**BRIEFING**

**Benefit Sanctions Statistics**

**May 2021**

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Dr David Webster

Honorary Senior Research Fellow

Urban Studies

University of Glasgow

Email david.webster@glasgow.ac.uk

Webpages: <http://www.gla.ac.uk/schools/socialpolitical/staff/davidwebster/>

 http://www.cpag.org.uk/david-webster

***SUMMARY***

This Briefing deals with the quarterly benefit sanctions statistics released by DWP on 18 May, taking sanctions data up to the end of January 2021.

Almost all new sanctions were officially suspended from March until 1 July 2020 due to the coronavirus pandemic. Since the suspension began, and up to the end of January 2021, there have been no new sanctions on Jobseeker’s Allowance (JSA), Employment and Support Allowance (ESA) or Income Support (IS).

However, **Universal Credit (UC) sanctions have begun to creep up, albeit remaining at a historically very low level. After falling to single figures in May, June and July 2020, they rose to 18 in August, 47 in September and 102 in October, then 186 in November, 453 in December and 489 in January. The December-January figures imply an annual rate of 5,600. This is far below the annual rate before the suspension, which was 237,000 for all benefits.** The number of UC sanction referrals will be higher, but DWP is not currently reporting it.

Of the 1,130 new UC sanctions imposed in the quarter from November 2020 to January 2021, 1,070 or 94.7% were for non-attendance at interviews, with 30 for non-availability for work and 30 for leaving a job voluntarily or as a result of misconduct. The return to full opening hours for Jobcentres which took place on 12 April will lead to an increase in face-to-face appointments and this may well result in a rise in sanctions for missed appointments. This would not show up in the statistics until the November 2021 release.

DWP now states that its previously published figures for repeat sanctions were incorrectly labelled. This means that **the figures for repeat UC sanctions on the same individuals published in the August 2020 Briefing were incorrect.** A corrected analysis shows that for the four and a half year period May 2016 to October 2020 inclusive, out of 428,895 UC sanctions, approximately 141,000 (32.9%) were second or subsequent sanctions imposed on the same individuals, and just over a quarter (26.6%) were repeat sanctions imposed on individuals who incurred four or more sanctions during the period. 49,302 UC claimants received two sanctions, 16,803 received three sanctions, 3,229 received four sanctions, and 3,821 received five or more sanctions.

At April 2021 there were just over six million (6.039m) claimants of UC, up by 70,000 from 5.969m in October 2020. Of these, 2.731m or 45.2% were subject to conditionality. There were 236.000 JSA claimants in April. In November 2020 there were 215,000 people in the ESA WRAG and 233,000 claimants of IS normally subject to conditionality.

There is a news section at the end of the Briefing. Items include an important report from the Welfare at a (Social) Distance project, which shows that one third of those who thought they were eligible for UC during the pandemic but did not claim said they did not want to be forced to do things by sanctions, while over half said that conditionality would put them off applying in future, and only around 10% thought that people ‘are generally treated with respect when they claim’. In a potentially historic move away from conditionality in the USA, President Biden’s American Rescue Plan has introduced unconditional cash child allowances.

**BRIEFING: Benefit Sanctions Statistics**

**May 2021**

The DWP released its latest quarterly benefit sanctions statistics on 18 May, taking sanctions data up to the end of January 2021.The new data are summarised by DWP in the publication *Benefit Sanctions Statistics*, available along with methodological notes at <https://www.gov.uk/government/collections/jobseekers-allowance-sanctions> together with a spreadsheet with summary tables. The full figures for many aspects of the data are on the DWP’s Stat-Xplore database at <https://stat-xplore.dwp.gov.uk/webapi/jsf/login.xhtml> All statistics presented here relate to Great Britain.

There continues to be little new information and therefore this issue of the Briefing is again short. Fuller information is in previous Briefings, available at <http://www.cpag.org.uk/david-webster> .[[1]](#endnote-1)

**Universal Credit sanctions are starting to creep up albeit remaining at a historically very low level**

Almost all new sanctions were officially suspended from March until 1 July 2020 due to the coronavirus pandemic. Full details of the sanctions suspension, including exact dates, legal basis etc. were given in the June 2020 Briefing, pp.7-8. DWP guidance on the resumption of sanctions was reported in the November 2020 Briefing, pp.3-4, and details of new sanctions procedures and staff guidance in the February 2021 Briefing, Appendix, pp.6-7.

**Since the suspension began, and up to the end of January 2021, there have been no new sanctions on Jobseeker’s Allowance (JSA), Employment and Support Allowance (ESA) or Income Support (IS).** There were 6 adverse JSA sanction Tribunal appeal decisions in December 2020, but these only confirmed sanctions imposed before the suspension.

