

GENERAL SYNOD

Impact of Sanctions on Benefit Claimants

A Background Paper from Diocese of West Yorkshire and the Dales

1. That this Synod:
 - (a) request the Church of England Public Affairs Council to evaluate, with others as appropriate, the impact of sanctioning upon benefit claimants; and
 - (b) Call on Her Majesty's Government to implement recommendations numbered 58 to 63 inclusive made in December 2014 by the All Party Parliamentary Inquiry Report into Hunger in the UK 'Feeding Britain' in respect of the use of sanctions upon benefit claimants.

Introduction (Section B)

2. This motion from West Yorkshire and the Dales (WYAD) Diocesan Synod was the initiative of the Airedale Deanery Synod in March 2015, and proposes that the General Synod examine the effect of the current method of imposing sanctions on welfare benefit claimants. It also urges wholehearted adoption of the recommendations numbered 58-63 inclusive of the All Party Inquiry Report into Hunger in the UK 'Feeding Britain' Report in respect of the imposition of such sanctions. Detail of the recommendations is given in Section D. The Inquiry was chaired by the Bishop of Truro and Frank Field MP, and is maintaining a monitoring of 'Food Poverty' in Britain. Their recommendations in 'Feeding Britain' are the result of careful and sound research. The full report can be found at: <https://foodpovertyinquiry.files.wordpress.com/2014/12/food-poverty-feeding-britain-final.pdf>
3. WYAD and Airedale Synods benefited from a presentation by Nick Hodgkinson, Project Co-ordinator, Community Advice Network in Bradford. Some of Nick's information about the effect of sanctions to Bradford claimants is given in Section C.
4. JPIT (Joint Public Issues Team) has also conducted research into the impact of sanctions, and produced a report in March 2015 'Time to Rethink Sanctions' available at <http://www.jointpublicissues.org.uk/wp-content/uploads/rethink-sanctions-report-0315.pdf> Synod members may wish to read this in advance of the debate. JPIT's report concludes: "It is very hard to justify a system which impacts most harshly on the people who most need help and support. It is incumbent upon the Christian community to speak out against any system which treats people so unjustly."
5. Sheffield Diocesan Synod has also responded positively to a similar concern from Wath Deanery Synod in July 2015, and indicated that this is an issue that is causing widespread disquiet, as the application of sanctions is recognised as resulting in enforced destitution. A meeting in Bradford with Malcolm Brown (MPA) in December 2015 was also attended by

David Price from Sheffield, and enabled us to find ‘common cause’. We are delighted that Sheffield are supportive of our initiative.

Application of Sanctions to Benefit Claimants (Section C)

6. The following information lies behind our motion. Whilst some of it is specific to the application of sanctions in Bradford, similar statistics apply to other areas.
 - a) ‘Conditionality’ has always been part of our social security system for people who are healthy but unemployed. If you have no paid work and little income you will receive financial support from your fellow citizens through the social security system.
 - b) In return you must take reasonable steps to find work; providing evidence that you are actively seeking suitable jobs, and satisfying other Jobcentre rules.

We approve the principle of this method, but challenge current application of it.

7.
 - a) A tougher regime in respect of Job Seeker Allowance (JSA) sanctions has been in place since October 2012. A three tier approach exists: Higher and Intermediate examples are: losing job by misconduct or voluntarily leaving, and not applying for or accepting jobs. Lower level examples include: being late for Job centre interviews, not applying for enough jobs, not attending a Work Programme session.
 - b) Benefit Sanctions mean benefit is stopped for periods of 4, 13, 26 or 156 weeks, depending on the seriousness of the behaviour. Sanctioning is now more common and much more punitive on JSA and Employment Support Allowance (ESA) applicants.
8. Many reports from organisations working with vulnerable groups – e.g. MIND – are concerned about the impact of sanctions upon people with mental health problems, learning difficulties, homeless people, women fleeing violence, and non-English speaking or low literacy applicants. Bradford advice agencies concur with all this.
9. Practical examples of sanction application in Bradford include:
 - required to apply for 7 jobs per week, applied for 10 one week, 5 the next
 - late attending a Jobcentre interview because of a job interview
 - ceased to look for work because already had a job offer to start in four weeks.
10. The impact of sanctions has led to many living in utter destitution, dependant on the generosity of family and friends, and often resorting to loan sharks. There is evidence that growing dependence on food banks is strongly linked to sanctioning.

'Feeding Britain' - recommendations in respect of sanctions (Section D) (Report Numbering)

58. *We strongly welcome the Government's decision to accept in full the recommendations made by Matthew Oakley's independent review into sanctions for claimants failing to take part in back to work schemes. We accordingly call on the Government to extend these measures to cover all Jobseeker's Allowance claimants, as we have identified similar problems arising across the board, with sanctions sometimes resulting from a poor understanding of the system, rather than a wilful disregard of the requirements placed on claimants.*
59. *We recommend that the Government make clear in guidance that a sanction decision is only lawful if letters are sent, and can be proven to have been received, to the claimant explaining the reason that a sanction is being imposed (including dates, what the failure was, and why there isn't good cause), the period the sanction will apply for, and whether Hardship Payments may be granted, and if not, why not.*
60. *We recommend that, in cases where sanctions are applied, the Department for Work and Pensions should require that claimants be immediately informed of their right to appeal the decision, and provided with the necessary documentation to do so.*
61. *We recommend that Jobcentre Plus staff should be able to exercise their own discretion as to whether a requirement was missed through error or circumstances beyond the claimant's control, and should be able to recommend that sanctions are not implemented on these occasions.*
62. *We believe claimants should be given a 'Yellow Card' warning with the chance to provide an explanation for a first offence, and perhaps being given additional requirements to be met, before a sanction is applied.*
63. *We recommend that once a sanction has been applied, Jobcentre Plus should promptly advise the claimant to contact their Local Authority, or make contact themselves, to tell their opposite number of the reduction of income of a claimant and their right to continue to claim other benefits. In this way there should be no disruption to Housing Benefit Payments and/or Council Tax support.*

**The Revd Canon Gordon Dey, Advisor, Diocese of West Yorkshire and the Dales, and
Co-ordinator of 'WRIB', Welfare Reform Impact Bradford
January 2016**