,

“*living on £36 per week….I have mental Health problems…. after being sanctioned I attempted suicide*”.

Low mood levels and heightened feelings of anxiety led to sanctioned claimants becoming more socially isolated. Not going out or having the bus fare to visit family was noted in a number of testimonies and family relationships suffered,

‘*we missed bills, I became stressed and argued with partner, had to borrow money for everyday living costs’… ‘Added extra pressure on Mum, who is now facing eviction due to non-payment of HB/CT, as {he} was unaware this would stop’*

Benefit sanctions led to an increased number of people needing to use the foodbank, which has also been evidenced in Kayleigh Garthwaite’s book *Hunger Pains* (2016)

Did Job Centre Plus staff feel that collective representation from job centre customers of their issues is a positive move and improves their understanding of barriers faced by people subject to sanctions?

This project was not able to bring DWP staff and job centre claimants together.

*‘we {the DWP} would* ***never*** *attend an event where claimants are giving testimonies..*’ was the response given at a meeting held on the 28 September 2016.

Thrive also facilitated an end of year event to present the findings of the project with DWP representatives being invited – none attended. The External Relations and Partnership Manager’s response to the invite being:

*“I am aware that you have invited some of my Partnership Managers to attend this conference.* ***Unfortunately this is not something we would attend based on the subject matter being discussed.***

*If however you have any concerns about specific cases I am more than happy to discuss them with you, as long as written consent is received from the customer concerned prior to the discussion taking place”*

Comments raised by the DWP representatives who met with Thrive placed great emphasis on the recommendations within the Oakley review. According to them, practice within job centres has been improved and fully takes into consideration the needs of claimants. However, Thrive’s work with sanctioned claimants found that the 17 recommendations put forward in the Oakley Review 2014 around clearer communications methods were not consistently evidenced.

* Claimants felt that their Claimant Commitments were imposed on them rather than being agreed with them.
* 12 claimants, **30%** did not realise they had been sanctioned until they went to take their benefit out of the bank
* 9 claimants, **22.5%** did not know that they could appeal the decision and 25 claimants, **62.5%** did not know about hardship payments.

This is at direct odds with the comments raised by the DWP staff during their meeting with Thrive on the 28 September 2016.

In regards to ‘insufficient job search activity’ as a cause of sanction, Thrive question the way is which a decision on suitable levels of job search activity is reached. The Claimant Commitment is a record of a claimant’s responsibilities in relation to an award of JSA and are arguably, generated as a result of a conversation between the work coach advisor. Through discussions, claimants (debatably) agree the steps, actions and responsibilities that will move them closer and into the labour market. So, how is ‘insufficient’ reasoned? The DWP assure us that it is no longer a requirement to assign a specific number of jobs to apply for within a claimant commitment, yet claimants are still commenting on a numbers:

 ‘*I applied for 1 less job than should of, I had no internet access…. The information from advisors differed, one said 13 weeks, one said 4 weeks, my sanction was 6 weeks…*’ One claimant informed Thrive that his advisor, *‘so pleased he had applied for loads of jobs – it’s numbers that count…it gives you more chance of getting a job….’*

**Continuing the campaign and living in hope of affecting change #WeAreAllDanielBlake**

In the wake of this project Thrive are continuing their involvement with raising awareness of benefit sanctions and believe the awareness raising campaign surrounding ken Loach’s film, *I Daniel* Blake is a useful tool. We hope to instigate a response to the issues the film I Daniel Blake raises

I Daniel Blake, is a new film from Ken Loach, filmed in Newcastle portraying the life of a hardworking joiner who following a heart attack, finds himself caught on the barbed wire of welfare bureaucracy when for the first time ever he requires help from the State.

I’ Daniel Blake, is more than a film, it is as the critics describe it “A protest cry for humanity”. “A succinct and furious raging against the dying of the light” “A ballad for the common man”

At the conclusion of this project, Thrive firmly believes that benefit sanctions are both disproportionate to the offence, being administered unfairly and without due information being provided to sanctioned claimants. Our mission is to continue to campaign, speak out and raise awareness around these issues, to promote the film, *I Daniel Blake* and to support those who have been sanctioned



**Appendix 1**

**Oakley Review: Summary of recommendations**

The 17 recommendations made in the Oakley Review are outlined below.

