

Inclusion London's evidence to the Work and Pensions Select Committee's inquiry into Universal Credit

October 2017

More information about the inquiry is available at:

<http://www.parliament.uk/business/committees/committees-a-z/commons-select/work-and-pensions-committee/inquiries/parliament-2017/inquiry/>

For more information contact:

Email: Policy@inclusionlondon.org.uk

Telephone: 020 7237 3181

1. Introduction

Inclusion London

Inclusion London is a London-wide user-led organisation which promotes equality for London's Deaf and Disabled people and provides capacity-building support for over 70 Deaf and Disabled People's Organisations (DDPOs) in London and through these organisations our reach extends to over 70,000 Disabled Londoners.

Disabled people

- Twenty-one per cent (13.3 million) of people reported a disability in 2015/16, an increase from 19 per cent (11.9 million) in 2013/14. Most of the change over the two years came from an increase in working-age adults reporting a disability (16 to 18 per cent).¹
- There are approximately 1.2 million Disabled people living in London.²

¹https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/600465/family-resources-survey-2015-16.pdf

² See 'Disability data tables' at: <https://www.gov.uk/government/statistics/family-resources-survey-financial-year-201516>

2. Summary of concerns with the roll out of Universal Credit

Please find a summary of our concerns regarding the roll out of Universal Credit (UC) and our recommendations to improve the system:

- The waiting period of six weeks or longer together with the loss of Disability Premiums under Universal Credit is causing Deaf and Disabled people huge distress because of debt, rent arrears and evictions, all of which affect mental and physical health.
- The all in one single payment which includes rental costs can result in financial difficulties for Deaf and Disabled people. To avoid these difficulties support is needed to manage finances, which puts a further burden on organisations that provide support.
- Advance payments have to be paid back too quickly so people can be trapped in permanent debt.
- Transitional payments are not always provided.
- The online applications process represents a huge barrier to many Deaf and Disabled people so support is needed from overstretched Deaf and Disabled people's organisations, also the whole process is overly bureaucratic, which again causes difficulties.
- Deaf and Disabled People's Organisations are very concerned that they do have the capacity to provide the necessary support with Universal credit (UC), one advisor described the ongoing rollout of UC as 'a nightmare'.
- The difficulties of the applications process can be compounded by staff from the DWP who can provide incorrect information.
- The claimant commitment can be too onerous for some Disabled people so reasonable adjustments are needed.
- Out of borough/area housing is causing difficulties when the people are made to apply for Universal Credit in the borough they are now living in.

- Sanctions have a disastrous impact on Deaf and Disabled people and are not effective.
- Universal Credit statistics on sanctions are not disaggregated so there is a lack of transparency regarding the numbers of Disabled people impacted by sanctions due to Universal Credit.

Recommendations

Priority recommendations:

- The roll out of Universal Credit is halted until the difficulties caused by the current system are remedied.
- Universal Credit is paid twice monthly and the housing element of Universal Credit is paid directly to the social or private landlord.
- All Disability Premiums are retained under Universal Credit.

Other recommendations

- The Committee calls on the DWP to disaggregate the statistics on sanctions so there is transparency regarding the numbers of Disabled people impacted by sanctions due to Universal Credit.
- Sanctions are abolished for Deaf and Disabled people
- There is no limit to the length of each online application session and a maximum of a month can be taken to complete an application process.
- Staff are provided with training so clear, correct information is given to all claimants.
- ID documents and other documentation such as sick notes can be sent by post to the JobCentre
- Reasonable adjustments are made in accordance with the Equality Act 2010,³ when a Deaf or Disabled person cannot fulfil their 'Claimant commitment' due to their impairment

³<https://www.legislation.gov.uk/ukpga/2010/15/part/2/chapter/2/crossheading/adjustments-for-disabled-persons>

3. Inclusion London's evidence

Inclusion London welcomes the opportunity to give evidence to the Select Committee's inquiry into Universal Credit.

3.1 Introduction

3.12 By 2022 over seven million households will receive Universal Credit including 58% of households with a Disabled adult.⁴ It was estimated that up to 500,000 households containing a Disabled person will be worse off under UC through cuts to the child disability additions and to the Severe Disability Premium.⁵

3.13 Another raft of benefit cuts affecting Disabled people were brought in on 1 April 2017 without any form of Government announcement, statement of policy intent, or impact assessment and subject to no prior consultation. These include:

- a 55% per week reduction in the rate of Employment and Support Allowance/Universal Credit for under 25 year olds, which has already started to impact as one of our case examples illustrates;
- full-time Disabled students not being eligible for Universal Credit until they have received a Work Capability Assessment;
- the freezing of the lower Disabled child element of Universal Credit.

