Welfare Conditionality
SANCTIONS, SUPPORT AND BEHAVIOUR CHANGE

E·S·R·C ECONOMIC & SOCIAL RESEARCH COUNCIL

Final findings: Social security in Scotland

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This briefing presents key findings on the impacts and ethics of welfare conditionality in Scotland. It draws on the experiences of 88 participants (from an original sample of 134) who took part in at least two of the three waves of repeat interviews, undertaken between 2014 and 2017. Interviewees included jobseekers, Universal Credit recipients, disabled people, migrants, lone parents, homeless people, offenders and those subject to anti-social behaviour interventions and Family Intervention Projects.

Key findings

- Overall, there was little awareness of devolved Scottish social security and employability powers (most interviews were conducted before the major reforms). However, disabled people tended to be very positive about the prospect of a devolved system.
- Throughout the sample and across the three waves of interviews, users were keen to work and made concerted self-directed efforts to improve their situation.
- The threat or experience of benefit sanctions did not improve job outcomes for those we spoke to.
- Conditionality, especially sanctions, triggered negative impacts. This included widespread anxiety, depression, poverty, hardship, fear of destitution, rent arrears, debt, strained personal relationships, acute emotional distress and worsening physical and mental health conditions.
- The threat and use of benefit sanctions was:
  - Counterproductive – rather than helping recipients improve their lives, sanctions were disempowering and created new barriers that prevented positive action (for example, not being able to afford to look for work or pay for children to get to school, losing confidence and self-esteem) and could trigger crisis points with life altering consequences; and
  - Compliance-focused, meaning recipients used large reserves of time and energy which could otherwise have been used for positive activities satisfying onerous, yet often ineffective, requirements.
- Mandatory support was mainly self-help focused. Responsive support was lacking and the compulsory training/mandatory placements available were often very basic, repetitious and ineffective.
- Work coaches who showed empathy, listened actively and took interest in participants were valued and praised.
- Disabled participants found the application of conditionality particularly stressful. There was a shared sense that disabled people were being unfairly targeted and that Work Capability Assessments for Employment and Support Allowance (ESA) were intended to reduce eligibility. Many ESA Support Group participants expressed relief that they were no longer subject to the pressure of conditionality, but at the same time, some criticised the lack of employment related support that ensued.
- Several Universal Credit claimants experienced inappropriate and unmanageable waits for their first payment. Most wanted fortnightly payments and rent to be paid directly to their landlord; some preferred to take control of their housing payment themselves.
- Stigma and shame were often felt by benefit recipients. Many reported that the unrelenting pressure of conditionality made them feel that their efforts and contributions were not recognised.
- Ethically, most agreed with the principle that 'abled bodied' recipients should actively look for work to receive benefits. However, participants' own experiences of the threat and use of sanctions led them to believe that their application was often unjust, disproportionate or inappropriate, particularly since support was often inadequate.

Introduction

Welfare conditionality, which makes social support contingent on behavioural requirements, has been extended and intensified in the reserved parts of the British social security system that operate in Scotland. Work obligations and sanctions exist for long-term ill and disabled people, lone parents and, under Universal Credit, low-paid workers and partners of claimants.

In contrast, the new devolved system is rights-based and voluntary, designed to ensure 'dignity, fairness and respect', delivered by Social Security Scotland on a voluntary basis. Scotland's new employment services are explicitly needs-based and sanctions-free.

There is scope to bridge the gap between these coexisting contrasting approaches by developing new cooperative approaches to the issues raised by our findings.

Context

Landmark social security legislation was introduced in Scotland in 2018, based on the principles of 'dignity, fairness and respect', which enshrine human rights in the delivery of 11 benefits (including reform of Personal Independence Payments and Disability Living Allowance) via the new agency Social Security Scotland. Scotland's voluntary devolved employment services for long-term ill and disabled people are provided on a voluntary, sanction-free basis. Fair Start Scotland replaced the transitional schemes Work First Scotland and Work Able Scotland in 2018.

These new benefits and services were introduced after our fieldwork was complete[1]. The findings reported in this briefing relate mainly to the reserved part of the social security system that continues to operate throughout Scotland.