**Improving letters**

1. All letters sent to claimants (including those at referral, good reason and decision notification stages of the sanctions process) should be reviewed to improve claimant understanding. They should give a personalised description of exactly what the sanction referral or decision relates to and include clear information about reconsideration, appeals and hardship.
2. The Department should work with experts in communication and behavioural insights to test whether variations in the style and content of letters could boost the proportion of claimants who open and engage with the letters they have been sent.
3. The Department should work with Local Authorities to improve the coordination of their approach to delivering Housing Benefit for claimants who have been sanctioned. In the short-term, all letters and communications informing claimants of the application of a sanction should advise claimants already in receipt of Housing Benefit to contact their Local Authority about their claim.

**Broader communication improvements**

1. The Department should ensure that an accessible guide to benefit sanctions that includes information and links to details of the process of reconsideration, appeals and hardship payments is available in both hard-copy and on-line through the gov.uk website.
2. The Department and providers should work together with stakeholders and advocates for groups with communication support needs to develop an approach for identifying and engaging claimants who might require third party support to understand letters sent while they are on mandatory schemes.
3. After sanction decisions have been made, the Department should consider how vulnerable groups might be identified and helped to claim hardship payments and/or access support services offered through Jobcentre Plus and contracted providers.
4. As recommended by the Social Security Advisory Committee, the Department should ensure that claimants’ communication preferences are routinely recorded and that communications are delivered through the requested channel. This information should also be shared with providers of mandatory schemes and guidance adjusted so that they also communicate with claimants in the manner requested.

**Improving claimants’ understanding of conditionality requirements**

1. The Department should work with providers to review procedures to ensure that claimants on mandatory back to work schemes have a clear understanding of their responsibilities to both the provider and Jobcentre Plus. The Claimant Commitment should be shared with providers of the scheme so that they are able to tailor their provision to fit around Jobcentre Plus requirements and any easements that have been highlighted.
2. Where claimants are being referred to the Work Programme, the Department should test whether understanding and compliance could be improved by agreeing the Claimant Commitment between Jobcentre Plus advisers and the claimant, in consultation with the adviser from the provider.
3. The Department should consider whether the current model of dual requirements from Jobcentre Plus and providers could be adapted to improve claimant understanding.
4. To test potential opportunities to improve claimant understanding, the Department should work with providers to pilot a new approach using warnings and non-financial sanctions following a first failure to comply with conditionality on the Work Programme.

**Improving communication and understanding of the sanctions process following referral**

1. The Department should revise guidance and/or enabling legislation so that, in some circumstances, providers of mandatory back to work schemes are able to accept good reason from claimants.
2. The Department should require providers to check all potential sanctions referrals through the Provider Direct system to ensure that administrative errors have not led to ineffective communication.
3. Guidance for providers should be revised to require that providers have an obligation to take proportional steps to seek good reason from claimants. All subsequent referrals for a sanction should outline the attempts that a provider
4. Referrals for sanctions from mandatory schemes should be automatically flagged to the claimant’s Jobcentre Plus adviser. Following this, advisers should attempt to explain, via the claimant’s preferred method of communication or at their next fortnightly sign-on, that a referral for a sanction decision has been made. This should also be an opportunity for the claimant to give good reason.
5. The Department should build on the approach it has taken for the appeals process and introduce a commitment to make decisions over sanctions referrals within a set timescale. This should include both initial sanction decisions and reconsiderations.
6. The Department should revise procedures and guidance to ensure that proportionate steps are taken to inform all claimants of a sanction decision before the payment of benefit is stopped. Again, claimants’ preferred method of communication should be used to convey this message.