However, **Universal Credit (UC) sanctions have begun to creep up, albeit remaining at a historically very low level.** **After falling to single figures in May, June and July 2020, they rose to 18 in August, 47 in September and 102 in October, then 186 in November, 453 in December and 489 in January. The December-January figures imply an annual rate of 5,600. This is far below the annual rate before the suspension, which was 237,000 for all benefits. It equates to less than one sanction per Jobcentre per month**, although nothing has been published about the geography of the new sanctions.These numbers are for sanctions before any challenges. The number of UC sanction referrals will be higher, but DWP is not currently reporting it. so we do not know how many UC sanction proceedings have been initiated since the end of the suspension.

**Reasons for Universal Credit sanctions**

*Benefit Sanctions Statistics* states that of the 1,130 new UC sanctions imposed in the quarter from November 2020 to January 2021, 1,070 or 94.7% were for non-attendance at interviews, with 30 for non-availability for work and 30 for leaving a job voluntarily or as a result of misconduct. This heavy concentration on missed interviews continues a pattern established before the coronavirus suspension.

**Full reopening of Jobcentres from 12 April**

Return to full opening hours for Jobcentres took place on 12 April. It will lead to an increase in face-to-face appointments and this may well result in a rise in sanctions for missed appointments. This would not show up in the statistics until the November 2021 release.

**Number and proportion of Universal Credit claimants under sanction at a point in time**

The DWP’s preferred measure of the scale of sanctions is the proportion of claimants serving a sanction at a point in time (what it calls the ‘rate’). The Briefing has always expressed reservations about this measure, which were explained in the November 2017 issue, pp.6-10. In November 2020, DWP withdrew the UC ‘rate’ data for all months prior to April 2019, pending revision of the figures for Live Service. These figures remain withdrawn. In addition, in the February 2021 release DWP made significant revisions to the figures for April 2019 onwards (which are for Full Service only, there being no one left on Live Service). These were fully discussed in the February Briefing.

The most interesting aspect of the figures newly published in May 2021 is what they show about the length of time spent under sanction by a minority of sanctioned claimants. At January 2021 there were 4,038 UC claimants serving a sanction. Since only 1,330 UC sanctions had been imposed since the beginning of the coronavirus suspension, this means that at least 2,700 people had been continuously under sanction since March 2020 or before, i.e. for at least 10 months. This is a result of the feature of UC sanctions that second and subsequent sanctions are served consecutively, rather than concurrently as is the case for JSA and ESA. The most recent figures for these latter two benefits are for September 2020, when there were respectively 7 and 26 claimants under sanction.

**Universal Credit repeat sanctions:**

**MAJOR REVISION OF PREVIOUSLY PUBLISHED FIGURES**

The August 2020 Briefing, pp.7-8 and Figure 7, gave an analysis of UC Full Service repeat sanctions for January and April 2020. Following the DWP’s labelling, it was stated that these showed the number of repeat sanctions imposed on claimants during the previous 12 months. DWP now states that these data were misdescribed, and that they actually referred to all repeat sanctions on an individual claimant since the beginning of the Full Service data series, i.e. May 2016. **This means that the figures seriously overstated the scale of repeat sanctions in the most recent 12 months. In fact they showed repeat sanctions as approximately double the true proportion.**

In the latest release of *Benefit Sanctions Statistics* (Table 4.1), DWP has kept the analysis on the basis of the last 12 months (to 31 January 2021) but has changed the numbers to fit the title. It says it will reissue figures for previous periods but has not yet done so. The new figures to January 2021 are of little interest because of the sanctions suspension.

However the previously published figures are not useless. They just have to be correctly interpreted. The most useful approach is to use the figures for repeat sanctions published in February 2021, which we now know related to the whole period from May 2016 to October 2020, a period of four and a half years. This analysis is shown in **Figure 1**.

During the four and a half years ending 31 October 2020, out of 428,895 UC sanctions, approximately 141,000 (32.9%) were second or subsequent sanctions imposed on the same individuals, and just over a quarter (26.6%) were repeat sanctions imposed on individuals who incurred four or more sanctions during the four and a half years.[[2]](#endnote-2) DWP does not publish the number of individuals who received just one UC sanction during the period. But 49,302 UC claimants received two sanctions, 16,803 received three sanctions, 3,229 received four sanctions, and 3,821 received five or more sanctions.

**Suspension of Universal Credit sanctions duration statistics**

Data on the duration of UC Full and Live Service sanctions remain suspended while DWP addresses problems with the methodology.