The Scotland Act 2016 precludes any alteration to sanctions or conditionality in the delivery of reserved UK working age benefits like Universal Credit (UC), Jobseeker's Allowance (JSA) and Employment and Support Allowance (ESA). Most social security recipients in Scotland remain subject to conditionality and will continue to use UK-wide services like Jobcentre Plus, within a system characterised by intense and extensive conditionality.

Although Universal Credit recipients in Scotland have more choice than those in England (over receiving their payments weekly or monthly; and can now opt to have the housing element paid to their landlord), the new conditionality regime still applies fully to recipients who are in and out of work. UC extends full-time job search/work requirements, backed by sanctions (lasting indefinitely 'until compliance' and up to three years) and mandatory forms of support to in-work recipients, as well as partners of recipients, for the first time.

[1] Work First Scotland and Work Able Scotland operated April 2017-2018; and UC flexibilities were introduced in June 2017, near the end of our fieldwork, but none of our participants reported using them.

Findings

Awareness of Scottish policy divergence

Many participants did not have a clear understanding of which parts of the system had been devolved. This is mainly due to the timing of the interviews, which were concluded before some of the biggest changes to social security and employability in Scotland. However, even long-standing devolved provision (such as the Scottish Welfare Fund and mitigation of the 'Bedroom Tax') were not generally well understood. Disabled participants were largely positive about the devolution of social security and employability powers to the Scottish Parliament. There was a sense that the political landscape in Scotland was less paternalistic and stigmatising of benefit recipients.

"I'm more confident in the Scottish Government because I feel as if the Scottish Government are trying to help people in poverty. I think that way, whereas the Tories, if you're not working they're not interested. If they had their way they wouldn't even give you housing benefit, if they had their way. This carry-on with the austerity, it's disgraceful."

(DISABLED PERSON, MALE, WAVE C)

Behaviour change

Welfare conditionality within the social security system was largely ineffective in moving participants into employment or ensuring progression when in the paid labour market. The 'behaviour change' ethos of conditionality did not have an influence on most of those in the study who demonstrated a strong desire to work, which was not contingent on the threat or the application of a sanction.

"No, [threat of sanction didn't change my behaviour] because I did look for work. I was looking for work, doing my CV, once the children were in school every day I was out handing out my CVs, going to computer courses, going to courses… I think I started signing on in January and by the August I had like seven certificates [from courses]. So it was never just sitting and not doing anything."

(LONE PARENT, FEMALE, WAVE B)

Many reported that they felt their efforts to actively seek work were not recognised due to the persistence of conditionality. For some this led to stress and anxiety, in that they were never able to feel confident their job searching activity for the fortnight would be considered adequate.

"[It] really negatively impacts your job searching because it's not something you look forward to. It's already difficult enough finding work without that attitude in the background of, well, even if I do find work. I'm going to get no support, I'm going to get berated for not finding enough work and all that it's very negative. It's kind of degrading."

(UNIVERSAL CREDIT, MALE, WAVE B)

"Every week, I go in to sign on and I don't know, it's just it's at the back of my mind and I say to myself, 'What if I get sanctioned? What am I going to do for money, this, that and the other?'"

(JOB SEEKER, FEMALE, WAVE A)

Participants commonly regarded Jobcentre Plus and Work Programme (WP) providers as being primarily focused on ensuring compliance with the mandatory benefit claim conditions rather than helping people into work. The constant pressure to achieve demanding job application/work search requirements in combination with the prevailing anxiety of being sanctioned led to an ineffective compliance with conditionality. This was where participants increased their efforts but with a focus

on meeting compulsory work-related requirements, such as meticulously logging their job search activity or arriving half an hour early for any appointments to avoid any chance of being late, that did little to improve their employment prospects:

“ I quite religiously write down my job searches and all of that… Because I know if I didn’t do it that they’ll stop my money and I’ll not have any housing benefit paid and I’ll have debt letters from the council saying I’m in hundreds of pounds of debts. That makes me really anxious and that. I can hardly sleep as it is, so.”

(JOBSEEKER, FEMALE, WAVE A)

There were reports as well of participants applying for jobs where they had little prospect of being successful or they knew they would be unable to do. This included applying for driving jobs when they did not have a licence, or where the hours would not be suitable for their care responsibilities. Such futile actions were undertaken because of the need to meet job search targets and to avoid the possibility of a benefit sanction.