**Appendix 2**

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
|  | **M/F** | **Age** | **Length of sanction & reason** | **Appeal Y/N** | **Outcome of appeal****Hardship Y/N** | **Impact of sanction** |
| **1** | **M** | **21** | **4 weeks**: Post was late so appt was missed – JC was informed immediately. Did not know he was sanctioned until he went to draw money out. Letter was received a few days later | Y | ReinstatedNot notified of hardship  | Pressure placed on relationship with family / unable to meet basic needs / went without food |
| **2** | **M** | **53** | **4 weeks:** Not evidencing job search activity through UJM / was using his own methods of keeping track of job search activity. Didn’t receive letter or phone call from JCP regarding sanction, only found out when he went to bank | N – didn’t know he could | Not notified of hardship | Stress, unpaid debts, less food, felt really low. |
| **3** | **M** | **19** | **4 weeks:** Appointment letter went to old address (Hostel) although JCP were informed with plenty of notice regarding the change | Y | RejectedHardship rejected  | Had to move out of the hostel as he did not receive hardship payment, relied on Foodbanks, he was not informed his Council Tax /HB would stop. |
| **4** | **F** |  | **4 weeks:** Missed appointment / lone parent of 2 children with additional, learning needs / low level skills / poor mental health and chaotic lifestyle | N | Not notified of hardship | Limited income impacted on ability to pay household bills / buy food. Anxiety levels increased / children ‘went without’ and ‘suffered’ |
| **5** | **F** |  | **4 weeks:** Missed appointment – JC changed date and said they rang her mobile – she had changed her phone so did not receive message. Did not know she was sanctioned until she went to bank | N | Did not know about hardship payments | 4 weeks - relied on friends and family to help her out at times, used foodbanks or went without - no bills paid - did not know about being able to appeal or claim hardship |
| **6** | **F** | **30** | **4 weeks:** Not enough job search activity **-** Is drug and alcohol dependant and is not fit for work. Did not know she was sanctioned until she went to bank | N | Did not know about hardship | Stress / worry / isolated with only a few associates. No one to rely / had foodbank referral slips or went without food |
| **7** | **M** | **31** | **6 weeks:** Dismissed from work, did not agree with this  | Y | RejectedNot notified about hardship or impact on other benefits | Missed bills, stressed, arguing with partner, had to borrow money for everyday living costs |
| **8** | **F** | **24** | **6 weeks:** Applied for 1 less job than should of, Sarah had no internet access. Information from advisors differed, one said 13 weeks, one said 4 weeks, sanction was 6 weeks. | Y | Rejected – but is now taking this to a tribunalHardship rejected\*note – JC have since accepted liability | Now has debt problems, didn’t know how she would cope without support from her family |
| **9** | **M**  | **18** | **4 weeks:**  put on a course at Nacro, which he was not interested in, he did not turn up to the course / chaotic lifestyle / no support / no fixed abode  | N – he was made aware that he would be sanctioned |  | Sam was sleeping on a cousin’s sofa at the time. Sanction caused arguments and added pressure to his already chaotic lifestyle.Relied on foodbank referral or went without food |
| **10** | **M** | **36** | **4 weeks:** Avanta had booked him onto a CSCS Course but also booked an appointment with an advisor which conflicted with times. Only knew he had been sanctioned when he went to the bank | N – he didn’t know he could appeal | Did not know about hardship | Lived off £60 for the full 4 weeks, felt very unwell, mentally & physicallyOften skipped meals and did not leave the house. Unable to pay bills or do anything |
| **11** | **M** | **41** | **9 months:** Could not cope with pressure put on by JCP (suffers with mental health issues), went onto ESA, pressure continued and became disengaged from process | Y | Rejected  | “living on £36 per week.. I have mental Health problems…. after being sanctioned I attempted suicide” |
| **12** | **M** | **40** | **4 weeks:** Sick note posted12 weeks before sanction, JCP rang and said they had not received it. After becoming very upset and a bit aggressive on the phone – a sanction was a result | No | Didn’t ‘bother applying for hardship’ | I had to rely on a food bank (which I volunteered for) I missed most of my bills and became very irritable. |
| **13** | **M** | **30** | **4 weeks:** Missed appointment with work programme – just forgot / living a chaotic lifestyle / receiving support from the Moses Project. Didn’t know until he went to the bank | No | Was not informed he could appealDid not know about hardship | Finallyreceived letter - Myself & my wife were sanctioned we had zero income, we had no gas/electric or food.  |
