

# Sanctions and the easement for people who are newly homeless

## Snapshot review of its roll out across England April 2015

### BACKGROUND

In 2013 Homeless Link produced *A High Cost to Pay*, the first piece of research looking at the impact of sanctions on people who become homeless in England<sup>1</sup>. This followed the introduction of a tougher sanctions regime in 2012 and feedback from our member agencies telling us that sanctions were increasingly prevalent among the clients they supported. The research looked at the rate and impact of sanctions among people using homelessness services.

The following are some of the key findings from the report:

- People on Jobseekers Allowance (JSA) while experiencing homelessness were around ten times more likely to be sanctioned than the general claimant population.
- Groups within homelessness services particularly likely to be affected included those with poor mental health, learning difficulties or substance misuse problems.
- People experiencing homelessness were being pushed into debt, food poverty and survival crime as a result of having their benefits sanctioned.
- Clients were less likely to be motivated to engage with Jobcentre Plus (JCP) as a result of sanctions.

Some of these findings were reflected in subsequent reports. An independent review conducted by Matthew Oakley, published in July 2014, identified a number of challenges in the sanction regime for the most vulnerable claimants, and suggested several modifications to the sanctions system<sup>2</sup>. More recently the Work and Pensions Select Committee produced their cross-party report entitled “*Benefit sanctions policy beyond the Oakley Review*”<sup>3</sup> which called for a more thorough enquiry into the operations of sanctions.

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<sup>1</sup> <http://www.homeless.org.uk/connect/news/2013/sep/23/benefit-sanctions-hitting-homeless-people-hardest-0>

<sup>2</sup> “Independent review of the operation of Jobseeker’s Allowance sanctions validated by the Jobseekers Act 2013, July 2014

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/335144/jsa-sanctions-independent-review.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/335144/jsa-sanctions-independent-review.pdf)

<sup>3</sup> <http://www.parliament.uk/business/committees/committees-a-z/commons-select/work-and-pensions-committee/news/benefit-sanctions-report/>

Following the publication of *A High Cost to Pay*, the Department for Work and Pensions (DWP) announced they would undertake an internal review of JCP's links with the homelessness sector to try and ensure sanctions were being applied appropriately to people experiencing homelessness. This led to the following two joint initiatives between Homeless Link and DWP:

- Development of an easement to JSA, Employment and Support Allowance (ESA) and Universal Credit (UC) rules to allow “newly homeless” people a period of time where they will be taken out of job-seeking conditionality in order that they can focus on immediate accommodation needs. This led to a change in the law in June 2014<sup>4</sup>.
- A series of events entitled “Working Together” delivered by Homeless Link and DWP, aimed at improving joint working between homelessness organisations and JCP at a local level<sup>5</sup>. The events led to the publication of a toolkit to assist local partnership development between homelessness and JCP staff<sup>6</sup>.

### FOLLOW-UP RESEARCH – SPRING 2015

Between February and March 2015 Homeless Link undertook a short snapshot survey to explore the awareness and implementation of the new easement, and to understand if these changes had made a difference. The survey was sent to agencies who attended the Working Together events plus members of Homeless Link's Policy Forum (353 recipients). A total of 157 responses were returned, comprising a response rate of 44%. Of the 28 job centre districts, at least one response was returned from 22 of the districts, indicating a good geographical spread.

The rest of this report provides a summary of these findings with suggestions for building on these to further improve future policy and practice. The key headlines showed the following:

- The number of people receiving a sanction while homeless appears to be increasing, with 78% of agencies reporting a rise in this since the same time last year.
- 39% of agencies reported more positive relationships with their local JCP.
- 39% of agencies were aware of the new easement and of these, nearly half reported that it had had some positive impact on their clients.
- The most commonly reported impacts were that it had led to reductions in sanctions and to JCP or Work Programme staff working more flexibly.

### Prevalence of sanctions

Compared to this time last year, the majority of respondents reported that both the rate and length of sanctions had increased (Graphs 1 and 2).

