

SOCIAL SECURITY
ADVISORY COMMITTEE

Social Security Advisory Committee
Annual Report 2017-18

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Chair's Review

This is my last report as Chair of the Committee as I stand down at the end of July 2018 after six and a half years in the role. I want first to extend my sincere thanks to my fellow members past and present for everything they have done to enrich our work and for doing it in such a collaborative way; and equally to acknowledge and pay tribute to the exemplary support we have received from our Secretary and her team. It has been both a privilege and a pleasure to serve as Chair of SSAC, and I extend my congratulations and best wishes to my successor Professor Sir Ian Diamond as he takes up these reins.

The last year has been rather atypical for the Committee's workload compared with most other recent years. The flow of draft secondary legislation coming before the Committee for scrutiny has slowed considerably as the Government has undertaken to limit the extent of further major changes to the policy framework for working age social security following the fundamental reforms initiated at the start of the decade. That effect has been reinforced by the extent to which Parliamentary time and focus has recently been dominated by Brexit issues.

Implementation of those earlier major reforms still has a long way to run and successful completion of that process involves major challenges still to come. The smaller workload of new secondary legislation has allowed the Committee to reinforce its focus on those challenges, and has also enabled us to spend more of our time on topics in our independent work programme. We published a major report on in-work progression during the year, and another on young people living independently and their links to the benefit system shortly after the year end.

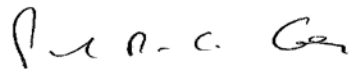
The rollout of universal credit (UC) has continued to be the main unifying factor in our focus and work programme, and is set to remain so over the year ahead. The Government's announcement last autumn of the reversal of its earlier decision to impose a seven day waiting period for payment of the new benefit was a bittersweet moment for the Committee. When the initial proposal for that waiting period came to us for scrutiny in 2014 we recommended strongly against it. That followed a major consultation which left no doubt about the seriously adverse effects it would have on many vulnerable claimants, the consequences of which would in all likelihood make the public expenditure savings claimed for the change more illusory than real. Unfortunately the Government rejected our recommendation at that time.

The Committee welcomes the Government's change of heart on waiting days and a number of the other amendments now made to the details of UC policy. But damage has unfortunately been done in the meantime both to the welfare of claimants and to the credibility of the policy. We highlight later in the report that this episode underlines the importance of the operational consequences of proposed policy changes being fully thought through **before** they are legislated, not after. As I said in an earlier annual report (and as was also noted in a workshop we held this spring with the Institute for Government on principles for social security policy-making), the risk of failing to adhere to this approach is much greater when detailed policy changes are announced alongside much else in the pressured context of the Chancellor of the Exchequer's major annual fiscal events.

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For the Committee's part we remain committed to supporting the Department, as a constructively critical friend, in ensuring that its policies are both designed and delivered well. It is in that spirit that we approach our scrutiny role, seeking to ensure it is balanced and evidence-based, in each case raising concerns but also commending good practice as we judge it appropriate. I very much welcome the constructive and cooperative spirit in which Ministers and officials in DWP (and the other Departments with whom we sometimes deal) have also, in the great majority of cases, approached their relationship with me and with the Committee, with a growing willingness to give due weight to issues that we raise.

As I leave the role I very much hope that can be built on further, demonstrating the value that independent advisory bodies can bring to the process of detailed policy making and delivery. When I became Chair my aim was for SSAC to be an advisory body that was independent and influential, not one that was stridently independent but largely ignored. I leave others to judge to what extent that difficult balancing act has been achieved. But, as in the post-Brexit context a number of other Government Departments face the challenge of designing complex frameworks of secondary legislation to give detailed effect to new UK policies, I venture to suggest that the creation of advisory bodies similar to SSAC, with a diverse and balanced membership of relevant experts, might have a role to play there too.



Paul Gray

About Us

The Social Security Advisory Committee is an independent statutory body that provides advice to the Secretary of State on social security and related matters. Established by the Social Security Act of 1980, the Committee's functions were forged jointly from statutory tasks previously undertaken by the National Insurance Advisory Committee and the Supplementary Benefits Commission, both of which were simultaneously abolished by same Act. The Committee's responsibilities are now set out in the Social Security Administration Act 1992. They are to:

- perform a mandatory scrutiny of the majority of proposed regulations relating to benefits administered by the Department for Work and Pensions (DWP), principally for the benefit of the Secretary of State but also for Parliament; and
- provide advice and assistance to the Secretary of State, whether in response to a specific request or on the Committee's own initiative.

The advice and assistance we provide can take a number of forms. For example we:

- undertake our own detailed studies as part of the Committee's independent work programme;
- informally scrutinise draft regulations which are exempt from statutory scrutiny;
- respond to public consultation exercises, conducted by Government¹ or others, where we believe that we can add value;
- respond to specific requests for advice from Ministers and officials; and
- comment on a range of draft guidance and communications produced by both DWP and HM Revenue and Customs (HMRC).

Advice offered formally by the Committee in response to proposed regulations is given in a report, usually after a period of public consultation. That report must be published by the Secretary of State together with the regulations, should the Department proceed with them. They must also be accompanied by the Government's reasoned response to our conclusions and recommendations. There is no obligation upon the Secretary of State to respond to any other form of advice the Committee may offer, although it is customary to do so.

The Committee performs a similar role for the Department for Communities in Northern Ireland under provisions contained in the Social Security Administration (Northern Ireland) Act 1992. We also have a non-statutory role in offering advice to Treasury Ministers and HMRC on Tax Credits, National Insurance, Child Benefit and Guardian's Allowance.

¹ In this report, where we refer to Government we mean the UK Government (and specifically the Department for Work and Pensions or HM Revenue and Customs). Separate references to the devolved Governments are also made.

