The Committee will meet at 10.00 am in the Robert Burns Room (CR1).

1. **Women and Welfare**: The Committee will take evidence from—

   Anna Ritchie Allan, Project Manager, Close the Gap;

   Jill Wood, Policy Manager, Engender;

   Bill Scott, Director of Policy, Inclusion Scotland;

   Belinda Phipps, CEO, The Fawcett Society;

   Nina Murray, Women's Policy Development Officer, Scottish Refugee Council;

   Angela O'Hagan, Convener, Scottish Women's Budget Group;

   Suzanne Conlin, Board of Directors, Scottish Women's Convention;

   Ann Henderson, Assistant Secretary, STUC;

   Jo Ozga, Policy Worker, Scottish Women's Aid;

   and then from—

   Mark Ballard, Head of Policy, Barnardo's Scotland;

   Hanna McCulloch, Policy and Parliamentary Officer, Child Poverty Action Group (CPAG) in Scotland;

   Marion Davis, Head of Policy & Research, One Parent Families Scotland.

2. **Women and Welfare (in private)**: The Committee will review the evidence heard earlier in the meeting.
The papers for this meeting are as follows—

**Agenda Item 1**

Women and Welfare Cover Note and Submissions  
WR/S4/15/10/1
Welfare Reform Committee

10th Meeting, 2015 (Session 4), Tuesday, 02 June 2015

‘Women and Welfare’ cover note and written submissions

Today’s Business

1. The Committee will undertake its second evidence session as part of its women and welfare inquiry. Last week the Committee heard from academics on the subject. This week you will hear from third sector groups with an interest in gender issues.

2. Due to the large number of witnesses they will be organised into two sessions. The first will be a round table discussion with the majority of the witnesses followed by a smaller panel discussion with those organisations who have a particular interest in family and children’s issues.

3. Those witnesses who have already submitted responses as part of the call for evidence are listed below. The submissions are contained in Annexe A.

   a) Close the Gap
   b) Engender
   c) Inclusion Scotland
   d) Fawcett Society
   e) Scottish Refugee Council
   f) Scottish Women’s Aid
   g) Scottish Women’s Budget Group
   h) Scottish Women’s Convention

   i) Barnardos
   j) CPAG
   k) OPFS

Annexe A – Written Submissions

Heather Lyall
Welfare Reform Committee
27 May 2015
Annexe A – Written Submissions

WRITTEN SUBMISSION RECEIVED FROM CLOSE THE GAP

1. About Close the Gap

Close the Gap is a partnership initiative which works in Scotland on women’s participation in the labour market. Partners include Scottish Government, Scottish Enterprise, Highlands and Islands Enterprise, Skills Development Scotland, Scottish Trades Union Congress, and Equality and Human Rights Commission. The breadth of the partnership recognises that equal pay is a productivity issue as well as an equalities issue, and that narrowing the gender pay gap would return aggregate productivity gains to the Scottish economy.

Close the Gap works with a range of organisations that are stakeholders in women’s labour market participation, and works with policymakers across a number of areas including occupational segregation, skills, and care.

Close the Gap has been working with other gender equality organisations in Scotland and called on Scottish and UK Governments to address the significant gender impact of ‘welfare reform’\(^1\). We welcome the opportunity to submit evidence to the Committee’s inquiry into women and welfare.

2. Women and social security

Women have a very different experience of the labour market to men. The gender pay gap is 12 per cent when comparing women’s average full-time hourly pay with men’s average full-time hourly pay, and 32% when comparing women’s part-time hourly pay with men’s full-time hourly pay\(^2\).

Occupational segregation is a major cause of the gender pay gap and describes where women and men do different types of work (horizontal segregation) and different levels of work (vertical segregation). Patterns of occupational segregation in the Scottish labour market are a cause and consequence of gendered assumptions and stereotypes about women and men’s capabilities in relation to paid and unpaid work, often resulting in the concentration of women in low-paid, undervalued jobs. This substantially diminishes women’s earnings over their lifetimes, and also reduces the pool of skilled workers available in local labour markets.

Women’s over-representation among the lowest paid in the labour market means that many women are reliant on benefits to top-up their low pay. Women are twice as dependent on social security as men, with 20 per cent of women’s incomes coming from the benefits and tax credit system compared with less than 10 per cent of men’s.\(^3\) The impact of the austerity agenda means that women are at an increased risk of sustained poverty, and where women’s disposable income is reduced,

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\(^2\) Close the Gap (2015) Gender pay gap statistics
spending on children decreases. The links between women’s and children’s poverty are widely recognised.\footnote{Women’s Budget Group (2005) Making the Links: Women and children’s poverty}

Social security programmes which fail to militate against the barriers which prevent or restrict women’s labour market participation will further entrench occupational segregation, and the gender pay gap.

\section*{3. Women and welfare reform}

Since 2010, £26 billion of cuts have been made to benefits, tax credits, pay and pensions. 85 per cent of these cuts have been taken from women’s incomes\footnote{Fawcett Society (2015) \textit{Where’s the Benefit? An Independent Inquiry into Women and Jobseeker’s Allowance}}.

\subsection*{3.1 Universal Credit}

The current UK Government policy of ‘making work pay’, which is embodied in Universal Credit, aims to increase incentives to enter the labour market and to reduce in-work poverty. The design of Universal Credit does not, however, take cognisance of the gendered barriers to employment nor the gendered patterns of caring. Women are much more likely than men to be primary carers, whether for children, disabled people or older people.

\subsubsection*{3.1.1 Earnings disregard}

The earnings disregard, which is income that is exempt from total amounts used to calculate benefit entitlements, may disincentive second earners from entering the labour market. The gender pay gap means that women tend to be lower paid than men, and are therefore far more likely to be second earners. For second earners on the national minimum wage, and many lone parents, 91 per cent of whom are women\footnote{ONS (2014) Families and Households, 2014 \url{http://www.ons.gov.uk/ons/rel/family-demography/families-and-households/2014/families-and-households-in-the-uk--2014.html} accessed April 2015}, disposable income plateaus at as little as ten hours a week, as Universal Credit reduces sharply with additional earnings. For many women, it will not pay to work more than 30 hours a week because of the combination of expensive childcare costs, reduced Universal Credit payments, and income tax\footnote{Engender (2015) \textit{A Widening Gap: Women and welfare reform}}.

In its current form, Universal Credit is also likely to reduce women’s access to income, even if the level of income for the family is sustained. The household payment will be paid to one individual with one person claiming on behalf of the family on a monthly basis, which will place significant pressures on household budgets. It will also reduce women’s economic autonomy which will increase the opportunity to create financial dependency. This, in turn, prevents women from leaving abusive relationships and places women and their children who are experiencing domestic abuse at increased risk.\footnote{Ibid.}
3.1.2 Universal Credit and self-employment

Since 2008, women’s self-employment has risen dramatically, accounting for 63 per cent of newly registered businesses. In 2014, this figure rose to 88 per cent. Labour market data shows that increasing part-time self-employment was ‘solely driven by women’, whilst men’s self-employment fell.9

Many of these women will be penalised by a new minimum income floor policy based on assumed earnings which will replace the more flexible tax credits system. If these estimated targets (based on at least the national minimum wage for seven days a week, 52 weeks a year) are not met, Universal Credit will not bridge the gap. The Department of Work and Pensions (DWP) reports that only one in 45 businesses confidently felt that earnings could be sustained above that level.10

3.2 Employability and job seeking support services

Jobseeker’s Allowance recipients have been subject to a punitive system of sanctions and conditionality that has been introduced through DWP and Jobcentres. Recipients are placed under extreme pressure to participate in employability activity that is supposed to move participants closer the labour market. These programmes have been heavily criticised, with specific impact on women being of particular concern.

3.2.1 Occupational segregation

These employability programmes do not consider occupational segregation, one of the major causes of the gender pay gap, when pairing jobseekers with mandatory work activity. Generic skills and employability programmes are likely to replicate gendered patterns of skills acquisition and employment, which sees women clustered into low-paid, undervalued jobs. Support structures around Jobseeker’s Allowance and Work First do not consider the gendered barriers to labour market participation, and will therefore entrench occupational segregation and widen the gender pay gap.

3.3.2 Lone parents

New Income Support rules require single mothers to take part in work-focused interviews when their youngest child is one year old, and women with children as young as three or four can be required to undertake mandatory work activity. Recipients of JSA can be referred to Jobcentre Plus staff to complete unpaid placements of four weeks of up to 30 hours a week. Those who do not comply face sanctions.11

Current provision of childcare is entirely insufficient to meet the needs of all women who are categorised as ‘economically inactive’. This means that not all women will

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9 Ibid.
be able to meet the requirements of the programme, and will therefore be subject to sanction.

Lone parents, 91 per cent of whom are women, are particularly impacted by the policy of increased conditionality and sanctions. In order to combine paid work with their caring responsibilities they often have to take part-time work which is predominantly found in low-skilled, low-paid jobs. Lone parents are more likely to be under-employed, both in terms of hours worked, and also in terms of skill level. Working part-time has a negative impact on women’s pay, progression opportunities, and also their income in retirement\textsuperscript{12}.

Safeguards which are currently set down in regulation aim to ensure that work availability requirements placed on parent jobseekers reflect their caring responsibilities. However, evidence suggests that these are not always being applied correctly. Under Universal Credit, the parent flexibilities will be significantly reduced, and detailed in guidance as opposed to regulation, further eroding the limited safety net in place.\textsuperscript{13}

3.3 Childcare

As women still do the majority of unpaid caring, childcare is one of the most immediate barriers to women’s equal labour market participation. Access to good quality, affordable childcare is essential to enable women to work outside the home. There is evidence that, because of other pressures on family budgets, including those caused by welfare reform, an increasing number of women are dropping out of the labour market because childcare has become too expensive. A quarter of parents in severe poverty in the UK have given up work and a third have turned down a job mainly because of high childcare costs.\textsuperscript{14}

Childcare has not been a consideration in the development of Universal Credit. Changes to Child Benefit, the childcare element of Working Tax Credit, and Income Support will push women with very young children into stressful and unrealistic job-seeking activities, remove the sole source of independent income from women with high-earning partners, and reduce access to childcare for low-income families. Lone parents are particularly at risk in this regard.

3.4 Carers

Unpaid carers, almost 60 per cent of whom are women, save Scotland an estimated £10.3 billion, equivalent to more than a third of the national budget. In spite of this, Carer’s Allowance is set at the lowest rate for any income replacement benefit, and amounts to just 25 per cent of the national minimum wage. This reflects the undervaluation of caring, of ‘women’s work’, and of the contribution of care work to

\textsuperscript{12} Close the Gap (2012) Briefing on women and work
\textsuperscript{13} The Fawcett Society (2015) Where’s the Benefit? An independent inquiry into women and Jobseeker’s Allowance
\textsuperscript{14} Close the Gap (2012) Briefing on women and work
the economy. Across the UK, £1 billion will be cut will cut from carers’ incomes between 2011 and 2018.\textsuperscript{15}

Women comprise the majority of carers in employment, and those who provide care for more than 35 hours per week. Long caring hours and low-paid, part-time work (male carers are more likely to work full-time) explain why women are twice as likely to claim Carer’s Allowance.\textsuperscript{16}

Deeply entrenched attitudes and assumptions around women’s perceived innate ability to do care work means that women are twice as likely to leave their paid work in order to take up the responsibility of caring for someone. A low earning disregard within Carer’s Allowance can act as a financial disincentive to take up paid work where this is possible\textsuperscript{17}.

\textit{3.1.3 Multiple discrimination}

Disabled women are particularly affected by welfare reform. Many of the benefit cuts will have a disproportionate impact because disabled women are far less likely to be in full-time employment than non-disabled people. The employment rate for disabled men is almost 90 per cent compared with only 40 per cent for disabled women.\textsuperscript{18} The pay gap between disabled men and non-disabled men is 11 per cent, and for disabled women who are less likely to be in employment, the pay gap when compared with non-disabled women is 22 per cent.\textsuperscript{19}

Analysis suggests that claimants are being moved from Employment and Support Allowance, which replaced Incapacity Benefit, to the lower rate Jobseeker’s Allowance.\textsuperscript{20} Once on Jobseeker’s Allowance, recipients are subject to strict conditionality and sanctions, with 20 per cent of all Jobseeker’s Allowance sanctions being imposed on disabled people.\textsuperscript{21} Disabled women face a number of barriers to labour market participation including discrimination, attitudes and assumptions about their capabilities, and stigma.

The changeover from Disability Living Allowance to Personal Independence Payment is premised on significantly reduced income for thousands of disabled people and therefore thousands of carers face the loss of linked entitlements. There are significant concerns that the knock-on effect of the expected reduction of claimants following the implementation of PIP will see many unpaid carers shifted into ‘work-related’ activity groups, and being subject to the sanctions regime. Carers juggling micro-jobs with pressures such as multiple appointments with healthcare and support services do not have the capacity to for additional work requirements.

\textsuperscript{15} Carers UK (2014) \textit{Caring and Family Finances Inquiry: Carers struggling with alarming levels of hardship} cited in Engender (2015) A \textit{Widening Gap: Women and welfare reform}

\textsuperscript{16} \textit{Ibid}


\textsuperscript{19} Inclusion Scotland (2011) \textit{Women in work MSP briefing}

\textsuperscript{20} Inclusion Scotland (2011) \textit{Welfare reform briefing}

\textsuperscript{21} Engender (2015) A \textit{Widening Gap: Women and welfare reform}
Refugee women and their children are also at severe risk of the changes being implemented under welfare reform. The root of this lies in the linguistic and cultural barriers to the labour market, stigma and discrimination, existing physical and mental health issues as a result of their experiences as asylum seekers, and a lack of support network including access to childcare.\(^{22}\)

Older women are also particularly impacted. Two-thirds of pensioners living in poverty across the UK are women, and single pensioners, the majority of whom are women, are the most affected group affected by public spending cuts. The increase in pension age for women has pushed older women into mandatory work activity for which they do not have the skills nor the physical capacity.\(^{23}\)

4. Further devolution of powers

We have had deep concerns about the rapidity at which the process for further devolution of powers to the Scottish Parliament has taken place, and as a result, a complex division of responsibility for social security has emerged. Throughout the Smith Commission process Close the Gap, along with other organisations working on gender equality in Scotland, has called for gender equality to be mainstreamed in discussions, and for robust gender impact assessment to inform the development of any proposals on further devolution of powers. It is critical that a gender analysis is embedded throughout the process of further devolution.

There are significant opportunities for the social security system to be improved for women in Scotland. It is crucial that women impacted by welfare reform, and organisations working on gender equality, should be directly involved in shaping how new powers are used. Without this involvement, the gender discrimination which characterises the UK system is likely to be replicated in Scotland.

Benefits relating to employability, care and children should be delivered within a framework that takes account of women’s experiences of the labour market, caring responsibilities, and discrimination, and is also linked to relevant policy areas such as women’s employment, social care, childcare, and anti-poverty strategies.

The power over employment support offers the potential to mitigate gendered patterns of skills acquisition that contribute to occupational segregation in the labour market which sees women clustered in low-paid, insecure jobs. Occupational segregation is negative not just for women but also for the economy where it functions as a drag on growth, as many women are working below their skill level. Employability programmes that take account of the gendered barriers to women’s labour market participation, and provide gender-sensitive support to women are very likely to have an effect on women’s economic activity. Employability support must also be tailored to take account of different groups of women such as disabled and refugee women, unpaid carers, and former carers.