**Groups of claimants exposed to sanctions:**

**Universal Credit, JSA, ESA and Income Support**

In contrast to the dramatic increases early in the pandemic, changes to the numbers of people claiming the different benefits since the previous Briefing have been relatively small. At April 2021 there were just over six million (6.039m) claimants of UC, up by 70,000 from 5.969m in October 2020. Of these, 2.731m or 45.2% were subject to conditionality.[[3]](#endnote-3) JSA claimants have fallen back from 294,000 in January to 236,000 in April, while the total of claimant unemployed (whether on JSA or UC) has increased modestly, from 2.503m in January to 2.590m in April. For claimants in the Work Related Activity Group of ESA, and of IS, the latest available figures are for November 2020. In that month there were 215,000 in the ESA WRAG and 233,000 claimants of IS normally subject to conditionality.

**SANCTIONS - OTHER DEVELOPMENTS**

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**Non-claiming of UC in the pandemic: major role of conditionality and sanctions –**

**Welfare at a Social Distance**

A recent report by the Welfare at a Social Distance project (Geiger et al. 2021), funded by the Health Foundation, has estimated that between 430,000 and 560,000 people who were eligible for UC at the start of the pandemic did not claim it. This includes an estimated 220,000 people who thought they were eligible for UC but did not claim (the researchers can only be sure that 100,000 to 110,000 of these correctly thought they were eligible, as they could not check the eligibility of those who thought they were eligible in the past). There were also 280,000 to 390,000 who wrongly thought they were ineligible for UC and did not claim. The same study found that something like 80,000 people were eligible for new style (contribution-based) JSA but did not claim it.

Among those who thought they were eligible for UC but did not claim, one third (34.1%) said they did not need it or thought they could get by without it. But conditionality and sanctions emerged from the survey as a major barrier to take-up. For one third (32%) of those who chose not to claim this was partly because they didn’t want to be forced to do things by sanctions.  More broadly, an outright majority (58.8%) said that conditionality – needing to ‘show that [they] are looking for work, otherwise [their] benefits are cut’ – would put them off applying in future.[[4]](#endnote-4) And only around 10% thought that people ‘are generally treated with respect when they claim’.

The consequences in terms of financial strain were often serious. Of all those not claiming (both those who thought they were eligible but did not claim, and those who wrongly thought they were ineligible), nearly two-thirds (about 60%) were unable to deal with an unexpected expense like replacing a fridge, and more than one in six had skipped a meal in the previous two weeks because they could not afford to eat, compared to one in 20 of the general public excluding claimants.

**Public support for sanctions after the Covid pandemic –**

 **Welfare at a Social Distance July 2020**

Last July the Welfare at a Social Distance project reported the findings of a YouGov survey into public attitudes towards benefit sanctioning once the pandemic is over. Details are at <https://www.distantwelfare.co.uk/post/do-people-support-sanctions-at-this-time>

This would have been reported in an earlier Briefing but for the fact that the relevant weblink was temporarily not functioning.

Respondents were asked whether they supported sanctions in particular circumstances. Among non-claimants, the only reasons for sanction attracting more than 50% support were missing an interview and refusing a work-related activity (54% and 51% respectively), while not wanting to travel more than 45 minutes attracted the lowest support (only 26%). This latter finding will reflect people’s awareness of the heavy financial and non-financial costs imposed by long commutes. Support for sanctioning was much lower among claimants themselves, across all reasons, while only 11% of non-claimants and 2% of new claimants supported sanctioning in all of the situations.

The Welfare at a Social Distance project has also published a number of other valuable reports on claimants’ experiences during the pandemic, available on the website at

[www.distantwelfare.co.uk/](http://www.distantwelfare.co.uk/)

**Fabian Society report on public attitudes to social security**

A new study from the Fabian Society (Abey & Harrop 2021) reports a YouGov poll of 1,647 adults in Great Britain in February 2021 which finds that although public attitudes to social security have become more favourable, they are still relatively hostile to unemployed people. The proportion of people saying benefits for the unemployed are too high and discourage them from finding jobs has fallen from 62% in 2011 to 27% in 2021 (although these two figures are not quite comparable), and over half (54%) want the £20 uplift to Universal Credit to be retained. But a total of 48% think that benefits for out of work claimants should either be decreased, or should stay the same, so that they provide enough to buy more than very basic food and shelter, but not enough for the things on the public’s list of modest everyday needs. Equal proportions (25%) think that an unemployed adult with no children should receive higher or lower welfare benefits, whereas for all the other working age groups asked about, more people think benefits should be increased than think they should be reduced. However, a citizens’ jury in November and December 2020 showed that people can support higher payments to unemployed people if they are time-limited and take account of past national insurance contributions, or are linked to purposeful activity

**Resolution Foundation**

The Resolution Foundation at <https://www.resolutionfoundation.org/publications/>

is also a valuable source of information on claimants’ experiences in the pandemic.