| **14** | **F** | **34** | **No end date:** Working 15 hours per week and was unable to apply for the usual amount of jobs stated in agreement. Unaware this would cause a sanction as was already in employment - received letter informing her she had been sanctioned, with no end date. | No | Did not know about hardship | It was a struggle with the little money she had coming in and often went without food so her children could eat. |
| **15** | **M** | **29** | **4 weeks:** Informed (rang) JCP explaining he could not attend appointment with Avanta, Thought the JC had agreed to change it to another day | Yes, but did not under stand  | RejectedDid not know about hardship | “I had no food, couldn’t pay bills which resulted in debt, I turned to crime to pay for basic living, this caused my family stress and affected my mental health” |
| **16** | **M** | **35** | **3 sanctions:** first sanction **4 weeks** answered phone to a family emergency whilst on an employability course Second -missed an appointment with Avanta Third – **13 weeks** missed appointment, letters were sent to the wrong address on all occasions, I didn’t know I had been sanctioned until I went to sign on. | Yes | First sanction remained.Second sanction was overturned - he then signed off JSA | Couldn’t eat, pay bills, had no gas/electricity, couldn’t visit family which “made me very depressed.” |
| **17** | **M** | **43** | **4 weeks:** Insufficient job search activity – even though evidence was there to demonstrate ‘actively seeking work’ | Yes | Rejected | Impact on family – led to high levels of stress. Struggled to feed children, no gas or electric, had to rely on foodbank |
| **18** | **F** | **41** | **4 weeks:** Sick note put into JC, this was not accepted / suffering from mental health issues – anxiety and depression. Received letter with information regarding sanction, has difficulty reading,  | No | Did not know she couldWas unaware of hardship | More isolated, depressed and anxious. No family support. Relied on several food bank referrals or went without food. No bills paid – further into debt |
| **19** | **M** | **22** | **4 weeks:** mental health problems / chaotic lifestyle. Di not attend appointment with Avanta when appt was changed- had no access to his mail as letterbox was screwed down. Has no phone or internet access.Did not know he was sanctioned until he went to bank | No – would have needed support to do this & none was offered |  | Now in debt, family breakdown, had to rely on foodbank |
| **20** | **M** | **25** | **4 weeks:** Not enough job search activity | Yes | Money was backdated | “Nearly lost my home, couldn’t pay lodge, mental health suffered, had to rely on foodbank” |
| **21** | **M** | **44** | **4 weeks:** Genuine first mistake: Missed appointment at Triage, informed them the following day. | No – did not think it would work out | Did apply for hardship and received it | Has mental health issues and is dependent on drugs & alcohol. He is not receiving any support for this. He had to stay with a friend during the sanction as he had no heating/electricity or food. |
| **22** | **M** | **21** | **4 weeks:** Late for an appointment with work coach advisor | No – did not know he could | Did not know about hardship | Added extra pressure on Mum, who is now facing eviction due to non-payment of HB/CT, as he was unaware this would stop. |
| **23** | **M** | **18** | **Was not notified of length of sanction:** Not adhering to `Claimant Commitment` by lack of job search evidence | No – did not know he could |  | Lack of income / no ability to pay for anything / low mood .. unsure of next steps… |
| **24** | **M** | **20** | **4 weeks:** signing had changed to weekly and this wasn’t made clear. Didn’t know he had been sanctioned until he went to the bank | No | Claimed hardship | Lived off a reduced income – affected ability to buy food / bills and do anything |
| **25** | **M** | **50** | **4** **weeks:** 2 minutes late for an appointment | Yes | Money back dated | Restricted income so unable to afford to pay bills / got behind on bills / low mood / very stressed |
| **26** | **F** |  | **4 weeks:** Informed JCP she was going to Blackpool, her advisor changed her sign on location - when she came home she had been sanctioned - non payment | No – did not know she could | Did not know about hardship | Had to rely on support from family / stressed and anxious |
| **27** | **F** | **60+** | **Under review:** Sent to decision maker - Not enough job search activity – Guardian of grandchildren & has to apply for 15 jobs per day. Suffering a number of health conditions which restrict her from doing certain physical work | N/A |  | Reduced income with a family to feed and poor health. If she has been sanctioned and it is for 4 weeks and she then goes on to appeal, she is already 2 weeks into the sanction therefore she does not want to appeal as this could take up to an additional 6 weeks. |