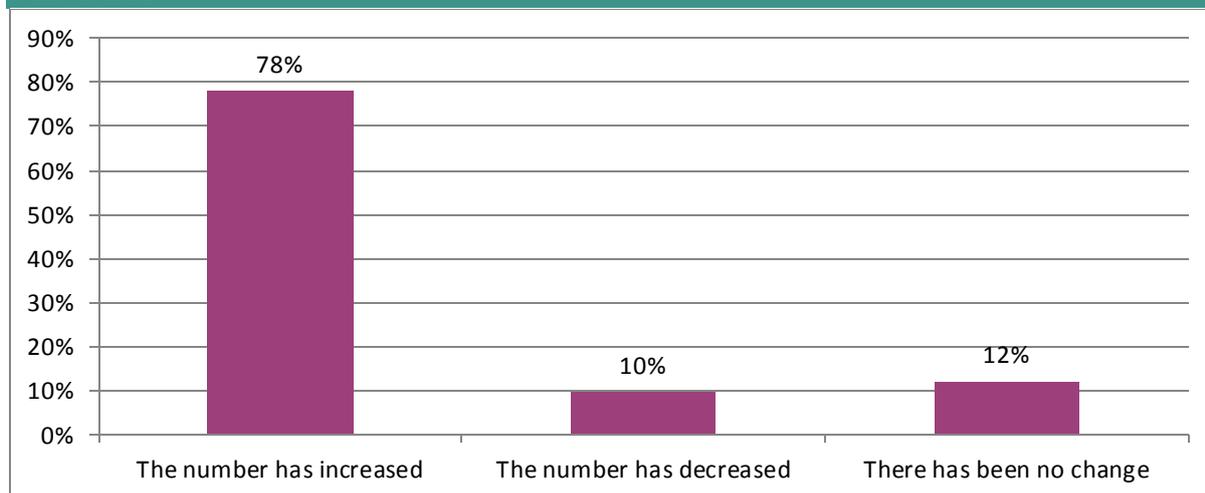
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<sup>4</sup> <http://www.homeless.org.uk/connect/blogs/2014/aug/05/sanctions-for-those-who-can>

<sup>5</sup> <http://www.homeless.org.uk/our-work/resources/working-together-toolkit-developing-relationships-with-jobcentre-plus>

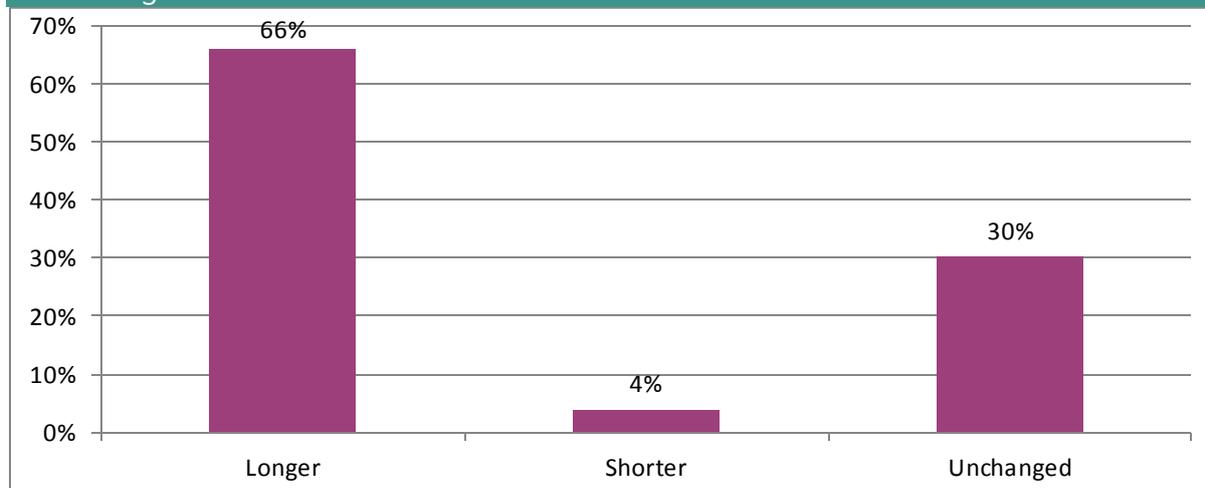
<sup>6</sup> <http://www.homeless.org.uk/our-work/resources/working-together-toolkit-developing-relationships-with-jobcentre-plus>

Graph 1: Compared to one year ago have you noticed a change in the number of clients being sanctioned?



