

OPFS Evidence to the Welfare Reform Committee Inquiry into Women and Welfare Reform

One Parent Families Scotland is Scotland's leading single parent organisation. Building on seventy years of advocacy and service-delivery expertise, OPFS provides expert information, advice and support, along with training activities, work preparation programmes and flexible childcare. OPFS delivers services across Scotland in Edinburgh, Dundee, Glasgow, Renfrewshire, Lanarkshire and Aberdeen and provides support to over 5,000 families and 12,000 children.

OPFS has a vision of a Scotland in which all families, without exception, can prosper from life's opportunities. To this end we are working towards a Scotland where single parent families are free from poverty and have sufficient resources not just to survive but to thrive; are treated with dignity and respect and have equal opportunities and life chances, enabling them to flourish and achieve their full potential.

This response draws on our experience as service providers, supporting single mothers across Scotland as well as previous consultations which we have conducted into their experiences of and views on welfare reform.¹ OPFS supports both single parent mothers and fathers. However, 92% of single parents are women² so we are uniquely placed to discuss the impact of welfare reform from a gendered perspective.

Context

It is estimated that there are over 169,707 single parents in Scotland³. By 2033, the number of households containing one adult with children is projected to rise to 238,000 (24% to 38%)⁴ Contrary to common stereotypes, less than two per cent of single parents are teenagers⁵ and the median age of single parents is 38.1.⁶ Because of the additional barriers they face, they are more at risk of being in poverty. Over four in every ten (43%) children in single parent families are poor, compared to just over two in ten (22%) of children in couple families.⁷

¹ OPFS Stakeholder Focus Group Discussions Report, February 2014, Response to the Scottish Government Expert Working Group on Welfare: Call for Evidence
www.gov.scot/Resource/0045/00451857.pdf

² ONS 2011 figs cited in
www.scotland.gov.uk/Topics/People/welfarereform/analysis/welfarereformanalysisgenderimpact

³ Scotland's Census 2011 - Table KS107SC - Lone parent households with dependent children

⁴ Household Projections for Scotland, National Records of Scotland, 2008

⁵ Figure produced for Gingerbread by the Fertility and Family Analysis Unit, Office of National Statistics and derived from the Annual Population Survey (APS), (Labour Force Survey plus boost), 2009 data at
www.gingerbread.org.uk/content/365/Statistics

⁶ Office for National Statistics 2012: Lone parents with dependent children

⁷ Households Below Average Income (HBAI) 1994/95-2011/12, Table 4.5db. DWP 2013

Questions

For the sake of clarity we have we have taken some of the questions together in a slightly different order.

How has your (or your clients) experience with the benefit system changed in recent years since the introduction of the welfare reforms?

What is your (or your clients) experience of being on benefits or employment support?

Are there any challenges involved in being in receipt of your (your clients) particular benefits?

In this response, we focus in particular on the impact of income adequacy, sanctioning and the links between social security and employability services. Although these are not the only aspects of welfare reform which affect single mother, for the sake of brevity we have restricted ourselves to issues which are of key importance, are specifically relevant to single mothers and which (to a greater or lesser extent) the Scottish government could take action on as a result of newly devolved powers. Although carers and disability benefits are of vital importance for many single mothers we have not considered these issues in detail here as there are other organisations whose focus is on disabled people and carers will be addressing these issues. Rather we have focused on issues which are specific to single mothers.

Benefit Adequacy

Cuts to social security introduced by the Coalition Government since 2010 are having a profoundly negative impact on negative affect on the lives of the many single mothers who are struggling on low incomes whether in or out of work. There have been a wide range of cuts which have impacted on single mothers. These include cuts to housing benefit, tax credits (including especially help with childcare costs), benefits associated with pregnancy, maternity, young children and child benefit. More generally, the switch from using the RPI to CPI index as a measure of inflation for annual uprating and the subsequent imposition of a 1% uprating cap for most benefits has a very significant impact on the already very low levels of social security benefits.

Cuts to public spending on the benefits and taxation have predominantly been taken from women's incomes. According to analysis by The Women's Budget Group, since 2010, 74% of cuts to benefits, tax credits, pay and pensions have been taken from women. This rises to 81% in 2014-15.⁸ An analysis of the gender impact of the welfare changes up to 2014-15 (excluding Universal Credit) found that women are set to lose more from welfare reform than men.⁹ Significantly this difference is largely driven by the particularly large loss for single parents with single mothers predicted to lose

⁸ The Impact on Women of Autumn Financial Statement 2012 and Welfare Benefits Up-rating Bill 2013 [wbg.org.uk/pdfs/WBG-AFS-2012-FINAL-%5B2%5D\(1\).pdf](http://wbg.org.uk/pdfs/WBG-AFS-2012-FINAL-%5B2%5D(1).pdf)

⁹ (Institute of Fiscal Studies, 2011)
Cited in SG Analysis - Gender Impact of the UK Welfare Reforms August 2013 pg 7
www.scotland.gov.uk/Resource/0043/00432337.pdf

8.5% and single fathers 7.5% of their net income respectively.¹⁰ The reality of living on inadequate social security income is graphically described by some of our service users:

"I need to do without to give the kids what they need and this is affecting my mental health and in turn makes me not want to leave the house. I cry a lot when I'm on my own."