“ I found myself applying for jobs that I wasn’t going to get. I applied for a job in the crematorium and I know I couldn’t do it… it’s demeaning for me to actually do that, apply for jobs that I know I’m not going to get. That if I did get to the interview stage I would go to the interview and say. ‘Oh by the way, I can’t do this job because I can’t work round my children.’”

(LONE PARENT, MALE, WAVE A)

Efficacy of welfare conditionality

SUPPORT

Most experienced their interactions with Jobcentre Plus work coaches as coercive rather than supportive. Only a small number stated the mandatory support on offer was enabling and of practical use in helping them find or maintain work. Pressure to constantly search and apply for jobs, under threat of benefit sanction, yielded few positive work outcomes. Across all three waves of interviews the dominant view was that the provision of individualised support was largely lost in a process dominated by compliance monitoring.

“ I never found anyone helpful at the Jobcentre in my experience. You know, it was more – it’s a bit like a factory of getting people in and out. There doesn’t seem to be any support going on there.”

(LONE PARENT, FEMALE, WAVE C)

Discretion in how welfare conditionality is operationalised by individual staff members in their face-to-face dealings with benefit claimants was also an important factor in enabling even the most marginalised of people to take the first steps towards more fulfilling lives. Similarly, participants reported variation between work coaches as being a strong contributor to whether they would receive a sanction or not.

“ [Jobcentre Plus] is a big organisation. Now, it wasn’t down to anybody apart from one person in that whole building. One person who had a bit of understanding, a bit of sensibility about them, in their approach, and they treated me like an adult, not just somebody who’s just signing on, and that’s where it came from, that one person.”

(LONE PARENT, MALE, WAVE C)

"It's a half-and-half situation [whether you'll get sanctioned]… I feel like it's only if the adviser you're seeing likes you or not. It feels like that sometimes."

(JOB SEEKER, MALE, WAVE A)

Some participants spoke positively about their work coaches, but emphasised that despite their strengths they were curtailed in the support they could provide due to the focus on enforcing conditionality, their high workloads and the short time allocated for individual appointments. There were also common reports from participants that they did not routinely see the same work coach; that undermined any possibility of individualised support.

" What I noticed in the Jobcentres was there were fewer and fewer staff in there every time you went and I think people were getting paid off… you're not seeing the same person twice… I felt some frustration in that because they're meant to be personal advisors sort of thing. Then you'd walk in and it would just be someone completely different who'd have a completely different attitude to the person that you'd seen before."

(JOB SEEKER, MALE, WAVE B)

With the focus on moving recipients into any available work, some participants reported that work coaches often disregarded pre-existing skills and experience. One participant had 30 years' experience working in support and care roles and had a social work degree. By his second interview he was working two part-time support worker jobs that he had found himself: one in mental health, and the other for a homeless shelter.

" [At first wave] Well they've told me to apply for everything, just to get that out of my head, I've to go for lines operator at [leisure venue], I have to go McDonalds and that one, you know what I mean?… You have to take anything. [At third wave] They tried to get me to go for, and I did go for different jobs. Half-heartedly; I didn't want them but I applied for them. I've got qualifications and good experience in social care and NHS and things like that and health care."

(UNIVERSAL CREDIT, MALE, WAVE A & C)

Few participants found the self-help Universal Jobmatch website useful. Complaints of out-of-date job listings, limited functionality or surveillance were commonplace.

" Big brother is watching you! You're getting spied on."

(JOB SEEKER, FEMALE, WAVE A)

" It's very rare that they'll actually give you a recommendation, something you'd yourself apply for like you're getting electrical engineer roles in [south of England] or something. Like okey dokey, nothing you're qualified for, nothing… "

(UNIVERSAL CREDIT, MALE, WAVE B)

Additionally, most participants did not think the Claimant Commitment was explained adequately to them at their initial meeting. Discussions with work coaches were often cursory, with the process being routinely described by participants as dominated by compulsion rather than negotiation.

" Yes, you had to sign it at the end but if you don't sign it you don't get your money. So you've got a choice, there is a choice… agree to this or bugger off, you're not getting money."