Source: Homeless Link, Homelessness Easement Survey  
N=155

Graph 2: Compared to one year ago would you say that generally the average length of sanctions given to clients is:



Source: Homeless Link, Homelessness Easement Survey  
N=156

These findings are concerning and are supported by other evidence. Responses to Homeless Link’s “Annual Review of Single Homelessness Support in England” revealed that sanctions were now the single biggest challenge for 91% of agencies and that 61% felt the situation had gotten worse in the last two years.<sup>7</sup>

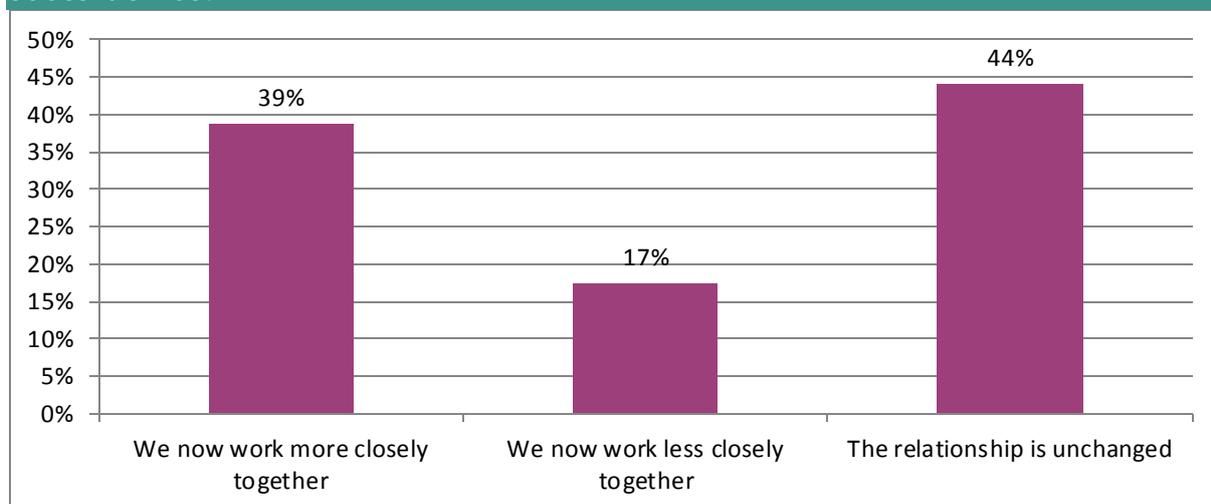
<sup>7</sup> <http://www.homeless.org.uk/facts/our-research/annual-review-of-single-homelessness-support-in-england>

The change to the sanctions regime introduced in October 2012 creates a more rigid fixed-term system, with increasingly longer penalties for noncompliance with job-search conditionality. In our initial 2013 survey 50% of clients received sanctions of less than a month and 40% of one-to-three months. It maybe that in our most recent survey, responses reflect that some clients are receiving second and third sanctions which escalate the length of time they experience financial penalties. It is also possible that these overlap time-wise with individuals receiving new sanctions, meaning more clients are being affected at the same time.

### Working relationships and the new easement

There were positive changes reported to the links between homelessness agencies and Jobcentre Plus (Graph 3).

