



Frontline agencies in partnership

The Welfare Reform Green Paper

No one written off: reforming welfare to reward responsibility

Homeless Link response

October 2008

About us and our member organisations

Homeless Link is the national membership organisation for frontline homelessness agencies in England. Our mission is to be a catalyst that will help to bring an end to homelessness.

Our two goals are to:

- Raise standards in the services that support homeless people and tackle homelessness
- Influence the development of policy, strategy and investment at all levels of government

This response has been informed by our knowledge of the issues and challenges faced by our member agencies and the people they serve.

It is based on a detailed discussion with our National Advisory Council (NAC), which helps set the direction of Homeless Link policy. The NAC comprises staff and service user representatives from within our frontline member organisations across the country.

Introduction and the context of our response

Homeless Link welcomes the opportunity to respond to the Green Paper and is broadly supportive of the underlying concept of 'more support, more responsibility.'¹

However, running through our response is a clear theme: if the reforms outlined in the Green Paper are to succeed, the DWP must place greater emphasis on the extra support that is needed for those furthest from the labour market. It must also ensure that increased conditionality on welfare does not lead to homelessness.

We know that helping someone from the streets to a job can be a long and difficult process that may take longer than current welfare processes allow. We are also clear that helping homeless people to work cannot be the sole responsibility of the Department for Work and Pensions. That is why, working with a number of other prominent homelessness and employment charities, we have created a map of different services, funded from across government, that work together with the voluntary sector to support people on their journey to work (see Appendix 1).

Not everyone will need all these services, and people will enter the process from different stages. Some individuals may need considerable engagement and stabilisation services as a prerequisite for employment and skills related activity, while some will be comparatively ready for work and can benefit from mainstream programmes. Some people will progress in a linear fashion, while others will follow a positive trajectory but occasionally have to re-enter the process at an earlier stage.

The map serves as a reminder that, as part of the reforms outlined in this Green Paper, the DWP must focus on three things to really help those furthest from the labour market:

1. Lead the development of a consensus across government departments to work together to provide the web of personalised support services that some homeless people need to return to work and make these services available for the time it takes people to complete their journey to employment.
2. Ensure that this support is of the appropriate quality and quantity, especially where it links directly to proposals in this Green Paper (i.e. drug treatment services)
3. Ensure that increased conditionality on welfare does not lead to homelessness, prevent people accessing other important support services, or otherwise impede positive progress, regardless of the length of an individual's journey.

We would be delighted to work with DWP to support these aims. In this response we provide detailed comments on the proposals outlined in chapters 6, 2 and 3 of the Green Paper. Where appropriate we have provided direct answers to the questions posed.

¹ DWP (2008) No one written off: reforming welfare to reward responsibility, DWP, London, p.7

Simplifying the benefits system (chapter 6)

The Green Paper aims to simplify the Welfare system. It sets out a long-term goal to abolish Income Support and create a system based around two benefits, Job Seeker's Allowance (JSA) and a new benefit, Employment and Support Allowance (ESA), which will replace Incapacity Benefit (IB). It also proposes to move towards just one working age benefit in the future.

Key messages:

- The current benefits system can be a source of confusion for homeless people and we welcome its simplification
- Any benefits system will always need to provide for different groups and exemplary clear communication in a variety of forms will be needed to ensure that 'simplification' does not lead to confusion

We welcome the focus in the Green Paper on simplifying the benefits system. Currently many of our member organisations report that the system is confusing for staff and homeless people.

In the long term one overarching benefit might be possible and desirable. However, it would need to continue to differentiate between those who should be moving towards work and those who cannot. The soon to be introduced Employment and Support Allowance has created the Work Related Activity Group and the Support Group for this purpose. Very careful preparation of communication, training and advice will be needed to avoid confusion around these groupings as ESA is implemented.

We would be pleased to work with DWP communications specialists to advise them on the information needs of non-specialist staff in homelessness charities and of homeless people. It will be important that both sets of DWP customers can clearly understand the different focus, expectations and conditionality within ESA groups.

An obligation to work (chapter 2)

We have outlined our view that the outcomes of this Green Paper must reflect the reality that the journey into work for some homeless people is complex and multi-faceted. Some successful journeys can take 5 to 6 years of following an underlying positive trajectory. While not all, or even the majority of individuals, may need this time, it is important that the new structures offer this degree of flexibility for the most excluded, such as former rough sleepers with multiple needs.