Summary of our advisory role in 2017-18

Secondary legislation

Total number of regulatory proposals scrutinised by SSAC ²	26
Instances where SSAC required the draft regulations to be formally referred	2
Cases where scrutiny of draft regulations was conducted by correspondence ³	17
Cases considered under the Memorandum of Understanding with HMRC	7
Cases presented by the Department for Communities (Northern Ireland) ⁴	2

Occasional papers published as part of our Independent Work Programme

In work Progression and Universal Credit ⁵	1
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The Committee usually requires the Department's officials to present draft regulations to the Committee at one of its regular meetings so that Members have an opportunity to explore the proposals in more detail. However where the proposals are straightforward and non-contentious, the Committee may opt to dispense with this requirement and simply consider the proposals based on the papers provided. Although undertaking scrutiny by correspondence used to be appropriate for a minority of cases, we have seen that position change over the past couple of years.

Between 2013 and 2016, the balance between the two different methods of scrutinising draft regulations was fairly constant, with the postal process accounting for around 30 per cent of the total. That changed in 2016-17 when the numbers of draft regulations considered by correspondence increased substantially to 47 per cent, with that upward trend continuing in 2017-18 to 65 per cent.

At the same time, we have seen a fall in overall numbers in the legislation scrutinised by the Committee (from 44 sets of draft regulations in 2016-17 to just 26 over the past year). We do not expect volumes to rise significantly while legislation arising

² A full list of draft regulations seen by the Committee can be found at annex 1.

³ Where draft proposals are straightforward and non-contentious, or of a minor and technical nature, the Committee may consider regulations by correspondence.

⁴ Northern Ireland cases which parallel provisions in regulations made by the Secretary of State or the Lord Chancellor in relation to GB do not require prior submission to SSAC.

⁵ SSAC Occasional Paper 19: [In-work progression and Universal Credit](#)

from the UK exiting the European Union continues to dominate the Government's agenda and Parliamentary time.

Our advice to Government

Universal Credit

Universal Credit has, perhaps unsurprisingly, continued to dominate our attention over the past year, both in legislative scrutiny and our independent work programme.

The period of time that Universal Credit claimants typically have to wait before getting their first benefit payment, and the impact that has on them, became a high profile issue during the course of the last year. It culminated in the Chancellor of the Exchequer announcing a number of measures designed to ameliorate some of those difficulties in the Autumn Budget 2017. These measures came to us for scrutiny as part of the Universal Credit (Miscellaneous Amendments, Savings and Transitional Provision) Regulations 2018.

Transition to Universal Credit Housing Payment⁶

The context to this measure was the Department's awareness that moving claimants in rented accommodation from Housing Benefit to Universal Credit could be a contributory factor in creating financial difficulties for a significant number of claimants. Moving from a system whereby benefit in respect of rental costs was paid fortnightly in arrears to a new system where it was paid monthly in arrears would mean that, without Government intervention, some claimants might otherwise be required to find an extra two weeks' rent from their own resources at the point of transition. Both landlords and groups representing claimants voiced their concerns to the Government, pointing out that some vulnerable claimants accruing rent arrears, or further arrears, at the point of change would be at risk of losing their accommodation.

The Department's response was to give every Housing Benefit claimant a full fortnight's payment of their allowable rent at the point at which they were moved to Universal Credit. The Government's allocation of £540 million over five years to address the issue is a welcome and positive step forward. However, on looking more closely at the detail of the proposals, the Committee was not persuaded that it necessarily provides the most effective mechanism for defining and delivering the underlying aims and objectives of the policy. In particular, it was not clear from the information presented to us how the proposed approach would maximise the benefit of this substantial investment to those most at risk of incurring rent arrears or becoming homeless. We understand that, from an operational delivery point of view, paying the equivalent of two weeks' extra Housing Benefit in all cases, including to landlords where direct payments have been arranged has some attraction. However

⁶ Formed part of the Universal Credit (Miscellaneous Amendments, Savings and Transitional Provision) Regulations 2018 (SI 2018/65). These regulations were taken on formal reference.

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[our advice to the Secretary of State](#) took the view that the policy aims could be better achieved through an element of targeting.

In trying to ascertain the scale of the potential problem, we were hampered by the lack of relevant data. The Government's response to our report, for instance, highlighted the fact that neither the DWP nor local authorities routinely collect information regarding rent arrears.

Our report also highlighted concerns that, in some cases, the payment of the extra fortnight's payment would be going to the landlord direct. Although, this would be offset against rent arrears in cases where there were outstanding arrears, it had the potential to be a source of tension between tenants and landlords in cases where no arrears existed.

The [Government's response](#) to our report emphasised that an overriding principle behind the option being put forward was to ensure that it would be easy to administer and could be delivered quickly. The Department argued that any form of additional means-testing would hinder the Department's ability to make payments quickly and at the point at which support was needed by claimants. Time was also against the Department as the legislation needed to be in place for the start of the migration process, which was scheduled to begin in April 2018.

Surplus earnings⁶

This proposal relates to the method by which surplus earnings, which lift both employed and self-employed claimants off Universal Credit, would be calculated. The original intention had been that where surplus earnings took a person off Universal Credit, the mere passage of time could effectively erode those earnings until a repeat successful claim could be lodged. However it subsequently transpired that the Department's IT system was unable to use RTI data to assess earnings during periods of non-entitlement to Universal Credit, and therefore the original intention had to be abandoned. Replacing it, Ministers decided that the only way in which surplus earnings could be eroded was through the making of a Universal Credit claim.

Our [advice to the Secretary of State](#) on this proposal was largely focused on the process claimants would be required to undergo which we felt transferred operational risk from the Department to individual claimants. We also had some other concerns, principally relating to the default apportionment of a 50/50 split of the surplus earnings between the two members of a couple who separated. The concept of requiring claimants to make a claim for UC, or a succession of claims, knowing that a disallowance decision was inevitable, but had to be made for the purpose of facilitating, or hastening, an ultimately successful claim at some future date, seemed to us to be profoundly problematic. These misgivings were further deepened when it was explained to us that, in cases where higher earnings in one month might be followed by another month of similarly high earnings, an ill-advised claim for Universal Credit would result in the claimant being ascribed a greater level of surplus earnings, which would then take longer to erode. We regularly ask the Department how it intends to communicate policy changes to claimants and their

advisers, and it seems to us that the effective communication of this particular change will be especially important.