"I was taken off DLA because the criteria have been changed and this had made a massive change to my life as I am epileptic and regularly take fits and have a young baby and live on my own. I still need help and support but nobody seems to care."

Joseph Rowntree Foundation's annually up rated Minimum Income Standards (MIS) set out the minimum needed to enable people to meet their needs with dignity. MIS research shows a single mother can now afford only 57 % of MIS, compared with 68 % in 2008. In 2013 a single mother with one child needed a weekly minimum income (before housing and childcare costs), of £269.13. Their benefit entitlement was £154.72 - 57% of that amount.¹¹

Conditionality and sanctions

Although sanctions have long been part of the social security system, since October 2012, there has been a dramatic change in approach. Until relatively recently, single mothers were not required to claim JSA (and therefore not subjected to the sanctions regime) until their youngest child was 16. However by 2012, the age of the youngest child, when a single parent must start to claim JSA, had been reduced to 5 years.

In addition, (more limited) sanctions can now also be imposed on single mothers claiming Income Support (when their children are as young as 1 year old), as well as mothers claiming Employment Support Allowance (ESA) due to ill health and /or disability. An even more stringent regime is set to apply under Universal Credit in future. Both Work Programme providers and Job Centre staff refer people for sanctioning to the DWP.

The severity of sanctions in terms of the numbers of women affected, the amount of benefit lost and the length of time which they are imposed has dramatically increased.¹² For those claiming JSA the minimum period for which benefits can be suspended is now four weeks and the **maximum** three years. Single mothers can lose all of their individual benefit allowance, having a knock-on effect on their children – punishing mothers and children alike.

For single parents there are special rules, known as lone parent flexibilities, which apply. For example, a single mother with a child under 13 need only be available during their child's normal school hours.

¹⁰ Cited in SG Analysis - Gender Impact of the UK Welfare Reforms August 2013 pg 8
www.scotland.gov.uk/Resource/0043/00432337.pdf

¹¹ Joseph Rowntree Foundation A minimum income standard for the UK in 2014
www.jrf.org.uk/sites/files/jrf/Minimum-income-standards-2014-FULL.pdf

¹² See for example Webster, David (2014) 'JSA Sanctions and Disallowances', Evidence submitted to the House of Commons Work and Pensions Committee Inquiry into the Role of Jobcentre Plus in the reformed welfare system, Second Report of Session 2013-14, Vol. II, pp. Ev w90-w101. House of Commons, London
eprints.gla.ac.uk/90147/

Whilst in theory these flexibilities ought to provide some protection against being unfairly sanctioned, in practice they are often completely ignored as described by some of our service users:

“They don’t understand that you have responsibilities as a mum and just want you to take any job and threaten you with sanctions.”

“Over the summer holiday I went to sign on and because I brought my children in with me I was sanctioned as my advisor said on the form that I was not available for work. They didn’t even discuss it with me. It was their mistake and I ended up with no money.”

There is now a large amount of evidence which shows that sanctions are often applied in an arbitrary and unfair way, plunging families into severe poverty, with devastating effects on people’s health and wellbeing.¹³ These findings chime with our own experience; working with single mothers who are sanctioned or threatened with sanctions through no fault of their own.

Whilst most studies have looked at the impact of actual sanctions, few have considered the impact of the *threat* of sanctions on single parents and their children (and indeed others) in relation to the increased stress and ill health.

“Every time I sign on at the Jobcentre I lie awake the whole night before worrying about whether or not I’ll get sanctioned and how I’ll cope. I never know whether I’ve done enough to avoid being sanctioned. I’m always phoning them to check.”

Our experience is that the fear and threat of sanctions is sometimes forcing mothers into making decisions they would not choose, as parents, to make in the best interests of their children.