In implementing the reforms outlined, DWP should lead the development of a consensus across government departments to work together to provide the web of personalised support services that some homeless people need to return to work and make these services available for the time it takes people to complete their journey to employment.

It is vital that distance travelled on a range of dimensions - skills, health, addiction, motivation, offending behaviour, personal relationships - is recognised even if progress on other dimensions is less advanced. DWP should therefore work with other departments to agree an approach to distance travelled towards long-term positive outcomes. There are many examples of tools to support this approach that are already widely used in the homelessness sector, in particular the Outcomes Star²

DWP should also ensure that increased conditionality on welfare does not lead to homelessness, prevent people accessing other important support services, or otherwise impede positive progress, regardless of the length of an individual's journey.

Sanctions

The Green Paper proposes the automatic loss of benefit for failure to attend a job review or appointment (unless proof of an emergency) and a second failure to attend to mean the loss of two week's benefit.

No questions were asked directly on sanctions by the Green Paper.

Key messages:

- An overarching principal must be that sanctions should never cause people to become or remain homeless. Any sanctions regime would need to be more flexible than set out in the Green Paper if it is to help rather than hinder those furthest from the labour market into employment.
- Special consideration would need to be given to finding an appropriate way to implement sanctions for deeply excluded people with chaotic lives, including (1) significant extra investment in the skills and expertise of Jobcentre staff to recognise and support these customers and (2) a shared case management approach with other lead professionals supporting vulnerable and excluded people to prevent homelessness if a sanction was applied.

Sanctions assume that people are trying to avoid seeking work while claiming JSA, which is contrary to research in the homelessness sector that shows that 90% of homeless people want to work. Providing greater personalised support to help homeless people into employment would be a more effective way of increasing engagement among those homeless people currently missing Jobcentre Plus appointments.

If sanctions were to be implemented an overarching principal must be that they would never cause people to become or remain homeless. Any sanctions regime would need to be more flexible than set out in the Green Paper if it is to help rather than hinder

² <http://www.homelessoutcomes.org.uk/>

those furthest from the labour market into employment. Under the current proposals sanctions may lead to homelessness as many people rely on JSA to pay service charges to hostels (not covered by housing benefit and typically around £15 a week) or to 'top-up' their private sector rent when it is higher than the level paid by Housing Benefit. In both cases, sanctions on JSA would lead to people being evicted from their accommodation. Eviction and homelessness have significant costs across government and policy must avoid an unintended outcome of homelessness for the individual. We are assuming in this response that a sanction of JSA would not also affect Housing Benefit. If this were to be the case we would have very serious concerns, as Housing Benefit is the ultimate safety net to prevent people sleeping on our streets.

Special consideration would need to be given to finding an appropriate way to implement sanctions for deeply excluded people with chaotic lives, including (1) significant extra investment in the skills and expertise of Jobcentre staff to recognise and support these customers and (2) a shared case management approach with other lead professionals supporting vulnerable and excluded people to prevent homelessness if a sanction was applied.

Most Jobcentre Plus staff are not expert in drug addiction, mental health, homelessness or related issues and may find it difficult to take fair decisions on whether someone had failed to attend an appointment for a valid or invalid reason. The proposed 'automatic loss'³ of benefit for failure to attend further suggests a presumption of guilt rather than innocence. Significant extra investment in the skills and expertise of Jobcentre staff would be needed to ensure that sanctions were not unfairly applied.

To ensure that homelessness and further costs across government were not caused by benefit sanctions a shared case management approach with other professionals supporting vulnerable and excluded people, such as former rough sleepers, would also be needed. Where a sanction was applied to a homeless or vulnerably housed individual a case conference would need to be held between Jobcentre staff and housing colleagues to determine how homelessness could be avoided. It would also be important to ensure that individuals with complex problems were not sanctioned for attending other appointments that support their progress towards work, for example key worker appointments in hostels.

Work for your benefit

Everyone on the FND (stage 4) is already required to undertake work or work-related activity for at least 4 weeks and more if required. The Green Paper proposes:

³ DWP (2008) No one written off: reforming welfare to reward responsibility, DWP, London, p.41

- 'Sending out a clear message that people capable of work but who have not found a job by the end of the FND stage 4 will be required to work full-time or undertake full-time, work related activity in return for their benefits'⁴
- Giving advisors the power to make people work for their benefits at any stage of their claim if they believe it would be helpful. The focus would likely be on those repeatedly claiming JSA.