The [Government's response](#) states that the task of making a repeat claim for Universal Credit had been "*intentionally designed as a simple and swift process for claimants.*" The average time to make a repeat claim in cases where the only change in circumstances was in the level of earnings was estimated to be around eight minutes. The Government also advised that the messaging and guidance they intended to produce for claimants would "*reinforce the message so that responsibilities are clear and they are kept well-informed.*" The Committee will be interested to see this material when it becomes available.

At the point at which the new policy takes effect (April 2018) the de minimis level on surplus earnings will be set at a sufficiently high figure that few will be impacted by the rules. The real test will come when the de minimis figure reverts to £300 at a future unspecified date, as is the current intention. At that point it will be evident whether or not the Department's strategy in communicating this policy has been effective.

Waiting Days in Universal Credit⁶

The Autumn Budget 2017 announced the Government's decision to revoke the legislation which introduced a seven day waiting period in Universal Credit. The Committee was presented with the original set of draft regulations establishing a seven day waiting period back in 2014. The Committee decided to take the proposals on formal reference and, after a period of public consultation which yielded 88 responses, we presented our report to the Secretary of State in November 2014.

Our advice was simply this:

"The Committee's recommendation, based on the persuasive and compelling evidence presented to us, is that the proposal should not proceed."

The Committee had strong concerns about the waiting days policy, having already raised concerns about the decision to apply a seven day waiting day rule in Employment and Support Allowance and to extend the existing three day rule in Jobseeker's Allowance to seven days. We were of the clear view that introducing a similar rule into Universal Credit against a background of monthly payments in arrears and where housing costs were included would be an inevitable source of real financial difficulty for many people.

The Government resisted the Committee's main recommendation about not proceeding with the proposal, setting out an expectation that those coming on to Universal Credit for the first time would be doing so from relatively well-remunerated employment (presumably with a level of savings that would safeguard them over an initial period of non-entitlement).

The initial policy announcement was made at a time during which Government departments were being asked to identify significant efficiencies. Savings accruing from a seven day waiting period in Universal Credit would, in the Government's

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stated view, “ensure support from the welfare system is concentrated on those who need it most.” The Committee was assured that “waiting days will only be served at the beginning of a completely new claim to Universal Credit, which means people moving from low-income work are less likely to be affected, particularly if they have a family or significant housing costs”.

While the Committee welcomes the Government’s decision to abandon this policy, we remain frustrated that had our original advice been heeded, much real financial difficulty to a significant number of vulnerable claimants could have been avoided.

The Committee’s scrutiny of draft regulatory proposals takes place before they become law but at a stage when there is a Government commitment to introduce them. Our advice therefore seeks to identify the potential impact of the Government’s draft proposals. We are often a lone voice at that time, because the changes have not yet started to bite. Once the legislation has been enacted and is beginning to have an impact on people’s lives, the number and volume of voices rise, leaving the Government with a choice of either reversing the policy or having to regularly defend an unpopular approach that is having a negative impact on potentially vulnerable claimants.

As DWP Ministers will know, we are committed to supporting the Department in ensuring that its policies are delivered well. When we raise concerns, we do so in an attempt to help the Department refine its thinking at the outset – thereby avoiding the need to unpick it further down the line when individuals, couples and households begin to be impacted. The Committee understands that in the phase before draft legislation takes effect, there will be different perspectives of the impact – positive and negative – of a particular policy, and at the end of the day it is for the Department to make a judgment. However it would clearly be beneficial to all if we could avoid such a scenario arising in the future, and we look forward to working with the Department to find a way of ensuring that our advice is given careful consideration in a more timely way in future.

In-Work Progression and Universal Credit

The Committee, as part of our independent work programme, examined in detail issues relating to in-work progression and Universal Credit.⁷ In particular we focused on DWP’s programme for helping people in low paid work progress to better paid jobs or to work involving extra hours. The in-work progression programme is both ambitious and contentious since it is based on the principle that, whilst allowing for exceptions, people in work should be taking active steps to increase their earnings and that entitlement to Universal Credit should be conditional on meeting that requirement.

At the moment the in-work progression programme is in an experimental phase as DWP test out how it might work. It is too early to draw firm conclusions on how it is working, which is why four out of seven recommendations focus on experimentation, evaluation and developing an in-depth understanding of in-work claimants – a subject which is clearly fundamental in setting the framework for an effective in-work

⁷ SSAC Occasional Paper No. 19: [In-work progression and Universal Credit](#)

progression regime. In particular, the Committee recommended that the Department quickly develops an in-depth understanding of in-work claimants to feed into the plan for the migration of existing tax credit claimants.

The Department has a considerable capacity for analysis. The Committee effectively recommended a harnessing of that resource to local initiatives which would use the local expertise of work coaches and their knowledge of the local labour market and the claimants with whom they worked in devising a broad range of interventions for testing. Such an approach could use available data in a greater segmentation of those in work and in receipt of Universal Credit into smaller cohorts of claimants with differing characteristics. To serve the same end, the Department could establish a formal evaluation framework which would subject locally-devised trials to robust and uniform methods of testing.

Other recommendations were more discrete. The report highlighted operational complexities which caused difficulties for claimants and recommended that they should be addressed. Attempts at developing a reliable 'better-off' calculator for claimants had met with obstacles which had undermined confidence in it and led to widespread under-use. We recommended the development of a calculator which responded accurately to information fed in by claimants. And finally, because we had picked up on a number of vagaries in the detail of the policy and the operation, we recommended that these be addressed by the Department.

The Government's response to our report was broadly positive although acknowledges that its work is at a relatively early stage and is still trying to gain a better understanding of what works. We will monitor developments and keep the topic under review. Given the paucity of available information in this area, it will be important for the Department to work with stakeholders and others to develop a flexible, sensitive but effective strategy for in-work progression.