3.14 Government's announcement that Disabled people with certain "people with the most severe health conditions or disabilities" are to be exempted

⁴ <https://www.citizensadvice.org.uk/about-us/how-citizens-advice-works/media/press-releases/citizens-advice-calls-for-universal-credit-rollout-to-be-paused-as-research-reveals-people-left-facing-financial-difficulty1/>

⁵ https://www.citizensadvice.org.uk/Global/Migrated_Documents/corporate/holes-in-the-safety-net-final-copy.pdf

<https://www.disabilityrightsuk.org/policy-campaigns/benefits/half-million-disabled-people-could-lose-out-under-universal-credit>

from reassessment for ESA/UC, is welcome news, but the criteria is vague and there is no right to appeal the DWP decision on whether people meet the exemption criteria or not.⁶

Mandatory Health and Work Conversation

3.15 There is concern about the roll out of the mandatory Health and Work Conversation (HWC)⁷ with a Work Coach⁸ as posited in the green paper, which will be introduced in the autumn 2017. This is a new stage in the process of claiming Universal Credit (UC) for claimants with a 'Fit Note',⁹ which will now take place before the Work Capability Assessment (WCA).

3.16 The HWC will take place within 4 weeks of a UC claim and failure to attend will result in a sanction and removal of all income for a period of time ranging from 4 weeks to 3 years.¹⁰ Failure to engage sufficiently in the HWC will also result in a sanction. What 'engage' means is at the discretion of the Work Coach. The HWC will apply to the majority of claimants and there are very few categories that are exempt¹¹.

⁶ <https://www.parliament.uk/business/publications/written-questions-answers-statements/written-statement/Lords/2016-10-10/HLWS176/>
<https://www.gov.uk/government/publications/employment-and-support-allowance-and-universal-credit-changes-to-the-work-capability-assessment/employment-and-support-allowance-and-universal-credit-changes-to-the-work-capability-assessment-from-29-september-2017>

⁷ <https://www.whatdotheyknow.com/request/414134/response/1002759/attach/3/HWC%20Operational%20Instructions%202556.pdf>

⁸ Work Coaches are DWP staff, who received 55 days training, not all about disability. They have no medical training

<https://www.whatdotheyknow.com/request/377018/response/917543/attach/3/FOI%204749.pdf>

⁹ A 'fit note' is a statement from a GP that he/she judges the person not fit for work.

¹⁰ 'The claimant's attendance and participation in the HWC is mandatory and they may be sanctioned if they fail to do so without good cause.'

<https://www.whatdotheyknow.com/request/414134/response/1002759/attach/3/HWC%20Operational%20Instructions%202556.pdf>)

¹¹ Exemptions include terminal illness (for a prognosis of under 6 months to live), undergoing certain treatments for cancer, suffering from a life threatening disease or if attendance at a HWB could pose a serious risk to self or others.

<https://www.whatdotheyknow.com/request/404506/response/985785/attach/3/HWC%20Exemptions.pdf>

3.17 A Freedom of Information (FOI) response from Penny Mordaunt, Minister for the Department of Work and Pensions (DWP) reveals that once a claimant is found to have limited capability for work but not a limited capability for work related activity after a WCA, these activities become mandatory. It means that for people placed in the WRAG after a WCA, the activities agreed in their action plan become mandatory and sanctions can be imposed if the activities the activities are not completed.¹²

3.18 As have been highlighted by many reports including the Public Accounts Select Committee's report sanctions have a disastrous and they are not effective¹³ and should be abolished, especially for Deaf and Disabled people.

Recommendation: Sanctions are abolished for Deaf and Disabled people

3.19 We do not have evidence of the sanctions because the introduction of the HWC is planned for this autumn, but we wished to flag up that this potentially disastrous policy is in the pipeline, which will add to the difficulties we describe below.

¹²https://www.whatdotheyknow.com/request/424845/response/1035622/attach/4/3354%20Letter%20from%20Penny%20Mordaunt%20MP%20to%20SSAC.pdf?cookie_passthrough=1

¹³ "It is an article of faith for the Department for Work & Pensions that sanctions encourage people into work..... Suspending people's benefit payments can lead them into debt, rent arrears and homelessness, which can undermine their efforts to find work.-A third of people surveyed by the charity Crisis who were claiming Housing Benefit had this stopped in error because of a sanction – an appalling situation to be faced with." Meg Hillier MP Chair of Public Accounts Select Committee on publication of their report on Sanctions.