Close the Gap

\(^{22}\) Refugee Women’s Strategy Group (2011) The struggle to contribute cited in Engender
WRITTEN SUBMISSION RECEIVED FROM ENGENDER

1. INTRODUCTION

Since 2010, £26 billion worth of cuts have been made to benefits, tax credits, pay and pensions. 85% of this has been taken from women’s incomes.\(^\text{24}\)

Engender welcomes this opportunity to submit our views to the Welfare Reform Committee’s inquiry on women and welfare reform. Working to link discrimination against women within the welfare reform agenda, with other areas of gender inequality has been a key priority for our organisation. Women, and therefore their children, bear the brunt of public spending cuts because of systemic issues including the gender pay gap, unequal representation in politics, and endemic violence against women, and because of gender roles that see women undertake the majority of unpaid care and childcare, rely on social security and public services, and clustered in undervalued and underpaid ‘female’ professional sectors. Policy to improve social security for women in Scotland must reflect this reality.

In our recent report, *A widening gap: women and welfare reform*, we set out detailed ways in which women are impacted by specific policy changes to the benefits system. This covers a breadth of gendered issues related to the labour market, unpaid care work in the home and community, domestic abuse and the multiple discrimination faced by different groups of women, including disabled women and refugee women. We point to case studies that illustrate how women’s experiences of welfare reform are linked to existing gender inequality, provided by frontline organisations that report their services are stretched to breaking point.

The evidence base clearly supports the need for urgent targeted action in order to prevent further harm to women and their children. Our submission to the inquiry therefore focusses on proposals to address the impact of welfare reform on women within the current context in Scotland. We are calling on the Committee to scrutinise the Scottish Government’s budget process around welfare, its programme of work to mitigate the worst impacts of welfare reform, its approach to welfare policy and the ongoing process of partial devolution of welfare from gender equality and human rights perspectives.

2. DEVOLUTION OF POWERS OVER WELFARE

The devolution of some new powers over welfare to the Scottish Parliament presents both concerns and opportunities for women’s equality. There are fundamental problems with the speed at which the process has been undertaken, and the complex division of responsibility for social security that has emerged. Despite this,

\(^{24}\) The Fawcett Society (2015) *Where’s the Benefit? An Independent Inquiry into Women and Jobseeker’s Allowance*
any new powers and delivery systems offer opportunities to learn from and address
the gender discrimination at the heart of the current system.

Engender has consistently called for gender mainstreaming and equality impact
assessments to inform the work of the Smith Commission and both governments in
taking forward its recommendations. This would have meant proactive consideration
of gender issues in shaping the devolution package proposed, and the subsequent
UK Government command paper, An Enduring Settlement. However, the process
has been almost entirely gender-blind and the policy intentions articulated in the
command paper are problematic from a gender perspective, partly because the
experiences and voices of those who use the benefits system have been excluded
from the process. The undue speed of negotiations is precluding the possibility of
democratic participation and the chance to create a better system that meets the
needs of women in Scotland. Given the complexity of welfare provision in particular,
this cannot be achieved within a timetable that disallows meaningful consultation
with those most affected.

The complicated division of responsibility between Westminster and Holyrood that
has emerged presents a number of challenges. Effectively addressing issues of
systemic inequality necessitates a holistic approach, and piecemeal devolution
undermines this. Great care will be needed to ensure that additional pressures are
not heaped on those most affected by welfare reform as the draft legislation is further
developed. Scope for progressive change for women is also limited by the lack of
coherence between reserved and devolved powers, particularly with regard to
Universal Credit and the sanctions and conditionality regime, Housing Benefit and
Child Benefit.

Nonetheless, there remain real opportunities for the welfare system for to be
improved for women, to involve those directly affected in shaping how new powers
are used, and to ensure that the gender discrimination at the heart of the UK system
is not replicated in Scotland. Benefits relating to care, disability, children and
employability could be delivered within a framework that takes stock of women’s
experiences of the labour market, caring roles, domestic abuse and discrimination,
and is also strategically linked to relevant policy areas such as women’s
employment, social and child care and anti-poverty strategies. There will be
opportunities to establish human rights and different forms of equality and inclusion
as principles that shape new legislation, policies and services. Those principles must
drive negotiations over the draft Scotland Bill, the practical arrangements that stem
from it, and its implementation by the Scottish Government.

2.1 SCOTLAND BILL

From a gender perspective, there are also a number of critical issues that must be
addressed in ongoing negotiations over the draft legislation. These relate to ways in
which the Smith Commission Agreement appears not to be reflected in either the
narrative of the command paper or in the draft clauses. We are calling for the following issues to be addressed within the Joint Ministerial Working Group on Welfare, or successor body following the 2015 general election. We are also calling for an open process of engagement with women impacted by welfare reform and equalities organisations as legislation is developed.

The power over employment support offers potential to mitigate the gendered patterns of skills acquisition that lead to occupational segregation and see women clustered in low-paid, insecure jobs. At present, employment programmes ignore these factors when pairing jobseekers with mandatory work activity, serving to further entrench them and to perpetuate the gender pay gap. Furthermore, the Smith Commission Agreement did not stipulate a limited form of support for those facing long-term unemployment that must assist the claimant at least for a year.

The power to vary the housing cost elements and administration of Universal Credit (UC) offers potential to better support women experiencing domestic abuse. Access to financial support and safe housing are crucial for these women and their safety is undermined by the monthly household payment under UC. Devolution of these administrative issues may not require primary legislation and should therefore be separated from the forthcoming Scotland Bill. This would mean that access to resources and physical safety for women in danger could be expedited in Scotland.

The power over benefits for disabled people and carers holds potential to more holistically support disabled women and female carers. However, this potential is undermined by the roll-out of UC and Personal Independence Payment (PIP) in Scotland. The introduction of PIP entails a projected 20% reduction in spending, which will mean linked loss of entitlements for carers. Roll-out of UC and PIP should be halted until related powers have been devolved. Any plans to further restrict access to these benefits after the general election further limit our scope to make the changes necessary to ensure greater equality for these key groups.

Finally, the powers to create new benefits in areas of devolved responsibilities and to introduce discretionary payments hold great potential to mitigate the discrimination faced by women within the social security system. Disabled, black and minority ethnic, refugee and older women, lone mothers and carers are all at risk of multiple discrimination and are particularly vulnerable to harm. Meanwhile, links between women’s poverty and child poverty are widely recognised. The ability to increase women’s disposable income in a targeted way would be manifestly beneficial to those most disadvantaged by economic ‘shocks’ and the austerity agenda. The restrictions placed on these powers within the draft clauses, however, fundamentally undermine their potential to prevent women from reaching the point of extreme need and eligibility for short-term support that is now proposed.

25 Scottish Women’s Aid (2014) *Briefing paper on welfare reform and refuge accommodation*
3. CURRENT SCOTTISH GOVERNMENT ACTION ON WELFARE

The impacts of welfare reform on women seriously undermine prospects for a gender equal Scotland. They are serving to entrench systemic gender issues, including the pay gap, occupational segregation, women’s political representation and participation in public life, and gendered violence against women and girls. The Scottish Government’s numerous commitments and programmes across these areas are therefore compromised by welfare reform.

The Scottish Government’s ongoing commitment to mitigate the worst impacts of welfare reform has meant that many women and children have accessed the various safeguards and crisis measures that have been put in place. However, much more can be done to proactively support women, based on their experiences of the benefits system and to explicitly link this work on welfare to devolved areas of government that tackle gender inequality.

3.1 MITIGATION MEASURES

In August 2013, the Scottish Government published a gender analysis of welfare reform entitled *The Gender Impact of Welfare Reform*. This contains useful quantitative analysis and helpful commentary. However, this analysis has not been consistently applied to the Scottish Government’s mitigation programme, and therefore these initiatives do not clearly address the broad range of gendered inequalities that welfare reform is entrenching and deepening.

For instance, gender budget analysis and robust equality impact assessment processes were not applied to the interim Scottish Welfare Fund (SWF) or development of the Welfare Funds (Scotland) Act. This would have meant analysis of how the legislation and spending decisions will affect women and men differently, as well as the impact on gender equality, followed by action to redress any discrimination. Although the updated SWF guidance reflects important learning since implementation of the fund, apart from a single reference to women’s aid refuges, it remains gender-blind. SWF teams at local authority level must receive specific guidance and training on the gender inequality and the gender impact of welfare reform.

Continued funding to tackle the Bedroom Tax in Scotland is critical for many people in Scotland, and we welcome ongoing work within Welfare Division to better promote the scheme and to improve access to the delivery mechanism of Discretionary Housing Payments. To achieve this for women, this should be supplemented with a gendered approach that both targets uptake by women carers, survivors of gendered violence, lone mothers and others groups of women, and provides training for discretionary decision-makers.

26 Scottish Government (2013) *The Gender Impact of Welfare Reform*
3.2 BUDGET PROCESS AND SCRUTINY

This ungendered approach is partly explained by ministerial strategy and policy-setting. The Draft Budget 2015-16 sets out and contextualises the Scottish Government’s commitments to mitigate the worst impacts of welfare reform. Overall spending on mitigation has been maintained, which is particularly welcome in the current financial context. However, despite an increased profile for welfare reform issues more broadly, gender remains unaddressed.

Welfare reform is appropriately integrated as a key issue across portfolios, including equalities, and women’s employment. However, the impact on women is not correspondingly referenced in the substantive discussion on welfare reform and no funding is mandated for this purpose. This blanket approach has not adequately delivered support for women who are shouldering 85% of the cuts to spending.

‘Tackling inequality’ is identified as an overarching aim of the Draft Budget. Within this, commitments to mitigate the impacts of welfare reform are made central and linked to broader anti-poverty strategies. However, gender inequality and discrimination against other protected groups are not identified as key vectors of poverty. It simply is not enough to frame inequality only in terms of income at the strategic level. Tackling income inequality, including in terms of welfare reform, fundamentally requires understanding of different forms of inequality, how they interact, and the systemic factors that cause and sustain them.

In contrast, the Equality Statement attached to the Budget (EBS) identifies welfare reform as a strategic equalities issue. It also includes welfare reform as a distinct ‘thematic’ chapter for the first time, as well as integrated reference to welfare reform throughout. Within this, it identifies instrumental links with gender and causal reasons that explain women’s vulnerability to public spending cuts.

The Scottish Government is unique within the UK for its use of equality budgeting mechanisms. However, whilst the EBS is a progressive and useful tool, its impact is limited because its analysis and findings do not influence spending plans. Alongside Scottish Women’s Budget Group and others, we continue to call for the EBS to inform the development of the Draft Budget, rather than serving as a standalone document lacking in strategic relevance. We urge the Welfare Reform Committee to conduct a gender budget analysis when scrutinising the Draft Budget 2016-17.

3.3 AN ASSETS-BASED APPROACH TO WELFARE POLICY

The Scottish Government has adopted an ‘assets-based approach’ to welfare policy that aims to build resilience to welfare reform through working with communities. There is much to commend within this, including the principles of empowerment, agency and participation that it intends to convey, as well as its focus on prevention and localised services. However, a note of caution should be issued from gender and social justice perspectives. An assets-based approach fundamentally rests on
access to resources, whether physical, mental or psychological. However, many women are denied access to different types of assets due to systemic inequality.

Without question, women living in poverty, women living with violence and abuse, women with insecure immigration status, women with physical and mental health issues, women who have been sanctioned, women who head single households, women who provide unpaid care, and women who experience multiple discrimination are extremely resilient indeed. However a policy that explicitly rests on this resilience to hardship as a form of creative problem-solving must also incorporate balances relating to equality of access, structural inequality and exclusion.

For example, there are numerous barriers to women’s equal participation in public and community spaces. These include childcare, transport, language, and the exclusion of women’s voices in public forums. Welfare reforms, such as new JSA and Income Support rules, also further increase the time poverty of those most in need of innovative services. This is a particularly major issue for women with caring responsibilities. Whilst input from these groups would be vital, any call for unpaid, voluntary participation must be sensitive to extreme pressures on time.

Shifting the onus for solutions onto individuals and third sector organisations, and away from central government, is also concerning in a systemic sense. Patterns of gender discrimination cannot be addressed if the approach is concentrated at the overarching level, in terms of (currently gender-blind) legislation, spending decisions and broad policy setting, and at the community level, where local authorities, third sector organisations and frontline services are responsible and accountable for implementation. A middle ground that links these, both vertically, and horizontally across related policy areas, will be crucial to an effective gendered approach.

3.4 THE SOCIAL JUSTICE AGENDA

Since taking office in November 2014, the First Minister has made a series of pledges to advance women’s equality, to tackle inequality more broadly and to put social justice at the heart of economic and social policymaking. The Programme for Government 2014-15 recommits to action that safeguards against welfare reform, and links the need for a “fair and compassionate welfare system” with wider approaches to tackle poverty and inequality.27 It frames welfare in terms of social justice, poverty in terms of human rights, and recognises the impact of welfare reform on women.

This welcome shift in focus offers clear potential for the Scottish Government to improve its track record on gender and welfare. This would entail an explicit focus on gender within the ministerial priority to tackle inequality, for example through the forthcoming work of an independent advisor on poverty and inequality, and review of equality impact assessments. It would also mean gender mainstreaming across

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mitigation activities, related devolved policy areas (housing, employability, and social care) and the devolution of welfare powers.

Without such a mainstreamed approach, women and children will continue to be disproportionately penalised by the UK’s welfare reform programme. A targeted policy response that aims to redress this gender discrimination and is aligned with Scottish Government action to tackle the drivers of women’s inequality is sorely needed. Ultimately, this will rest on an effective challenge to policy incoherence, the hierarchy of economic over social policymaking that prioritises economic ‘growth’ and the lack of political will to end sexist discrimination.

4. CONCLUSION AND RECOMMENDATIONS

A wide range of devastating impacts of welfare reform on women and children have been established. Such impacts will continue to emerge as reforms are implemented and take hold, and there is a vital role for the Welfare Reform Committee to continue its work to monitor these. This notwithstanding, there is now an urgent need for parliamentarians and the committees of the Scottish Parliament to scrutinise Scottish Government policy and programmes on social security. This includes existing policy setting, budgeting and mitigation on welfare issues, as well as the ongoing devolution process. We urge the Welfare Reform Committee to scrutinise the Scottish Government’s performance as it undertakes these programmes of work, and to promote women’s equality, human rights and dignity as driving principles of all government action on welfare issues. If such a gendered approach is not taken, key opportunities to improve the system for women and to support the government’s ambition to achieve gender equality will be missed.

Whilst acknowledging that responsibility for the direct impacts of welfare reform primarily lie with the UK Government, we have called for the Scottish Government to take targeted action to redress policies that put women in Scotland at risk. We are therefore calling for the Welfare Reform Committee to push the Scottish Government to enact the recommendations that we set out in our report and in the annex below.

ANNEX

RECOMMENDATIONS TO THE SCOTTISH GOVERNMENT

1. Develop a clear action plan to mitigate the impacts of welfare reforms on women, which is linked to devolved policy on gender equality, women’s employment, social care and childcare.

Fawcett Society (2015) Where’s the benefit: an independent inquiry into women and Jobseeker’s Allowance
2. Specifically monitor emerging impacts on rural, disabled, older, migrant, refugee and BME women, lone mothers and unpaid carers.


4. Ensure the Scottish Welfare Fund respects women’s choices and dignity and hold local authorities accountable for delivery of such an approach.

5. Ring-fence funding for community-based women’s organisations to provide gender sensitive services relating to welfare reform, as part of a broad shift to strategically link the Equality Budget Statement and the Draft Budget.

6. Invest in employability services for women forced into or out of the labour market as a result of welfare reform, including tailored services for groups such as refugee and disabled women, unpaid carers and former carers.

7. Hold local authorities accountable over the delivery of Discretionary Housing Payments to ensure consistent access to safe accommodation for women.

8. Extend the Domestic Violence Rule to all women subject to immigration controls to ensure EU migrants who have been subject to domestic abuse are able to apply for a Destitution Domestic Violence Concession (DDV).