Scrutiny of delegated legislation related to exiting the European Union

Amidst all the discussion that has taken place following the country's decision to leave the European Union (EU), Parliament has debated how it should deal with the large amount of secondary legislation which will need to be put in place.

In response to the Commons Procedure Committee's consultation on the scrutiny of delegated legislation related to exiting the EU, SSAC considered whether a body or bodies on the same broad model as SSAC play a useful role in providing added transparency and independent input to inform and support Parliament's deliberations.

The way SSAC operates has demonstrated that it is possible to use this process to strike an appropriate balance between, on the one hand, adding independent constructive challenge and transparency to the detail of legislative proposals which supports Parliament's scrutiny role and, on the other, doing it in a way which allows the Government of the day to proceed to implement its business in a timely way. There is now the opportunity to extend these types of arrangement, already well-established in the field of social security, to make an important contribution to the

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unprecedented challenges that Brexit presents both for policy development and legislative change across Government, and for Parliament's ability effectively to scrutinise resulting secondary legislation.

The Rt Hon Iain Duncan-Smith MP, former Secretary of State for Work and Pensions, picked up this point in the House of Commons on 7 September 2017 during a debate on the European Union (Withdrawal) Bill. He said:

“When I was at the Department for Work and Pensions, a statutory body called the Social Security Advisory Committee had the role of looking at legislation as it was about to be introduced. Sometimes that is awkward when one is the Secretary of State, but nonetheless it makes recommendations. Will my right hon. Friend the Secretary of State look again at such a process? It may offer the Government a way to reassure people that the things they are about to do may well be absolutely necessary.

Here is the deal. We are asking that whatever is done under the purposes and powers of the Bill is done for one simple reason: to transpose existing law with existing effect, so that that effect does not change. If the single exam question is asked of a body like the Social Security Advisory Committee, “Is this instrument doing that?”, that might help to reassure Parliament. I urge the Government to consider that because it works in one area of detailed and consequential legislation, so I wonder if it might work in this area, too.”

Sir Oliver Letwin MP pursued the same point –

“I have a very simple question for the right hon. Gentleman. Does he agree with the proposition put forward by my right hon. Friend the Member for Chingford and Woodford Green (Mr Duncan Smith) that the Social Security Advisory Committee is a clear model of such a mechanism?”

The suggestion was not taken up by Government ministers.

Returning to the role of this Committee, it is likely that the next few years will see a burgeoning number of sets of draft regulations consequential upon the changing relationship between the UK and the European Union. Whilst much of that legislation may be expected to be either relatively minor and technical or outside the strict limits of the Committee's statutory remit in terms of the “relevant enactments” listed in section 170(5) of the Social Security Administration Act 1992, there is still a core of work which will need to come through the process of official Committee scrutiny. The team within the Department responsible for this work have been commendably proactive in seeking the Committee's advice on this process. We look forward to working with them over the coming months.

Work underway in 2017-18

Young people living independently

At least 300,000 young people live independently on benefits – that is one in 25 of all 16 to 24 year olds. Many of them have no choice but to live independently due to circumstances outside of their control. They may, for example, be care leavers without any close family or unable to live at home because they are at risk of abuse or violence. Despite the support currently available to them from the Department and other sources, many young people who live independently find it difficult simply to ‘get by’. For example:

- Affordable and available accommodation can be very hard to find for young people on the shared accommodation rate of Housing Benefit. In some areas, just one per cent of vacant rooms are affordable and available to young people on benefit. Some landlords refuse to let rooms to anyone on benefit, limiting the number of available rooms even further. As a result, many young people live in very poor quality accommodation, which they can only afford by using other forms of income – including benefits designed for food and other basic living costs.
- Young claimants have limited experience of budgeting, which means they may be more likely to fall into rent arrears and be evicted than their older counterparts. The wait for the first payment of the housing element of Universal Credit increases the risk for some young people making a claim for the first time.
- A young claimant living independently is almost four times more likely to have their benefit sanctioned than an older claimant. In many cases, the failure of the individual to comply will not be in question, but many young people who live independently have no family support or guidance. They may also be living stressful or disorganised lives and have very little life experience. Penalising people in this situation is unlikely to be the best way of supporting them into work.

The Committee started to examine in more detail the issues affecting this group in February 2018.⁸

Reforming working age social security: lessons for policy makers

The Committee, in partnership with the Institute for Government (IfG), started to consider why reforming working-age social security had proved to be so challenging and whether any lessons could be learned from past experiences. With that in mind, SSAC and IfG concluded that the best way to get answers to these questions would be to bring together those who had been at the sharp end of policy making in recent years (including ministers, permanent secretaries, special advisers, senior officials and parliamentarians) to hear their perspectives on the challenges faced.

A workshop was convened to take place in April 2018.⁹

⁸ Report published 24 May. SSAC Occasional Paper 20: [Young People Living independently](#).

⁹ A report by SSAC and the Institute for Government was subsequently published on 22 June 2018: [Reforming working age social security: lessons for policy-makers](#)

External engagement

The Committee has a list of 500+ stakeholders representing a diverse range of interests and perspectives covering all parts of the United Kingdom. We seek to develop and maintain these relationships, valuing the well-informed insight and evidence our stakeholders provide to help inform our work. We keep our methods of engagement under review to ensure that they are as effective and inclusive as possible.

Engaging with our stakeholders

As an arm's length body advisory body with a remit to provide advice and assistance to the Secretary of State, this Committee is in a unique position to influence Government by providing independent advice that is informed both by the access we have to the Department's officials and by our many stakeholders. As an independent body, we seek to provide evidence-based advice that takes account of a range of perspectives. Our stakeholders are key to helping achieve this, and we thank them for engaging with us on a wide range of issues.