<https://www.parliament.uk/business/committees/committees-a-z/commons-select/public-accounts-committee/news-parliament-2015/benefit-sanctions-report-published-16-17/>

'Not only are we concerned that the sanctions process is undermining mental health and wellbeing – there is no clear evidence of pay-off in terms of increased employment and no commitment from the Government to investigate how the jobcentre systems and requirements may themselves be exacerbating mental health problems...'

<http://beta.bps.org.uk/news-and-policy/british-psychological-society-signs-statement-opposing-welfare-sanctions>

3.18 The statistics on sanctions under Universal Credit are not disaggregated.¹⁴ Without more meaningful figures from DWP, it is impossible to know how many disabled people have been sanctioned.

Recommendation: The Committee calls on the DWP to disaggregate the statistics on sanctions so there is transparency regarding the numbers of Disabled people impacted by sanctions due to Universal Credit.

3.2 Overview of the impact of Universal Credit on Deaf and Disabled People

3.21 The impact of Universal Credit is causing huge difficulties for Deaf and Disabled people. Below we have outlined the current areas of greatest concern.

Financial Impact

Six weeks wait

3.22 Six weeks¹⁵ is far too long to wait for the first payment of Universal Credit (UC). In some cases the wait can be even longer than six weeks, also new claimants do not receive a payment for the first 7 days.¹⁶

3.23 Many Deaf and Disabled people have just been able to survive financially under the current system, but can be pushed into debt by an extra expense such as a new pair of shoes, so money has been far too tight to accumulate savings. The long wait for the first UC payment pushes people into debt and rent arrears so evictions can occur. The debt is often permanent because of the requirement to pay Advance Payments too quickly.¹⁷ The financial strain

¹⁴ JSA and ESA have disappeared under UC.

¹⁵http://www.melton.gov.uk/info/200008/benefits/993/advance_payments_of_universal_credit
<https://www.citizensadvice.org.uk/benefits/universal-credit/apply/get-advance-payment/>
<https://www.moneyadviceservice.org.uk/en/articles/universal-credit-an-introduction>¹⁶
<https://www.gov.uk/government/publications/universal-credit-different-earning-patterns-and-your-payments/universal-credit-different-earning-patterns-and-your-payments-payment-cycles>

¹⁷ An Advance Payment has to be paid back 6 months if you've made a new claim

has an impact on Deaf and Disabled people's health and wellbeing and it is particularly damaging to mental health.

Loss of disability premiums

3.24 Deaf and Disabled people migrating from ESA to UC are losing £78.35 per week from their income because two of the three disability premiums under ESA have been abolished under UC¹⁸. This is a catastrophic cut from the incomes of those who have the highest support needs, particularly when research has shown the average extra cost of being disabled is £550 a month.¹⁹

3.25 Under UC there is supposed to be Transitional Protection (TP)²⁰ from this cut but payments can be suddenly stopped, without advance warning, possibly because the TP has not been applied, as our one of our case examples illustrates. Also the protection is 'transitional' so is not permanent and can be stopped if there is a change of circumstances.²¹

3.26 What is concerning is that the levels of Deaf and Disabled people's debt is likely to increase as the impact of a reduced weekly income accumulates over time. Also the numbers of Disabled people in difficulties will increase as the roll out of UC is implemented.

12 months if you've been moved onto UC from another benefit.

<https://www.citizensadvice.org.uk/benefits/universal-credit/apply/get-advance-payment/>

A group of 31 MPs raised concerns about UC which included the 'mandatory paying back of £150 in three lump sums of £50'. <https://www.theguardian.com/society/2017/aug/06/delay-universal-credit-to-help-the-vulnerable>

¹⁸ <https://benefitsandwork.co.uk/forum?view=topic&catid=10&id=90883>

<https://www.turn2us.org.uk/Benefit-guides/Severe-Disability-Premium/What-is-a-Severe-Disability-Premium>

¹⁹ <https://www.scope.org.uk/campaigns/extra-costs/what-are-costs>

²⁰ <https://www.legislation.gov.uk/ukdsi/2013/9780111531549>

<https://www.turn2us.org.uk/Benefit-guides/Universal-Credit-transitional-protection/How-long-will-I-get-Universal-Credit-transitional>

²¹ <https://www.turn2us.org.uk/Benefit-guides/Universal-Credit-transitional-protection/How-long-will-I-get-Universal-Credit-transitional>

Financial management

3.27 The all in one payment direct to the claimant, including rent can be too difficult for Deaf and Disabled People to manage particularly for people with learning difficulties, people with mental health support needs or dyslexia, who may find budgeting difficult. Some people do not know how much their rent is because the payments were previously sent directly to the landlord. To avoid financial difficulties support from Deaf and Disabled People's Organisations (DDPOs) is needed. However, they are currently overwhelmed with the demand for support.

