

# Voices from the Frontline: Sanctions

## Introduction

The Scottish CAB Service forms the country's largest independent advice network. Citizen advice bureaux (CAB) are the key frontline service that hundreds of thousands of people turn to and they deal with over half a million new issues every year.

As welfare changes begin to affect clients, CAS is producing briefings in our series *Voices from the Frontline*. These provide personal experiences of welfare reforms as they take effect in households across Scotland. Through these briefings, citizens advice bureaux show the impact of welfare changes on the frontline.

## Summary

There has been a significant increase in the number of sanctions that have been applied to jobseekers in the past two years. In April 2012, over 240 sanctions were being applied to claimants in Scotland every working day. Bureau evidence shows that these sanctions can immediately put them in a crisis situation, as evidenced by an increase in the number of clients requiring referrals for food parcels. From October 2012, the new JSA sanctions regime will impose longer sanctions on claimants.

## Sanctions

Jobseekers Allowance (JSA) claimants are required to meet a number of conditions in order to show that they are actively seeking employment. A failure to meet these conditions can result in the benefit being stopped or 'sanctioned' for a number of weeks and even months. The sanctions may have an effect on the claimant's entitlement to other benefits. JSA claimants can receive sanctions for a number of reasons, including:

- Failure to provide evidence of looking for work
- Failure to apply for or accept a job
- Failure to attend a mandatory Jobcentre meeting
- Failure to participate in the Work Programme or Mandatory Work Activity

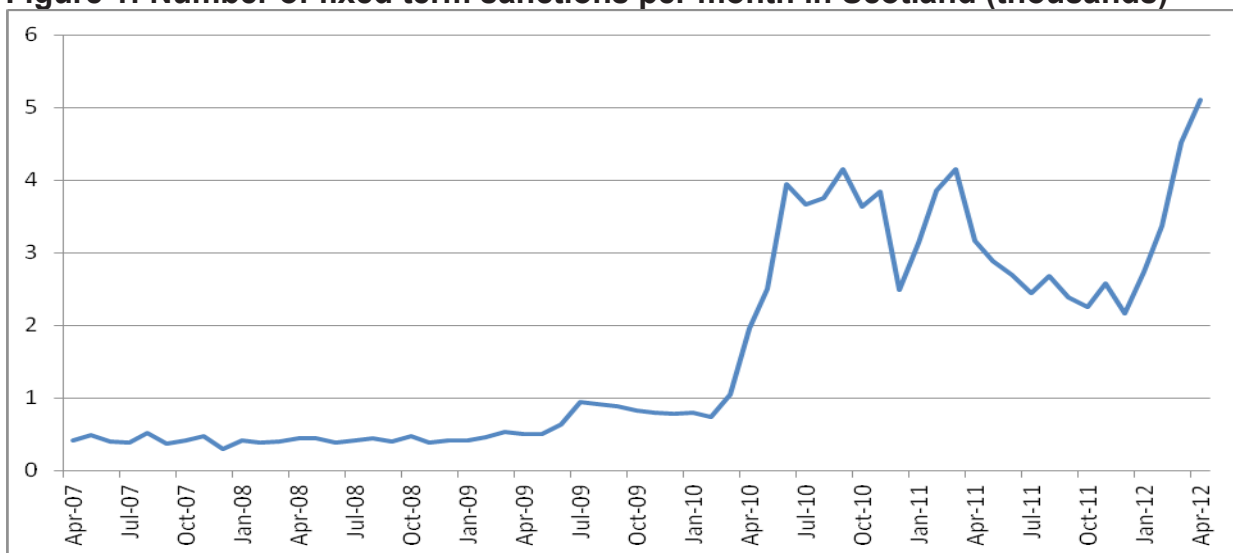
There has been a significant increase in the number of sanctions that have been applied to jobseekers in the past two years. This rise reflects a ramping up of the conditions that jobseekers must meet to continue to receive Jobseekers Allowance (JSA) and an widening of the circumstances in which jobseekers can receive a sanction.