Stakeholder seminars

We are committed to bringing together policy-makers, think tanks, local authorities, employers, the voluntary sector and academia to discuss a range of welfare issues at our stakeholder seminars. This year we held a number of workshops and seminars around the UK (including in Scotland, Northern Ireland and Wales) focusing on issues arising from the roll-out of Universal Credit and the effectiveness of support and provision offered by the social security system from the perspective of young people living independently.

We are grateful to the many and varied speakers and other delegates, all of whom brought excellent insight to our work. Particular thanks go to Nick Timmins (senior fellow at the Institute for Government) Conor D'Arcy (senior research and policy analyst at the Resolution Foundation), Neil Couling (Director General, Universal Credit Programme) and Deven Ghelani (Director at Policy in Practice) who spoke at our national conference in November 2017.

This year we were delighted to have the opportunity to engage with groups of people directly impacted by the Department's welfare policies – in particular groups of young people. While we always welcome the perspective of claimants from their advocates in a variety of organisations, it was especially valuable to hear directly from young people - in their own words - about their experiences. We are therefore extremely grateful to the organisations who helped arrange these discussions including: Centrepoin, the Prince's Trust, Rock Trust, St Basils and 1625 Independent People. The Committee found these discussions invaluable and will consider how best to ensure the 'claimant' voice is presented most effectively in our future advice.

Visits

Each year the Committee undertakes an extended visit to one of the countries within the UK to whom powers have been devolved to learn more about the challenges and opportunities that exist there. This year Phil Jones hosted a SSAC visit to Wales, during which we met a range of organisations in Cardiff, Merthyr Tydfil and Pontypool. The programme for the visit included a wide range of informative discussions and visits, including:

- a meeting with Rebecca Evans (Minister for Housing and Regeneration) and her senior officials from the Welsh Government;
- visits to a variety of Communities for Work and Out of Work Services;
- visits to Jobcentres where we heard from Work Coaches about the Youth Obligation and how they support young people in partnership with external partners; and
- various stakeholder discussions hosted by the Welsh Government and the Prince's Trust Cymru.

There is much focus on Universal Credit and its delivery at the present time and it is perhaps worth highlighting at this point that the Committee observed a very positive and customer-centred culture during our visit. The work coaches we met were committed to their work and demonstrably cared about the people they were supporting. The introduction of Universal Credit has to a large degree necessitated a more holistic way of working, and the local leadership conveyed a sense of pride in moving towards a working environment that would achieve that.

Social media and communications

As the Committee has limited resources¹⁰ at its disposal, we do not have the luxury of dedicated communications support either on the Committee or within the secretariat. Nonetheless we have sought to strengthen our capability in this respect by taking advice from a variety of professional communications staff both within and external to Government. This is an area we plan to continue to develop over the coming year.

In the meantime, we continue to communicate with stakeholders about our work via email, our [website](#), our Twitter account ([@The_SSAC](#)); and our [blog site](#) which was launched this year.

Relationships with Ministers

¹⁰ The Committee's budget for 2017-18 was £350,000. The headcount for its secretariat is 4.5.

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Because the Committee's primary role, as set out in statute, is to provide advice to the Secretary of State, a constructive relationship with the Ministerial team is of paramount importance. Over the years we have played our part in building a robust and healthy relationship with Ministers, in keeping with the Committee's status as an independent expert advisor.

The Committee Chair meets Ministers individually on a regular and informal basis. This serves to help gain understanding of the respective roles played by both sides, and establish the reputation of the Committee as a reliable friend in offering a critical perspective on policy initiatives.

Annex 1: Regulations scrutinised by the Committee

1 April 2017 to 31 March 2018

This annex provides a comprehensive list of the regulations presented to the Committee in 2017-18. The following sets of regulations were scrutinised at one of our monthly meetings where it was decided that they should not be formally referred to the Committee in accordance with section 173(1)(b) of the Social Security Administration Act 1992:

- The Jobseeker's Allowance (Schemes for Assisting Persons to Obtain Employment) (Amendment) Regulations 2017 (SI 2017/)
- The Jobseeker's Allowance (Hardship) (Amendment) Regulations 2017 (SI 2017/)
- The Universal Credit (Miscellaneous Amendments, Saving and Transitional Provision) Regulations 2018 (SI 2018 No 65) [proposals relating to a number of miscellaneous amendments]
- The Social Fund Funeral Expenses Amendment Regulations 2018 (SI 2018 No 61)
- The State Pension Credit (Additional Amount for Child or Qualifying Young Person) (Amendment) Regulations 2018 (SI 2018 No 676)
- The Social Security (Equalisation of State Pension Age and Miscellaneous Amendments) Regulations 2017 – subsequently renamed The Social Security (Miscellaneous Amendments No 5) Regulations 2017 (SI 2017 No 1187)
- The Loans for Mortgage Interest and Social Fund Maternity Grant (Amendment) Regulations 2018 (SI 2018 No 307)

The following sets of regulations were scrutinised by the Committee by post. In each case where the proposals were subject to formal reference it was decided that the regulations did not need to be referred to the Committee:

- The Child Benefit (General) (Amendment) Regulations 2017 (SI 2017 No 607)
- The Tax Credits (Claims and Notifications) (Amendment) Regulations 2017 (SI 2017 No 597)
- The Tax Credit (Exercise of Functions in relation to Northern Ireland and Notices for Recovery of Tax Credit Overpayments) Order 2017 (SI 2017 No 781)
- The Social Security Emergency Funds (Amendment) Regulations 2017 (SI 2017 No 689)

