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Paul Gray
Chair
Social Security Advisory Committee
Caxton House
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22 October 2014

Dear Paul,

Universal Credit and Miscellaneous Amendments (no 2) Regulations 2014

Thank you for your letter of 8 September sharing your concerns about finding the best way to take forward easements from work search conditionality for cases where a child has been exposed to circumstances that have caused distress and where there is a clear need for the parent to provide sustained support and attention. I have carefully considered your concerns.

I am grateful for SSAC's support of the aims of these measures and I do appreciate the reasons behind your concerns. However, having reflected on this issue, I do consider it to be the correct approach to move forward with these regulations.

As you are aware, during the Pensions Bill debate, concerns were raised that we do not have a consistent and standard way of dealing with difficult circumstances where claimants are unable to undertake work related requirements because they are facing situations where they have a child in considerable distress. We currently set out in regulations specific circumstances where conditionality easements should be applied and the periods they should be applied for. For example, regulations provide for specific conditionality easements in cases of bereavement, domestic violence and drug and alcohol rehabilitation. Decisions on whether to apply **additional** exemptions from work-related conditionality are currently left to the discretion of our staff

The review's terms of reference were included with the papers officials provided to SSAC. These set out that the review would consider distress caused to children through bereavement and domestic violence. The terms of reference also made clear that we would seek to identify specific circumstances which were likely to cause distress to a child. This was to ensure that we did not put Work Coaches in the position of having to investigate and examine the impact of an event on a child. It was an important principle both in the course of the debate in the House of Lords, and through the evidence gathered in the course of the review, that we should focus on identifying the *circumstances* that are very likely to cause considerable distress, rather than seeking to identify the distress itself.

The evidence presented to the review related to a number of situations and recognised that the impact of difficult situations on children and families will vary considerably. Disruption to family routine is likely to be the clearest indicator that the child in distress requires more support from the parent.

The situations we are taking forward through these regulations are those where the evidence indicated that children were very likely to experience a period of acute distress following such an event, which would require additional support from the parent during this time of immediate need. It is important that we also address the important finding of the review, which is that addressing child distress is not necessarily a linear process. Instead, the review found that child distress can manifest some time after the event itself. For this reason, we are ensuring the parent will be able to access a one month suspension of work related requirements, once every 6 months for a total period of up to two years following the event.

I made a commitment to the House of Lords to bring forward changes to the Universal Credit regulations if the review concluded that changes were needed. The review has recommended regulation changes, and I do agree that this is the correct approach. These regulations will enable me to achieve one of my key objectives for this review - to be able to set out a clear and consistent framework for advisers. By setting up a clear framework in regulations, this provides Work Coaches with the clarity to make decisions in otherwise difficult circumstances.

We have adopted a *Test & Learn* approach in Universal Credit and aim to continuously review and improve our processes, guidance and service. Within this Test & Learn process, we will continue to monitor whether this framework is effective and make any improvements if necessary.

DWP has created a Knowledge Management system to provide information and guidance to equip staff, so they are able to deliver Universal Credit. This provides guidance and policy advice on setting work related requirements within the powers of the Welfare Reform Act and Universal Credit Regulations. However this forms only a small proportion of our support offer to work coaches. Guidance is complemented with

facilitated learning which addresses developing Work Coaches' diagnostic skills and confidence in applying discretion where appropriate.

Work Coaches currently have access to a comprehensive and progressive learning framework, benchmarked against externally recognised awarding body standards. This framework is designed to build the core skills and knowledge essential to the role – it encompasses the wide range of circumstances that our claimants may have and stresses the importance of engaging with people as individuals in order to offer appropriate support.

I trust this response provides you with sufficient evidence that proceeding with these regulations is the best way forward.

Yours sincerely

A handwritten signature in cursive script that reads "David". The letter 'D' is large and loops around the start of the name.

Lord Freud

Minister for Welfare Reform