Difficult application process

3.28 A quarter of Disabled adults have never used the internet,²² so a digital by default system can cause Deaf and Disabled people difficulties. A benefit advisor highlighted that when you apply for UC online there is a session of 40 minutes after which the session closes. If you have not saved the application all your work is lost and you have to start again or visit the JobCentre. Also an online application has to be completed within 7 days, which adds to the pressure so the whole process can be stressful. Claimants need to gather all necessary supporting documentation together so it is to hand when the application is being made online and the documents have to be scanned/uploaded supporting documents. This system makes it impossible for some Deaf and Disabled people to apply on line without support.

3.29 Incorrect information and inefficiency by staff make applying very difficult and can result in delayed applications so Disabled people lose out financially.

3.30 Repeated calls in person to the local Jobcentre plus can be necessary to provide hardcopy information, such as ID documents and sick notes, this adds to the difficulty for Disabled people applying for UC.

²² <https://www.gov.uk/government/publications/transforming-our-justice-system-joint-statement>

3.31 Out of borough/area housing is causing difficulties when the people are made to apply for Universal Credit in the borough they are now living in.

3.32 For advisors providing support to make an application the system is cumbersome as permission has to be obtained for each online session with each claimant. Also the online application means it not possible to provide the detailed support needed, which was possible by phone.

Claimant Commitment

3.33 The claimant commitment is much more onerous under UC. Claimants need a personal email and are expected to log online every day to do job searches and more job applications are to be completed, both of which can be difficult for Deaf and Disabled people to do, reasonable adjustments for Deaf and Disabled people are needed.

Organisations overwhelmed by demand for support

3.34 There is a rising need for the support provided by Deaf and Disabled People's Organisations to help with welfare benefits. However, funding for DDPOs are being cut and services are over stretched so the need for support cannot always be met. Organisations are being swamped with the need to provide support for filling in forms and support is also needed to manage finances because of the single all in one payment.

3.35 In the last few months Inclusion London has experienced an increase in the number of phone calls from desperate Deaf and Disabled individuals regarding a variety of issues and also from DDPOs because their service users are in dire straits and they not have the capacity to support them.

3.36 Organisations are very concerned that they do not have the capacity to provide the support needed for of UC, with one advisor saying it will be 'a nightmare'.

3.37 The difficulties Deaf and Disabled people are having with Universal Credit illustrates once again that Theresia Degener, Chairperson of the UN Committee on the Rights of Persons with Disabilities was correct when she said that the

government's policies have "led to human catastrophe in your country, totally neglect the vulnerable situation people with disabilities find themselves in."²³

Recommendations

Priority recommendations:

- The roll out of Universal Credit is halted until the difficulties caused by the current system are remedied.
- Universal Credit is paid twice monthly and the housing element of Universal Credit is paid directly to the social or private landlord.
- All Disability Premiums are retained under Universal Credit.

Other recommendations

- The Committee calls on the DWP to disaggregate the statistics on sanctions so there is transparency regarding the numbers of Disabled people impacted by sanctions due to Universal Credit.
- Sanctions are abolished for Deaf and Disabled people
- There is no limit to the length of each online application session and a maximum of a month can be taken to complete an application process.
- Staff are provided with training so clear, correct information is given to all claimants.
- ID documents and other documentation such as sick notes can be sent by post to the JobCentre
- Reasonable adjustments are made in accordance with the Equality Act 2010,²⁴ when a Deaf or Disabled person cannot fulfil their 'Claimant commitment' due to their impairment

²³ <https://www.inclusionlondon.org.uk/campaigns-and-policy/comment-and-media/austerity-policies-created-human-catastrophe-un-committee-chair-condemns-uks-record-human-rights/>

²⁴ <https://www.legislation.gov.uk/ukpga/2010/15/part/2/chapter/2/crossheading/adjustments-for-disabled-persons>

3.3 Evidence from Deaf and Disabled people and organisations providing support with UC in answer to the Committee's questions

3.31 Our evidence below is from Deaf and Disabled individuals and organisations providing support with UC in London and other areas across the country. The case studies below illustrate many of the difficulties mentioned in the overview above.

What have been the effects of the introduction of full Universal Credit service in areas where it has replaced the live service?

Financial impact

3.32 The first three cases illustrate the financial impact of UC, which includes loss of income and debt which has detrimental effect on the Disabled people's health and wellbeing:

The effects of the introduction of full Universal Credit service in the Borough of Hammersmith & Fulham has had a devastating effect on my health and finances, leaving me struggling to make ends meet, pay for debts I was left to struggle with alone...

