

ROTHERHAM BOROUGH COUNCIL - REPORT TO MEMBERS

1.	Meeting:	Cabinet
2.	Date:	Wednesday 21 st May 2014
3.	Title:	Scrutiny review on DWP sanctions and conditionality regime
4.	Directorate:	Resources

5. Summary

This review was conducted by a review group from the Overview and Scrutiny Management Board, Chaired by Cllr Glyn Whelbourn. The review itself was requested by the Leader in his capacity as Chair of the Welfare Reform Steering Group. The attached version of the report is still subject to some changes following consultation for factual accuracy. Proposed changes will be discussed by OSMB at its meeting on the 20th May 2014 and reported verbally to Cabinet.

6. Recommendations

That Cabinet:

- **Receive the report**
- **Agree to respond to the review within 2 months of this meeting and report its response back to the Overview and Scrutiny Management Board.**

7. Proposals and details

The review group was established in response to a concern raised within Rotherham Partnership's Welfare Reform Steering Group, Chaired by the Leader of the Council. Evidence suggested that potentially unfair implementation of sanctions was taking place and making the most vulnerable families within the Borough, more vulnerable. They therefore referred the issue to the Overview and Scrutiny Management Board to conduct a thorough review into the matter. The purpose of the review was therefore to ensure the DWP's conditionality and sanctions regime is implemented fairly, consistently and flexibly, reflecting the needs and circumstances of claimants, with increased transparency and more effective partnership working.

The areas of focus for the review were as follows:

- Understanding the step-by-step process for applying a sanction, including how this is communicated to claimants
- The relationship between JCP and Work Programme (WP) providers and the role of WP providers in making sanctions referrals
- Examining local statistics on the application of sanctions, including – if possible – the figures for different claimant groups and comparisons with other areas
- The impact of sanctions on particular groups (e.g. lone parents, carers, disabled people, homeless people, those with mental health problems)
- The extent to which local partnership working is mitigating any possible deficiencies or inflexibilities in the system and how relationships can be strengthened
- The potential impact of further changes to the system, including the claimant commitment and ongoing expansion of conditionality (e.g. in work conditionality linked to the introduction of universal credit)
- Ability of the council's *fund for change* scheme to support sanctioned claimants

The review has been provided with support by Michael Holmes, Policy Officer and his help and expertise is gratefully acknowledged. Officer support around specific areas were also provided by Rob Cutts of Revenues and Benefits and Claire Smith from Supporting People.

Key witnesses for the review were:

Natalie Enderby – Families for Change
Simon Freeston and Ian Fletcher – Jobcentre Plus
David Sleightholme – Citizens Advice Bureau
Mike Hatfield, Phil Mellor and Joe – sanctioned benefits claimants

Review methodology

- October – panel members and support officers met with the local Jobcentre Plus Partnership Manager to discuss the approach and parameters of the review

- November – first evidence session with Families for Change worker and sanctioned claimants. Additional written evidence was provided by the Supporting People programme and RMBC Revenues and Benefits.
- January – second evidence session with JCP Partnership Manager and Advisor Manager, Rotherham CAB and sanctioned claimant.

Summary of findings and recommendations

The key findings of the review were grouped under 4 headings; Communication, Flexibility and Discretion, Vulnerable Claimants and Local Working Protocol. There is one main recommendation of the review, directed to the partners on the Welfare Reform Steering Group, which is to establish a local working protocol with the aim of ensuring complete fairness in the process of implementing sanctions in Rotherham. In implementing this recommendation they are also requested to consider:

- Inclusion of advice agencies
- How to include Work Programme providers
- Clear and consistent communication mechanisms
- Clear and consistent standards of referral within the partnership
- Rotherham MBC to review its eligibility criteria for the Fund for Change
- DWP partners to investigate the possibility of having the mandatory reconsideration process carried out locally instead of via the centre in Hanley.

8. Finance

There are no immediate financial implications arising from the report, however, full implementation of the recommendations may have some resource implications for partners.

9. Risks and Uncertainties

The main risks are associated with the impact that the apparent inconsistencies with the implementation of the regime are having on vulnerable and financially dependent residents in the Borough.

10. Policy and Performance Agenda Implications

Welfare Reform and the DWP's conditionality regime is a key national agenda currently, as reflected by the debates and research taking place at this level. It is a local policy priority to address the issues it creates and is being tackled via the Welfare Reform Steering Group.

11. Background Papers and Consultation

These are contained within the report itself.

12 Contact

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