In addition, the rise of a stigmatizing, disrespectful and even aggressive culture at Job Centres and Work Programme placements is a critical issue for single mothers and is a major cause of rising stress. This is borne out by research into the experiences of single parents in Glasgow which found that most, (though not all) single parents experiences of services provided by Jobcentre Plus were very negative indeed.¹⁴

The Work Programme and employability services

We are fundamentally opposed to the use of forced destitution as a policy instrument. But even leaving this aside, there is little robust evidence that sanctions, as opposed to other approaches, are a good way to increase sustainable participation the labour market. For example DWP research on the effects of benefit sanctions on single parents’ behaviour including moves into employment concluded that: *“The findings in this study, based on the data gathered from both the lone parents*

¹³ See for example Punishing Poverty, Manchester; CAB; 2013:

www.manchestercab.org/news_more.asp?news_id=19¤t_id=1;

Third sector and welfare on the frontline Scottish Council for Voluntary Organisations December 2014

www.scvo.org.uk/wp-content/uploads/2014/12/SCVO-Welfare-Research-Report-FULL-REPORT-Dec-2014.pdf

¹⁴ Dr Helen Graham and Prof Ronald McQuaid, Exploring the impacts of the UK government’s welfare reforms on lone parents moving into work, May 2014

www.gcph.co.uk/assets/0000/4283/Lone_parents_Full_Report_amended_Sept_2014.pdf

*and the Jobcentre Plus staff, suggest that imposing a sanction had only a negligible effect on customers' labour market decisions."*¹⁵

The Work Programme, as currently designed, is insufficient to tackle the problems faced by lone parents wishing to move into paid work. Single parents tell us they want good, well-resourced help and assistance with finding and moving into work. They tell us they would make use of services provided on a voluntary basis and do not need to be threatened with sanctions. Just one in 10 people have been helped back to work by the government's £5 billion Work Programme flagship scheme leading to accusations that the programme is "worse than doing nothing". In fact the government missed every single one of its minimum targets and in nearly half the country, the Work Programme is literally worse than doing nothing.¹⁶

What would be your priorities for change when certain benefits / elements of employment support are devolved to Scotland?

Do you have any suggestions of practical improvements that you would like to see when certain benefits / elements of employment support are under Scottish control?

The Work Programme and employability services

Under current proposals, the Work Programme, but not the Job Centre Plus is to be devolved. As they stand, the draft clauses set out in the UK Government's Command Paper¹⁷ appear to devolve the Work Programme to the Scottish Government whilst maintaining the current sanctioning regime which underpins both referrals to, and the policing of the Work Programme by the DWP. It is difficult to see how such arrangements can be described as the devolution in any meaningful way.

To provide single mothers with the support and opportunities they need to help them access good quality, well paid employment we believe that the current regime ought to be replaced by an alternative, voluntary model. We already have good evidence about what works for single mothers in Scotland¹⁸ and need to base policy on what we know works. Indeed Scotland has a proven track record of delivering successful voluntary welfare to work schemes delivered by voluntary sector / local authority partnerships such as "Working for Families", Big Lottery funded "Making it Work" programmes and the SCVO Community Jobs Programme.

¹⁵ Department for Work and Pensions Research Report No 511, The effects of benefit sanctions on lone parents' employment decisions and moves into employment Vicki Goodwin Centre for Public Policy, University of Northumbria on behalf of the Department for Work and Pensions 2008
lx.iriss.org.uk/sites/default/files/resources/rrep511.pdf

¹⁶ See Public Accounts Committee - Twenty-First Report, The Work Programme
www.parliament.uk/business/committees/committees-a-z/commons-select/public-accounts-committee/news/work-programme-report/ and
www.pcs.org.uk/en/news_and_events/pcs_comment/pcs_comment.cfm/work-programme-still-worse-than-doing-nothing

¹⁷ Scotland in the United Kingdom: An enduring settlement
www.gov.uk/government/uploads/system/uploads/attachment_data/file/397079/Scotland_EnduringSettlement_acc.pdf

¹⁸ Evaluation of the Working for Families Fund (2004-2008); Napier University; 2009
www.scotland.gov.uk/Resource/Doc/269769/0080320.pdf

Given that the final shape of devolution is not yet settled, we would urge the Scottish Government to seize every opportunity to continue to press for full devolution of the Work Programme so that we can develop an alternative which will support and empower single mothers here in Scotland.

However, notwithstanding the outcome of the negotiations about the detail of devolution, there is more that could be done to challenge the imposition of sanctions on single mothers and others, whether as a result of Job Centre Plus or Work Programme providers' referrals – regardless of where powers lie.

Action could be taken to promote and develop a Scottish good practice approach to any sanctioning regime. This could be promoted and developed by the Scottish Government. At a local level, it could be customised and implemented by local authorities and others concerned with the tackling poverty and inequalities, alongside Jobcentre Plus and Work Programme providers. It could provide guidance and support to management and all staff about need to take the following guidance, legislation and treaties (as appropriate) into consideration in relation to making any referral for sanctioning.