3.33 In the second case 'George' lost his Severe Disability Premium of £62.45 a week as well as the £15.90 a week enhanced disability premium, both due to the changes under Universal Credit. He also lost 19 days rent amounting to nearly £500 because of incorrect information given by UC staff. The whole process adversely impacted on George's mental health:

3.34) 'I moved to my new address on 25th July & contacted DWP ESA & Universal Credit on 27th July to make a claim & was told by Universal Credit that I should phone ESA & do a change of address & for my rent claim this from

Croydon Council. I spent nearly 3 hours on phone being pushed from Department – Department only to get nowhere...

3.35) ...I then contacted Croydon Council regarding my Rent & was told, no you don't contact us for this but Universal Credit. So why did Universal Credit give me completely wrong information by the time I got round to making a Universal Credit Claim it was then the 13th August.... ...however the problem is that I was only being paid my Housing Element from 13th August & not the 25th July when I took my Tenancy, so I requested backdating of my Housing Element to 25th July on 25th August.

3.36)I then received a decision notice on 31st August attached saying they couldn't award me the Housing Element from 25th July & that I should have known the claims procedure & claimed earlier & that they couldn't take into account that I had been given wrong information & I should have been responsible for claiming earlier.....

3.37)...Mandatory Reconsideration Decision advising me that the original was upheld & they couldn't take in to account that I had been given wrong information. They expect people to know the system when they don't even know it & are trained on it @ Tax Payers expenses, the whole process from start to finish has been a shambles...

3.38)I was also first told when I claimed that I would need to have a further WCA despite on their website saying if you have an existing award it transfers over without the need for a further WCA. They also requested that I provide a Fit Note even though I was already in Support Group. They have now accepted that I am in Support Group but since this have transferred me from Income Related ESA to Contribution Based ESA & without telling me have cut my Severe Disability Premium of £62.45 a week plus £15.30 Disability Income Guarantee this was done without even telling me. (*actually £15.90*)

3.39) And now despite explaining my Mental State I am yet again being harassed by ESA to complete yet another ESA50 despite telling them that I

have nearly killed myself they are still insisting that I complete this Form yet again.

3.310) Just the thought of having to complete yet another ESA50 form is making me want to end my life.

Recommendation: All Disability Premiums are retained under Universal Credit.

3.311 Incorrect information by staff as experienced by George is not a one off occurrence as 'Anne's' case below indicates:

3.312) I'm currently unemployed due to a depressive work related episode which resulted in me being hospitalised earlier this year due to a suicide attempt.

3.313) I wanted to claim contribution based benefits to at least get my N.I. paid as I've worked pretty much without break for the last 35 years and have obviously paid a large amount of tax and NI during this time.

I was initially told ...that I would have to apply for UC as it was the only benefit work now available.

3.314) I duly went through the application process, long form to fill in, my husband also had to fill in a form despite the fact he is working... when I went for interview I was then advised that I was not eligible for this benefit as it is, as I had worked out, means tested. When I queried the apparent lack of contributions based benefits my DWP adviser told me that in fact contributions based JSA and ESA do still exist though plainly this is not something they are encouraged to tell claimants.

3.315) She gave me a number to ring for ESA saying that I should be able to claim without interview due to my recent medical history. The first number I rang diverted me to another number, when I rang this one the lady I spoke to asked me my postcode and then informed me that I would have to claim UC...When I told her that I was not eligible and had been advised by Job Centre that I needed to claim contributions based ESA she put me on hold, spoke to a supervisor then transferred me to another number which was a robot voice

which asked for my postcode...which then told me as I was an MK postcode I would have to apply for UC...

3.316) I worked for 8 years in a public library and I know my rights, I don't regard benefits as a handout so at this point I didn't give up as presumably I was supposed to but emailed my JC adviser and copied my MP into the email...I was then emailed back and my IC adviser filled in the form and sorted the ESA out for me.....

3.317)I can't believe I'm in the minority as a person who is temporarily unemployed and wants to benefit from my years of contributions but it seems very much to me that JC staff are at best badly informed or at worst being actively encouraged not to inform people about benefits they can claim.

3.318 As the case above illustrates the inefficiencies can be so bad that it appears staff are deliberately being obstructive. A Community and Advocacy Officer for Visually Impaired People said of the UC system, 'The overwhelming sense is one of confusion'. The Worker also highlighted that, '...the payments are confusing too with Universal Credit and although there is no longer an ESA element to the benefit we still have a work group and non-work group.'

Recommendation: Staff are provided with training so clear, correct information is given to all claimants.

