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Your ref: ML.DC.N006.ID.14.6.16

Our ref: POS(2)10046/144

7 July 2016

Des Carone

Thank you for your email of 14 June to the Secretary of State in relation to the recently published Peer Review Reports. I am replying as the appropriate Minister.

The Peer Review recommendations form part of the overall Departmental improvement process. Recommendations are fed into the relevant customer journey where they are considered alongside other recommendations and/or ideas for process improvements.

Regarding your "support for the establishment of an independent body to review the deaths of social security claimants": in 2015 the Work and Pensions Select Committee (WPSC) published their report 'Benefit sanctions policy beyond the Oakley Review' with recommendations. One of their recommendations was: "In addition, the Department for Work and Pensions (DWP) should seek to establish a body modelled on the Independent Police Complaints Commission, to conduct reviews, at the request of relatives, or automatically where no living relative remains, in all instances where an individual on an out-of-work working-age benefit dies whilst in receipt of that benefit. Such a model, operated within the purview of the Parliamentary and Health Service Ombudsman, should ensure that the role of all publicly-funded agencies involved in the provision of services or benefits to the individual is scrutinised, so that a learning document can be produced setting out how policy, and the service delivery pathway, can be improved at every stage."

We did not accept this particular recommendation due to the fact that a number of avenues already existed for relatives to have cases reviewed.

In October 2015 we responded: "There are already a number of routes for review available to relatives or people close to the deceased. If they disagree with a decision that the Department has made on the deceased's claim they may have a right of appeal to the First-tier Tribunal. Relatives or people close to the deceased who disagree with the way in which the Department has handled the case can also use the Department's complaints processes and ultimately complain to the Independent Case Examiner. They also have access to their Members of Parliament who can investigate for them and, again through their MPs they have access to the Parliamentary and Health Service Ombudsman.

Finally, where relatives or people close to the deceased feel that a particular policy or process is unlawful, they may challenge this through the courts. Accordingly there are a number of existing mechanisms by which they can challenge the way in which the Department administers the social security regime.

The number of claimants who are in receipt of the following four out-of-work benefits (Jobseeker's Allowance (JSA), Employment and Support Allowance (ESA), Income Support (IS) and Universal Credit (UC)) means that this proposal to investigate what might amount to every death of a working age benefit claimant is simply unworkable and disproportionate."

This response still stands and reflects the current position.

Turning to your "support for an independent review of benefit sanctions", the Government sees sanctions as playing an important part in the labour market system, encouraging people to comply with reasonable requirements, developed in agreement with them, based on their circumstances and capability, which will help them move into/ prepare for work.

Indeed, evidence shows that sanctions have a positive impact on behaviour - over 70 per cent of JSA and over 60 per cent of ESA claimants say that sanctions make it more likely they will follow the rules.

I can assure you that a decision to apply a sanction is not taken lightly, and claimants are given the opportunity to provide 'good reason' for not complying before the decision is made by the Decision Maker.

In addition, emphasis is placed on protecting vulnerable claimants. Our Jobcentre Plus Work Coaches have access to specific guidance on dealing with vulnerable claimants and will regularly repeat key messages about conditionality and the consequences of failing to meet agreed requirements.

We want the sanctions system to be clear, fair and effective in promoting positive behaviours and to illustrate this intention, we have already made improvements to the JSA and ESA sanction systems following recommendations in an independent review led by Matthew Oakley in 2014. That review considered benefit sanctions for claimants of JSA who were sanctioned after being referred to a mandatory back to work scheme in the year to 26 March 2014. It looked at the process of benefit sanctions and the understanding of sanctions by claimants.

The Review concluded that the current system largely functions well, but conceded that "in an operation of this scale there are almost inevitably areas for improvement". He made 17 recommendations for improvement, all of which we accepted and since then significant work with internal and external stakeholders has taken place to implement the recommendations and is continuing, to ensure that the sanctions system continues to function effectively and fairly.

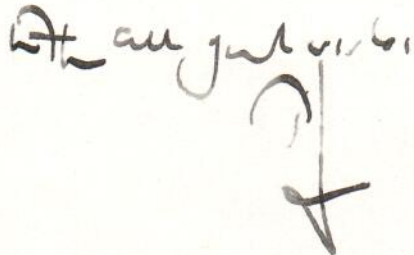
In the WPSC's report on sanctions, they also recommended that the "DWP commission a broad independent review of benefit conditionality and sanctions...." In our response we clearly outlined the work the Department had already undertaken to review the sanctions system and the changes we intended to make. We are continuing to work on those, alongside the on-going work following the Oakley Review. As such, we did not believe it necessary to accept this recommendation. We did, however, accept recommendations in a number of other areas, including on tailored support for vulnerable claimants.

It is imperative that we focus our efforts on continuously improving JSA and ESA and ensuring that all the agreed recommendations from the Oakley Review and from the WPSC sanctions report can continue to be delivered in UC.

At this point, I think it also important to note that we also have a well-established system of hardship provision for claimants who can demonstrate they cannot meet their immediate and most essential

needs, including accommodation, heating, food and hygiene, as a result of their sanction.

If I can be of further assistance please do not hesitate to contact me.

A handwritten signature in black ink, appearing to read 'Rt Hon Priti Patel', with a stylized flourish below it.

Rt Hon Priti Patel MP
Minister for Employment