(UNIVERSAL CREDIT, MALE, WAVE A)

'Easements' or flexibilities are another important element of support built into the current benefit system. These are intended to enable work coaches to suspend or reduce the job search and work-related conditions attached to an individual's benefit claim depending on their particular circumstances (homelessness, lone parenthood, sickness, etc). Easements should be discussed as part of the Claimant Commitment process. However, they are not currently being routinely discussed and/or appropriately implemented in all cases.

“ If I had my own stable accommodation, it would be a hell of a lot easier to… find a job… I was having to jump about, address to address, different nights. I said to them ‘I’m not using this as an excuse, I’m just wanting you to understand my circumstances and maybe [give] a wee bit of leeway, a bit of help.’… I understand you have to push people to get to work but they’ve started to take it to extremes.”

(HOMELESS PERSON, MALE, WAVE A)

Much of the compulsory training on offer from Work Programme providers was condemned as being too generic, of poor quality and of limited use in improving people’s skills or enhancing future movements into work. Positive experiences were mainly limited to participants with no prior experience working with computers and those who had not had to write a CV for a number of years. However, provision was regularly neither intensive or personally tailored, nor vocational enough to help people overcome the barriers faced when trying to (re)engage with paid employment. Similarly, participants who appreciated an initial course reported frustration of being sent on a second or third course that provided the same training as the first.

“ I think it’s just basically that there’s not enough stuff that they’re putting forward, it’s just always like, here’s a computer, do your job search, make sure your CV’s up-to-date, and then that’s you, you just keep applying for the stuff you would do in your normal house, so it’s not much different.”

(JOB SEEKER, MALE, WAVE A)

Conversely, across the interviews, non-statutory support organisations received widespread praise. Support received ranged from help filling in complex forms for disability benefits to appealing sanction decisions. There were reports from participants that taking a support worker to a disability assessment resulted in a more respectful approach from the assessor. One participant also accepted the offer from a support organisation for a member of staff to accompany him at his fortnightly meetings at Jobcentre Plus. Initially, he was reluctant due to anxiety that other claimants might think he was incapable of standing up for himself. In the end he found it beneficial and recommended other claimants experiencing difficulties do the same.

“ I found, from the depression point of view, [taking a representative from a mental health support organisation to Jobcentre meetings] very helpful because I think it took away one of the things that was causing the depression, i.e. just the lack of, not having anyone on my side… it was amazing the difference [at the Jobcentre Plus], they treated me with a lot more respect. You could actually see they were worried in case they were doing some wrong and this guy was picking up on it.

(DISABLED PERSON, MALE, WAVE A)

SANCTIONS

Benefit sanctions were ineffective in moving people nearer or into paid employment. They were routinely experienced as punitive and more likely to undermine the likelihood of engagement or advancement in paid work. In certain cases, the experience of a benefit sanction led to individuals disengaging from the social security system.

"I said to him [work coach], 'I'm not going to argue with you and I'm trying my best,'… and with that I left the Jobcentre and I've not returned."

(UNIVERSAL CREDIT, MALE, WAVE B)

The application of benefit sanctions usually triggered a range of profoundly negative outcomes, including increased debt, poverty, and reliance on charitable providers and informal support network to meet basic needs.

"[My gas and electric] fell into that much arrears… I was without heating for ages… I pawned everything I had… You're literally going, 'Do I eat or do I have light?'."

(LONE PARENT, FEMALE, WAVE A)

Participants also frequently spoke of benefit sanctions, and their possible future application, exacerbating existing physical and mental illnesses and triggering high levels of stress, anxiety, and depression.

"[Being threatened with sanctions and being sanctioned] definitely made my situation worse… it depressed me; it affected my confidence and just made my health worse."

(DISALBED PERSON, MALE, WAVE A)

Left destitute as a result of a sanction, a few homeless interviewees resorted to begging or crime (theft or drug dealing) to meet their essential living needs.

"[I got by] illegally… Drug dealing. That's what I did... That sanction… turned me to crime and making my money. And then after that I was making that much money I didn't need their [benefit] money."

(HOMELESS PERSON, MALE, WAVE C)

Evidence suggests that benefit sanctions were often triggered for relatively minor transgressions such as being a couple of minutes late for a Jobcentre Plus appointment. In some cases, participants were taken by surprise that their actions warranted a sanction without being given any prior warning.