Hard copies of document presented in person

3.319 UC claimants are required to present hard copies of various documents such identity documents and sick notes in person at the local Jobcentre, sometimes requiring multiple visits, which can be difficult for Deaf and Disabled people and their families. The multiple visits can impact adversely on health as the case example from 'Julia' the mother of Disabled children illustrates. The example also shows the inaccuracy of the Work Capability Assessment (WCA):

3.320) I've only got experience of losing part of the family income due to Work Capability Assessment & Universal Credit. I am the appointee for my oldest son who was claiming Employment & Support Allowance since his operation last

year. Unfortunately, he had a partial split in the wound & the wound being on his bottom means he has to spend most of his day lying on his side in bed.....

3.321) Due to the assessor not actually assessing him for everything (claiming it wasn't necessary due to him being on ESA due to having had an operation) & not asking how he would cope if I wasn't there, on things he assumed he could do just because he turned up.....

3.322)...he got 0 points when he should have had more points than that even with the wrong questions being asked (& if the right questions had been asked he would definitely have been found currently unfit for work....

3.323)...after all what job can he do that doesn't require the use of phones, due to his Autism he has problems with phones, that he can do lying on his side in bed at home? He can't even type properly in that position- not that he'd be any good at a typing job anyway).

3.324) The effect on my son's wound of WCA, followed by a while later with 3 visits to the Job Centre to sort out his Universal Credit, (one for ID as that couldn't be done online, one for commitment & showing them the photocopy of the sick note sent to ESA before the phone call saying he was being kicked off ESA, & one to show them the new sick note) has been catastrophic.....

3.325) Since we are due to have both a hospital appointment & a Job centre appointment (you can't post in sick notes, unlike with ESA, you have to have an appointment with your work coach to show him the sick note, so instead of me being able to handle it on my own, now I have to take my son with me & possibly one or more of his brothers if they are not at College, due to their special needs they can't be left home alone.... I have to request the work coach come downstairs unless his twin is there to keep an eye on him- not ideal but his twin understands safety enough to know not to wander & can distract his twin from wandering).

Recommendation: ID and other documentation such as sick notes can be sent by post to the JobCentre.

3.326 As 'Julia' mentioned part of the family income has been lost due to UC, so Julia is now short of money every month, also her son's wound is at risk of infection:

3.324) My council tax benefit & housing benefit were reduced as if he was working, simply because he wasn't in receipt of a qualifying means tested benefit, even though his only income was his DLA. 3 people's money having to go round 4 & less money coming in & you get less council tax benefit & less Housing benefit.

3.328) Thankfully my landlord, a housing association was understanding.... I've had to cut back on stuff we buy to help with their disabilities....

3.329) My mum was diagnosed with cancer during that time so I couldn't ask my mum & dad for any help.

3.330) We are on less money now than ESA because my oldest is only entitled to basic UC for an under 25, which is about £250 a month even though he gets middle care rate DLA & lower mobility. This means we are going to be short every month from now on.....

3.331)....I couldn't afford to report the blocked bath/ shower plug hole to my landlord in case they charged us for it. It has meant we have had to go without baths & showering risking more infections in my son's wound (he's supposed to shower twice a day to keep it clean).

3.332) Julia also highlights the cumbersome online system:

The computer system is ridiculous. Not only do I need to take the sick note in to show them, but once I've picked it up from doctors' I've got to complete a section about it on the website. The awkward way the work coach has to process the sick note involves completing the same details in several locations, opening up a lot of pages at once, and is very difficult for his work coach to get right- he has to re-do some bits because it doesn't work 1st time. User friendly it is not.

More onerous claimant commitment

3.333 Under UC, 'You will be expected to look or prepare for work for 35 hours a week, depending on your circumstances.'²⁵ While under Jobseekers Allowance according to a Freedom of Information request in 2015:

'There is no 'set' time that a person must be engaged in looking for work whilst claiming JSA, rather it is a legal requirement for them to do all that is reasonable for them to do each week'²⁶

3.334 A Disabled person said of this change:

Firstly, it was a big shock as the new system is totally different, 35 hours a week job search, a lot more than the 10 jobs every 2 weeks on job seekers. Weekly appointments, with extra appointments given between them..

3.335 The more onerous claimant commitment is difficult for some Deaf and Disabled people as claimants because of the amount of time involved and according to one adviser, claimants are sent jobs they are not qualified for, to avoid a sanction the person claiming UC then has to explain why they are not applying for each job, which just adds to the time consuming complexity of the process.

Recommendation: Reasonable adjustments are made in accordance with the Equality Act 2010,²⁷ when a Deaf or Disabled person cannot fulfil their 'Claimant commitment' due to their impairment.