Our response covers elements of questions 2 and 3 in the Green Paper.

Key messages:

- Engagement in work or work-related activity can be a positive step on the road to employment, but it must come at the right time for the individual.
- Compulsory full time activity after two years on JSA, or at any stage of a claim, may not be appropriate for vulnerable excluded individuals unless 'work' is meaningful and 'work-related activity' broad enough to be suitable for all people at each stage of their journey. Some people will require further, personalised, support or the ability to attend other appointments relevant to their needs during the working day

Engagement in work or work-related activity can be a positive step on the road to employment but it must come at the right time for the individual. The current proposals do not allow for the fact that some people, particularly those with experience of homelessness are on a longer journey towards the Labour market than the FND currently allows.

Compulsory full time activity after two years on JSA, or at any stage of a claim, may not be appropriate for vulnerable excluded individuals unless 'work' is meaningful and 'work-related activity' broad enough to be suitable for all people at each stage of their journey. Some people will require further, personalised, support or the ability to attend other appointments relevant to their needs during the working day

We suggest that there needs to be a more flexible welfare to work regime to which vulnerable homeless people can be fast-tracked. Like the FND stage 4, this could still set clear expectations. However, it would recognise that movement forward can be less linear and that 'work-related activity' must cover a much wider spectrum of positive engagement activities in a way that allows people the flexibility to engage with the other services they need to support them.

A new regime for problem drug users

In line with the recent Drug Strategy, the Green Paper suggests that problem drug use should be actively identified among those applying for JSA, through a range of measures including information sharing with other agencies and an obligation on the applicant to declare addictions to heroin or crack cocaine.

⁴ DWP (2008) No one written off: reforming welfare to reward responsibility, DWP, London, p.42

Once identified, those who are not in drug treatment already will have an obligation to see a drug treatment provider and a specialist employment advisor to draw up a rehabilitation plan. Failure to do so could lead to a benefit sanction.⁵ Over time, these proposals may be extended to people dependent on cannabis, powder cocaine or alcohol.

Our response covers questions 6 and 7 of the Green Paper

Key messages:

- We welcome the focus on helping people misusing substances into work and believe that these proposals present both challenges and opportunities for homeless people
- It is unrealistic to demand (and monitor) the declaration of drug use by JSA customers to JCP staff. However, DWP could give JCP staff a clear role, backed by appropriate training, in recognising symptoms and referring people towards treatment and housing options where appropriate.
- An integrated system of drug treatment and employment support is a welcome suggestion that should also include housing. However, to make treatment attendance a condition of benefit would require a number of elements, which we outline below.
- We would urge a broader view of problematic drug use to include chronic alcoholism, which has a major impact on people's ability to engage in employment.

We welcome the focus on helping people misusing substances into work and believe that these proposals present both challenges and opportunities for homeless people that misuse substances. However, in line with the overall theme of this response, any system to achieve this must focus more on providing the personalised support to the individual than on the sanctions that could be applied for non-engagement.

It is unrealistic to demand (and monitor) the declaration of drug use by JSA customers to JCP staff. The exception might be if there was a very clear package of support and help that an individual could access through disclosure, but the sharing of information with criminal justice agencies is likely to impede willingness for this. However, DWP could give JCP staff a clear role, backed by appropriate training, in recognising symptoms and referring people towards treatment and housing options where appropriate. This would require the development of expertise and working relationships by JCP staff with drug treatment providers and housing colleagues. Existing protocols that strengthen these links, such as the Clean Break Toolkit⁶ and the Liverpool Pathways to Work model, should be backed and rolled out more widely.

⁵ DWP (2008) No one written off: reforming welfare to reward responsibility, DWP, London, p.49

⁶ <http://www.toolkits.homeless.org.uk/cleanbreak>

An integrated system of drug treatment and employment support is a welcome suggestion that should also include housing. Drug users are seven times more likely to be homeless than the general population⁷ and 40% of drug users state that a lack of stable housing is the main barrier to them achieving their treatment goals.⁸ Integrated housing and support pathways were the subject of Homeless Link's recent Clean Break action research report⁹. This is currently being piloted for use by the NTA and is being used by local authorities such as Westminster to deliver an integrated approach to supporting people through to independence. As an example, Clean Break found one London local authority that had placed drug professionals in the Housing Options Team to help create better pathways to treatment and accommodation for drug misusing homeless people that presented with accommodation needs.