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- The Social Services & Well-being (Wales) Act 2014 & the Regulation & Inspection of Social Care (Wales) Act 2016 (Consequential Amendments) Order 2017 (SI 2017 No 901)
- The Universal Credit (Qualifying Young Persons Participating in Relevant Training Schemes) (Amendment) Regulations 2017 (SI 2017 No 987)
- The Social Security (Infected Blood and Thalidomide) Regulations 2017 (SI 2017 No 870)
- The Social Security (Miscellaneous Amendments No 4) Regulations 2017 (SI 2017 No 1015)
- The Social Security and Child Support (Care Payments and Tenant Incentive Scheme) (Amendment) Regulations 2017 (SI 2017 No 995)
- The Childcare Payments (Amendment) Regulations 2017 (SI 2017 No 1096)
- The Childcare Payments (Eligibility) (Amendment) Regulations 2017 (SI 2017 No 1101)
- The Help-to-Save Accounts Regulations 2018 (SI 2018 No 87)
- The Social Security (Invalid Care Allowance) (Amendment) Regulations 2018 (SI 2018 No 280)
- The Universal Credit (Miscellaneous Amendments, Saving and Transitional Provision) Regulations 2018 (SI 2018 No 65) [proposal relating to a change in the work allowance]
- The Housing Benefit (Executive Determinations) (Amendment) Regulations Northern Ireland 2018 (SR 2018 No 2). This was conducted under the 'urgency provisions' – the only instance where urgency was invoked during the course of the year
- The Social Security Benefits Up-rating Regulations 2018 (SI 2018 No 332)
- The Tax Credits, Child Benefit and Childcare (Miscellaneous Amendments) Regulations 2018 [these regulations have yet to be laid in Parliament]

Two policy proposals were taken by the Committee on formal reference in accordance with section 172(1) of the Social Security Administration Act 1992 although both were contained in a single legislative vehicle – the Universal Credit (Miscellaneous Amendments, Saving and Transitional Provision) Regulations 2018 (SI 2018 No 65). The policies in question related to –

- providing an additional fortnight's Housing Benefit when a person transitioned from Housing Benefit to Universal Credit; and
- proposing a different method of eroding surplus earnings in Universal Credit cases.

Other policy proposals scrutinised by the Committee and not taken on formal reference were also contained in this particular set of regulations.

The following sets of regulations were presented to the Committee for information under the 'six months' rule'.

- The Benefit Cap (Housing Benefit and Universal Credit) (Amendment) Regulations 2016 (2016/909) *[part of these regulations were referable to SSAC; the other part came under the 6 months rule]*
- The Welfare Reform and Work Act 2016 (Consequential and Transitional Savings Provisions) Regulations 2017 *[subsequently renamed the Employment and Support Allowance and Universal Credit (Miscellaneous Amendments and Transitional and Savings Provisions) Regulations 2017 (2017/204). Note also that a separate set of proposals relating to carers also came to the Committee and was later merged in with the same final set of regulations.]*
- The Social Security (Restrictions on Amounts for Children and Qualifying Young Persons) Amendment Regulations 2018 (SI 2018 No 676)
- The Bereavement Support Payment Regulations 2017 (SI 2017 No 410)
- The Social Security Loans for Mortgage Interest Regulations 2017 (SI 2017 No 725)
- The Pensions Act 2014 (Consequential Amendments) Order 2016 (SI 2016 No 931) was presented to the Committee for informal scrutiny.

Draft regulations coming to the Committee from HMRC in accordance with the Memorandum of Understanding and scrutinised at a meeting were as follows:

- The Tax Credits (Definition and Calculation of Income) (Amendment) Regulations 2016 (SI 2016 No 978)
- The Childcare Payments (Amendment No 2) Regulations 2016 (SI 2016 No 1017)
- The Childcare Payments (Eligibility) (Amendment No 2) Regulations 2016 (SI 2016 No 1021)
- The Child Tax Credit (Amendment) Regulations 2017 (SI 2017 No 387)

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Draft regulations coming to the Committee from HMRC in accordance with the Memorandum of Understanding and scrutinised by post were as follows:

- The Childcare Payments (Eligibility) (Amendment) Regulations 2016 (SI 2016 No 793)
- The Childcare Payments (Amendment) Regulations 2016 (SI 2016 No 796)
- The Child Benefit and Guardian's Allowance (Administration) (Amendment) Regulations 2016 (SI 2016 No 681)
- The Tax Credits (Definition and Calculation of Income) (Amendment) Regulations 2017 (SI 2017 No 396)

Annex 2: Presentations to the Committee

- Timeliness of first payments in Universal Credit (DWP)
- Update on developments in Northern Ireland (Department for Communities, Northern Ireland)
- Carers' Benefits, update on developments, including issues concerning devolution of Carers Benefits to Scotland (DWP/Scottish Government)

Annex 3: Committee Membership during 2017-18

Committee Membership

Paul Gray CB (*Chair*)

Rachael Badger¹¹

Bruce Calderwood

David Chrimes¹²

Carl Emmerson

Colin Godbold¹⁰

Chris Goulden

Philip Jones¹³

Jim McCormick

Gráinne McKeever

Dominic Morris

Seyi Obakin OBE

Judith Paterson

Charlotte Pickles

Liz Sayce OBE¹⁴

Victoria Todd

Committee Secretariat¹⁵

Denise Whitehead

Anna Bird¹⁶

John Halliday

Ateeqa Khan

Paul Mackrell

Rachael Millar¹⁶

¹¹ To 31 January 2018

¹² From 1 Feb 2018

¹³ From 1 Feb 2018

¹⁴ Vice-Chair from 1 Feb 2018, taking over from Colin Godbold

¹⁵ As at 31 March 2018

¹⁶ Jobshare on temporary secondment from the Social Mobility Commission

Annex 4: Committee Members' Biographies

Paul Gray CB

Paul became the chair of the [Social Security Advisory Committee](#) (SSAC) in 2012. He was appointed by the government to lead the [first](#) and [second statutory independent reviews of the Personal Independence Payment \(PIP\) assessment process](#), reporting in 2014 and 2017 respectively.

Paul is also:

- an associate of Praesta Partners LLP, an executive coaching and mentoring firm
- a member of the Council at the University of Essex.

His former roles include:

- Executive Chairman, HM Revenue & Customs
- Second Permanent Secretary, Department for Work and Pensions
- economic affairs private secretary to the Prime Minister
- corporate planner in the private sector.