Problems caused by out of borough placements

3.336 Problems are caused when a UC is triggered when a person has to move from their current accommodation and are housed by the local Council out of

²⁵ <https://www.gov.uk/government/publications/universal-credit-and-your-claimant-commitment-quick-guide/universal-credit-and-your-claimant-commitment>

²⁶ <https://www.whatdotheyknow.com/request/299793/response/739708/attach/html/3/FOI%204632.pdf.html>

²⁷ <https://www.legislation.gov.uk/ukpga/2010/15/part/2/chapter/2/crossheading/adjustments-for-disabled-persons>

the area they used to live in because there is no housing available, as this example from a Homeless Shelter illustrates:

3.337) 'I am the Senior Case Worker for a Homeless Shelter. My VIPs (Clients) are from a London borough yet to roll out UC, which is a leafy outer London borough and the rents are high and there is very little social housing left. The problem my guys are having is being moved to another borough which means they come under another post code.....They are then put into temp accommodation usually in another borough. So for instance I have a client on ESA & PIP, they take their evidence to the local Job Centre they ask for evidence of address put in the post code say from Croydon and it throws the claim out saying they have a Croydon post code they have to claim UC.

3.338)...it isn't Croydon that owes them a duty it is our local borough. So all benefits get sanctioned or stopped. It got so bad that even when I approached one of the area managers for DWP they gave me the same answer....

3.339) Just to clarify so that it is clear, in the 42nd HOC Public Accounts on Benefit Sanctions Session 2016/17 the DWP have stated that HB (Housing Benefit) should not stop and this is their recommendation to all the Local Authorities... I am going to let our Job Centre and Bromley Council HB/CTB with a copy of the 42nd Report.²⁸ This is particularly important to my client group most of them are in TA (Temporary Accommodation) and we have just managed to make them safe off the streets.'

How long are people waiting for their Universal Credit claim to be processed, why, and what impact is this having on them?

3.340 Disabled people are having to wait for 6 weeks or longer so evictions can occur as the two examples below illustrate:

(How long have waited for UC to be processed?) 'A minimum of three months. I was left unable to find appropriate accommodation for my son and I to be

²⁸ <https://publications.parliament.uk/pa/cm201617/cmselect/cmpublic/775/775.pdf>

rehoused while battling to keep our home and return my son and save him from a lifetime in care. This led to serious health problems for me and my son...

3.341) '6 week wait for benefits.... my landlord made me homeless about a week after it was introduced. I had no place to go, no sleeping bag and it was raining, the police refused to help.

3.342) I had to ask my parents for help who are struggling to pay bedroom tax themselves and have no spare money also my parents were the original reason i was homeless / needed housing benefit due to abuse in that household unfortunately, the lifeline i depended on was taken away by the government without fully testing the new system....

3.343) then, i worried for weeks after about what to do as the new system was so difficult and felt it had ruined my life.... the 1st payment was 6 weeks after i applied so i had to juggle staying in hotels with trying to get away from my abusive parents checking my account every week, hoping the money was there..

3.344) i'm now diagnosed with anxiety and depression / with alcohol dependence which the new benefit pushed me towards, especially as it was my only safety net...

3.345) I then had to move to Colchester as the only homeless service that would accommodate me was Emmaus. I had to move away from my support network etc when i closed down my Universal Credit claim, i wasn't paid for the 3 weeks extra i had claimed....

3.346) it seems the new system doesn't pay for individual weeks which the previous better system did also my "housing element" had been lost and wasn't paid

3.348 On 4 Oct 2017 the Minister for Social Security in Scotland, Jeane Freeman said:

"Universal Credit is failing the people it is designed to support, driving more people into poverty. The 6 week wait, which can often be longer and deliberately built into the system, is unjustifiable - pushing people into crisis

and rent arrears, and having to rely on food banks and emergency payments to get by.....From today, people making new claims in full service Universal Credit areas will be offered the choice of changing the frequency of their payments from once to twice monthly and to have the housing cost element of their Universal Credit paid directly to their landlord – social or private. This can help people manage their money in the way that best suits them.”²⁹

3.350 Yet people in England and Wales are suffering the old system which causes, suffering debt, evictions which can have a disastrous impact on people’s mental and physical health.

Recommendation: Universal Credit is paid twice monthly and the housing element of Universal Credit is paid directly to the social or private landlord.

3.351 All the evidence we have provided illustrates it is crucial that the roll out of Universal Credit is halted until the major flaws in the system are remedied, otherwise more calamitous debt and distress will be caused.