"I just got a sanction for that because [my daughter] had cancer and I always went to [hospital] appointments and that with her. I was late for a Jobcentre appointment, 'Why are you late?' I said I was at [hospital, which had previously been accepted as valid]. They said 'Well your daughter turned 18 three weeks ago, she's all right to go herself [now]'. I said it's still my child, she's going through that; but no they sanctioned me anyway."

(JOB SEEKER, FEMALE, WAVE A)

Similarly, participants were angry at the lack of leniency or compassion when they tried to rectify genuine mistakes. This included a participant who missed his first appointment after a long period of being signed off ill and had phoned as soon as he realised.

"It just makes me feel worse towards them, because it's just like another way of just making the poor poorer… It would be different if you'd missed it by a couple of days, or you kept doing this, or this was an ongoing thing that you kept doing; it would be totally different… I don't like them for it whatsoever. I hate them for it."

(UNIVERSAL CREDIT, MALE, WAVE B)

Over the three waves of interviews, many participants continued to be fearful and anxious about the possibility of being sanctioned and the negative impacts it would have on them and their family. Since the main working age benefits are reserved, the issues arising from sanctions are to set continue.

Universal Credit

Most interviews were conducted before the introduction of the Universal Credit Scottish flexibilities. Most participants did want to have their rent paid directly to the landlord. Whilst a minority of recipients did prefer monthly payment, most UC recipients preferred fortnightly payment because the amount received was insufficient to cover basic necessities – a situation worsened by lengthy waits for the initial payment (reported by several as being multiple weeks longer than intended).

"I would rather have been paid fortnightly. I'm not bad with money but I would rather be paid fortnightly because it's a long wait."

(UNIVERSAL CREDIT, MALE, WAVE A)

"I still struggle. By the middle of the month I've got nothing. By, literally, the 18th, 20th, I've got nothing. I struggle for the last couple of weeks every single month, and that's why I'm trying to get away from it. I'm trying to go and do anything just to get away from it, because you can't survive on it. It's impossible."

(UNIVERSAL CREDIT, MALE, WAVE B)

Another participant was in rent arrears due to confusion over how their part-time earnings would affect their payment each month. After being threatened with eviction they got independent support to making a budget plan to pay back their arrears as well as have the money for their rent go directly to their landlord.

"I've worked with [advice charity] and we tried to set up an alternative payment arrangement where the money goes, my rent money goes directly from DWP to there. So, I don't get it … so it's always paid. That was like last July but they didn't do that…This 15th I've got to pay it manually, and hopefully by next month they will have it set up. They don't really seem to understand about an alternative payment arrangement. I really hope they do, because it would be so much easier for me."

(UNIVERSAL CREDIT, FEMALE, WAVE B)

Participants who did seasonal work or variable hours were positive about the ease in which changes in their employment status and working hours could be reported. However, the requirement for claimants to prove they had spent 35 hours each week looking for work was viewed as excessive and unrealistic.

"I feel as if I'm never off that thing [the PC]. I'm not enjoying what I'm doing. I got that to go onto websites and see what's happening in the world […] and all I seem to be doing is work activity, looking for jobs, hitting agencies and square eyes."

(UNIVERSAL CREDIT, MALE, WAVE A)

Several low-paid workers who resented being subject to 'in work' conditionality reacted by relinquishing the housing-related and low wage supplements available through UC to avoid the necessity of compulsory additional job searches and attendance at Jobcentre Plus.

"When I was working… it was two days a week I was working. Right? So, they still wanted you to do your job searches for the three days. So, say you did 16 hours work then they would want you to do another three days' job searching. It was also quite hard too because if you had a relief job you had to try and take shifts that weren't going to fall on the day you were signing on so you could sign on."

(UNIVERSAL CREDIT, MALE, WAVE C)

Disability

Work Capability Assessments for Employment and Support Allowance (ESA) were viewed as wholly negative experiences. Stress, anxiety, and feeling worn down were the commons themes arising in the interviews when discussing them.

Participants applying for ESA did not believe the aim of assessment was to ensure people were receiving the most appropriate level of support, but rather a means to reclassify people as fit for work or mandatory work-related activity. There was also a sense among disabled participants that were viewed as potential benefit cheats by assessors who routinely attempted to 'catch them out'.

