



Department for Work & Pensions

Mims Davies MP
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Dr Stephen Brien
Social Security Advisory Committee Chair
Social Security Advisory Committee
Caxton House
Tothill Street
London
SW1H 9NA

Dear Stephen,

The Jobseeker's Allowance and Employment and Support Allowance (Amendment) Regulations 2021

Thank you for your letter of 7th October 2021 confirming that the Committee does not intend to take the above regulations on formal reference. I note that you have outstanding concerns regarding the draft regulations to enable escalated sanctions to take place for New Style benefits. I would like to thank the Committee for their thorough scrutinising of the regulations and raising to our attention these important and valid points.

I am committed to looking into the two aspects that you have continuing concerns about and have asked my officials to further investigate the matters and report back to me.

Dual Claims

The issue you raised regarding dual claims cuts across a number of policy areas such as UC policy, deductions and sanctions. Due to the complexities and intricacies of dual benefits, my officials have not yet been able to investigate it fully as this issue could also apply to other reductions.

We will investigate this further to understand if this was the policy intent or, if it was not, look at the extent of the issue.

I have asked my officials to present their findings and proposals to me to ensure your concerns have been addressed. My office will ensure you are kept up to date with the progress. Once we have an agreed position I will write to you about next steps.

Equality Analysis

The Equality Assessment uses data from Stat-Xplore, which is publicly available and has gone through rigorous quality assurance processes. This data is also presented in an accessible and consistent way, an important consideration for the Department's Equality Assessment. I am keen to provide reassurance to the Committee that the process for developing our equality analysis has been thoughtful and considered, and that it is predicated on comprehensive and robust data. With that in mind, and considering the Committee's questions, I have asked DWP's analysts to provide an informal briefing to Committee members.

As discussed in the meeting on 4th October, my officials will update the Equality Analysis for the New Style benefits sanctions process to ensure that it is robust and comprehensive and includes, where available, the best and most relevant sanctions equality data and that it draws out the impact and mitigations for the different groups.

I have been advised that while the process will be applied equally to all claimants, the general discretion afforded to Decision Makers as to whether or not a claimant has good reason for the failure will enable individual circumstances to be taken into account and for any discrimination to be avoided. As such, they are continuing to work towards the 3rd November 2021 as the introduction date for the New Style sanctions process and claimants are already being informed that a new sanctions process will be in place from that date.

I will write again once this further work has been completed.

A handwritten signature in cursive script, appearing to read 'Mims', written in black ink.

Mims Davies MP
Minister for Employment