9. Introduce measures to guarantee that women with insecure immigration status have access to safety and protection where a relationship in which their immigration status is dependent on their partner breaks down.

10. Provide funding to ensure women are able to access refuge accommodation regardless of their entitlement to housing benefit.

**DEVOLUTION OF POWERS OVER WELFARE**

11. Embed gender and human rights analysis throughout the process of further devolution, including through the work of the Joint Ministerial Working Group on Welfare or successor body.

12. Improve the quality of equality impact assessments and ensure that they are not post hoc, but shape design of any new legislation and programmes.

13. Consult different groups of women who have been impacted by welfare reforms throughout the design of any new legislation and delivery systems.

14. Hold the UK Government accountable to the Smith Commission Agreement and deliver a Scotland Act that provides for maximum flexibility on employment support and the creation of new benefits.

15. Push for the rollout of Universal Credit and Personal Independence Payment to be halted in Scotland, until the current process of devolution is complete.

16. Push for devolution of administrative powers over Universal Credit to be taken out of primary legislation and expedited to the Scottish Parliament.
17. Use the power to create new benefits to reinstate lost entitlements for carers and parents.

18. Implement the Smith Agreement commitment to consider the devolution of asylum support, advice and housing to the Scottish Parliament, and in so doing, end administrative delays that leave refugee women destitute.

19. Innovate with newly devolved work programmes to support the needs of women seeking work and diverge from existing employability models that replicate gender segregation in the labour market.

20. Use new powers over employment support and benefits to mitigate some of the worst impacts of conditionality, sanctions and services delivered by Jobcentre Plus, where possible.

21. Link new powers over benefits for disabled people and carers to carers legislation and strategy, and review how devolved services impact on women’s equality before new powers are taken forward.

22. Use the opportunity offered by the devolution of new powers to reimagine the services needed to better support the groups that they serve.

ABOUT US

Engender is Scotland’s gender equality organisation.

For more than 20 years we have worked across Scotland on feminist policy, advocacy, and activism. We make women’s inequality visible, and bring women together to make change happen.

Jill Wood
Policy Manager
Engender
1 May 2015
WRITTEN SUBMISSION RECEIVED FROM THE FAWCETT SOCIETY

1. Fawcett has taken a keen interest in the effect of the Coalition Government’s reforms of the benefit system upon women. Women across the UK are more dependent than men upon the benefit system, relying on it for on average 20% of their income as opposed to men for whom on average 10% of their income is benefits\(^1\). Women also compose 2/3 of the low paid\(^2\).

2. To investigate the impact the welfare reforms upon women on benefits, Fawcett has conducted research upon both women’s recent experience in the labour market and their experience with the benefit system specifically. Whilst the worrying trends in the economy concerning women are often structural in nature, the challenges women face in the benefit system are both the result of policy decisions made concerning the benefits system and especially manifest in gendered ways.

**Experience of Women**

3. As mentioned, women are more reliant on the benefit system than men are and any reforms, positive or negative, will therefore affect women more. This increased reliance is not necessarily indicative of women’s inequality – for example, women live longer and will therefore draw state pensions for longer – but this dependence exists in a context of substantial women’s economic inequality. The average woman will still earn less over her lifespan than the average man as the overall gender pay gap still sits at 19.1%, contributing to large pension and savings gaps; women are far more likely to have part-time jobs than men, which are typically low skills and have few prospects for career progression; and occupational segregation means women in the labour force are concentrated in low-pay “pink-collar” jobs such as health and social care\(^3,4\).

4. Given women’s economic inequality, it is imperative that the benefits system does not further marginalize women because of their gender. Unfortunately, the research conducted by Fawcett indicates this is the case. In several key areas, such as sexual and domestic violence, caring for children, pregnant women, older women, and women with difficulties with English, the Jobseekers Allowance system and Work Programmes are letting women down because of problems caused by the system’s inability to cope with differences women face as a result of their gender.

5. Fawcett’s inquiry into the benefits system received written submissions from Eaves, Rape Crisis England and Wales, Coventry Rape and Sexual Abuse Centre, as well as various oral testimonies from advocates.
Violence Against Women

6. Because violence against women often results in the women targeted suffering from low self-esteem, depression, and other mental and physical health issues, women who are victims of this kind of violence often have difficulties in applying for jobs. Due to the framework of benefits conditionality inherent to JSA and which has been tightened by the recent reforms, survivors of domestic and sexual violence, who are predominantly women, are therefore more likely to lose access to the benefits they are entitled to because of normal responses to circumstances outside of their control.

7. This occurs in a framework where the job-seeking process was often too crude to meet the sensitive requirements for this group of women, and work coaches were not considering the risk of violence when arranging agreements. For example, Rape Crisis cites examples of victims of sexual violence who were offered job interviews at nightclubs, or even more worryingly, near to their perpetrator’s home or place of work.

8. The very real risk of violence which can result from such situations puts these women in an impossible situation – they can either put themselves and their mental and physical health in further danger, or receive benefit sanctions and potentially be driven into poverty.

9. A domestic violence easement (DVE) exists for women who are threatened or experiencing domestic violence for an initial period of four weeks, and which can be extended to a total 13 weeks, exempting them from fulfilling their job-seeking requirements exiting their abusive relationship.

10. However, the easement can only be accessed under specific conditions including: If it is requested by the claimant; If the violence was perpetrated within the last 26 weeks; If the victim is not living at the same address as the abuser; and if the claimant has not benefitted from the easement already in the last 12 months.

11. Putting the burden of disclosure solely upon the individual claimant, combined with the mysterious reluctance of Jobcentres to publicise the DVE, means that uptake is low - the DWP’s own analysis of the easement in 2013 found that in the first year after it was introduced there were only 338 cases of the four-week easement and 115 of the full 13-week easement being granted nationally. Even the DWP concedes this number is surprisingly low.

Pregnant Women

12. Most women who are pregnant are also subject to the same conditionality as other benefit recipients, even though pregnant women can switch to Income Support or Maternity Allowance 11 weeks before their due date which does not require evidence of job-seeking.
13. Maternity Action’s evidence informed the inquiry that most of the calls concerning JSA they receive come from pregnant women who are claiming JSA but are then expected to job-search and attend interviews or else face sanctions, a difficult requirement for some pregnant women. That conditionality still applies in these circumstances may not be appropriate, and may also not be communicated appropriately. For example, One Parent Families Scotland presented such a case study:

14. Emma is 20 years old and two months pregnant. She has been out of work and so is claiming JSA. Emma has been suffering from severe morning sickness and as a result is incapacitated first thing in the morning. When she called her JSA Adviser to say she wouldn’t make her work focused interview and to ask for it to be rearranged she was told he was in a meeting but that the message would be passed on. The Adviser called a week later to ask why she hadn’t turned up, she then received a letter the next day to say she had been sanctioned, losing her JSA for 4 weeks.

15. Even if it is assumed conditionality is appropriate in Emma’s case as a pregnant woman, the fact that Emma was not informed defeats the entire point of benefit sanctions. Sanctions are supposed to be a deterrent, and if Emma was not even aware that she would be sanctioned for not attending her meeting how could it be expected that the prospect of sanctions would change her behaviour? This failure to communicate the mechanisms behind sanctions to women is a common theme across the groups Fawcett investigated and is one of the major problems with the benefits system.

Older Women

16. Older women face a combination of problems which makes it hard for them to find employment and handle the JSA Claimant system. Stigma in the labour market makes it hard even for well qualified older women with relevant experience to win roles at interview, whilst the care responsibilities older women often have make it difficult for them to accept roles and can lead to sanctioning.

17. Like the other categories, older women reported feeling as if little attention was being paid to their individual circumstances. For example, at a focus group in the Midlands, women in their 50s and 60s informed us that they had been told to apply for labouring jobs on construction sites, when they had no experience in the field and felt they were physically unable to perform the tasks that would be required of them. Members of the so-called ‘sandwich generation’ – those caught between caring for both grandchildren and elderly parents – told the inquiry how difficult it had become to manage their caring responsibilities alongside the mandated activities listed in their agreements.

18. While part-time hours can allow this group of women to continue to provide unpaid care for their family members, insecure zero-hours contracts (which are often the only part-time job opportunities available) tend to not work well at all, as
women with dual caring responsibilities are generally unable to take up work at short notice because of their care work, and are left with no paid work as a result.

19. As a consequence, older women also face the impossible choice between taking up unsuitable work and being sanctioned.

Lone Parents

20. Fawcett is particularly concerned as to the impact of increased conditionality and sanctions upon lone parents, 92% of whom are women\textsuperscript{6}. Lone parents have a greater tendency than the general population to take up work that under-utilises their skills, qualifications and experience and thus has a negative impact on earnings, progression and the welfare of their children.

21. There are a set of twelve safeguards, currently set down in regulations, which aim to accommodate the fact that lone parents are the sole carers of their children. These include being able to limit the hours they are required to work, shorter expected commutes, more notice for interviews and job starts, and being able to leave jobs without being sanctioned in the event of insufficient childcare being available.

22. Unfortunately, these flexibilities are not always available. The Single Parent Action Network surveyed 40 lone parents and found that only 25% had agreements that stated they could restrict their job search to vacancies within school hours, and worryingly 43% had agreements that explicitly stated that they must be prepared to look for full-time jobs\textsuperscript{5}.

23. Further, many of these rights to flexibilities lone parents currently possess are absent from Universal Credit, and Fawcett is worried that the absence of these rights would disproportionately hinder the welfare of lone parents and their children. These flexibilities are important for helping lone parents return to work if they wish to, and removing them could be counter-productive to reaching government policy goals of reducing unemployment amongst lone parents.

Devolved Powers to Scotland

24. Mechanisms which we would therefore consider particularly important in alleviating women’s inequality in the benefit system include:

- More specialised training of staff in Jobcentres. Women receiving benefits who, for example, are also victims of domestic violence face special circumstances, and if no member of staff at their Jobcentre is trained in understanding the additional needs they face, they will face undue difficulty in returning to work. This applies to other circumstances women face on benefits, including women with difficulties with English, older women, pregnant women, and lone parents.
- Better reflection in Claimant Commitments of the individual demands and constraints each claimant requires.
Increased provision of flexibilities within benefit regulations in order to reduce the number of ‘impossible choices’ women have to make between sanctions and work which is unsuitable due to circumstances arising from their gender. The removal of the lone parents’ regulations from Universal Credit to be replaced by “guidance” is particularly worrying in this regard.

In particular, amendments to the Domestic Violence Easement in consultation with expert organisations so as to better help women who experience gendered violence.

Restructuring of the appeals process for sanctions such that it is completed in a matter of days and with the clear understanding of the claimant and communication.

25. A serious attempt by the Scottish Government to reduce the gendered impact of welfare would as a result require:

- The power to determine the appropriate level of training of Jobcentre staff.
- The power to include new flexibilities within benefit regulations.
- The power to amend and introduce specific, specialised Easements for women in dire circumstances.
- Control over the appeals process.
- The power to redefine the scope, applicability and severity of sanctions.

26. Given so many of the negative effects of the welfare system upon women are the result of poorly implemented or designed policies within conditionality, Fawcett at present sees no reason that conditionality and sanctions necessarily have a disproportionate impact upon women. A benefits system which incorporates more understanding of an individual’s situation and help for them could, with the deterrent sanctioning, in theory help many vulnerable women into work where they want to be. What is clear is that the current sanctions regime is systematically failing to do this because it has a minimal understanding of the way in which gender affects women searching for work and on benefits.

The Fawcett Society
6 May 2015

Bibliography


WRITTEN SUBMISSION RECEIVED FROM INCLUSION SCOTLAND

1 Background
1.1 Inclusion Scotland is a network of disabled peoples’ organisations and individual disabled people. Our main aim is to draw attention to the physical, social, economic, cultural and attitudinal barriers that affect disabled people’s everyday lives and to encourage a wider understanding of those issues throughout Scotland.

1.2 Inclusion Scotland has carried out extensive consultation with disabled women on various aspects of Welfare Reform and has also carried out some qualitative research on the issue. Our response draws on what disabled women have told us as well as research published by other agencies.

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

2.1 Disabled women tell us that claiming benefits is a degrading experience. Staff and public attitudes towards disabled people are poor. The genuineness of their impairment is queried, the severity of their condition or pain is questioned and staff imply or explicitly state that they must be workshy. In particular disabled women feel that DWP and ATOS staff have become increasingly hostile and inhumane in their attitudes towards disabled people caught up in the ESA assessment process and JSA sanctions regime.

2.2 Disabled women’s experience of the Scottish Welfare Fund has been more mixed with some positive experiences being reported but the majority of women feeling that they were not treated with dignity and respect. They also believe that the ESA Mandatory Reconsideration regime goes against the principle of natural justice as they are treated as “guilty” and deprived of their benefits until they prove that they are “innocent”, disabled and/or sick.

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

3.1 Disabled women tell us that their experience of the benefits system has changed markedly for the worse in recent years. Previously, though the system was far from perfect, they did feel that they could at least trust DWP staff and often obtain support from them if they experienced a problem.

3.2 Disabled women feel that benefit staff have more recently become increasingly unhelpful and arbitrary in their decisions and also much more punitive. Indeed many disabled women are now fearful of dealing with DWP staff because of the fear of sanctions or having their entitlement to DLA or ESA taken away. They also feel that DWP staff are far more distant – both geographically and in attitude.

“The amount withheld from social security claimants under this government’s controversial sanctions regime has soared by 3,000%,
new figures show. In 2009/2010, £11 million of JSA was sanctioned. In the year to Sept 2014 £355 million in JSA was stopped” – PCS Union

3.3 Disabled women feel that the benefit system forces them to jump through a series of never-ending hoops as they are assessed and re-assessed for various benefits. They suffer a great deal of stress due to the almost constant threat to their ongoing entitlement. This results in a deterioration in their wellbeing, their mental and physical health and often causes varying or progressive conditions to worsen resulting in pain and distress. In particular disabled women in receipt of ESA feel that they are on a treadmill. Those in receipt of DLA fear the transition to PIP because it seems a very similar system.

3.4 Quote from disabled woman - “I was having terrible anxiety attacks (while waiting to hear about an application). Suffering depression is part of my MS, but I was having anxiety like I had never experienced”.

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

4.1 Yes. Research commissioned by the Welfare Reform Committee confirms that the impact of the cuts to welfare benefits falls disproportionately on women and disabled people.

“Claimants with health problems or disabilities also lose out badly. Reductions in incapacity benefits are estimated to average £2,000 a year, and some of the same people also face big losses in Disability Living Allowance as well as reductions in other benefits” – “The Cumulative Impact of Welfare Reform on Households in Scotland”: Beatty & Fothergill, Sheffield Hallam University, Feb 2015

4.2 Disabled women are also more likely to be Carers (69% of those claiming Carers Allowance are women) or Lone Parents (90% of Lone Parents are women) than disabled men and are thus also more likely to be impacted by benefit changes that affect these groups.

4.3 Very recently published research29 carried out in a deprived area of Scotland points out that “the key welfare changes impacting adversely on lone parents were the activation and sanction policies applied when out of work and earlier re-categorisation from carer to employee when seeking work”. Sanctions for lone parents on JSA have risen from under 200 per month prior to 2008 to 4,700 per month now30.

30 “Who Benefits? An independent inquiry into women and Jobseekers Allowance”, Dr D. Webster, University of Glasgow, Submission to Fawcett Society, July 2014
4.4 However disabled women are particularly disadvantaged by some of the benefit cuts –

- In Scotland, over 55% of those in receipt of the Higher Rate Mobility component are women. As the DWP are predicting that around half of those in receipt of Higher Rate Mobility will lose it when they are reassessed for PIP then it is likely, over time, to result in more women losing out than men.