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The UK Government's Welfare Reform Act gives Jobcentre advisers the authority to impose longer sanctions on JSA claimants. From the 22nd of October, the most serious failures – including failure to accept a reasonable job offer, failure to apply for a job or failure to attend a mandatory work activity programme – will lead to payments being stopped for 13 weeks for the first failure, and 26 weeks for second or 156 weeks for a third failure within a 52 week period. It is likely that these changes will lead to an increased number of people experiencing financial hardship.<sup>1</sup>

Figure 1 shows that the number of sanctions applied in Scotland increased more than four-fold in early 2010. This followed on from a change to the JSA regime that allowed sanctions to be applied for missing meetings at the Jobcentre. After a relative decrease in 2011, the level of sanctions has again increased significantly in 2012. During April 2012, over 240 sanctions were applied to claimants in Scotland every working day.

**Figure 1: Number of fixed term sanctions per month in Scotland (thousands)<sup>2</sup>**



Based on figures from April 2012, the majority of sanctions concerned a failure to attend an advisory interview at a Jobcentre, although a growing number now concern a failure to attend or participate in the Work Programme. This could mean that the claimant has failed to attend a meeting or is deemed to have not looked for work sufficiently. Over 32,000 sanctions were applied to claimants in the Work Programme between June 2011 and January 2012.

Being sanctioned is an issue that particularly affects groups of people who may struggle to meet the conditions of JSA. Figures from the DWP indicate that around half of JSA claimants receiving fixed term sanctions were under the age of 25, and that one in six of those receiving sanctions were considered to have a disability. Continuing reforms to sickness benefit will mean that tens of thousands of former sickness benefit claimants will move onto JSA and face possible sanctions.

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## Evidence from citizens advice bureaux

In 2011/12, clients sought advice on over 1,850 new issues relating to JSA conditions, sanctions and hardship payments at Scottish CAB – an increase of 25% from 2010/11. Estimates from this current financial year show that the number of clients seeking advice on this issue is continuing to increase. Worryingly, many of these clients have reached a crisis point where the disruption in their income as a result of the sanction has left them in a desperate situation.

Jobseekers Allowance is conditional on a number of factors, including attending mandatory meetings and applying for jobs. For some claimants, meeting these conditions can be more difficult than for others. For example, as in the cases below, claimants may need to travel long distances to attend meetings or may struggle to apply for online vacancies due to a lack of computer literacy.

- ▶ **A North of Scotland CAB reports of a client who has moved house, and whose nearest Jobcentre is now in Inverness, a 32 mile round trip. The client has been sanctioned for not attending sign-on interviews, but does not currently have the money to pay the bus fare. The CAB adviser negotiated an emergency payment to allow the client to attend her next sign on date, but the client will now have to spend a significant amount of her JSA payment attending interviews at the Jobcentre.**
- ▶ **A South of Scotland CAB reports of a client whose JSA claim has been sanctioned for two weeks for not following a jobseeker's direction to use the internet to increase his chances of obtaining work. The client is dyslexic and has difficulty using a computer, which he explained to the person dealing with his claim. The client was not warned that he would lose his benefit if he did not use the internet to look for work. The client also says that he has problems with reading and writing. The client had completed his job sheet, detailing the employers he had contacted, and feels more than confident having face-to-face contact. The client is currently homeless after losing his job as a carpet fitter in February.**

Claimants must show evidence of their job search activities and must follow Jobcentre directions on the jobs that they should apply for. A failure to evidence these can result in a sanction. A number of clients have complained that they had met these conditions, but still found themselves being sanctioned.