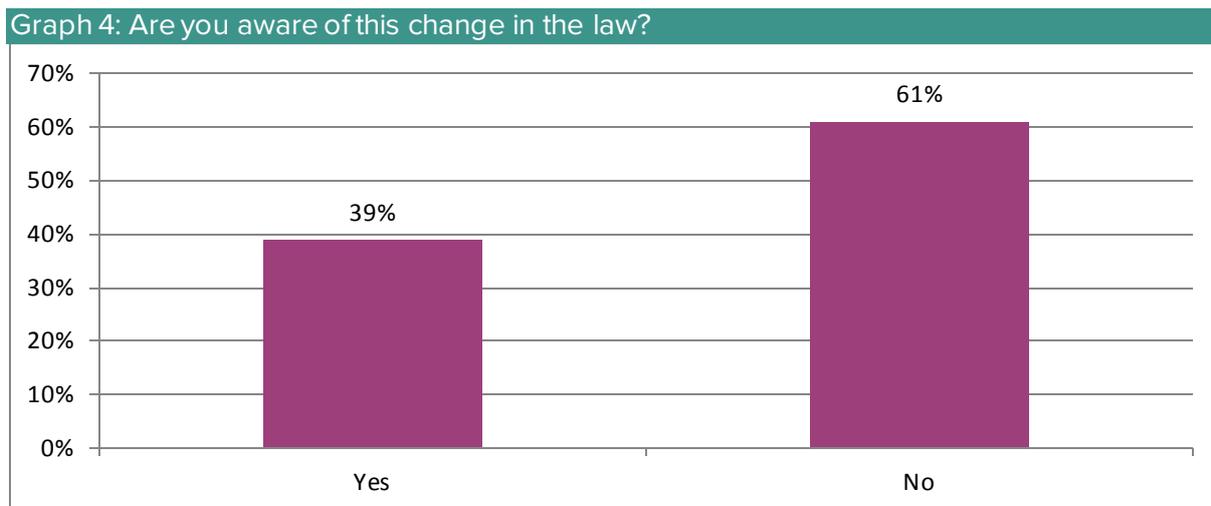
Graph 3: Compared to one year ago how would you describe your relationship with your local Jobcentre Plus?



Source: Homeless Link, Homelessness Easement Survey  
N=150

Evidence from the Working Together events was that there seemed to be a great deal of misunderstanding between DWP and homelessness agencies as to each other's work. The fact that nearly 40% of respondents say they are now working closer with Jobcentre Plus is extremely encouraging, especially as the Working Together events were relatively recently and the follow-up development of relationships can take time to progress. However, there is clearly a need for further work as the picture remains a varied one.