- Over 51% of households affected by the Under Occupation Penalty or Bedroom Tax are headed by a single woman compared to 24% headed by a single man. The majority of these single women were Lone Parents of working age with women aged over 44 most likely to be impacted. Even though the Bedroom Tax has now been fully mitigated in Scotland it caused hardship, anxiety and stress when it was introduced and for nearly a full year thereafter

4.5 Recent changes to the Assessment criteria for the Work Capability Assessment discriminate against women. The criteria actually state that men and women should be assessed differently –

- one indicative “substantial risk” criterion and one high risk diagnosis and either: male and one personal factor or: female and two personal factors

- or one high risk diagnosis and either: male, personal factor A and one other personal factor or: female, personal factor A and two other personal factors

4.6 This will result in disabled women being less likely to receive points during the assessment process than men with the same (or similar) conditions. This is also because women are more likely to self-harm and less likely to commit suicide (“high risk”).

4.7 This has led the Directors of Public Health in Scotland to call for these new criteria to be reviewed to prevent the risk of women with mental health problems being unable to claim this benefit and the resulting increased risk of poverty for the women and their families.

4.8 Disabled women are more likely to manage household budgets than their male partners. The financial loss is therefore more acutely felt by them. It is known, from a great deal of previous research, that women who manage the household budget are more likely to be at risk of domestic violence. However even before the current austerity cuts, disabled women were already at greater risk of domestic violence than their non-disabled peers.

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31 DWP figures as of August 2014.
4.9 Disabled women disproportionately experience gender based violence; are more susceptible to violence across the life course and are more likely to suffer more severe injuries as a result. Experiences of domestic abuse for disabled women differ to those of non-disabled women because of the double discrimination they face as women and as disabled people.  

4.10 Due to benefit cuts, long delays in assessing claims, punitive sanctions and lengthy mandatory reconsiderations disabled women are experiencing increasingly long periods with inadequate or no means of financial support. As a consequence some disabled women are being forced to turn to prostitution as a source of income. This is even more likely where these women have caring responsibilities and no means to feed their children.  

4.11 Research shows that mothers in low-income households are prepared to go without food, clothing and warmth in order to protect their children (and partners) from the full impact of an inadequate income. A recent survey conducted by Netmums of 2,000 of their members found that, as a result of reduced incomes, one in five mothers were missing meals so that their children could eat.  

4.12 There is a similar impact on families with disabled children. A survey conducted by Contact a Family revealed that 83% of parents with disabled children said that they have had to go without meals, whilst around 25% said that their child’s health had deteriorated. Two-thirds of parents said that their own health has suffered as a result of cutting back on food and heating.  

4.13 Although the vast bulk of the benefit cuts fall on those of working age recent research suggests that older disabled women may have had to take on more responsibilities as a consequence of austerity cuts. For example they may be providing childcare for disabled grandchildren because their son or daughter has been compelled to seek work through the WCA process or JSA conditionality. Or, due to rising entitlement criteria, they may be providing an increased amount of unpaid social care for their partner or their adult disabled sons or daughters.  

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

5.1 The over-riding priority should be that benefits and employment programmes should support disabled women, to reach their full potential and play a full, 

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32 Along with other potential intersecting identities, such as age and Lesbian, Bi or Transgender identification. http://togetherwecanstopit.org/what-is-domestic-abuse/  
33 See here for example - http://www.2ndcouncilhouse.co.uk/blog/2013/02/02/disability-and-the-sex-industry/  
35 “Counting the Costs”, Contact a Family, Nov. 2014  
active and equal role in Scottish community and economic life – rather than punish then for the crime of being disabled and/or a woman.

5.2 Achieving the greater inclusion of disabled women would require action across a range of policy areas including social security benefits. For example empowering disabled women to achieve higher levels of employment might require the alignment of benefits policy; social care policy (when PAs arrive to get people out of bed); transport policy (is accessible transport available) and building regulations (are business premises accessible?).

5.3 For policy to be effective in addressing an issue, removing a barrier (and avoid creating more), there needs to be an accurate understanding of the nature of that issue/ and what would address or remove it. Inclusion Scotland believes that the people best placed to furnish that information are those who have lived experience of the issues involved.

5.4 The Christie Commission stated that a transformative and positive reform of public services in Scotland could only be achieved by “Working closely with individuals and communities to understand their needs, maximise talents and resources, support self-reliance, and build resilience”. Therefore any changes being considered to the benefits and employment programmes being devolved to Scotland should be the subject of a co-productive approach that involves disabled women/people at the earliest possible opportunity.

5.5 Secondly Rather than taking a ‘safety net’ approach to welfare, the Scottish Government should consider how the devolved benefits could genuinely be used to empower women to be equal and participative citizens. This means recognising that culture and personal relationships, rather than ‘contract and consumption’ are the key to better quality of life and well-being.37

5.6 At the moment, the UK welfare system is geared to one outcome – placement in the labour market. By making the links between welfare, health, social care, housing and well-being more generally, a devolved welfare system should aim for broader outcomes which recognised the social value of a range of roles within the civic, cultural and social life of Scottish society, including voluntary and care work.

6 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?

6.1 Practical Improvements:

1. Review and reduce the number of assessments disabled people are currently required to undertake: i.e. ESA, DLA/PIP, Blue Badge, social care entitlement and support for caring

37 This is the argument Prof. Bill Jordon makes in his 2008 publication: Welfare and Well-being: Social Value in Public Policy, Bristol: Policy Press
2. There should be no re-assessment for PIP/DLA for people with lifelong or progressive conditions unless they report a substantive, positive change in their condition.

3. Sanctions to be the last rather than the first resort for those on Work Choice or Work Programme.

4. Genuinely tailor employment support for disabled people to enhance their confidence and skills-base and to assist them in overcoming barriers.

5. DLA/PIP forms to be sent out on request to those who need them rather than current procedure where a large number of questions are asked – and need to be answered – before a form is sent. This disadvantages women with sensory impairments (deaf or blind or deaf/blind); communication impairments (speech/understanding), learning difficulties and/or mental health issues.

6. Increase the amount of Carers Allowance payable to at least the JSA rate and preferably the ESA WRAG rate. Gender split for Carers Allowance – 69% female, 31% male.

7. Halt the roll-out of PIP to enable more disabled women to retain their entitlement to the Higher Rate of the Mobility component of DLA.

Bill Scott
Director of Policy
Inclusion Scotland
29 April 2015
WRITTEN SUBMISSION RECEIVED FROM SCOTTISH REFUGEE COUNCIL

About Scottish Refugee Council

1. Scottish Refugee Council is Scotland’s leading refugee charity working to ensure that refugees seeking protection in Scotland are welcomed, treated with dignity and respect, and achieve their full potential.

2. Our women’s project works in partnership with the Refugee Women’s Strategy Group (RWSG), a group of refugee and asylum seeking women whose aim is to represent the views of refugee women to decision makers on the issues that affect their lives in Scotland. We include reference to evidence produced by the RWSG in our response.

3. Our Holistic Integration Service supports refugees in Scotland and their family members to access welfare, housing, health, education, employment and social support upon being granted leave to remain. We draw on evidence from our direct services to illustrate the impact of welfare reform on refugee women in Scotland.

Our response

What is the impact of welfare reform on women?

4. Scottish Refugee Council is a member of the Scottish Campaign on Welfare Reform and of a coalition of organisations working with diverse women across Scotland (Engender, Close the Gap, Scottish Women’s Aid, and the Scottish Council of Voluntary Organisations) to raise awareness of the impact of welfare reform on women in Scotland. We fully endorse the evidence submitted by these organisations to this inquiry and would direct the Committee to the joint position paper we published in April for our position on the impact of welfare reform on women in Scotland more generally.

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

5. We focus this response on the impact of welfare reform on refugee women specifically. Like women, refugees in Scotland have multiple and intersecting identities, which shape their experiences of welfare reform. There are, however, particular issues faced by refugees relating to the contexts they come from, their experiences of persecution, their journeys prior to seeking protection, and the systems and processes of seeking asylum in the UK, which impact significantly on their experiences of welfare reform. Many of these are recognised in Scotland’s refugee integration strategy, New Scots: Integrating Refugees in

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Scotland’s Communities 2014-17, published by the Scottish Government, Scottish Refugee Council and COSLA.40

6. Refugee women in particular experience many gendered barriers to seeking international protection, experience high levels of gender based violence41, and often face challenges to accessing protection in an asylum system that presents many barriers for women, for example, a lack of childcare for asylum interviews, and a lack of recognition by decision makers of the difficulties in disclosing gender based violence and of the contexts from which women may be fleeing.42 Refugee women therefore begin the journey to rebuild their lives in Scotland facing significant disadvantage and are at severe risk of being impacted on negatively by welfare reform both as women and as refugee women specifically.

7. A specific and particularly worrying issue for refugees is the significant risk of destitution they face at several points in the UK asylum process43, including, and most relevant to this inquiry, upon being granted leave to remain. The main driver of this destitution is administrative delay and specifically the 28-day ‘move-on’ period following a grant of international protection after which, asylum support and accommodation provided by the Home Office is withdrawn. Securing a National Insurance Number (NINO) and bank account, applying for and receiving benefits payments, and finding a new home within a 28-day timeframe is extremely challenging, even without consideration of the language barriers, physical and mental health needs, childcare responsibilities, lack of knowledge of the system, and lack of means or support networks that many refugees must contend with.

8. The challenges of accessing benefits and support into employment are particularly acute for women, and have been explored by the Refugee Women’s Strategy Group in its report, The Struggle to Contribute.44

9. Evidence from our Refugee Integration Services shows that refugees accessing our service last year waited on average 39 days for their first benefit payment following a grant of leave to remain.45 Bearing in mind that asylum support and accommodation is withdrawn after 28 days, the longest waiting time for receipt of mainstream benefits was two months, leaving a clear gap in support in which men and women are left relying on emergency social work support if they have children, food banks, charities and other discretionary sources of food and shelter. It is important to note that the main reason why new refugees experience delays in benefits payment is the delay in being issued a NINO. In the case of couples who make a joint claim, women can experience longer waiting times for a

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41 Zimmerman, C et al (2009) Asylum seeking women: violence and health, Scottish Refugee Council & London School of Hygiene & Tropical Medicine
42 Querton, C (2012) I feel like as a woman I’m not welcome: a gendered analysis of UK asylum law, policy and practice, Asylum Aid
43 Gillespie, M (2012) Trapped: destitution and asylum in Scotland, Scottish Poverty Information Unit, Glasgow Caledonian University
44 Refugee Women’s Strategy Group (2011) The Struggle to Contribute: A report identifying the barriers encountered by refugee women on their journey to employment in Scotland
45 Scottish Refugee Council (2014) Holistic Integration Service - Year 1 Evaluation Report
NINO, which means that the household will live with a single person’s allowance. This creates a higher level of poverty, but also increases the dependency of refugee women on their partner. Of the three main benefits, Income Support and Employability Support Allowance take the longest to process and are mostly applied for by women. This delay is mostly due to the fact that these benefits require additional evidence and cannot be claimed online. Our service users also experience significant delays in receiving Child Tax Credits and Child Benefit. Our figures show that women wait on average 50 days for Child Benefit and 69 days for Child Tax Credits to be put in place.

10. We also work with family members joining refugees in Scotland through Refugee Family Reunion. Delays in the payment of benefits are also experienced by these families, which put significant pressure on families who have been through trauma, many of whom have been separated for some time. The process of obtaining a NINO and applying for benefits cannot begin until family members arrive in the UK. When receiving Job Seekers Allowance, Child Tax Credit and Child Benefit, although the applications are processed as a joint claim the funds are transferred through the – usually male - sponsor’s bank account. The refugee family reunion visa thus creates a worrying dependency on refugee sponsors and benefit payments further compound this. Women on refugee family reunion visas are reliant on their partner as sponsor for access to social security or other public funds, placing them in an extremely vulnerable position, particularly if they experience relationship breakdown or domestic abuse.

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

11. Our experience of delivering services to refugees and working with the Refugee Women’s Strategy Group has highlighted four particular areas of impact since the introduction of welfare reforms: an increased reliance on the Scottish Welfare Fund (SWF); negative impacts of sanctions; difficulties with digital access; and inflexibility in the implementation of the English Language Requirement.

12. Refugees in Scotland are increasingly reliant on payments by the SWF to plug the gaps in support resulting from administrative delays in benefits payments being put in place. Between July 2014 and March 2015 we secured 55 payments from the SWF for clients: 27 of these were made to female heads of household and 28 to men. Less than one third of our clients overall are female heads of household, indicating a worrying gendered dimension to refugees’ reliance on the SWF. Additionally, the average payment made to women was £216.73, compared to £108.00 to men, demonstrating a higher level of need and reliance on this discretionary payment for women than men. It is not acceptable that women with a recognised entitlement to benefits have to resort to discretionary ‘safety net’ payments to plug gaps in a broken system.

13. Another worrying trend is our clients’ experience of sanctions. We have data on a small sample of our clients who have been sanctioned; however, we believe this to be an underreported issue, as clients do not necessarily present to us for help when sanctioned, and when they do, in most cases they do not realise that

46 DWP encourages online claims for JSA as it is the fastest and most efficient way to process the claim.
the reason for their payments being stopped is that they had been sanctioned. Our data suggests that a higher proportion of women refugees may be sanctioned (29%) than the proportion of women among our clients claiming JSA (25%). The size of the sample does not allow us to draw conclusions, but the indication is that there may be a gendered dimension to sanctions among refugee JSA claimants. Where our clients are sanctioned, this most often occurs within the first six months of being granted leave to remain. This would suggest that people who are grappling with an unfamiliar and complex system are being penalised for their lack of awareness of the system rather than supported effectively to engage with it and start to rebuild their lives. The introduction of strict claimant commitments with the lack of flexibility and room for individual need in the system is contributing to this failure to support people effectively into employment.

14. Refugees bring with them a wealth of language skills, experience and qualifications; however, a majority of our service users have limited English language skills at the point of being granted leave to remain, and many women in particular have limited, if any, formal work experience of the kind that is valued by employers in Scotland. 62% of our service users are ESOL Access Level 2 or below when they are granted leave to remain. 50% of adult women service users have never been formally employed before. Given this demographic, reduced access to Job Centres and reliance on digital access is particularly challenging for women refugees. Interpreters are rarely available for welfare-related appointments at Job Centre Plus, and are only provided where there is a recognised additional vulnerability. This also impacts significantly on our service, on which people increasingly rely for advocacy and support to complete benefits applications among other support.

15. The introduction of the English Language Requirement (ELR) has again highlighted a lack of flexibility in the welfare reform agenda, and a number of causes for concern. Although it is too soon to measure the real impact of the ELR, challenges have already been identified. For example, the DWP has contracted a single private provider (Ingeus) to deliver the mandatory provision under the ELR across the UK. In practice, this means that JSA recipients in Scotland already accessing ESOL or other college course provision have to withdraw from their courses to attend the mandatory DWP provision. The DWP provision is restricted to basic speaking and listening skills, incompatible with mainstream provision in Scotland and Scotland’s newly refreshed holistic ESOL Strategy.47 We know that women in particular tend to prefer and get more out of community-based and flexible approaches to English language learning.48

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

16. Our priority for change upon devolution of further powers to Scotland would be for the action points on asylum agreed by the Smith Commission to be implemented. In particular, we believe that the executive devolution of asylum support, housing

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48 Refugee Women’s Strategy Group (2011) *The Struggle to Contribute: A report identifying the barriers encountered by refugee women on their journey to employment in Scotland*
and advice to the Scottish Parliament would enable a system to be implemented that better meets the needs of refugee women, men and children at a local level, enabling us to work towards a gendered approach to the provision of end-to-end support which ends the unacceptable administrative delays and the 28-day ‘move-on’ period currently leaving refugees destitute at the point of being granted international protection.