**Universal Credit deductions for court fines ruled unlawful**

Multiple deductions, including those to repay Universal Credit hardship payments, are a major problem for many claimants. In March the High Court ruled that the DWP’s practice of making an automatic deduction of 30% from Universal Credit benefits to recover court fines is unlawful under legislation from 1992 requiring discretion to be exercised. Details, with a link to the judgment itself, are at <https://blog.shelter.org.uk/2021/03/high-court-rules-dwps-universal-credit-deductions-policy-unlawful/>

**Homelessness and Universal Credit sanctions: Scottish Government report**

In March the Scottish Government published a report on the impact of Universal Credit on homelessness (Scottish Government 2021). Section 3 on Sanctions briefly reviews the secondary literature and in a small original study finds that across Scottish local authority areas there were statistically significant correlations between sanctions and homelessness both for JSA sanctions in 2012 and UC sanctions in 2019. It points out that this does not prove that they are causally linked, nor in which direction the causation runs. But there are of course good reasons to expect that sanctions would often cause homelessness, for instance via rent arrears or family breakdown, and anecdotal evidence that they do.

The relationship between sanctions and homelessness is most comprehensively discussed by Batty et al. (2015).

**Redman & Fletcher on the great sanctions drive of 2010-15**

Jamie Redman and Del Fletcher of Sheffield Hallam University have written a radical critique of the British public employment service under the Conservative- Lib Dem coalition (Redman & Fletcher 2021). Their study draws on survey responses in 2019 by ten public and contractor employment service staff possessing direct experience of working in the employment service between 2010 and 2015. They expose an array of policy tools and hidden managerial methods used during the Coalition which encouraged front-line staff to deliver services in ways that led to a range of harmful outcomes for benefit claimants.

**Gingerbread report: Caring without Sharing, 19 May 2021**

This report (Clery 2021) is based on qualitative interviews with 40 single parents in the summer of 2020 and early 2021. It reports generally good experiences from dealings with DWP during the pandemic but notes the continuing concerns of single parents around the appropriateness of Claimant Commitments and the potential revival of the sanctions regime. It recommends that the government should press ahead with its review on the effectiveness of sanctions.

**Work and Health Programme Statistics**

The latest quarterly Work and Health Programme statistics were published on 27 May at <https://www.gov.uk/government/statistics/work-and-health-programme-statistics-to-february-2021>

**Free special issue of the journal *Administration* on benefit conditionality**

**in the Irish Republic**

*Administration* is the peer-reviewed journal of the Institute of Public Administration of Ireland, published quarterly since 1953. Its May 2021 issue is a special issue on ‘Ireland’s turn towards activation: Ten years on,’ available open access. Edited by Michael McGann and Mary P. Murphy of Maynooth University, it consolidates the latest qualitative research on the impacts of welfare conditionality and Public Employment Service marketisation in Ireland. It also offers reflections on the implications of the present Covid pandemic for the future trajectory of welfare and active labour market reform in the Republic. All articles are free to download and share. The whole issue is available at <https://sciendo.com/issue/admin/69/2>

**USA – Child Allowances: A significant move away from conditionality**

Under President Biden’s $1.9 trillion American Rescue Plan, existing child tax credits are being increased and converted into monthly unconditional payments of $300 for every child under six, and $250 for those under 18. Under the previous Tax Credit system, the poorest 10 per cent of children got nothing. This is the first significant move away from conditionality in ‘welfare’ in the USA since the drastic tightening of conditions and sanctions in the 1990s through the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 promoted by Newt Gingrich and acquiesced in by Bill Clinton. The change is at present funded for only one year but is generally thought likely to prove more durable. Discussions of the change and its significance are offered by DeParle (2021) and Pulliam & Reeves (2021) among others.

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<https://www.gov.scot/publications/homelessness-universal-credit/>

*All the above publications are free to view.*

**Figure 1**



 **NOTES**

1. Previous briefings include many analyses that are not repeated here but remain valid. However it should be remembered that the DWP may have made subsequent revisions to the data reported in earlier briefings. These revisions will generally not be major although there are exceptions, such as the repeat sanctions data discussed in the present Briefing. There may also often be substantial changes in some figures for the most recent few months. [↑](#endnote-ref-1)
2. The usual procedure has been followed of closing the open-ended top class interval for number of sanctions on the same individual. It has been assumed that claimants with ‘ten or more’ repeat sanctions on average received 11 repeat sanctions. Any error in this assumption will have made little difference to the result. [↑](#endnote-ref-2)
3. In-work UC claimants earning above the administrative earnings threshold but below the conditionality earnings threshold are in principle subject to conditionality but DWP states that it is not currently being applied. They have therefore been counted as not subject to conditionality. [↑](#endnote-ref-3)
4. The question asked was, “Under normal circumstances, some people receiving Universal Credit (UC) need to have meetings with the Jobcentre and show they are looking for work, otherwise their benefits are cut. If you were to consider applying for UC in the future, would this put you off applying, or would it not affect your decision?”. [↑](#endnote-ref-4)