| **28** | **M** | **40** | Sanctioned 3 times, reason given was not enough jobsearch and the 3rd -**13 weeks** sanction was given whilst attending a 6mth training course | Y | Only second sanction was over turned | Suffered from severe depression and now claims ESA. He was almost evicted from his flat as his HB&CT payments stopped. He was refused a foodbank donation which made his daily living very difficult. |
| **29** | **M** | **20** | **3 years:** Sanctioned 7 times until May 2016 for a number of reasons – insufficient job searches being the primary reasons alongside missed appointments. He was living with his Dad- he had also been sanctioned, this caused a huge strain on the relationship | No – did not know he could | Unaware of hardship payments | Luke has to rely on family for food etc, he is now in debt. Mood is low, he is unable to pay any household bills and relationships are breaking down |
| **30** | **M** | **20** | 5 sanctions in total – not sure why he has been sanctioned / chaotic lifestyle / no fixed abode / no family support | Yes | RejectedUnaware of hardship payments | Not eating regularly / relies on foodbank referrals / life is even more chaotic |
| **31** | **M** | **29** | **4 weeks x 2.** Late appointments and insufficient job search activity | Yes | RejectedUnaware of hardship payments | Mental health suffered, weight loss, depressionReliant on food bank referrals.  |
| **32** | **F** | **37** | **4 weeks:** Rearranged a work programme appointment, due to family bereavement, was told not to worry as had given advisor proof | No- was told by JCP appeal would take 6 months | Unaware of hardship payments | Lack of basic nutrition, put extra pressure on family as she takes care of disabled mother. |
| **33** | **M** | **29** | **4 weeks +** Suffers from anxiety & has problems with crowds/ getting on buses. He lacks basic skills and struggles with reading and writing. He has been sanctioned a number of times over the last 2 years, The sanction was given due to lack of job searches and that he was writing on paper rather than using UJM. This was proving very difficult to apply for jobs and no support was given by JCP | Yes | Only one appeal was successfulDid not know about hardship | Used foodbanks, had no gas/elec/ ate only porridge for a few weeks. The sanction caused his mental health to suffer a lot more, he has now gone on the sick and was advised to do so by his JCP advisor |
| **34** | **M** | **23** | **4 weeks:** Not enough job search activity - a student, just finished University (Computer/gaming) was advised to apply for jobs he was not suitable nor had the skills for. | Didn’t appeal – “no point” | Did not know about hardship payments | Had full support from family |
| **35** | **F** | **20** | **4 weeks:** Son became ill and had to go into hospital, phoned JCP to inform them she could not attend an appointment that day, advisor assured her it was not a problem, her son was in hospital for a few weeks, she was sanctioned - she gave JCP evidence from the hospital – this was deemed to “not be sufficient evidence”Did not know was sanctioned until after the event | Yes | Sanction remained Did not know about hardship payments | Borrowed money and is still in debt because of the sanction, stress levels increased - she said "this was the worse time of my life. |
| **36** | **M** | **30+** | **4 weeks:** Partner had to go into hospital to have an operation, he informed the JC he could not attend JCP appointment  | Yes | Sanction remained: evidence from hospital was not taken into accountDid not know about hardship | Sammy & partner have 5 children, the impact of the sanction was huge, the family went without basic necessities  |
| **37** | **M** | **46** | **4 weeks:** Insufficient job search activity. Qualified off shore rigger and was expected to apply for ‘any jobs’ even though he was over qualified and specifically looking for the types of jobs he was trained to doDid not know he was sanctioned until he went to bank | No – ‘why bother’ | Did not know about hardship payments | Had full support from partner – signed off JSA |
| **38** | **M** | **32** | **4 weeks:**chaotic lifestyle part of troubled families, unable to make all the appts he is subject to - missed a few | No – did not know he could | Did not know about hardship payments | has 4 children and was unable to buy enough food, had to rely on food bank and mother to help out. Mum also struggles so this put a strain on relationship... |
| **39** | **F** | **25** | **4 weeks:** Did not attend a work programme appointment - forgot. Has always complied and genuinely forgot to attend. Her reason was not accepted | Yes | Sanction remainedDid not know about hardship payments | lives with parents so 'got by' but couldn't afford to do anything - had to ask mam for bus fares anywhere or if she needed to buy any female products that she needed 4 weeks sanction |
| **40** | **M** | **35** | **4 weeks:** Insufficient job search activity | No | Did not know about hardship | No other support – so relied on foodbank referrals to eat. Isolated / anxious & depressed |