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?

17. One example of a practical improvement we would like to see is a more flexible and tailored approach to supporting refugees - and refugee women in particular - into employment. We would recommend that Scottish employment support should incorporate English language provision into a more tailored work programme package that is guided by Scotland’s ESOL Strategy, takes a holistic approach, and is informed by the needs and experiences of the people it is designed to support into employment. One example of how to do this is the Refugee Women’s Strategy Group and Glasgow ESOL Forum’s pilot programme, One Step Closer, which worked with refugee women to design and deliver a course that aimed to meet women’s learning needs and build their confidence, supporting them to develop the skills they identified as needing to be able to take steps towards employment.49

18. We would be happy to provide further information in relation to any of the points made above. For further information, please contact:

Nina Murray
Women’s Policy Development Officer
Scottish refugee Council
1 May 2015

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49 Refugee Women’s Strategy Group & Glasgow ESOL Forum (2014) One Step closer: Confidence building and employability skills for refugee & asylum seeking women
WRITTEN SUBMISSION RECEIVED FROM SCOTTISH WOMEN’S AID

Introduction

1. Scottish Women’s Aid welcomes the opportunity to contribute to the Scottish Parliament’s Welfare Reform Committee inquiry on Women and Welfare Reform. Our submission is informed by our member’s experiences of the devastating impact of welfare reform on the women and children they support.

2. “A Widening Gap: Women and Welfare Reform,” a joint report produced by Engender, Scottish Refugee Council, Scottish Women’s Aid, Close the Gap and Scottish Council for Voluntary Organisations sets out the grossly disproportionate impact of welfare reform on women and demands a gendered response that takes into account the complexities of women’s lives. A response that strategically links interrelated policy areas such as women’s employment, health, housing, social care, childcare and violence against women. We believe that this inquiry provides an important opportunity for the Welfare Reform Committee to respond to this demand and ensure work on welfare reform is coherently connected to devolved areas of government policy that tackle gender inequality. We believe that analysis of budget processes on welfare is essential to achieving this and support Engenders call on the Committee to scrutinise the Scottish Government’s budget and policy processes around welfare reform to ensure that women’s equality, human rights and dignity are the driving principles of all government action on welfare issues.

Impact of changes to the benefits system on women and children who experience domestic abuse

3. Domestic abuse is both a cause and consequence of women’s inequality. This policy position has been supported by successive Scottish administrations since devolution, policy to address domestic abuse and other forms of violence against women cannot happen in isolation from broader work to tackle women’s inequality. This is embedded in Equally Safe, the Scottish Government’s strategy on violence against women and girls which makes an explicit commitment to addressing gender inequality as a significant route towards preventing and eradicating violence against women and girls.

4. Women experiencing domestic abuse face considerable barriers when trying to leave an abusive partner, many women experience financial abuse and are denied access to independent income, are prevented from working and are encumbered with debt. Access to financial support, provided by the social security system is therefore crucial in supporting women to be able to leave an abuser. The cumulative impact of reforms to the welfare system have acted to further reduce women’s financial autonomy, resulting in increasing poverty and insecurity for women and their children and creating increased risk of women and their children remaining with or returning to the abuser.

51 Scottish Government (2014) Equally Safe, Scotland’s strategy for preventing and eradicating violence against women and girls
52 Women’s Aid (2015) Unequal, Trapped and Controlled
5. **Universal Credit**, which replaces benefit payments paid separately to each member of a couple, with a single monthly payment to one claimant in the household will further increase the opportunity to create financial dependency. The devolution of some powers over welfare, particularly in relation to Universal Credit offers the Scottish Parliament the potential to better support women experiencing domestic abuse, by varying the single householder and monthly payment arrangements, which undermine women’s safety.\(^{53}\)

**Impact of specific changes and challenges**

**Process and delays**

6. Changes to both benefit entitlements and claims processes have severely affected women who have experienced domestic abuse, failing to take into account the impact of domestic abuse on women’s physical and mental health, confidence and self-esteem, need for safety, a place to live and responsibilities for childcare.

7. For women claiming benefits challenges exist across the system; these start from the inherent difficulties in making a claim as a result of the change to an online system. While ‘vulnerable’ claimants can make claims by phone – in practice they are discouraged from doing so. The complexity of the system results in delays and gaps in payments, this particularly impacts on women who have left an abusive partner and apply for benefit to be transferred to her name or when transitioning from one benefit to another. It takes on average 16 weeks for child benefit, to be transferred and can take up to 42 weeks for EU migrant women. This increases women and children’s poverty and a consequent reliance on food banks and the emergency destitution supplies and funds that Women’s Aid groups now operate.

“Delays in claims being processed and sanctions are having a massive impact on women and their children, we are using food banks more regularly than we were previously and we have to subsidise living costs for more women than we were previously required to. In the last year we had to write off just under £3000 in loans provided to help women buy essentials and in unpaid electricity/gas costs as women did not have access to funds.”

Ross-shire Women’s Aid

**EU migrants**

8. Restrictions to entitlement to benefit for EU migrants are having a devastating effect on women when separating from an abusive partner. EU migrants have to have a "right to reside" to be able to claim means tested benefits. Women whose only right to reside is as a Jobseeker can only claim JSA for restricted periods unless they can demonstrate a genuine prospect of work and since 2014 women whose only right to reside is as a jobseeker cannot claim housing benefit. Lack of entitlement to housing benefit also means that women in this situation cannot access refuge accommodation, as refuges are reliant on housing benefit to cover rental costs. EU migrant women in this situation are therefore not able to get

\(^{53}\) Ibid
financial support in order to leave an abusive partner or be able to access the safety of refuge.

“Many women using our service are no longer entitled to housing benefit, whereas they would have been previously. In addition many have had their eligibility to benefits stopped- in the case of income support or ESA, or time limited (JSA). This has meant that nine women presently using our Bilingual support service have been directly affected by these reforms. One woman has already had her benefits stopped and is about to be evicted from her home due to not being eligible for housing benefit. Another woman, who has two children, is also facing eviction proceedings in the near future.”

Perthshire Women’s Aid

Employment Support Allowance (ESA) and Personal Independence Payments (PIP)

9. Assessments for ESA and PIP cause increased stress and anxiety and exacerbate women’s pre-existing health problems. These assessments focus on women’s ability to complete physical tasks and fail to take into account the impact of domestic abuse on her mental health.54 Women who have had to move address to leave an abusive partner and register with a new GP are often unable to provide sufficient evidence to support their application. As a result applications are often unsuccessful and women require advocacy and support to make an appeal.

10. Recent tightening of the eligibility criteria for ESA also discriminates against women with mental health issues. The Directors of Public Health in Scotland have criticised the new screening system for ESA claimants on the basis that it places additional requirements on women to prove their exceptional level of need, and may put women at risk of self-harm and suicide.55

“I am experiencing trauma, severe depression and anxiety as well as physical conditions I first claimed ESA in 2010, this took almost 15 months to be processed, at this point I was put onto the work related rate until the DWP decided to call me in for another ATOS examination their report stated completely the opposite to what the reality of my condition is. This decision has placed me in an intolerable social and financial situation and only adds to the mass financial difficulties and shortage of income I currently have. Unlike before, the rules now do not allow me to continue to claim even the basic level of ESA, whilst I await an appeal date. I have had to claim JSA of just £71.70 per week instead of the ESA work related amount of £100.15 a shortfall of £28.45, this has severely impacted on me”

Ross-shire Women’s Aid

55 Changes to ESA will discriminate against women – statement from Scottish Directors of Public Health, March 2015
Jobseeker’s Allowance and sanctions

11. The impact of domestic abuse on women’s ability to fulfil job seeking conditions was recognised with the introduction of the Jobseeker’s Allowance Domestic Violence Easement (JSA DV easement). This exempts some victims of domestic abuse from job seeking conditions for up to 13 weeks. However women are not routinely informed about the easement despite recommendations made in the DWP’s own research. In our survey of Women’s Aid workers carried out in June 2014 we found that Jobcentre staff had very little knowledge of the JSA DV easement. Women’s Aid workers reported that women were informed about the easement by Jobcentre staff in only 15% of the cases they dealt with. This results in women being sanctioned as they are unable to fulfil job-seeking activities.

“Last week I supported a woman to make an application for JSA DV Easement over the phone to the DWP, after holding for 30 minutes I was told by the advisor that she didn’t know about any DV Easement, she went to check with her Supervisor, who also didn’t know about it and told me I would have to phone another number as they couldn’t process this claim – causing the woman I’m supporting even more anxiety and distress.”
Glasgow East Women’s Aid

12. Women’s Aid groups report that the women they support are sanctioned as they are unable to fulfil job seeking requirements because of the impact of domestic abuse on their health, where is no available childcare, when their children are sick or where they have language or literacy difficulties.

“A woman we are supporting whose first language is not English was to be sanctioned as the Job Centre Plus felt she was not recording her job search to their satisfaction. We advised the Jobcentre that she was searching but struggled to record the information in a format that met their requirements. If this woman did not have support, she would have been sanctioned.”
Dumbarton Women’s Aid

Scottish Welfare Fund

13. Women and their children who have had to move from their home as a result of domestic abuse are reliant on the Scottish Welfare Fund (SWF) to be able to refurbish a new home. While some of our members report that the SWF has improved how women access community care grants, with less intrusive information required and applications processed more quickly. In many areas our members report that the administration and assessment process of the SWF is challenging for the women they support. Some local authorities require applications to be made online and are reluctant to accept telephone or written applications. Most local authorities provide goods and vouchers, rather than cash payments, removing women’s choice in how they furnish their new home and instead are given “institutional furniture”. Assessment decisions are often inconsistent and judgemental, with women without children or whose children

currently do not live permanently with her, ‘allowed’ only a single bed, a single chair and carpeting for one room, which women have described as humiliating.

14. Delays in processing community care grants (CCG) combined with lengthy waits for deliveries of furniture cause difficulties with housing benefit claims. This results in women starting tenancies with rent arrears. As a CCG will not be processed until a tenancy agreement has been signed, but women are unable to move into a tenancy with no furniture and housing benefit will not be paid until she is residing in the property.

15. **Housing benefit** – the bedroom tax and shortage of one bedroom properties means women have to stay much longer in a refuge. While some local authorities will use Discretionary Housing Benefit (DHP) to cover the cost of an additional bedroom for women leaving refuge, others don’t and the continual re-application process also causes uncertainty and additional anxiety rather than the security and stability that women need at that time.

"Ms E had been in a Women’s Aid refuge for 26 months waiting to be rehoused. As a single woman she needed a one bedroom flat and only two bedroom properties were available. Eventually she had to accept the offer of a two bedroom property and was informed by the housing officer that she would be liable for the bedroom tax. She applied for and received DHP but has to re-apply every 3 months and has been told that she may or may not continue to receive it. As a result Ms E continues to feel insecure and anxious and this does not provide any real kind of basis for her to be able to rebuild her life."

Glasgow East Women’s Aid

**Impact on services**

16. Welfare reform has had a major impact on Women’s Aids already overstretched and under-resourced services. The increased complexity and difficulties of the benefits system, incorrect decisions, the need for online or phone applications, increase in applications for reinstatement and appeals, place more demand on services to support women to navigate and challenge the system. Ensuring women and children’s basic needs for food, clothing, rent and heat and light are met takes increasing precedence over dealing with their emotional support needs. Measures to mitigate the impact of welfare reform on women need to ensure that gender sensitive services are properly resourced to respond to this demand.

**Recommendations**

17. Primary responsibility for welfare reform lies with the UK Government, but there are specific actions that the Scottish Government can take to mitigate the impact on women and reduce the risk of further harm. These are set out in our joint report, ‘A Widening Gap’, and noted below.

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57 Scottish Women’s Aid (2014) Measuring the impact of Funding cuts on domestic services for women and children in Scotland
Recommendations to the Scottish Government

1. Develop a clear action plan to mitigate the impacts of welfare reforms on women, which is linked to devolved policy on gender equality, women’s employment, social care and childcare.

2. Specifically monitor emerging impacts on rural, disabled, older, migrant, refugee and BME women, lone mothers and unpaid carers.


4. Ensure the Scottish Welfare Fund respects women’s choices and dignity and hold local authorities accountable for delivery of such an approach.

5. Ring-fence funding for community-based women’s organisations to provide gender sensitive services relating to welfare reform, as part of a broad shift to strategically link the Equality Budget Statement and the Draft Budget.

6. Invest in employability services for women forced into or out of the labour market as a result of welfare reform, including tailored services for groups such as refugee and disabled women, unpaid carers and former carers.

7. Hold local authorities accountable over the delivery of Discretionary Housing Payments to ensure consistent access to safe accommodation for women.

8. Extend the Domestic Violence Rule to all women subject to immigration controls to ensure EU migrants who have been subject to domestic abuse are able to apply for a Destitution Domestic Violence Concession (DDV).

9. Introduce measures to guarantee that women with insecure immigration status have access to safety and protection where a relationship in which their immigration status is dependent on their partner breaks down.

10. Provide funding to ensure women are able to access refuge accommodation regardless of their entitlement to housing benefit.

Devolution of powers over welfare

11. Embed gender and human rights analysis throughout the process of further devolution, including through the work of the Joint Ministerial Working Group on Welfare or successor body.

12. Improve the quality of equality impact assessments and ensure that they are not post hoc, but shape design of any new legislation and programmes.

13. Consult different groups of women who have been impacted by welfare reforms throughout the design of any new legislation and delivery systems.

14. Hold the UK Government accountable to the Smith Commission Agreement and deliver a Scotland Act that provides for maximum flexibility on employment support and the creation of new benefits.

15. Push for the rollout of Universal Credit and Personal Independence Payment to be halted in Scotland, until the current process of devolution is complete.

16. Push for devolution of administrative powers over Universal Credit to be taken out of primary legislation and expedited to the Scottish Parliament.
17. Use the power to create new benefits to reinstate lost entitlements for carers and parents.

18. Implement the Smith Agreement commitment to consider the devolution of asylum support, advice and housing to the Scottish Parliament, and in so doing, end administrative delays that leave refugee women destitute.

19. Innovate with newly devolved work programmes to support the needs of women seeking work and diverge from existing employability models that replicate gender segregation in the labour market.

20. Use new powers over employment support and benefits to mitigate some of the worst impacts of conditionality, sanctions and services delivered by Jobcentre Plus, where possible.

21. Link new powers over benefits for disabled people and carers to carers legislation and strategy, and review how devolved services impact on women’s equality before new powers are taken forward.

22. Use the opportunity offered by the devolution of new powers to reimagine the services needed to better support the groups that they serve.

Scottish Women’s Aid

Scottish Women’s Aid (SWA) is the lead organisation in Scotland working towards the prevention of domestic abuse and plays a vital role in campaigning and lobbying for effective responses to domestic abuse. SWA is the umbrella organisation for 37 local Women’s Aid organisations across Scotland; they provide practical and emotional support to women, children and young people who experience domestic abuse. The services offered by our members include crisis intervention, advocacy, counselling, outreach and follow-on support and temporary refuge accommodation.

Jo Ozga
Policy Worker
Scottish Women’s Aid
4 May 2015
WRITTEN SUBMISSION RECEIVED FROM THE SCOTTISH WOMEN’S BUDGET GROUP

Introduction

1. The Scottish Women’s Budget Group is an independent, non-party aligned advocacy group. Through our research and analysis we seek to advance gender equality through improved gender analysis of public policy, and specifically the elimination of gender bias in decisions and processes on resource allocation and government budgets. We have been pressing for gender analysis in the Scottish Government budget process and in the deliberations of the Scottish Parliament and its committees since 2000.