"They didn't point, like, 'Do you have mental health problem?' They were asking me, 'Do you go out?' They are very clever. Asking questions around you know, twisting you around and you give the question different way. And then they're thinking that you're fine, that's the most, the thing that I'm really angry on them you know… Because some days I don't go out, I can't cope when there are a lot of people and then they think that if I go out to the local shop or to the supermarket I can cope."

(DISABLED PERSON, FEMALE, WAVE A)

For many disabled people welfare conditionality and its associated medical assessment procedure triggered or exacerbated existing illnesses and impairments and decreased the likelihood of future return to work.

"It is demeaning, condescending, it is painful, it is damaging, it actually makes your disabilities worse if you've got some disabilities. And it is completely unproductive. It doesn't get people work. Nothing in what they've done to me has assisted me in getting back in to the employment market. So these people are paid to torture me basically, for money I don't get."

(DISABLED PERSON, FEMALE, WAVE A)

Participants in the Support Group often spoke with relief at being exempted from conditionality. However, simultaneously some spoke of feeling abandoned and that there was no support available for those in the 'Support Group'.

"It's a cheek for them to call it a support group because it's not a support group. How can you describe it as a support group when they just leave you alone and they don't do anything?"

(DISABLED PERSON, FEMALE, WAVE C)

The ethics of welfare conditionality

In principle, most participants were broadly supportive of welfare rights being linked to certain specified individual responsibilities.

"For people who are in full health, to a certain extent, yes, I think that they should be expected to do things, but they shouldn't be sanctioned if they've gone for a certain amount of jobs."

(DISABLED PERSON, FEMALE, WAVE C)

"I don't think people should be sitting about getting money for absolutely nothing … If somebody's just sitting there saying, 'Well I'm not looking for work at all and I don't care, then aye [a sanction is fair]."

(HOMELESS PERSON, MALE, WAVE A)

Simultaneously, however many were much more critical of the way in which welfare conditionality within the UK system has been enacted and expanded. The most commonly held view was that the balance between sanctions and support was out of kilter.

"They're looking for excuses to sanction you rather than give you a little bit of support."

(OFFENDER, MALE, WAVE C)

"There's nothing wrong with providing support for [disabled people]. Pressuring people who are obviously not ready for it, or suggesting people do something entirely inappropriate for them is wrong."

(DISABLED PERSON, MALE, WAVE A)

Furthermore, participants believed the unrelenting intensity of conditionality meant that a lot of recipients were misunderstood and misrepresented:

"We should be looking [for work], I think they're coming down too hard on the wrong people."

(JOB SEEKER, FEMALE, WAVE A)

"I know that there is people out there that do abuse the system, but I think that maybe the Jobcentre should maybe realise that not everybody comes through the door is the same. Everybody is different. There are people with mental health problems, you know, even a problem, maybe even being shy or – do you know? Or nervous. They don't know even have access to a computer to look for a job… the system is there to help people. I think they need to be fairer on their approach."

(LONE PARENT, MALE, WAVE A)

Sanctions were further criticised for being too readily applied and disproportionate to the relatively minor transgressions for which they were often actioned. The severe hardship resulting from a sanction was also questioned as being counter-productive in helping move people into employment.

Many believed the relatively recent expansion and intensification of conditionality within the British social security system to encompass: many disabled people (2007); low paid workers in receipt of in work benefits under UC (2013); and increasing numbers of lone parents with children aged 3 or 4 (2017)

to be unjust. Applying behavioural requirements to those who were incapable of work because of impairments, or because they had sole caring responsibilities for young children, or were already meeting their responsibility to work by engaging in part-time, low paid employment was often seen as inappropriate and unjustifiable.

"[Sanctions are fair] where somebody who has no interest in getting a job and doesn't make any effort to get a job … But I must say that they should never ever, ever, sanction a parent, because who are they hurting when they do that? It's not the person that they want to get a job; it's the children."

(LONE PARENT, MALE, WAVE C)

"Some people are not well enough to work and they shouldn't be forced into taking part in things that aren't good for them. But I think it should be up to the individual; if people want to work they should be given the support."

(DISABLED PERSON, MALE, WAVE B)

Additionally, European Economic Area (EEA) nationals believed the recent restrictions (2014) on their benefit rights were discriminatory and unfair. They defended their claims on the basis of both EU citizenship and prior contribution through paid work.