**Appendix 3**

**Partners / individuals signing up to agreeing recommendations**

155 people have signed the recommendations to date. Some signatories are representatives of organisations delivering services throughout Teesside, others are individual members of the community

\*A number of signatories did not give explicit consent for their names to be added to this report, so their signatures have not been included

|  |  |
| --- | --- |
| Aithwaite R | Stockton on Tees resident |
| Allan C | Stockton on Tees resident |
| Ashurst K | Stockton on Tees resident |
| Boddy A | Middlesbrough resident |
| Buck B | Middlesbrough resident |
| Burton A | Stockton on Tees resident |
| Buttery J | Stockton on Tees resident |
| Carter K | Stockton on Tees resident |
| Casling T  | Stockton on Tees resident  |
| Clark P | Stockton on Tees resident / Thrive volunteer |
| Cooper L | Stockton resident |
| Cunningham A | MP Stockton North |
| Davis S | Stockton on Tees resident |
| Dawes N | Middlesbrough resident |
| Doyigo | Middlesbrough resident |
| Duncan D | Stockton on Tees resident |
| Dr Duffy S | Centre for Welfare Reform |
| Eastwood C | Thrive |
| Eastwood D | Stockton resident / Thrive volunteer |
| Ferrie P | Middlesbrough resident |
| Flounders J | Stockton on Tees resident |
| Gray C | Stockton on Tees resident |
| Hagan M | Stockton on Tees resident |
| Hammond C | Stockton on Tees resident |
| Handley S | Stockton on Tees resident |
| Harrison W | Middlesbrough resident |
| Harrop D | Stockton on Tees resident |
| Harvey T | Ward Councillor, Middlesbrough Borough Council / Unite Union |
| Heathcote F | PCS |
| Hewitt D | Ward Councillor, Stockton on Tees Borough Council |
| Hill C | Stockton on Tees resident |
| Hill D | Stockton on Tees resident |
| Hill L | Stockton on Tess resident |
| Hill S | Stockton on Tees resident |
| Hodgson L | Stockton on Tees resident |
| Hungin B | Stockton on Tees resident / Justice First |
| John | Middlesbrough resident |
| Johnson S | Stockton on Tees resident |
| Kirk A | Unite Union / Middlesbrough resident |
| Kirtley P | NHS |
| Lamb B (Dr) | Teesside University |
| Lawrence C | Middlesbrough resident |
| Laws T | Stockton on Tees resident |
| Lawson T | Stockton on Tees resident |
| Lennon L | Stockton resident / Thrive volunteer |
| Lennon S | Stockton resident / Thrive volunteer |
| Liam | Stockton on Tees resident |
| Lowes J | Stockton on Tees resident |
| Maynard J | Middlesbrough resident |
| Maynard P | Middlesbrough resident |
| McKeone E | Middlesbrough resident |
| Mew H | Stockton resident / Thrive Trustee |
| Milligan D | Poverty Truth Commission |
| Moore I | Middlesbrough resident |
| Mulrine S | Stockton resident / Teesside University / Thrive Trustee |
| Murtaugh N | AdHoc, Property Guardian |
| Nelson M | Trussell Trust |
| O’Brien T | Stockton on Tees resident |
| Odlum S | Middlesbrough resident |
| Oram S | Stockton on Tees resident |
| Palmer B | Middlesbrough resident |
| Palmer P | Middlesbrough resident |
| Parnell F | Middlesbrough resident |
| Peacock A | North Star Housing |
| Pottage D | Stockton on Tees resident |
| Preston J | Salvation Army |
| Purva T | AdHoc, Property Guardian |
| Risbrough E | Stockton on Tees resident |
| Rivers C | Middlesbrough resident |
| Rix Mason T | Tees Credit Union |
| Robertson J | Thrive Trustee |
| Rouse R | Stockton on Tees resident |
| Russon T | Middlesbrough resident |
| Sexton K | Stockton on Tees resident |
| Smith G | Middlesbrough resident |
| Sudlow L | A Way Out, Stockton on Tees  |
| Taylor L | Stockton on Tees Resident |
| Temple K | Stockton on Tees resident |
| Tero G | Stockton on Tees resident |
|  | Thirteen housing |
| Theasby A | Unite the Union, Middlesbrough resident |
| Thomas L | Stockton on Tees resident |
| Walters T | Stockton on Tees resident |
| Warwick B | Lecturer (formerly Durham University) |
| Waterfield J  | Middlesbrough resident |
| Wetherell T | Middlesbrough resident |
| White K | Middlesbrough resident |
| Wilson C | Stockton on Tees resident |
| Wilson D | Middlesbrough resident |
| Wilson J | Stockton resident |
|  | Community Campus |

**Bibliography**

Benefit Sanctions Beyond the Oakley Review (2015) *House of Commons.* Available from <http://www.publications.parliament.uk/pa/cm201415/cmselect/cmworpen/814/814.pdf>. (accessed 14.10.16).