However, to make treatment attendance a condition of benefit would require:

- A substantial investment in ensuring that drug treatment services are available to deal with demand, and the ability to link those accessing treatment to suitable accommodation.
- That JCP monitor attendance at treatment in partnership with treatment providers and ensures that attendance does not become a 'tick-box' exercise for those claiming benefit, while at the same time overwhelming drug treatment services to the detriment of other substance misusers
- That JCP lead advisors for drug using claimants in each Jobcentre take clear responsibility for ensuring effective working relationships with drug treatment providers, homelessness support services and housing colleagues and adopt an active case management approach to vulnerable drug users, with safeguards if it appears there is any potential risk of sanction.

In summary, a benefits system that supports, encourages and enables people to access drug treatment is a welcome development. We believe that the greatest chances of success will flow from an enabling, flexible, holistic and customer focused approach that views sanction as the last deterrent for consideration only when all other avenues have been used. This will require additional access to treatment services, close working with homelessness and housing services and investment in developing specialist staff expertise in Jobcentre Plus.

We would urge a broader view of problematic drug use to include chronic alcoholism, which has a major impact on people's ability to engage in employment. It is vital that there is a programme of investment in alcohol treatment services, as in many areas there is a real lack of support for people trying to reduce their use of alcohol.

⁷ Kemp P et al (2006) 'Homelessness amongst problem drug users: prevalence, risk factors and trigger events' Health and Social Care in the Community 14 (4), 319-328

⁸ Stephenson M (2005) National Aftercare Survey - Year 3 Addaction, London

⁹ <https://www.homeless.org.uk/cleanbreak>

Skills

The Green Paper states that people at the third stage of the FND will be required to do more to improve their skills and that the Government will pilot a requirement for jobseekers who have not volunteered for a skills health check to take one, if their advisor believes this to be necessary. It will also test a requirement for claimants at this stage to attend relevant skills training.

On ESA every new claimant will have a 'light-touch basic skills screen' and, where appropriate, a mandatory skills health check later in the claim. The Green Paper asks whether to require ESA recipients to attend training when they do not do so voluntarily.

Key messages:

- Some homeless people, on a longer journey to employment, will need training in soft skills. These can be a vital foundation for the motivation to engage in subsequent work related training. The value of this engagement should be understood and flexibility and investment provided to enable them to participate in these opportunities.

Some homeless people, on a longer journey to employment, will need training in soft skills. These can be a vital foundation for the motivation to engage in subsequent work related training. The value of this engagement should be understood although it may not necessarily have an output that is immediately relevant to employment. The DWP should work with the Department for Innovation Universities and Skills (DIUS) and CLG to recognise and invest in the value of this approach and ensure that any mandatory training under JSA can include these forms of programme.

Full time training

Being on JSA currently prohibits full time training. The Green Paper recognises that if Income Support were abolished there would need to be more flexibility for those on JSA who need to train. The Paper suggests that:

- Those receiving JSA for more than 6 months - or those whose personal advisors believe need urgent help to update skills - will be able to take part in full time employment related training for 8 weeks while receiving a training allowance.
- Those who have suffered disrupted schooling will be able to train for A levels until age 21, whilst receiving benefits (IS and Housing Benefit)

Our response covers question 12 of the Green Paper

Key messages:

- We welcome the increased flexibility around allowing people to train and receive benefits. These reforms have the capacity to go still further.

- DWP advisors should have the power to waive the full-time training JSA rules for anyone who would benefit from education and training activity as part of their job search, regardless of their time on JSA or the duration of the course.
- Full time training must allow for homeless people with complex problems (such as addiction and health problems) to attend appointments with a wide range of agencies, in accordance with their support plan that maps their path back to independence.

We welcome the increased flexibility around allowing people to train and receive benefits. The 16-hour rule has long been a problem for young hostel residents trying to engage in full time education. We believe that these reforms should go still further.

DWP advisors should have the power to waive the full-time training JSA rules for anyone who they believe would benefit from education and training activity as part of their job search, regardless of their time on JSA or the duration of the course.

Full time training must allow for homeless people with complex problems (such as addiction and health problems) to attend appointments with a wide range of agencies, in accordance with their support plan that maps their path back to independence.

Volunteering

The Green Paper clarifies that working age people who are claiming benefits can do unlimited voluntary work so long as they continue to meet all the usual entitlement conditions.