"I've been here for 23 years and what happened… end of August, I received a letter from the DWP to say I'm not entitled to housing benefit, I'm not entitled to anything because I'm just passing by, you know, they took all my rights away."

(EEA MIGRANT, MALE, WAVE A)

For many, the ethical legitimacy of welfare conditionality within current UK social security provision was further undermined by its ineffectiveness in helping people enter and maintain paid work, its damaging impacts, and/or an inability to address the problems underlying anti-social behaviour or unemployment.

"I actually feel disgusted that anybody else has to go through that because as far as I'm concerned, the Jobcentre just does not give you advice at all. All they're there to do is stop your money! I actually found out later that three other people, I've got friends got sanctioned the same week as me and I wondered do they have a quota to make? Honestly, that's what I thought."

(DISABLED PERSON, MALE, WAVE A)

Across the sample and over the three waves, there was evidence that the experience of conditionality and sanctions had contributed to distrust and antipathy toward government and the Department for Work and Pensions.

"[Being sanctioned did not change my behaviour except] it's just made me hate them more […] Because they sanctioned me and I have been doing everything that I can possibly do to better my life for my kids and they treat you like dirt. It's like their main goal is single parents, it's like they just give them a name, you know, I just don't get it. I don't get it."

(LONE PARENT, FEMALE, WAVE A)

NOTE ON METHODS

The original 134 participants (76 male, 58 female) in Scotland (from the wider sample of 481, including England) were sampled from a range of locations in or near Edinburgh, Glasgow and Inverness and interviewed between 2014 and 2017. This briefing examines the experiences of the 88 participants who were interviewed on at least two occasions (66 were interviewed three times), 31 of whom reported having received one or more benefit sanctions.

Key policy recommendations

- That the Scottish Parliament lobby the UK Government to:
  - transfer greater social security and employment service powers to Scotland to control benefits and support for all working age claimants, based on the principles of 'dignity, fairness and respect', including: provision of high quality sanctions-free support, eligibility criteria, 'fitness to work' assessments, payment levels, uprating and conditionality;
  - reform the (currently reserved) conditionality system to ensure that recipients of UC (both in and out of work), JSA and ESA, and Jobcentre Plus users in Scotland are:
    - treated with empathy and compassion
    - either not threatened with sanctions, or that financial penalties are removed for households including vulnerable people; the length and severity of sanctions is reduced; and the process of applying sanctions is improved[2]
    - enabled to negotiate realistic job search activities that are attainable in local labour markets
    - protected legally to work part-time (this is particularly important for carers, including mothers, 'vulnerable' people, disabled people and those with long-term health conditions), rather than pressurised towards full-time hours, recognising that the current system of conditionality 'easements' depends on power-infused discretionary negotiations.
- That the Scottish Government and UK Department for Work and Pensions continue to collaborate and establish new cooperative Scotland-wide practice agreements to bridge the gap between the reserved and devolved social security and employment service systems,
  - where possible, identifying specific governance, managerial and front-line priorities, practices and protocols that can: rebuild trust, enhance empathy and compassion, reduce poverty and risk of destitution and alleviate anxiety and depression.
- Action to ensure high take-up of reserved and devolved social security benefits and employability services:
  - investment to expand welfare rights advice and advocacy services
  - accessible and accurate information leaflets and web content on how to claim benefits, avoid sanctions and make successful appeals
  - high-profile public information campaigns to improve understandings about what Social Security Scotland and Fair Start Scotland are, what they are (and are not) responsible for and how they can help.
- Scottish trials of wider approaches to providing adequate income without behavioural conditionality (for example, citizen's basic income, child payments).
- Further independent research is needed to:
  - assess how the coexistence of two social security and employment service systems impacts on recipients
  - evaluate how the devolved system operates in relation to reducing poverty and promoting dignity, fairness and respect and
  - identify best practice examples from all types of provision in Scotland.

[2] See Final Findings: Universal Credit

This briefing was written by Dr Sharon Wright, and Dr Alasdair BR Stewart from the University of Glasgow and Professor Peter Dwyer, University of York.

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Other briefings in this series and full list of references can be found at www.welfareconditionality.ac.uk/publications. Data from the study will be available from 2019 at www.timescapes.leeds.ac.uk.

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