Church Action on Poverty, the Baptist Union of Great Britain, the United Reformed Church, the Methodist Church, the Church of Scotland and the Church of Wales(2015): Time to rethink benefit sanctions. Available from <http://www.church-poverty.org.uk/rethinksanctions/report/reportpdf>. (accessed 20.10.16)

Davis A, Hill K, Hirsh D, Padley M (2016): A Minimum Income Standards for the UK in 2016. *Joseph Rowntree Foundation.* Available from <https://www.jrf.org.uk/report/minimum-income-standard-uk-2016>. (accessed 21.10.16)

Garthwaite K, Bambra C (Dec 2014): Written evidence submitted (SAN0011): Local Health Inequalities in an Age of Austerity: The Stockton on Tees Study. *Leverhulme Trust.*

Garthwaite K (2016) *Hunger Pains: Life Inside Foodbank Britain*. Bristol, Policy Press.

Gregg, P (2008)Realising potential: A Vision for the Personalised Conditionality and Support - An independent report to the Department of Work and Pensions *Crown copyright 2008.* Available from <http://www.lifeline.org.uk/wp-content/_old-site-docs/GreggReview.pdf>. (accessed 15.10.16)

legislations.gov.uk. *The Jobseeker’s Allowance (Sanctions) (Amendment) Regulations 2012.* Available from <http://www.legislation.gov.uk/uksi/2012/2568/regulation/2/made> (accessed 20.11.16)

Mandela N (2005): Address by Nelson Mandela for the ‘Make Poverty History’ Campaign, London, UK. Available from <http://www.mandela.gov.za/mandela_speeches/2005/050203_poverty.htm> (accessed 12.11.2016)

Mason, R. (2013). Benefit reforms will end 'something-for-nothing culture', says Duncan Smith. *The Guardian.* Available from <https://www.theguardian.com/politics/2013/oct/01/benefit-reforms-iain-duncan-smith-unemployed>

Oakley M (2014): Independent Review of the operation of Jobseekers Allowance sanctions validated by the Jobseekers Act 2013 *Crown Copyright 2014.* Available from <https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/335144/jsa-sanctions-independent-review.pdf>. (accessed 14.10.16).

Patrick Wintour (2016) Sanctions Against Benefit Claimants Soar. *The Guardian.* Available from <https://www.theguardian.com/society/2013/nov/06/sanctions-benefits-claimants>. (accessed 19.11.16)

Poverty and Social Exclusion (2016): <http://www.poverty.ac.uk/tags/minimum-income-level> (accessed 14.10.16)

Press releases-Gov.UK 20 Feb 2014. *Benefit sanctions figures published.* Available from <https://www.gov.uk/government/news/benefit-sanctions-ending-the-something-for-nothing-culture--2> (accessed 19.11.16)

Scottish Council for Voluntary Organisations (2013): Independent Review of Jobseekers Allowance <http://www.scvo.org.uk/news-campaigns-and-policy/briefings-consultation-responses/independent-review-of-jobseekers-allowance-sanctions/> (accessed 21.11.16)

Stockton Borough Council: Call for Evidence 2014.

Warwick B, (April 2016): Benefit Sanctions in the North East of England, A parallelReport to the Committee on Economic, Social and Cultural Rights for the examination of the United Kingdom’s 6th periodic report *Durham University, Human Rights Centre*

Watts B, Fitzpatrick s, Bramley G Watkins D: (2014) Welfare Sanctions and Conditionality in the UK *Joseph Rowntree Foundation.* Available from <https://www.jrf.org.uk/report/welfare-sanctions-and-conditionality-uk>. (accessed 19.10.16)

Webster D (2015) House of CommonsWork and Pensions Committee report: *Benefit Sanctions Policy beyond the Oakley Review* Briefing on the Government’s Response (24 March 2015).

whatdotheyknow.com. *JSA(CNS) Accepting the Claimant Commitment.* Available from [https://www.whatdotheyknow.com/request/233156/response/578010/attach/20/IKB%20content%202%202.pdf](https://www.whatdotheyknow.com/request/233156/response/578010/attach/20/IKB%2520content%25202%25202.pdf) (accessed 10.11.2016).