Our response covers question 13 of the Green Paper

Key messages:

- The DWP should widely publicise the entitlement to volunteer among their staff and other relevant professionals as it is not fully understood at present

Confusion remains among homeless people, staff and Jobcentre Plus advisors around the entitlement of people to volunteer while on benefits. The DWP should publicise the entitlements among their staff and other relevant professionals.

No one written off (chapter 3)

This chapter of the Green Paper seeks to complete the reform of Incapacity Benefit (IB) by ensuring that everyone has the personalised support they need to help them address their particular barriers to work and move into sustainable employment. In return, most people will be required to take up the opportunities available to help

them back to work, or face benefit sanctions. The most severely disabled will receive extra financial assistance and will be able to access support on a voluntary basis¹⁰

Employment and Support Allowance (ESA), the Work Capability Assessment (WCA) and the Work Focussed Health Related Assessment (WFHRA)

A new benefit, Employment and Support Allowance (ESA), will be introduced from October 2008 to replace Incapacity Benefit. ESA will be split into two parts:

- The Work Related Activity Group - where people are expected to take active steps to prepare for a return to employment and engage, from 2010, with mandatory back to work support from Pathways to Work. The Green Paper asks whether this should also include job search
- The Support Group - where the most severely disabled people will receive a guarantee of a higher basic rate of benefit and can still volunteer for back-to-work support through Pathways to Work if they wish¹¹

The Work Capability Assessment (WCA) will be used to determine access to the ESA and which of the two ESA groups a claimant should enter. Between 2009 and 2013 all current Incapacity Benefit claimants will be reassessed using the WCA. Those 'able to look for and work in a wide range of jobs straight away' will be moved to the more active JSA regime¹²

The Work Focussed Health Related Assessment (WFHRA) will follow the WCA and provide an opportunity for people to discuss, with a health professional, the kind of work that will best suit them when they have recovered or adapted to their condition, and the steps they could take towards this goal.

Our response covers question 14 and 15 of the Green Paper

Key messages:

- We are supportive of the aim to refocus the WCA and WFHRA on work-related support, provided that the system develops the appropriate expertise to place people with complex needs in the benefit group appropriate to their needs.
- Mandatory Pathways to Work engagement by customers in the ESA work related activity group would be appropriate only if 'work-related activity' is broadly enough defined to be suitable for people who need personalised support, a range of positive activity and the ability to attend other appointments during the working day.
- It is not appropriate for people in the ESA WRA Group to have to undertake mandatory job search. This blurs the distinction between ESA and JSA.

¹⁰ DWP (2008) No one written off: reforming welfare to reward responsibility, DWP, London, p.65

¹¹ ibid p.69

¹² ibid p.69

We are supportive of the aim to refocus the WCA and WFHRA on work-related support. However, it will be vital that the DWP nominate staff to develop a special expertise in assessing people with possible level of complex vulnerabilities, such as many single homeless people. The system will need to place people with complex needs in the benefit group appropriate to their needs in order to avoid the risk of deepening their exclusion. It will be especially important to ensure that current Incapacity Benefit claimants are not transferred to JSA before they are ready for that level of conditionality. Many homeless people may benefit from a short period of time in the ESA Work Related Activity Group first, to acclimatise to the new levels of conditionality being imposed on them and to access soft skills training.

Mandatory Pathways to Work engagement by customers in the ESA work related activity group would be appropriate only if 'work-related activity' is broadly enough defined to be suitable for people who need personalised support, a range of positive activity and the ability to attend other appointments during the working day. This follows the same stance as our comments on full time engagement under JSA.

It is not appropriate for people in the ESA WRA Group to have to undertake mandatory job search. This blurs the distinction between ESA and JSA. If someone is ready to seek work, then they should be placed in JSA. If there is something temporarily preventing their access to the labour market then they should be placed in the ESA WRA Group and not required to complete mandatory job search. Support for this should however be available on a voluntary basis.

Conclusion

Thank you for the opportunity to respond to this consultation.

We hope you find our detailed comments as well as our context setting using the map in Appendix 1 of use.

We would be happy to discuss any aspect of this response further.

Please contact Oliver Hilbery, Head of Policy Analysis,
oliver.Hilbery@homelesslink.org.uk 020 7960 3071

Homelessness to Employment - Narrative of Stages

Please see map overleaf

HOMELESSNESS TO EMPLOYMENT - NARRATIVE OF STAGES

Services available to all, based on need.

