



# **Social Security Advisory Committee**

## **TWENTY SECOND REPORT AUGUST 2008 – JULY 2009**

### **Members**

Sir Richard Tilt (Chairman)  
Kwame Akuffo  
Les Allamby  
John Andrews (from April 2009)  
Simon Bartley  
Brigid Campbell  
Dr Angus Erskine  
Richard Exell (to June 2009)  
Alison Garnham  
Carolyn George (from April 2009)  
Professor Elaine Kempson  
Laurie Naumann (to November 2008)  
Professor Anthony Ogus (to October 2008)  
Maureen Reith (from January 2009)  
Pat Smail  
Professor Janet Walker  
Professor Robert Walker

### **Secretariat**

Gill Saunders (Secretary)  
Dr Anna Bee (from October 2008)  
Dr Nicola Moss (from September 2008)  
Ethna Harnett  
Heather Gray (January 2009 to June 2009)  
Daniel Cross (from June 2009)  
Jamie Allen  
Natalie Harwood

### **Address**

Social Security Advisory Committee  
North East Spur  
Level 3  
The Adelphi  
1-11 John Adam Street  
London  
WC2N 6HT

Internet website: <http://www.ssac.org.uk>  
E-mail: [ssac@dwp.gsi.gov.uk](mailto:ssac@dwp.gsi.gov.uk)

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## Chairman's foreword

In presenting this account of our year's work I am strongly aware that the backdrop to all our activities has been the swift onset of some of the most difficult economic conditions, and their associated consequences for the population at large, that we have seen for many years. As we were preparing to publish our last annual report, we observed that the wider environment in which we operate was changing rapidly. The early signs of the economic downturn were worrying, and by the end of 2008 it was evident that for the first time in over ten years unemployment, and the linked 'claimant count', were both rising rapidly.

The challenge that this has presented to the Department for Work and Pensions and to Jobcentre Plus in particular, is probably unprecedented, in both scale and scope. While gearing up to providing benefits and services to large numbers of new claimants, Jobcentre Plus has also had to maintain the pace of a programme of change (including the introduction of Employment and Support Allowance, preparation for the Flexible New Deal, and the migration of lone parents from Income Support to Jobseeker's Allowance) that has been advanced by the Government's programme of welfare reform.

The fact that services have mostly been maintained to a generally good standard in the face of these challenges represents a considerable achievement, and one that fully deserves mention and recognition. We have been particularly impressed both by the Department's deployment of existing resources (for example, moving staff between the various customer facing businesses, and benefits processing work between the various contact and processing centres) and its prompt recruitment of new staff to meet increased demand. However, we have also observed signs of strain as the organisation has dealt with a substantially increased, and more diverse, case load, including significant numbers of 'white collar' workers who may have had no previous experience of unemployment and job seeking.

As the downturn became more severe, ministers committed themselves to maintaining the pace and direction they had set for welfare reform, and we have acknowledged their determination not to pull back from the model they have established for supporting all those who can do so to take and keep employment. Nonetheless, we have become increasingly concerned about the capacity of Jobcentre Plus and its partners to continue to deliver quality services, tailored to the needs of individual customers that can achieve these goals in a weakened labour market, in which the most disadvantaged work seekers face relatively more daunting barriers than previously. We also remain unconvinced by the Government's continuing reliance on sanctions-based conditionality as the main tool for engaging and activating those who are furthest from the labour market. We have seen little convincing evidence that sanctions 'work' in this way, and we very much hope that the development of 'personalised' support services of the sort proposed by

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Professor Paul Gregg will offer an approach to compliance that offers customers empowerment and responsibility, backed by real choices and options, as they move towards the labour market. It was with these issues in mind that we commissioned the report on rights and responsibilities in the benefits system that is summarised in Chapter 5.

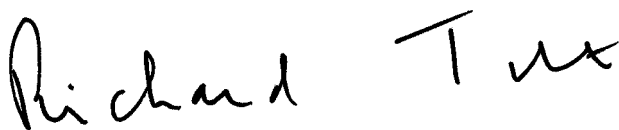
In terms of our core business – the scrutiny of proposals for regulations – this has been a busy year and we have taken six sets of proposals on formal referral for report to the Secretary of State.

One of the latter involved the use, for the first time for many years, of the statutory provisions for by-passing the Committee in case of urgency. The increase in the number of proposals taken on formal referral (previously we have taken just one or two sets each year) reflects a range of concerns that we have identified about the soundness and potential impacts of a number of the proposed changes to policy and practice.

We also report on the successful conclusion of the 2008 review of our working relationship with Her Majesty's Revenue and Customs (HMRC), and the resumption of an effective informal advisory role on Tax Credits and other benefits-related HMRC responsibilities following the signing of a new Memorandum of Understanding in January 2009. The removal of the 'in confidence' conditions under which we worked previously was signalled in our 2008 report and I am pleased that we have developed a good working relationship with HMRC officials over the last year.

This year has also seen changes in the membership of the Committee and I would like to pay tribute to the work of three departing members: Richard Exell, Laurie Nauman and Professor Anthony Ogus, and welcome three new members: Maureen Reith, John Andrews and Carolyn George.

Gill Saunders, our Secretary, and her small team continue to provide an excellent service to the Committee and we are truly grateful for the support we get, without which we could not function effectively.

A handwritten signature in black ink that reads "Richard Tilt". The signature is written in a cursive, slightly slanted style.