2. The evidence of the devastating impact of changes to social security, welfare and taxation regimes by the UK government and the compounding effects of the withdrawal of public services as a consequence of public spending cuts and arguably the Council Tax freeze in Scotland is well documented. The response of the Welfare Reform Committee to the data and the decision to run this inquiry is very welcome. Such an inquiry must, however, be more than a listening exercise and give close consideration to ensuring the effective implementation of current and new powers on social security and taxation and the consistent and transformative implementation of existing tools such as the Public Sector Equality Duty (PSED). Additional levers to ensure effective scrutiny and improved policy and resource decisions unique to Scotland are the ministerial duties in relation to the PSED, and the process of the Equality Budget Statement and commitment of the Scottish Government to equality analysis in the budget process. The potential transfer of further powers under the Smith process are another well documented area of concern.

3. This brief submission from the SWBG will focus on sources of evidence of impact on women and policy and procedural changes and improvements.

Impact of Welfare Reform

4. SWBG and our sister organisation, the UK Women’s Budget Group have consistently presented evidence of the impact on women of changes to taxation and benefits under the Coalition UK Government. In successive publications analysing budgets and spending plans the UKWBG has presented compelling evidence of the effect on women’s income, employment, financial security and independence as a consequence of undermining the social security system and ethos in the UK.

5. The proposals from the most recent UK Budget to make further cuts in social security and public spending have been challenged by the UKWBG. The lack of clarity on these proposals compounds the concern around further detrimental impact on women.
6. The staggering statistic that 85% of the £26bn in cumulative cuts in public spending have been shouldered and financed by women should be sufficient to stop politicians and the ‘reform’ process in its tracks.

7. SWBG has also highlighted the cumulative impact of changes in the name of welfare reform, public service reform, and austerity on particular groups in society, particularly older women, women with children, disabled women, women carers.

8. The Scottish Government’s own analysis demonstrates higher levels of poverty among particular groups of women:

- 22% of single women pensioners and 15% of male pensioners are in poverty;
- 23% of single male adults of working age without children are in poverty and 20% of women;
- 27% of single women with children live in poverty. “In Scotland there are so few household composed of a single man with children that we cannot produce robust poverty figures for this group” (Scottish Government Equality Evidence Finder: Gender, Income and Poverty).

9. These profiles correspond to the data on claimants through the Scottish Welfare Fund, and the gender differences that SWBG have commented upon previously,

10. This data is in addition to the considerable volume of evidence of the effects of ‘welfare’ reform in Scotland available from the Scottish Government and elsewhere.

11. In Scotland, Engender has led recent debate in conjunction with Scottish Women’s Aid, and others on welfare reform, and the Scottish Women’s Convention have been closely engaged with their members.

Mitigating the worst excesses...

12. The Scottish Government have consistently framed critical components of its policy and resource interventions as aiming to “mitigate the worst excesses of the UK Government” reform of social security and taxation, public spending cuts and the recession. This has resulted in positive interventions including the establishment of the Scottish Welfare Fund and funding to offset the punitive Bedroom Tax. While mitigating the negative impacts of changes is essential in ensuring the security, dignity and wellbeing of individuals, it is also imperative that policy makers and legislatures proactively direct policy and practice that drives and delivers equality.

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13. Highlighting that “cuts in social security spending also matter greatly to women, since lower incomes mean they rely more on benefits” Prof. Sue Himmelweit of UKWBG argues that further policy and political decisions must look to tax reform that generates increases in revenue to offset the withdrawal of services and social security payments to women. New and forthcoming powers on income taxation for Scotland must be developed as measures to promote and delivery tax justice for women and men.

14. In their assessment of manifesto proposals for the UK General Election against Plan F - an economic strategy for a caring and sustainable economy - the UK and Scottish Women’s Budget Groups have highlighted the inconsistencies across the political parties in relation to austerity, protecting social security, and putting an end to further punishing benefit caps. There must be increased political challenge and leadership to the prevailing approach of raiding social security measures to fund deficit reduction. Alternative approaches to economic policy that invests in social infrastructure and the workforce delivering care, investment is the dignity of a simple, fair and personal social security system that protects the dignity and wellbeing of individuals do exist and are possible. They require the political will to change track.

15. In developing a social security system for a future Scotland, and following the direction set by the Expert Group on Welfare for a system that is “fair, personal, and simple”, SWBG would urge the Welfare Reform Committee and cross committee support within the Scottish parliament to adopt a more proactive and transformative approach to challenging ‘welfare’ reform imposed by other levels of government and in implementing new powers to Scotland.

16. Current policy discourse on individual and community ‘resilience’ and support for an ‘assets’ based approach prevalent in social policy currently requires caution and vigilance to avoid reinforcing stigmatising and blaming behaviours towards individuals and their actions, rather than acknowledging and addressing structural constraints that result in disadvantage and unequal treatment.

Recommendations

17. The principle approach advocated by SWBG is to ensure continued and accelerated progress towards effective scrutiny of the budget processes of the Scottish Government and public authorities to ensure integrated gender analysis. Budget scrutiny is as much a process of examining how decisions are made and arrived at and understanding the effects of those decisions as it is concerned with the value of resource allocation. This means:

- Effective scrutiny by parliamentary and governmental processes of public authorities
- Maximise the potential of the PSED in the deliberations of Scottish Parliament Committees to ensure robust equality impact assessment of policy, legislative and spending proposals as well as decisions
- Effective scrutiny of Scottish Government spending plans in relation to all policy areas affecting social security and wellbeing. This means health, education,
violence prevention and protection, employability and skills programmes, housing, criminal and civil justice, and ‘welfare’.

18. A series of recommendations for improving implementation of existing administrative practice has been made by the Expert Group on Welfare and the Scottish Government’s “Tracking Study on Welfare Reform” (2014).

19. From the newly launched report by Engender and partners, “Women and Welfare Reform” SWBG wishes to highlight and expand on the following recommendations:

- strategically link the Equality Budget Statement and Draft Budget and build on recommendations consistently made by SWBG for the budget to reflect the political rhetoric on advancing equality and tackling inequality, and to create greater procedural, technical, and conceptual coherence between the Budget, Scotland’s Economic Strategy, and the measurements prioritised in the National Performance Framework and the national outcomes;
- integrate effective equality analysis in the promotion, administration and analysis of the Scottish Welfare Fund;
- remove procedural barriers in the Housing Benefit system to women’s access to refuge accommodation and direct local authorities to ensure equality impact assessments of Discretionary Housing Benefits and appropriate and sufficient training in DHP procedure and equality impact analysis for officials.

20. One substantive recommendation from Engender and partners is for a “clear action plan to mitigate the impacts of welfare reform on women”. This positive recommendation could be taken forward as a cross-party and cross-committee initiative within the parliament. This would support the requirement to engage all relevant subject committees in effective scrutiny and proactive direction of social security policy that protects individuals and promotes dignity.

21. Future consideration should be made by the Welfare Reform Committee and all other subject committees to ensuring effective gender analysis of their scrutiny of Scottish Government’s budgets and maximising the opportunity to draw upon specialist analysis of external advisers.

Concluding statement

22. Taking meaningful and sustainable action to redress the impact on women of public policy decisions in ‘welfare’, tax, social security and public spending means a transformation in approach to policy making that puts concerns to advance equality and eliminate discrimination and disadvantage front and centre of the policy and resource allocation process. This means making policy that drives and results in greater equality, and not improving analysis and understanding of unequal and detrimental outcomes.

Angela O’Hagan
Convenor
SWBG
1 May 2015
WRITTEN SUBMISSION RECEIVED FROM THE SCOTTISH WOMEN’S CONVENTION

1. The Scottish Women's Convention (SWC) is funded to engage with women throughout Scotland in order that their views might influence public policy.

2. The SWC uses the views of women to respond to Scottish and UK Government consultation papers.

SWC Evidence Source

3. Throughout the SWC annual roadshow programmes over the past few years, the SWC has consulted with women throughout Scotland on welfare reform. The SWC has also undertaken a survey looking at the questions for consideration set out by the Welfare Reform Committee on women and welfare. This response outlines key issues with regards to the impact of welfare reform on women, their families and communities as a whole.

Purpose of the Consultation

4. In March 2015 the Welfare Reform Committee of the Scottish Parliament agreed to conduct an inquiry into the experiences of women when dealing with the recent welfare reforms. The Committee wants to know:

“What is the impact of welfare reform on women?”

5. The Committee is seeking submissions to address the following questions, specifically looking for comments or examples of the particular ways in which women’s experience differs from men’s.

- What is your (or your clients) experience of being on benefits or employment support?
- How has your (or your clients) experience with the benefit system changed in recent years since the introduction of the welfare reforms?
- Are there any challenges involved in being in receipt of your (your clients) particular benefits?
- 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?

Introduction

6. Overall, it is clear that welfare reform measures are having an adverse impact on women. The SWC has been consulting with women throughout Scotland on the issue of welfare reform for a number of years and in a recent survey on women and welfare, over 70% of respondents agreed with this statement.
“Women, who still manage household budgets and support children’s day to day lives proportionately more than men, are bearing the brunt of austerity cuts and demonising of those on benefits.”

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

7. Changes to the welfare benefits system are having, and will continue to have, a significant impact on women and their families. There are real concerns that the introduction of Universal Credit (UC), which will replace a number of existing benefits including Jobseekers Allowance, Housing and Council Tax benefit, and Working and Child Tax Credits, will have a profound impact on the lives of many. The same concerns also exist with regards to Personal Independence Payment (PIP), which will replace Disability Living Allowance (DLA).

“I know there are a lot of people who are really worried about what’s going to happen to them. They see these reforms as a real financial assault on women.”

8. Women have commented on a number of areas associated with being on benefits or employment support. These include, but are not limited to:

- the application process, which must be carried out online;
- fit for work assessments when seeking employment;
- difficulties in accessing Jobcentres in remote and rural areas;
- the lack of childcare both for attending interviews and work itself;
- administration and payment of benefits, particularly with regards to claims being made by and paid to a household as opposed to individual claimants;
- difficulties around claiming working and child tax credits; and
- the impact on women who work within the Department of Work and Pensions (DWP), Jobcentres and support services.

How has your (or your clients) experience with the benefit system changed in recent years since the introduction of the welfare reforms? Are there any challenges involved in being in receipt of your (or your clients) particular benefits?

9. Changes to the welfare benefits system over the last few years bring with them a number of challenges, all of which are impacting on women in a number of ways.

Tax Credits

10. Changes to tax credit entitlement are having a significant impact on women. Lone parents must now work at least 16 hours per week to qualify. For couples, joint working hours need to be at least 24 a week with one person working at least 16 hours per week. In a couple where only one person is working, that person must be working 24 hours a week.
“I don’t know whether my employer is going to be willing or able to give me the hours I need to be able to still get tax credits. If I lose them, I can’t afford to put my child into nursery and will have to either give up work or rely on friends and family for childcare. I’m really concerned.”

11. The prevalence of part-time work, as well as the increased use of exploitative zero-hours contracts, makes it extremely difficult for women to apply for tax credits.

“Although I received very little in the way of tax credits, the reduction has meant I am no longer entitled to additional support. I am sick of hearing how unemployed people are at the mercy of foodbanks when in fact I know more than a few people in badly paid, precarious work who have to rely on foodbanks so they can afford to pay other bills such as council tax, housing and utility costs.”

12. Entitlement to tax credits cease when families earn over income thresholds. In many cases the increase in wages is nowhere near the amount lost in essential tax credits. This can actively discourage women from seeking promotion in the workplace.

“My employer wanted to increase my wages due to a role change, however if they had done so I would have lost out on the tax credits I rely on to pay my childcare, which would in turn have meant I was unable to keep working. Thankfully they were extremely understanding about my situation, but I know that isn’t the case for everyone.”

**Carers Allowance**

13. As with tax credits, there are thresholds for entitlement to carers allowance. Carers, the majority of whom are women, often work part-time because full-time hours do not suit their needs. If their wages increase, they can lose out.

“I’m a carer in receipt of carers allowance and I work part-time. The UK Government increased the minimum wage last October, which took my wage marginally over the threshold for entitlement. As a result I lost my carers allowance and other top-up benefits which my family relied on. I am more stressed now than I have ever been.”

**Accessing Jobcentre Plus and DWP**

14. Many women have commented on experiences they have had when dealing with the DWP and Jobcentre Plus since the changes to the welfare benefits system came into force.

“Attending the Jobcentre has been an awful experience. The staff are so busy – that’s not necessarily their fault – and you get very little practical help. I felt that my abilities and experiences were not taken into account and that the appointments I had were nothing more than tick-box exercises.”
15. Women have commented on the hypocrisy when mistakes are made by the DWP and the length of time taken to rectify them. This is contradicts with the potential sanctions claimants face if they make errors or do not provide the relevant information.

**Barriers to employment and education**

16. Survey data indicates that two thirds of respondents do not believe that the welfare benefits system as a whole is helpful for women who wish to access education and employment. Many are apprehensive when undertaking work or accessing education in case they lose the benefits they receive, and as a result are significantly financially worse off.

“The jobs that are offered through the Jobcentre are low waged, low skilled and often part-time or zero hours contracts. Local Authority childcare can be extremely inflexible, and private provision costs more than many people pay for housing costs. Work does not always pay. If anything, the welfare benefits system locks women into a cycle of poverty.”

17. The welfare benefits system is also extremely discouraging for older women, particularly those who have been made redundant from the public and private sectors. Many have worked in these jobs for a number of years.

“No account is taken of skills or abilities. It took the Jobcentre five weeks to advise me on funding for learning. Older women like me, who have little formal qualifications, but years of experience and knowledge, are being told to attend courses where skills are basic. I was encouraged to prepare a CV, however most jobs must be applied for using a form. The whole process has made me feel demoralised.”

**Sanctions**

18. One of the most significant changes brought about by the welfare reforms is the impact of sanctions.

“Sanctions have hit people hard and have left many with even lower self-esteem and confidence than they had previously. Women have been coming to the organisation I work with asking for sanitary products because they have been sanctioned and have no money.”

19. There have been examples of women organising childcare for appointments at the Jobcentre, only to get there and be told they have been given the wrong date and will have to return the next day. It is very difficult to organise childcare at such short notice, and as a result women have to either take their children with them, which is not always appropriate, or fail to attend the rescheduled appointment and be sanctioned. The lack of public transport in many areas further exacerbates barriers. There is a real lack of flexibility within the process.
“I live in a rural area where there is only one bus per hour to take me to the nearest Jobcentre. If that bus is running late, or not running at all, which is sometimes the case, I can’t get to my appointment on time and risk being left with nothing.”

Case Study

20. “As a Family Care Worker, I support several women affected by welfare reform. One particular young parent has experienced benefit sanctions because she is not engaging with her Jobcentre Plus Advisor as she is expected to. Her youngest child is three and mum has stated that she will not be able to take up employment until the child starts school in August 2016 (due to a number of factors including lack of support and Social Services involvement). The parent is still however expected to attend six-weekly appointments and do work related activities such as creating a CV, writing covering letters and completing forms. The parent has mental health issues which she did not want to disclose with her advisor, is under stress because of Social Services involvement and is not coping well with trying to meet the requirements of all of the agencies she is involved with. The sanctions and stress are impacting on her and her children equally.”

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?

21. There are a number of ways in which the devolution of further powers to the Scottish Parliament could be beneficial for women accessing the welfare benefits system. A number of women have informed the SWC that, in their opinion, the proposed powers do not go far enough.

“This level of devolution is not enough to allow welfare benefits in Scotland to be redesigned to adequately support those most in need in a joined up way. Westminster will still be able to undermine support and budgets at any time with serious impact on families and communities, resulting in pressure on other public costs. It’s a good start but simply not enough has been devolved to make a meaningful difference.”