Bruce Calderwood

Bruce is a trustee of the Avenues Group, a charity specialising in supporting people with complex needs. He was for many years a senior official in DWP in a wide range of roles. He ended his civil service career as the director in the Department of Health responsible for policy on mental health, disability and equality. In this role he led the team which created the 2010 to 2015 coalition government's mental health strategy and its review of services for learning disabled people following the Winterbourne View scandal. He chairs inspections of mental health trusts for the Care Quality Commission and is an instructor in Mental Health First Aid for the Armed Forces Community.

David Chrimes

David has been a practising barrister for over 25 years, currently as a Crown Advocate in the Crown Prosecution Service. In more recent years, he has developed expertise in employee representation, as a trade union representative. He is a member of the First Division Association (FDA) trade union's Executive Committee, where he chairs its Equality and Organising Committees. He has previously been a member of the Trades Union Congress (TUC) Disabled Workers Committee. David is the Social Security Advisory Committee's representative of workers.

Carl Emmerson

Carl is Deputy Director of the Institute for Fiscal Studies (IFS). He is an editor of the annual IFS Green Budget, and his research includes analysis of the UK public finances and the design of the tax and benefit system, in particular relating to state and private pensions. He has previously served as a specialist adviser to the House of Commons Work and Pensions Select Committee.

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Chris Goulden

Chris is Deputy Director of Policy and Research at the Joseph Rowntree Foundation. He is a former social researcher at the Home Office and Cabinet Office. Chris has also been a cancer researcher in the NHS, a member of the UK Commission for Employment and Skills Policy Expert Group and a member of the Social Research Association Board. He has a master's degree in social research methods from South Bank University.

Philip Jones

Phil has been the Director of Prince's Trust Cymru since June 2016. Previously, Phil was the Wales Area Manager for The Royal British Legion during the time of the charity's transformation. Before that, he served in the Armed Forces for over 25 years as an officer in The Royal Welsh.

Jim McCormick

Jim is Associate Director for Scotland with the Joseph Rowntree Foundation and an advisory board member to Business in the Community (BITC) Scotland. In February 2017 the Scottish Government appointed Jim as chair of the independent Disability and Carers' Benefits Expert Advisory Group. He was previously a member of the Commission on Local Tax Reform and Director of the Scottish Council Foundation (SCF), an independent think tank.

Gráinne McKeever

Gráinne is an executive director and former chair of the Law Centre, Northern Ireland, a not-for-profit specialist advice organisation. She is a Professor of Law and Social Justice at Ulster University and has published widely in the areas of social security law and access to justice. She is the assistant editor of the Journal of Social Security Law and currently teaches social security law and policy to undergraduate and postgraduate law students. Gráinne is the director of Ulster University's Law Clinic, through which postgraduate law students provide social security advocacy for members of the public.

Dominic Morris

Dominic has advised senior decision makers and military commanders in strategy and change management on welfare's frontline and in war zones. His passion for welfare reform is a deeply personal one. Serious illness forced Dominic to give up flying in the RAF. Living with chronic pain, he started his work in the welfare system with the Prince's Trust and Millennium Volunteers getting young people back in to work. Such was the effect on him that he stood for Parliament, advocating the need to get welfare reforms right in order to get more young people into work and tackle the disability employment gap.

Seyi Obakin OBE

Seyi is the Chief Executive of Centrepoin, a leading national charity working with young people who have experienced homelessness. He is a chartered accountant and has worked in corporate banking and a wide range of social housing provision. He has also been involved in research and inquiries into family life and the support families need, lifelong literacy and youth enterprise. He is currently a non-executive director of HM Prison and Probation Service.

Judith Paterson

Judith has worked in the field of social security law and advice for more than 25 years and is currently leading a Scotland-wide, second tier welfare rights service for the Child Poverty Action Group in Scotland. Judith is a member of the independent Disability and Carers Benefits Expert Advisory Group, appointed by the Scottish Government.

Charlotte Pickles

Charlotte (Charlie) is a Theme Editor (Renewing Capitalism) at UnHerd. Her previous roles include: Deputy Director and Head of Research at the Reform think tank; expert adviser to the Secretary of State for Work and Pensions during the 2010 to 2015 coalition government; Director of Policy at the Centre for Social Justice and working in the public sector practice of a global management consultancy.

Liz Sayce OBE

Liz was the Chief Executive of Disability Rights UK until 31 May 2017, leading work to achieve equal participation for all, through programmes on independent living, career opportunities and shifts in cultural attitudes and behaviour. With a background in mental health and disability policy, previous roles include Director of Policy and Communications at the Disability Rights Commission and Policy Director of Mind. Liz led an [independent review into disability employment programmes](#) for government in 2011 and has published widely on mental health, disability and social participation. Liz is also a non-executive Board member of the Care Quality Commission, a member of the committee of [Healthwatch England](#) and a member of the Disability Advisory Committee of the Equality and Human Rights Commission.

Victoria Todd

Victoria is a senior technical manager for the Low Incomes Tax Reform Group (LITRG) of the Chartered Institute of Taxation. In that role, she leads work on tax credits, represents the interests of low income taxpayers in the tax system and represents LITRG at a number of HMRC forums and groups. She also writes on tax and tax credits for claimants and their advisers, lectures to adviser audiences and broadcasts on radio. She is a member of the Association of Tax Technicians and a fellow of the Chartered Institute of Taxation.