### Awareness of the legal change (“the easement”)

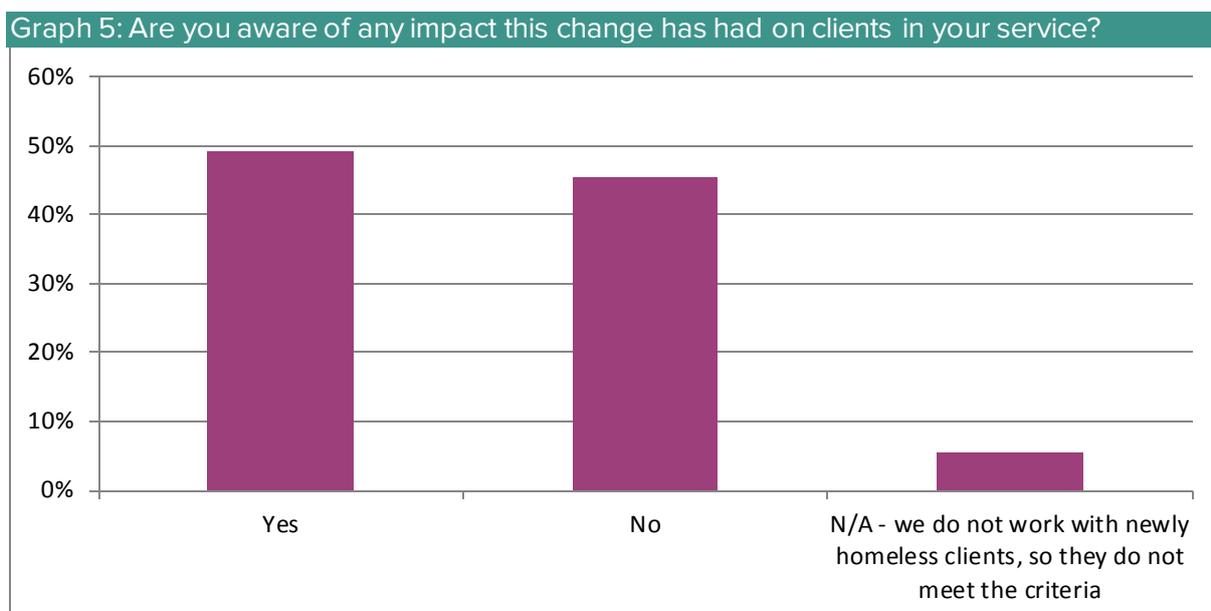


Source: Homeless Link, Homelessness Easement Survey  
N=144

When asked about the new easement, nearly one in four agencies (39%) were aware of the change in legislation, with 61% not aware of the change (Graph 4). Getting information around changes to legislations and policy across to large numbers of agencies often proves to be difficult. Thirty nine percent of agencies being aware of this change in the law, six months after it came in, is a higher than expected proportion. As with the previous question it does suggest further work is needed by Homeless Link and DWP to increase awareness.

### Impact on users of homelessness services

Agencies that were aware of the change in law were asked whether there had been any positive impacts as a result of the easement.



Source: Homeless Link, Homelessness Easement Survey  
N=55

The easement is a recent piece of law and appears quite technical with an element of interpretation necessary, particularly around what constitutes “newly homeless”. Over half of respondents to this question said it had an impact which shows that if agencies are aware and understand the easement, it can genuinely have a positive impact on people who are homeless. Again, the need to get information across to more agencies becomes apparent.

In attempting to “drill-down” on the exact impact the changes are having there appear to be a number of positive changes:

- 81% of agencies confirmed the easement had reduced the number of newly homeless clients receiving sanctions.
- 60% of agencies confirmed the easement had helped newly homeless clients overcome housing difficulties more quickly.
- 85% of agencies confirmed the easement had led to JCP or Work Programme staff working more flexibly.
- 76% of agencies confirmed the easement had increased communication between JCP and homelessness services.

Finally, agencies who had seen no positive change clarified why they thought this was. The main responses were that agencies did not work with the “newly homeless” client group or they were unaware of whether the easement was being used locally. However, one concerning figure was that a third (32%) said they had clients who should have been eligible but the easement had not been granted.

## CONCLUSION

Sanctions show no sign of becoming less of an issue for homelessness agencies. Indeed, all the evidence is that, if anything, the situation appears to be becoming harder. However, this survey does seem to tentatively suggest that where the Working Together and easement initiatives are operating effectively they do have a mitigating impact. This offers hope for building on progress made thus far.

## RECOMMENDATIONS

- DWP to continue to raise awareness of easement amongst JCP staff, including in training for Work Coaches.
- Homeless Link to increase dissemination of practical resources available to homelessness services.
- More detailed research on the ongoing impact of the easement in six-month's time.
- JCP to use their flexible support fund to build upon the success of the Working Together events thus far.
- Work undertaken to look at lessons from successful initiatives, such as the ones in the case studies in the appendix, to be disseminated further.

## APPENDIX—SUCCESSFUL CASE STUDIES

### **Case Study – Brighton and Hove Working Together Initiative**

Homelessness agencies were initially working with their local JCP to improve communication and make better use of “vulnerability markers” on the DWP systems to avoid people who are homeless being inappropriately penalised.

A “Task and Finish Group” was set-up as part of this initiative, which developed into wider partnership working between homelessness agencies, the local authority and DWP. Together they have tried to find ways of increasing employability and skills amongst vulnerable people. This has included accessing DWP grant-funded programmes to help homeless customers in the city.

### **Case Study – London Rough Sleeping Service**

No Second Night Out, run by St Mungo’s Broadway, is a service working with homeless rough sleepers in a number of London boroughs and has been operating the easement with its clients. Their level of new sanctions has reduced dramatically making it much easier to help clients achieve a successful outcome.