22. Where the Scottish Parliament and Scottish Government have powers, however, the following suggestions have been made by women:

Welfare Rights Advisors

23. Access to appropriate and informed welfare rights advisors is essential. Training for trainers programmes, whereby members of the community are given the necessary tools and information to provide sounds and sensible money matters advice and guidance would be of great assistance.

“We need to look at legislating for the provision of more welfare rights advisors. They provide a truly essential service and at present are struggling to cope with ever increasing workloads. The pressure they face has caused many to suffer
from both physical and mental ill health. Support for those who work in this field is so important.”

24. There is very little additional support or information around personal and household budgeting. More needs to be done at a local level to assist women and their families so they are not at risk of severe financial hardship. It is hoped that the transfer of this power will allow the Scottish Government to allocate specific funding to services which offer advice and support to those involved in the welfare system.

Health

25. “I hope the Scottish Government can deliver a much more compassionate system that understands the difficulties that people face when coming to terms with their own illness and disabilities. Often they will play down symptoms and strive to be ‘alright’. There needs to be more medically minded people making decisions about those with new, long lasting or evolving disabilities and illnesses.”

26. Those with mental health issues are often assessed as ‘fit for work’ because they are able to carry out the tasks asked of them in interviews. The nature of their illness, however, can make it very difficult for them to even get out of bed some days.

“We need to look at supporting those with mental health issues like depression to allow them to work part-time rather than working full-time. It is often difficult to sustain full-time work so the individual has to leave and claim benefits. That cycle needs to be broken.”

Payments

27. The way in which benefits will be administered is causing concern amongst women throughout Scotland. Previously, each person in a household made an individual claim, however under the new system the benefit will go to the household overall. The likelihood is that in many cases the man will receive the money. This has the potential to put women at risk of having little or no financial independence, particularly if they have an abusive or controlling partner.

28. UC will be paid monthly in arrears. Previously, individual payments were made on a weekly basis to claimants. Under the old system, housing and council tax benefits were paid directly to the landlord. These will now go directly to the claimant. There is a real worry that families will end up in debt as a result of these imposed changes.

“People should be given the option of having rent paid directly to their landlord at the start of their claim. Women are used to managing their money in a certain way, getting small payments throughout the month which spreads their finances. There will be so many who fall into rent arrears or who have to rely on pay day loans because they don’t know how to handle a lump sum once a month.”
The Work Programme

29. The Work Programme has also come under criticism in the past. It is not designed around the needs of women and is very gender specific. Rural women in particular face significant barriers in accessing and participating in the programme. The policy is designed with a complete disregard of the geography of Scotland. Rather than attempting to mitigate the effects of legislation, policies and practices already handed down, it will be possible to design a system that best reflects the needs of those seeking work in Scotland as a whole.

30. It is hoped that in implementing the Work Programme, the Scottish Government will ensure that those seeking employment are not encouraged to take up exploitative zero hours contracts, which make it very difficult for women to access additional support through tax credits and top up benefits.

“Parents trying to bring up their families are being abused by zero hours contracts and are being forced to access foodbanks in order to feed their children. Companies are using these to their own advantage, rather than to benefit the employee.”

Reserved Powers

31. The Scottish Government may be able to take positive steps the Scottish Government with the powers being transferred to them. Despite this, women remain concerned about the potential risks and conflicts which could arise as a result of certain aspects being devolved but some remaining reserved. For example, one of the biggest issues around welfare reform is the imposition of sanctions on those who do not comply with work-related requirements. As sanctions and conditionality are to remain reserved, serious tensions could arise between policies put in place by the Scottish Government with regards to the Work Programme, and the sanctions that can be imposed by the Jobcentre Plus, a UK-level institution. This could be particularly problematic given the findings of the Scottish Parliament Welfare Reform Committee in its report on sanctions. The Committee found a number of flaws in the system, including a lack of flexibility with regards to appointments, no matter the circumstances, which often include childcare and transport issues. It seems somewhat at odds that on one hand, the Scottish Government can create a Work Programme which best suits the needs of Scottish people, yet on the other hand the sanctions associated with that remain with Westminster. Those seeking work could be at a detriment as a result.

Lorna Kettles
SWC Research Advisor
Scottish Women's Convention
29 April 2015
WRITTEN SUBMISSION RECEIVED FROM BARNARDO’S SCOTLAND

Introduction

1. Barnardo’s is the UK and Scotland’s largest children’s charity, and Barnardo’s Scotland works with more than 26,500 children and young people in over 122 specialised services. Our services work with families and children who are living in poverty and facing multiple disadvantages. Many of our services are aimed at providing early intervention and support to families. This response draws on the experience of women and children supported by our services.

2. Engender report that benefit cuts have had a disproportionate impact on women. Since 2010, £26 billion worth of cuts have been made to benefits, tax credits, pay and pensions. 85% - around £22 billion - of this has been taken from women’s incomes.

3. The impact of these cuts can be seen on the services organisations like Barnardo’s Scotland provide. Our recent joint report with NSPCC highlight that our family support services are experiencing many more families who are presenting in a state of crisis, even where the service is designed and funded to deliver early intervention or preventative help. This appears to be largely a result of the cumulative effect of benefit sanctions, benefit delays, changes to tax credits and price rises for basic commodities such as food and energy. Taken together, these changes are tipping more families into crisis and aggravating pre-existing difficulties such as mental health problems, substance misuse and relationship breakdown. The severity of need is visibly growing. Barnardo’s Scotland Services report that caseloads are increasingly complex, with a growing number of issues involved. In addition, Barnardo’s Scotland Services are finding they need to meet basic material needs and stabilise home conditions before intensive family support work can begin.

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

4. For some of the young people and families we work with, welfare benefits are often the only sustainable (or maintainable) income source. For others, who are in employment, in-work benefits are crucial in making their income viable. People involved with our services are often at a point in their lives where they face numerous adversities, so benefits affect almost every aspect of their life; it can help (or hinder when there are issues) their home life, their health, their education, their employment, and so on.

5. One of our services in central Scotland described the situation as follows: “Dependent on the type of benefit our young people are in receipt of, experiences differ. Jobseeker’s and now Universal Credit are viewed negatively by our young people; whereas ESA and Income Support are more flexible and usually fit their

60 Barnardo’s Scotland/NSPCC (2014) Challenges from the frontline: Supporting families with multiple adversities in Scotland during a time of austerity
current circumstances and ability to engage with services; these are largely viewed more positively."

6. Gender can have an impact on these experiences with services reporting that it appears young men who they work with on Jobseeker’s Allowance have been sanctioned more often than young women.

7. Our family support services report that in general terms the families they work with who are in receipt of benefits and tax credits, find they are having increasing difficulty managing their finances. There is a growing reliance on support from extended family, charitable donations and foodbanks to supplement income. Sanctions, given the fact that they are often unexpected, are a significant issue for parents. Services see many examples of where benefit recipients have their benefits stopped for very little reason or for what would appear to be the most spurious of reasons. One service manager describes how the number of families subject to benefit sanctions in their area was ‘going through the roof’.

8. One woman recently supported by our Fife service was 10 minutes late for an appointment due to an unforeseen event with one of her children (a four year old needing the toilet on the way to an appointment), she was sanctioned. The impact of this sanctioning for her wellbeing and the wellbeing of her family was devastating.

9. She was without money for 4 weeks and as a result she was unable to purchase fuel cards for her gas and electricity meters or feed her children. A number of other household bills went unpaid and she had to borrow money from friends and relatives in order to survive. This had a long term effect of putting this woman further into debt and damaging her relationships with people who were previously supportive. The woman relied for four weeks on food parcels from food banks in order to feed her children resulting in them having no fresh food, fruit or vegetables in that time.

10. This is not an unusual example from our services perspective. Women are usually the main carer for children and as such are hit the hardest by these sanctions. It is important to recognise that the effects of benefit sanctions go well beyond the period of the sanctions and significantly impact on everyone who lives within the household. Children are particularly negatively affected as it can result in an increase in the pressure on parents which impacts on their ability to meet their children’s social, emotional, physical and educational needs.

11. A similar situation exists with the changes to tax credits – by significantly reducing the income of many of the working parents we help, families have become more vulnerable to financial shocks, and can be tipped into crisis by a broken domestic appliance or unexpected bill.
How has your (or your clients) experience with the benefit system changed in recent years since the introduction of the welfare reforms?

12. Across our services, there is a growing issue of very basic material needs not always being met amongst the children and families they work with. While our Service Managers would always say that poverty was at the core of the issues experienced by the families we work with, the nature and scale of the poverty they see is changing quite dramatically. One Service Manager reported that workers were witnessing increased stress levels and mental health issues for service users, with benefit problems exacerbating the issues people already have.

13. Overall the experience of our services is that benefit changes have had the effect of pushing families further into poverty and increased the stigma of being in receipt of benefits. In some cases families are being made destitute by the impact of welfare reforms – a situation that would have been extremely rare a few years ago.

14. The most significant impact on single parent families in recent years has been the switch from Income Support to Job Seekers Allowance (JSA) when the youngest child reaches age 5. The vast majority of these lone parents are women. The pressure to move into employment (without adequate and appropriate support designed to address the particular needs of this cohort) on some of the women we work with is immense. Many suffer from poor self-esteem and a severe lack of confidence. In addition they have had negative experiences of the education system and returning to full time adult education can be daunting. Alternatives in gaining employment are extremely limited given that this group of women have no qualifications of employment history.

15. A good example is that of a mother with a four year old child we work with in Fife. She has had significant addiction problems in the past but has worked very hard to address this; however, she still has some way to go. As her daughter is nearly five, this mother is terrified that she is going to be forced into the world of work, and have to transfer her benefit to Jobseekers allowance (JSA). She does not have the confidence or skills to do this at present and is already seeking other ways to claim benefits, e.g. as a carer for her partner.

16. If she does receive this benefit, she is likely to have this role within the family home for a long period of time and not continue the progress she has made which in the longer term would help her to move into the workplace when the time is right. On the other hand if she is forced to claim JSA, our staff are concerned that it is likely that she will not manage well and will be sanctioned at some point leading to further difficulties.

17. Barnardo’s Scotland staff recognise that in the long term this supporting this woman into finding work is the most desirable outcome – but the transition into the world of work will not necessarily be helped by benefit sanctions.
18. For younger people we work with who have just started to engage with the benefits system, often after growing up in care, services feel that welfare reform has made the young people we work with more reluctant to engage with the benefits system as they have heard/seen stories from friends, in the press, etc. about the changes that have been made. They appear more fearful of the benefits process as any problems could cause severe and prolonged hardship. This can be particularly problematic for young women, especially those with very young children, who may be more socially isolated. However, one service reports that because of a wish to avoid sanctions and other worries about benefits, the young people they work with have become more willing to attend advice agencies for guidance and help. Some young people have therefore become more connected with their local community and more knowledgeable about their finances as a result of seeking professional advice.

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

19. We have outlined above the problems with women with young children moving to Job Seekers Allowance. Our comments on this would also apply to premature transition into a requirement to find employment under Universal Credit.

20. We also have significant concerns on the single household payment introduced under Universal Credit and currently being rolled out across Scotland. This single payment would cover all income and housing related benefits payments for every member of the household for the month. Our services are concerned that the single payment could in practice have very negative consequences for many families. There is potential that receiving such a large sum of money in a single payment each month will make families ‘cash rich’ for a few days and vulnerable to exploitation. This vulnerability will be all too apparent in women (or others in the family) who are affected by mental health problems and substance misuse. There is an increased risk that families could suffer rent arrears and potential homelessness whilst outcomes for children affected by such changes are potentially lifelong.

21. We are also concerned that this form of benefit receipt is likely to increase the control held by abusive partners and further disadvantage women who are already some of the most vulnerable and disenfranchised people in our society. The report from Engender supports our service experience when it notes that the Universal Credit single payment will:

> “Increase the opportunity to create financial dependency, prevent women from leaving and place women and children experiencing domestic abuse at increased risk”.

22. In our experience the logic of sanctions - that the negative impact of a sanction will motivate people who could easily find work to move off benefits, does not apply well to many of the women we work with. The reason why they have not found work is because of the significant adversities, or caring responsibilities they have, and the lack of jobs available that they can combine with these caring
responsibilities and training and support to deal with the adversities they face. Closer relationships need to be in place between the Job Centre Plus, children’s services and adult services to ensure that the wellbeing of vulnerable children and adults is the priority.

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

23. It is important that those affected by any further devolved benefits are involved in their design. It is also important that those working with vulnerable women and children are also involved, to ensure an integrated approach. In addition there is a pressing need to ensure that any benefits devolved to Scotland are based on sound underpinning principles. These principles should include:

- creating a system that is compassionate and that protects the vulnerable,
- effectively supports people into secure employment, even those far from the labour market,
- does not negatively impact on children and young people,
- ensuring that benefits do not push people into poverty,
- ensuring benefits do not increase the risk of domestic abuse to women and children.

24. The current regime of sanctions and conditionality is in practice unsustainable, damaging, penalises the poorest and most vulnerable and pushes more people into poverty. We would support Engender’s view that new powers over employment support should be used to mitigate some of the worst impacts of conditionality and sanctions. Sanctions should only be used as a tool of last resort, be subjected to a test of reasonableness and have safeguards built in that ensure that no one who is the subject of a sanction is left with no money.

25. In addition where sanctions are applied to a claimant with children provision needs to be made for those children. It is not enough to say that benefit sanctions do not impact on children because Child Benefit is not withheld as part of the sanction. The experience of our services is that this is not the case.

26. There is an opportunity with the devolution of employability programmes to ensure the support provided to young women to help them into employment takes account of their specific needs. For example 92% of lone parents are women and women make up 95% of lone parents dependent on income support. As well as segmenting programmes to take account of age we would agree with Engender that innovation is required on newly devolved work programmes to support the needs of women seeking work and diverge from existing employability models that replicate gender segregation in the labour market.

27. Finally, the under 25s rate of benefit is often challenging for our young people, especially young women with children. Their age determines that they should have lower levels of financial support yet the bills and household costs and responsibilities are usually the same as someone aged 25 and over.
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?

28. The impact of cuts in benefits and a punishing sanctions and conditionality regime are also placing severe strain on the services which support vulnerable women and families. Increased investment in these services is essential if they are to provide support in a meaningful way. As discussed before, our Challenges from the frontline report with NSPCC found that services are being forced to focus on those with more severe needs, leading to opportunities for early interventions being missed. Barnardo’s Scotland Services are finding they need to meet basic material needs and stabilise home conditions before intensive family support work can begin. Holistic “whole family” approaches are therefore in danger of being undermined by staff having to focus on welfare rights support, rather than addressing the issues that led to the family being referred to us. While our services work collaboratively with money advice services, they are, in our experience are being overwhelmed with requests for help.

29. Our experience suggests that women should not automatically be expected to move into training or the workplace as soon as their children reach the age of 5. Policy needs to reflect that families in greatest need will require more intensive and longer term supportive interventions to help them reach the point where they are able to enter the workplace.

30. As Universal Credit is a key concern for our services we suggest that paying all benefits once a month to one householder is potentially damaging to women and children in particular. As such benefits should be spread over the month and given to the most appropriate person within the household to ensure that women and children receive, wherever possible, what they need.

Mark Ballard
Head of Policy
Barnardo’s Scotland
5 May 2015
WRITTEN SUBMISSION RECEIVED FROM CHILD POVERTY ACTION GROUP IN SCOTLAND

This evidence draws on the findings of the Early Warning System (EWS). The EWS is a framework which has been developed by CPAG in Scotland to collect case studies and wider evidence about how welfare changes are impacting on children, young people and the families and communities that support them. Information is gathered from frontline workers across Scotland, including welfare rights workers, housing officers and health and social workers.