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Annex 5: Attendance Record¹⁷

Name	May 2017	July 2017	November 2017	December 2017	January 2018	March 2018
Paul Gray	✓	✓	✓	✓	✓	✓
Rachael Badger ¹⁸	X	X	✓	X	X	
Bruce Calderwood	✓	✓	✓	✓	✓	✓
David Chrimes						✓
Carl Emmerson	✓	✓	✓	✓	✓	✓
Colin Godbold	✓	✓	✓	✓	✓	
Chris Goulden	✓	✓	✓	✓	✓	✓
Phil Jones						✓
Jim McCormick	✓	✓	X	✓	✓	✓
Gráinne McKeever	✓	✓	✓	X	✓	✓
Dominic Morris	✓	✓	✓	✓	X	X
Seyi Obakin	✓	✓	✓	✓	✓	✓
Judith Paterson	✓	✓	✓	✓	✓	✓
Charlotte Pickles	✓	X	✓	✓	✓	✓
Liz Sayce	✓	✓	X	✓	✓	✓
Victoria Todd	X	✓	✓	✓	✓	✓

¹⁷ No regulations or presentations were brought to the Committee in April, June, September and October 2017

¹⁸ Maternity leave

Annex 6: Fees and Expenses

Member	Travel					Subsistence	Fees	Total
	Air	Rail/ tube	Taxi	Car & car parking	Hotel	Including PIA, hotel allowance, friends & family allowance		
Paul Gray	£0.00	£114.85	£253.90	£0.00	£178.00	£0.00	£0.00	£546.75
Rachael Badger	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£256.80	£256.80
Bruce Calderwood	£251.20	£418.30	£89.60	£0.00	£316.00	£107.95	£7,344.48	£8,527.53
David Chrimes	£0.00	£110.65	£0.00	£0.00	£178.00	£20.00	£1,232.64	£1,541.29
Carl Emmerson	£0.00	£162.10	£0.00	£0.00	£0.00	£26.02	£4,160.16	£4,348.28
Colin Godbold	£0.00	£623.85	£0.00	£93.20	£0.00	£21.75	£4,177.28	£4,916.08
Chris Goulden	£0.00	£671.50	£0.00	£16.00	£390.20	£130.00	£3,595.20	£4,802.90
Philip Jones	£0.00	£139.50	£0.00	£0.00	£178.00	£0.00	£1,112.80	£1,430.30
Jim McCormick	£506.70	£1,012.30	£76.00	£68.38	£232.33	£5.00	£2,443.88	£4,344.59
Gráinne McKeeever	£2,011.36	£292.50	£188.50	£27.90	£336.98	£144.21	£3,877.68	£6,879.13
Dominic Morris	£0.00	£197.30	£0.00	£0.00	£0.00	£0.00	£1,960.24	£2,157.54
Seyi Obakin	£0.00	£167.80	£0.00	£0.00	£178.00	£45.00	£3,081.60	£3,472.40
Judith Paterson	£68.10	£752.60	£0.00	£0.00	£502.60	£92.03	£2,884.72	£4,300.05
Charlotte Pickles	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£2,037.28	£2,037.28
Liz Sayce	£0.00	£122.95	£0.00	£0.00	£0.00	£5.00	£1,883.20	£2,011.15
Victoria Todd	£0.00	£1,000.10	£0.00	£161.40	£562.79	£45.00	£3,081.60	£4,850.89

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Annex 7: Register of Members' Interests¹⁹

Member	Interests
Paul Gray	Associate, Praesta Partners LLP Chair of Governors, Joyce Frankland Academy, Newport (until 2016) Member, University of Essex Council and its Resources Committee (until July 2017) Trustee, Jane Bradbury Educational Foundation
Rachael Badger	Employed by Citizens Advice Spouse employed by Accenture
Bruce Calderwood	Specialist adviser to the Care Quality Commission inspections Trustee of Avenues Group, a charity providing services to people with complex needs Chair, Avenues South East (a subsidiary of Avenues Group) Member of a strategic advisory group to Dimensions (a voluntary organization which provides support services to people with learning difficulties and autism)
David Chrimes	Member of the FDA Trade Union and its Executive Committee Member of the Disabled Persons' Transport Advisory Committee
Carl Emmerson	Employee at the Institute for Fiscal Studies Advisory board member of the Office for Budget Responsibility Member of the Advisory Group to the Government's Review of Auto-Enrolment
Colin Godbold	Independent consultant Member of the Board of the Administrative Data Research Network Member of the National Statistician's Data Ethics Committee Public Governor, South Central Ambulance Service NHS Foundation Trust Reviewer (occasional), Cabinet Office Infrastructure & Projects Authority

¹⁹ Includes unremunerated roles

Chris Goulden	Employed by Joseph Rowntree Foundation Member of the Social Policy Association
Phil Jones	Director, The Prince's Trust Cymru
Jim McCormick	Partner: McCormick-McDowell Research Partnership Associate Director Scotland at the Joseph Rowntree Foundation Chair, Scottish Government's Disability and Carers Benefit Expert Advisory Group Advisory Board Member, Business in the Community Scotland
Gráinne McKeever	Executive Director of the Law Centre, Northern Ireland Professor of Law and Social Justice at Ulster University
Dominic Morris	Partner: A.W. and E.A. Morris Partnership UK Government Stabilisation Unit (Standing Joint Task Force)
Seyi Obakin	Chief Executive, Centrepoint Commissioner, UK Commission for Employment and Skills (until June 2017) Non-executive director of HM Prison and Probation Service
Judith Paterson	Employed by Child Poverty Action Group. Member, Scottish Government's Disability and Carers' Benefits Expert Advisory Group
Charlotte Pickles	Deputy Director and Head of Research at Reform Theme Editor (Renewing Capitalism) UnHerd (from July 2017) Member, Board of Directors, What Works Centre for Wellbeing
Liz Sayce	Chief Executive, Disability Rights UK (to 31 May 2017) Trustee of the Equality and Diversity Forum (to 31 May 2017) Member of the Committee of Healthwatch England, a sub-committee of the Care Quality Commission JRF-funded 'Practitioner Fellowship' at the London School of Economics (from January 2018) Member of the Equality and Human Rights Commission's (EHRC) Disability Advisory Committee (from April 2018) Centre for Mental Health: Chair of a commission on mental health and equality (from June 2018)

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Victoria Todd	Senior Technical Manager, Low Incomes Tax Reform Group of the Chartered Institute of Taxation First-Tier Tribunal, Social Entitlement Chamber - fee paid disability member Member, Association of Tax Technicians (ATT) Fellow, Chartered Institute of Taxation (CIOT)
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