3.352 Over 132,600 people have signed a 38 Degrees petition calling on David Gauke, Secretary of Work and Pensions government to ‘Please pause the rollout of Universal Credit, until the flaws in the system are fixed’.³⁰ Also national organisations that provide support with UC such as the Citizens Advice Bureau are also calling for the rollout to be paused.³¹

Recommendation: The roll out of Universal Credit is halted until the difficulties caused by the current system are remedied.

Is the advance payment system appropriate and is there adequate awareness of its availability?

²⁹ <https://beta.gov.scot/news/universal-credit-roll-out/>

³⁰ <http://bit.ly/2hblac7>

³¹ <https://www.citizensadvice.org.uk/about-us/how-citizens-advice-works/media/press-releases/citizens-advice-calls-for-universal-credit-rollout-to-be-paused-as-research-reveals-people-left-facing-financial-difficulty1/>

3.353 A benefit advisor informed us that UC's advance payment has to be paid back too quickly so people are trapped in permanent debt.³²

3.354 If the government refuses to allow two payments a month that we agree with the recommendation made by Brendan Sarsfield, CEO of the Peabody Trust on LBC radio on 9 October that everyone receives an advance payment until the first payment is received.³³

How are claimants managing with being paid Universal Credit monthly in arrears?

3.355 Debt, evictions and mental and physical health problems are caused as illustrated in the evidence above.

Is the Alternative Payment Arrangements system working effectively?

We do not have evidence regarding the Alternative Payment system

Has Universal Credit improved the accuracy of a) payments and b) registration of claims?

See the evidence already given above regarding Deaf and Disabled people.

What impact is Universal Credit having on rent arrears, what effect is this having on landlords and claimants, and how could the situation be improved?

³² ³² An Advance Payment has to be paid back 6 months if you've made a new claim 12 months if you've been moved onto UC from another benefit.

<https://www.citizensadvice.org.uk/benefits/universal-credit/apply/get-advance-payment/>

A group of 31 MPs raised concerns about UC which included the 'mandatory paying back of £150 in three lump sums of £50'. <https://www.theguardian.com/society/2017/aug/06/delay-universal-credit-to-help-the-vulnerable>

³³ <https://www.theguardian.com/society/2017/sep/16/universal-credit-rent-arrears-soar>

3.356 As mentioned above claimants are more likely to go into arrears on UC than under the previous system where Housing Benefit was paid directly to the Landlord. Administrative problems with UC have caused a decline in the number of private sector landlords prepared to rent to people on benefits. This is exacerbating the housing crisis still further.³⁴

3.357 Regarding the effect on landlords the Guardian newspaper reports³⁵: 'Figures obtained by the *Observer* under the Freedom of Information Act also show that half of all council tenants across 105 local authorities who receive the housing element of universal credit – which replaces housing benefit – are at least a month behind on their rent, with 30% two months behind. By contrast, less than 10% of council tenants on housing benefit are a month behind on their rent, with under 5% running more than two months behind.

3.358 Three councils whose tenants have already been moved on to universal credit said they had built up about £8m in rent arrears. Croydon, Hounslow and Southwark said that more than 2,500 tenants claiming it were now at risk of eviction.

3.359 The Peabody Group, a housing association that owns and manages more than 55,000 homes in London and the south-east, said the rate of rent arrears among its tenants on universal credit was three times greater than those not on the new benefit. It said the average level of arrears for those on universal credit was £1,400 per household.³⁶

What impact is Universal Credit having on the income and costs of local authorities, housing associations, charities and other local organisations?

We do not have evidence on this question

³⁴ https://england.shelter.org.uk/_data/assets/pdf_file/0004/1391701/2017_06_-_Shut_out_the_barriers_low_income_households_face_in_private_renting.pdf

³⁵ <https://www.theguardian.com/society/2017/sep/16/universal-credit-rent-arrears-soar>

³⁶ <https://www.theguardian.com/society/2017/sep/16/universal-credit-rent-arrears-soar>

How well is Universal Support working, and how could it been improved?

Please see evidence above.

What effect will the scheduled Jobcentre Plus closure and relocation programme have on the operation of Universal Credit?

We do not have evidence on this question

Is the roll-out schedule appropriate?

As mentioned before:

We recommend the rollout is halted until the difficulties caused by the system are remedied.

That concludes this response.

For more information contact:

Inclusion London
336 Brixton Road
London, SW9 7AA
policy@inclusionlondon.org.uk

Telephone: 020 7237 3181
SMS: 0771 839 4687
www.inclusionlondon.org.uk

Registered Charity number: 1157376
Company registration number: 6729420



Trust for London

Tackling poverty and inequality