1. According to the latest official statistics, over 1 in 5 children in Scotland are living in poverty. The Institute for Fiscal Studies (IFS) has forecast that by 2020 up to 100,000 more children in Scotland could be living in poverty than in 2011/12.

2. Reasons for the existence of child poverty are wide ranging and complex. However, according to the IFS, the ongoing increase in child poverty is largely a result of changes to the tax and social security system, many of which have disproportionately affected children and families.

3. Women have been disproportionately affected by many of the same changes that have driven increases in child poverty. As Engender have highlighted in their recent research paper, since 2010, £26 billion worth of cuts have been made to benefits, tax credits, pay and pensions, 85% of which have been taken from women’s incomes. This stems from the fact that women are twice as dependent on social security as men, with 20% of women’s income coming from the benefits and tax credit system, compared with 10% of men’s.

4. CPAG believe that the Welfare Reform Committee should be particularly cognisant of the following reforms which are having a disproportionately negative impact on women. These include:

5. The basis for uprating benefits in 2011/12 and 2012/13 was switched from Retail Prices Index (RPI) to Consumer Prices Index (CPI) inflation, a generally lower measure. The Institute for Fiscal Studies described this as the ‘most important’ of recent ‘poverty-increasing’ tax and benefit changes. From April 2013 uprating of working-age benefits is limited to 1%, which is below projected inflation. This 1% increase covers basic amounts for adults and children, but does not apply to specific disability and carer benefits. It is locked in by legislation for 2014/15 and 2015/16. Given that women are more likely to be in receipt of benefits, this will have a disproportionately negative effect on them. Uprating of statutory maternity pay (SMP) has also been capped at 1%, meaning that a mother will be approximately £330 worse off than if SMP had been uprated by RPI inflation.

6. Child benefit rates were frozen for three years between 2011/12-2013/14. They were then uprated by 1% in 2014/15. It is estimated that between 2011/12 and 2015/16 a family with two children will receive £1,100 less than they would have done had child benefit been uprated by RPI inflation. Since January 2013, child benefit has been recovered on a sliding scale via income tax from people earning between £50,000 and £60,000 (and in full if earning over £60,000). Given that child benefit is paid to the main carer (generally the mother) of a child, child benefit can be
an important resource for women who may have limited alternative income due to power imbalance within the home.

7. Changes to eligibility criteria and levels of entitlement of tax credits have had a major impact on many women. Some of the most substantial changes have included:
- Removal of the baby element from child tax credit. This was worth £545 in the first year of a baby’s life.
- Working tax credit has stopped for most couples with children who are working at least 16 hours a week, and now need to work at least 24 hours a week between them (losing up to £3,870 a year).
- Childcare costs covered by working tax credit cut from 80% to 70% (working parents losing up to £1,560 a year).

8. These changes will disproportionately affect women, who are far more likely to be lone parents than men. Women in two-parent families are also more likely to take on the majority of child care responsibilities and forgo employment opportunities, meaning that they are disproportionately affected where changes to entitlement for tax credits make it unaffordable for both parents to return to work.

9. In addition to these changes to entitlement, changes to the way in which tax credits are administered (and recovered in the event of overpayment) are having an extremely negative effect on children and families.

10. In the Autumn Statement in 2014, the Chancellor announced that tax credit awards would be stopped or adjusted “in year” to recover an overpayment or prevent an overpayment occurring. Where previously people in receipt of tax credits would have seen their award reduced within set limits the following tax year if an overpayment arose, some are now seeing their tax credit awards stopped altogether or reduced dramatically in the current tax year.

| A female lone parent had her working tax credit reduced from £72 to £2 a week in order to recover an in-year overpayment that arose because the client mistakenly declared her income from benefits as taxable income. |

11. In attempt to reduce error and fraud, HMRC has started focusing increasingly on “undisclosed partners”. Its aim is to identify tax credits claimants who are claiming as a single person but who HMRC believe should be claiming jointly with a partner.

| Lone parent’s tax credits, housing benefit and council tax reduction have been stopped because HMRC decided that she is not single but living together as husband and wife with her cousin (who lives in the same house). HMRC issued a request for evidence which has already been sent to them. When HMRC were advised of this they said the evidence would already have been destroyed. |
The client separated from her partner after he was charged with assaulting their child. HMRC have stopped client’s child tax credit on the basis of out of date information from the Electoral Register which lists the partner as still living at the address. MP's office has phoned HMRC several times but they have refused to change their decision. The client's reduced income means she has been unable to address her rent arrears and is facing eviction

Increased conditionality and sanctions
12. Since 2013 lone parents are moved from income support onto jobseeker's allowance when their youngest child turns 5. They can then face sanctions if they do not comply with job seeking conditions. Furthermore, since April 2014 lone parents claiming income support or employment and support allowance can be mandated to attend work focused interviews if child is aged one or over, or take part in work-related activity if child is aged three or over. This reform has a disproportionate effect on women given that women make up 95% of lone parents dependent on income support. For example;

An Italian lone parent had to give up work and claimed JSA. She struggled with the claimant commitment and was sanctioned. No one told her that she could restrict her availability as her child was at school.

A pregnant woman with two young children failed to complete mandatory work activity because she could not get access to a computer. Her sanction was applied on Wednesday but she was not informed that she could apply for a hardship payment until the Friday. She was told on the Friday that she would not be able to access the payment until the following Monday and had no money to get through the weekend.

13. The benefit cap is a limit on the total amount of certain benefits, including child benefit, jobseekers allowance (JSA) and employment and support allowance (ESA), that households can receive. It is set at £500 a week for couples and lone parents and £350 a week for single claimants. In practice, the benefit cap is applied by reducing the amount of housing benefit (HB), or universal credit (UC), a household is entitled to. CPAG has seen an increasing number of cases of women with children whose housing benefit has been reduced as a result of the cap. Most cases relate to families placed in expensive temporary accommodation after fleeing domestic violence. Cases illustrating the impact the cap is having on family life include;

A lone parent with 5 young children who has been living in temporary accommodation, secured with the assistance of Women’s Aid, since she separated from her husband early last year due to domestic violence. She is currently on the waiting list for a permanent tenancy. In the meantime she has had her housing benefit cut to 50p per week as a result of the benefits cap.

A lone parent with 4 children has a £332.34 shortfall in rent due to the benefit cap. When she left her husband she was advised by the local authority to look for a private let due to the shortage of social rented properties. Discretionary housing payments (DHP) were only awarded for 3 months and she was informed it would be unlikely that she would be given a further award unless she could prove she was taking steps to find work by attending work focused interviews. The local authority also informed her that they thought her living expenses were excessive because they included counselling sessions for one child and larger than average electricity bills.
14. **Changes to the residence test** mean that EEA Jobseekers lose their right to reside after 91 days in the UK unless they can provide 'compelling evidence' they are seeking and have a genuine prospect of finding work. Without a right to reside, EEA nationals are not entitled to means tested benefits including jobseekers allowance, income support or housing benefit. Recent changes have made it harder for EEA nationals to satisfy the right to reside test, including;

- EEA jobseekers no longer have the right to reside as a jobseeker after 3 months (previously 6 months), unless they can demonstrate compelling evidence that they are seeking and have a genuine chance of getting work.
- Furthermore, since 1 April 2014 EEA nationals whose only right to reside is as a jobseeker, will not be entitled to housing benefit if they submit a new claim.

15. These reforms appear to be having a disproportionate impact on women. In part this is because women are less likely to be able to find a job quickly due to caring responsibilities. There is a particular concern that this will create barriers to individuals’ trying to leave abusive relationships where their previous right to reside was based on their partner’s status. There is a concern that in many cases, women who came to the UK as part of a couple will not be entitled to housing benefit when they try to claim in their own right. For example:

<table>
<thead>
<tr>
<th>A Polish lone parent left her partner due to domestic abuse &amp; claimed JSA. JSA has now stopped as she had not found work or shown a genuine prospect of doing so. The client does not want to put her child in childcare and takes him round houses with her as she looks for work. She has very little English. Client no longer has a right to reside for the purposes of jobseekers allowance, housing benefit, child benefit or child tax credit.</th>
</tr>
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<tbody>
<tr>
<td>The client has 5 children, 2 of whom were school age when her husband left her. She is now having difficulty establishing a right to reside that would entitle her to benefits as it is not clear if her husband's employment was genuine and effective. If the client's only right to reside is as a jobseeker, she will no longer be entitled to housing benefit.</td>
</tr>
<tr>
<td>A pregnant Romanian client currently in a Women’s Aid refuge has claimed JSA but is not entitled to HB as her only right to reside is as a jobseeker.</td>
</tr>
</tbody>
</table>

**Universal Credit**

16. Currently, universal credit can generally only be claimed by single jobseekers. However, there is a concern that as couples and people with children in Scotland start claiming universal credit, women will be disadvantaged, particularly where they are classed as ‘second earners’. Under universal credit, the withdrawal of benefit as incomes rise will be at a much higher rate for ‘second earners’ – even leaving aside childcare costs. This is, in part, because couples will only get one ‘disregard’ (income ignored before it counts against universal credit) between them, so if the ‘first earner’ has already used that up, the ‘second earner’s’ earnings will reduce their universal credit from the first pound. This is the situation now with tax credits. But under universal credit, the rate of withdrawal, at 65 per cent, is much higher than the current tax credits taper (41%).

62
17. Another concern in relation to the introduction of universal credit is that it will be paid to one member of the household. There is a concern that where this single payment goes to a controlling or abusive partner it could reinforce existing power imbalances. There is evidence that economic abuse is a component of domestic abuse in many cases. Indeed there is a strong argument that the person with main responsibility for looking after the children’s day-to-day needs (often, though not always, the mother) should receive the benefit.

Considerations for local and devolved policy and service provision

18. It is essential for the Scottish Government to take steps to mitigate the disproportionate impact that welfare changes are having on women, and consequently on children in Scotland. Steps that should be taken include:

- Increased investment in the Scottish Welfare Fund and, in particular, investment to ensure that families under exceptional pressure continue to have access to the fund. Cases collected through the Early Warning System suggest that a lack of resources mean that very vulnerable families are unable to access funds. For example;

A single parent with two children aged twelve and eight had an accident at work around a month ago. She was injured and could not continue to work as a result. She and her family are struggling financially as their only income is from child tax credit and working tax credit. The family is also in receipt of housing benefit but as they live in private rented accommodation there is a £50 monthly shortfall in the rent. Their home has also just been deemed to be uninhabitable and the family are considering presenting themselves as homeless. The client has had to sell the family sofa to get money to cover basic living expenses. The client was told by the DWP that no other benefits are currently available to her and that she should apply to the SWF. The client was refused a crisis grant by the local authority and has been getting help from a local food bank instead.

- Continued investment in discretionary housing payments to ensure women fleeing domestic violence can access safe and affordable accommodation.
- Invest in support for women, and particularly women from EEA countries, to find work to help them avoid losing their right to reside in the UK.
- Ensuring that services in direct contact with women, and particularly low income women are aware of the impact that welfare changes are likely to have and how to refer women for information, advice and support.

Hanna McCulloch
Policy and Parliamentary Officer
Child Poverty Action Group (CPAG) in Scotland
1 May 2015
WRITTEN SUBMISSION RECEIVED FROM ONE PARENT FAMILIES SCOTLAND

1. 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.

2. 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.

3. 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. OPFS supports both single parent mothers and fathers. 92% of single parents are women so we are uniquely placed to discuss the impact of welfare reform from a gendered perspective.

Context

4. It is estimated that there are over 169,707 single parents in Scotland. By 2033, the number of households containing one adult with children is projected to rise to 238,000 (24% to 38%). Contrary to common stereotypes, less than 2 per cent of single parents are teenagers and the median age of single parents is 38.1. 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.

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

63 Scotland’s Census 2011 - Table KS107SC - Lone parent households with dependent children

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

65 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 http://www.gingerbread.org.uk/content/365/Statistics

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

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

5. For the sake of clarity 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?

6. 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 mothers, 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 who will be addressing these issues. Rather, we have focused on issues which are specific to single mothers.

Benefit Adequacy

7. Cuts to social security introduced by the Coalition Government since 2010 are having a profoundly negative impact on the lives of the many single mothers who are struggling on low incomes, whether in or out of work. 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 had a very significant impact on the already very low levels of social security benefits.

8. 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. 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. Significantly this difference is largely driven by the particularly large loss for single parents, with single mothers predicted to lose 8.5% and single fathers 7.5% of...

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their net income respectively. 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 has 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.’

9. 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.

Conditionality and sanctions

10. 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 to 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.

11. 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.

12. 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. 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.

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13. 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. 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.’

14. 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. These findings chime with our own experience; working with single mothers who are sanctioned or threatened with sanctions through no fault of their own.

15. 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.’

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

17. In addition, the rise of a stigmatizing, disrespectful and even aggressive culture at Job Centers 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.74

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

74 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  
http://www.gcph.co.uk/assets/0000/4283/Lone_parents_Full_Report_amended_Sept_2014.pdf
The Work Programme and employability services

18. 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 in the labour market. For example, DWP research on the effects of benefit sanctions on single parents' behavior including moves into employment concluded that: “The findings in this study, based on the data gathered from both the lone parents and the Jobcentre Plus staff, suggest that imposing a sanction had only a negligible effect on customers’ labour market decisions.”

19. 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 UK Government missed every single one of its minimum targets and in nearly half the UK, the Work Programme is literally worse than doing nothing.

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

20. 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

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Command Paper\textsuperscript{77} 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.

21. 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 Scotland\textsuperscript{78} 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.

22. 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.

23. 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 result of Job Centre Plus or Work Programme provider’s referrals - regardless of where powers lie.

24. 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.

25. 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.

26. Secondly, the UK is signatory to a number of international treaties that guarantee social and economic rights. For example, the International Covenant on

\textsuperscript{77} Scotland in the United Kingdom: An enduring settlement

\textsuperscript{78} Evaluation of the Working for Families Fund (2004-2008); Napier University; 2009
\url{http://www.scotland.gov.uk/Resource/Doc/269769/0080320.pdf}
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). Other relevant protections include the United Nations Convention on the Rights of the Child (UNCRC) 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.

27. 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 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 Coalition’s welfare reforms, including sanctions.

We believe that our social security system should prevent poverty, treat people with dignity and respect and support everyone to flourish. 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 alike to account.

**Benefit Adequacy**

28. 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.

29. 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

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79 International Covenant on Economic, Social and Cultural Rights [http://www.ohchr.org/EN/ProfessionalInterest/Pages/CESCR.aspx](http://www.ohchr.org/EN/ProfessionalInterest/Pages/CESCR.aspx)


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

82 [OPFS is member of the Scottish Campaign on Welfare Reform](http://www.cpag.org.uk/sites/default/files/SCoWR%20manifesto%202013.pdf)

83 [SPICe Briefing Further Devolution for Scotland: The Draft Clauses](http://www.scottish.parliament.uk/ResearchBriefingsAndFactsheets/S4/SB_15-16_Further_Devolution_for_Scotland--The_Draft_Clauses.pdf)
potentially be very useful. This is because the huge losses incurred through the cumulative affect 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).

30. 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.

31. 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.

32. 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.

Maggie Kelly
Policy Consultant
One Parent Families Scotland
1 May 2015

http://www.ifs.org.uk/comms/r78.pdf
ii http://www.ifs.org.uk/comms/r78.pdf
Engender, A widening Gap; Women and Welfare Reform 2015

www.ifs.org.uk/comms/comm121.pdf

Impact of the UK Welfare Reforms on families – Autumn 2014 update Scottish Government
http://www.scotland.gov.uk/Topics/People/welfarereform/analysis/Impactonfam2014

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