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- ▶ A North of Scotland CAB reports of a client who has been on JSA for several months. He has applied for all the printout jobs given to him by his Jobcentre adviser as well as everything he finds in the paper. He has also sent speculative CVs to local companies. The client was shocked to get a letter sanctioning his JSA payments for six weeks from mid July as he had failed to apply for a job they pointed out to him in June. The client is adamant that he did and asked the CAB for help to appeal the decision. He had asked about a hardship payment but this had been refused as he has more than £200 in his bank account.
- ▶ An East of Scotland CAB reports of a client who was sanctioned for two weeks for not showing sufficient evidence that he was looking for work, despite the fact that the Jobcentre was aware he was attending training that will allow him to work in the construction industry. The client received no notice of the sanction and only found out when he discovered that there was no money in his account. The client has no money or food and is due to have his son stay with him at the weekend. The client has already borrowed money from a friend, but has run out of options. The bureau arranged for a food parcel to be sent to the client and have put in an appeal.

In some cases, sanctions are imposed for situations that were caused by administrative errors by benefit agencies. It is imperative that claimants are not sanctioned for situations that were clearly not of their own making.

- ▶ An East of Scotland CAB reports of a client claiming joint JSA with her partner. They have both been sanctioned because her partner didn't attend an interview which occurred when he was attending a mandatory work placement. The client's partner explained to the Jobcentre that when he enquired about the double booking the work placement provider had advised him to attend the placement, rather than the interview, but the sanction still stands. The family have no cooker and very little furniture in their new tenancy and are currently living on income from Child Benefit and Child Tax Credits
- ▶ A West of Scotland CAB helped a client to re-appeal a two week sanction applied to his JSA claim in July 2012 after he failed to attend a Work Programme appointment. He had originally appealed on the grounds that he had not received the letter informing him of the appointment, but the sanction was upheld. The CAB adviser contacted the Jobcentre and the Work Programme provider and established that the DWP had failed to pass on the client's new address after he moved in December 2011, so all the paperwork had been sent to his old address.

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For many claimants, sanctions can put them in a crisis situation. Bureaux have reported an increase in the number of clients requiring referrals for food parcels, with JSA sanctions being reported as one of the main causes of this increase.

▶ **A West of Scotland CAB reports of a client who is reliant on food parcels that he is receiving from local churches. The client is currently homeless and recently received a sanction of two weeks to his JSA claim after missing a signing on date for the second time this year. The client cannot claim a hardship payment or Crisis Loan, so the bureau referred the client for a food parcel. The client approached the bureau two weeks later as he still has no money, cannot afford to travel to the Jobcentre, and is now reliant on food parcels to survive.**

▶ **A West of Scotland CAB reports of a client who requested help after his appeal against a JSA sanction failed. The client's grandmother was seriously ill and he had forgotten to rearrange a mandatory meeting, resulting in a two week sanction. The client supports his mother and younger sister, and as a result of the sanction the family will have no income at all for two weeks. The CAB contacted the Jobcentre but it upheld its decision, so the adviser arranged for a food parcel for the family.**

## Conclusion

The number of claimants receiving sanctions has increased significantly in the last two years and has in many cases put claimants into financial hardship. Impending changes to the JSA regime will increase the length and severity of sanctions and potentially increase the number of people that need to turn to other sources of assistance, such as charitable food banks, for help.

CAS recommends that clear guidance and training is provided to Jobcentre Plus staff to ensure that they only impose sanctions in appropriate circumstances and that they are able to recognise where claimants will be put into significant hardship where sanctions are imposed. The DWP must make hardship payments available where it is clear that claimants and families are experiencing hardship. Charitable food parcels should not be made to be the default route for claimants unable to afford food due to a sanction.

## References

1 Jobseeker's Allowance Regulations 2012, <http://www.dwp.gov.uk/docs/jsa-sanctions-draft-regs-2012-memorandum.pdf> [accessed 10/08/12]

2 DWP Statistics: <http://research.dwp.gov.uk/asd/index.php?page=tabtool> 'Referrals where a decision has been made for fixed length sanctions (by number of referrals) (Thousands): Whether a decision was Adverse by Time Series by Jobcentre area.'