Firstly there should be a rigorous application of the appropriate guidance and legislation covering the lone parent flexibilities discussed above. If even these minimal protections were properly adhered to, many fewer single mothers would be sanctioned or threatened with them.

Secondly, the UK is signatory to a number of international treaties that guarantee social and economic rights. For example, the International Covenant on Economic, Social and Cultural Rights (ICESCR) which guarantees the right to an adequate standard of living including adequate food, clothing and housing (Article 11 (1)), the fundamental right of everyone to be free from hunger, (Article 11(2)) and the right to social security (Article 9).¹⁹ Other relevant protections include the United Nations Convention on the Rights of the Child (UNCRC)²⁰ which guarantees children the right to a standard of living adequate for the child's development (Article 27) and the right to benefit from social security (Article 26). These are just two examples.

There is mounting evidence that the UK Government's welfare reform programme is in breach of these treaties. For example, the ICESCR monitor has severely criticised the UK government for its failure to meet the fundamental right to food as set out in article 3. Amongst the causes of increased hunger in the UK, it identifies the Coalitions welfare reforms, including sanctions.²¹

We believe that our social security system should prevent poverty, treat people with dignity and respect and support everyone to flourish.²² Therefore a human rights approach must be incorporated into both the design and delivery of social security and services. Monitoring design and outcomes of services against a human rights based approach is an important tool to hold governments and service providers to account.

¹⁹ International Covenant on Economic, Social and Cultural Rights
www.ohchr.org/EN/ProfessionalInterest/Pages/ICESCR.aspx

²⁰ Summary fact sheet of UNCRC:
www.unicef.org/crc/files/Rights_overview.pdf

²¹ Just Fair, Going Hungry? The Human Right to Food in the UK (London, Just Fair, 2014)
www.barrowcadbury.org.uk/wp-content/uploads/2014/04/Going-Hungry-Human-Right-to-Food-REPORT-FINAL-.pdf

²² OPFS is member of the Scottish Campaign on Welfare Reform
www.cpag.org.uk/sites/default/files/SCoWR%20manifesto%202013.pdf

Benefit Adequacy

The Smith Commission proposed new devolved welfare powers across a number of areas including disability and carers benefits, administrative powers over aspects of UC delivery, the creation of new benefits in devolved areas and the topping up of reserved benefits. In contrast, the draft clauses appear to severely restrict these proposals in various ways.²³

As described earlier, because of the way welfare cuts have been structured they have profoundly increased gender inequality. Single mothers have been hit especially hard by this. It is essential therefore that the Scottish Government does everything in its powers to reverse these changes. In terms of prioritising how this might be done practically, in relation to the powers which are under discussion, powers to top up UK Government benefit entitlements would potentially be very useful. This is because the huge losses incurred through the cumulative effect of inadequate up rating year on year, has a devastating impact on the value of benefits as whole. It also locks cuts into the future on an ongoing basis. Ability to top up benefits could reverse this by, for example, restoring RPI as a measure of uprating in the first instance. There are of course challenges in how such an arrangement could be implemented but they are not insurmountable if resources were committed to it. However it would seem that the draft clauses restrict topping up powers to housing costs only so that the rate of entitlement within UC could be set (alongside the powers to remove the bedroom tax provisions).

In addition, it might be possible to look at using the provisions for the creation of new benefits in a creative way in order supplement women's and single mother's incomes, though the areas where these can be created are now further constrained. The devolution of disability and carers benefits could also offer opportunities to look at adequacy (as well as eligibility) though again these have been severely constrained by the wording of the relevant clauses.

Overarching issues which are likely to limit the Scottish Government's ability to tackle below poverty level benefit entitlements include the "no detriment" clause. This would give the UK the right to claw back monies if variations in expenditure in Scotland were deemed to be detrimental to the UK budget. A related but separate issue is the AME (annually managed expenditure) ceiling on UK welfare expenditure, which in our view severely undermines the key principles of social security. Any negotiations would need to resolve both these issues in order to enable the Scottish Government to take a significantly different approach to the UK.

Although the extent of devolution remains uncertain, what is certain is that the Scottish Government will have substantial addition new powers over the shape of social security in Scotland. Given the unequal impact of welfare reform on women it is crucial that these powers are put to use to tackle poverty and gender inequality, especially as it affects single mothers.

²³ SPICe Briefing Further Devolution for Scotland: The Draft Clauses
www.scottish.parliament.uk/ResearchBriefingsAndFactsheets/S4/SB_15-16_Further_Devolution_for_Scotland-_The_Draft_Clauses.pdf



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