Sir Richard Tilt  
**SSAC Chairman**

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# Chapter 1

## *Our work – Summary*

- 1.1 Our work in the period August 2008 – July 2009 has been carried out against a background of a sharp economic downturn and rapidly rising unemployment on the one hand, and the continuing advance of the Government's welfare reform programme on the other. Later in this report we reflect on what we have seen of the service delivery consequences of a return to high levels of unemployment, but first we consider the evolving policy background and the challenges to the welfare benefits system presented by the rapid deterioration in the UK labour market. Necessarily, this report is mostly concerned with benefits and services for people of working age, including our work with Her Majesty's Revenue and Customs (HMRC) on Tax Credits and related matters. However, we continue to take an interest in pensions, benefits for carers and disabled people, and the Government's policies and strategies for an ageing society.
- 1.2 The focus of much of the Government's welfare reform initiative of the last ten years has been on tackling poverty and disadvantage through work-focused programmes. These are aimed at addressing the causes of worklessness and long-term reliance on benefit, re-engaging people who have become disconnected from the labour market – and from much else that is positive and beneficial to society as a consequence – and helping them to move towards employment and self-reliance, and making work pay. Ambitious targets for cutting child poverty and boosting rates of employment have been set, and the benefits system now makes much greater demands of those who were previously not required to participate in work-focused activity.
- 1.3 For the most part we have supported the 'work first' approach and acknowledged its achievements. However, we have also recognised that, inevitably, progress for the most disadvantaged has been relatively slow, when set against the increasing prosperity of the nation as a whole. Services and programmes have had to be designed and built from scratch, and evaluation of new provision, if it is to generate sound evidence to inform further development, may take several years. At the same time, sustained, good quality entry-level jobs, that offer prospects for improving skills and progression, have often been in frustratingly short supply in many areas, a situation that is now unlikely to improve in the near future.

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- 1.4 Despite the impressive efforts of many of Jobcentre Plus' teams and their partners to support benefit claimants into work, the process of 'churning' whereby they then move through a cycle of short spells in employment, followed by extended periods on benefit, seems to be particularly hard to break. In the current conditions, sustaining the progress that has been made will be very challenging for the foreseeable future. The numbers of long-term benefit recipients will increase and it is of some concern that the numbers of young people in this group have remained stubbornly high, and are rising again.

The cost of benefits and programmes are already very high and this may make for difficult choices; for example, a choice between greater tailoring of the system to meet individual needs, and offering a pared-down system where one size must fit all, or between helping those most work ready, and those for whom progress towards the labour market may be slow and protracted.

### *Policy developments over the year*

- 1.5 The Green Paper *No one written off: reforming welfare to reward responsibility* was published in June 2008. In December 2008, Professor Paul Gregg delivered his report on conditionality and support: *Realising potential: A vision for personalised conditionality and support*, and this was closely followed by the publication of the White Paper *Raising expectations and increasing support: reforming welfare for the future*. At the end of our reporting year the 2009 Welfare Reform Bill had almost completed its passage. In addition to contributing views and advice in response to these headline policy publications we also take part in most of the Department's various regular policy and operational forums and groups, and attend a wide range of conferences and seminars with welfare reform themes.
- 1.6 We were particularly interested, and found a good deal to commend, in Professor Gregg's vision for a single personalised conditionality and support regime, where virtually everyone claiming benefits and not in work would be engaged in work-focused activity with the aim of moving into employment. However, we have questioned whether this vision can, or will, be delivered. The White Paper setting out the Government's plans to take forward his proposals seemed to us to focus rather more on the obligations on customers that follow from higher expectations, than on the additional support that they might expect to be offered in return. Genuinely personalised support will be resource-intensive and demanding of the skills of Personal Advisers (PAs) working in Jobcentre Plus and with contractors. We are hopeful that it will be possible to make the substantial investment that will be needed to make this new approach to progression to work something that reinforces a positive, balanced and dynamic relationship between the benefit claimant and the PA, and does not simply operate as a further extension of sanctions-based

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conditionality. The proposed Pathfinders for the Gregg model also offer the opportunity to learn more about how progression and conditionality work in practice (particularly in a challenging labour market), and how to measure 'distance travelled'. We have suggested that the Department's plans for the evaluation of the proposed Pathfinders include a detailed investigation of these issues.

- 1.7 Over the year we have scrutinised and reported on a number of proposed regulations that have subsequently been implemented to give effect to previously-announced changes to the benefit system. Most of these are being introduced alongside a number of other major changes to benefits and services, including the Gregg Pathfinders. The specific proposals we reported on are considered in more detail below (see paragraph 1.10 et seq). However, in terms of immediate impacts, the introduction of Employment and Support Allowance (ESA), the ending of Income Support (IS) for lone parents of increasingly young children, and the introduction of the Flexible New Deal (FND) (our reports on the latter two measures are summarised in Chapter 4) are, in our view, the most significant and we are concerned that they have the potential to become problematic when set against the background of the recession and the pressures on Jobcentre Plus and its contractors.
- 1.8 As we have reported on several occasions over the last few years, the scope, scale and pace of these changes present a major operational challenge for the Department, and also for its customers, old and new, who have to learn to navigate their way through a rapidly changing landscape of conditionality and service design and delivery while making decisions and judgements about how best to manage the competing demands of employment, child care, family and other responsibilities.
- 1.9 On the horizon, there are other major changes due to be introduced. In particular, the migration of Incapacity Benefit (IB) claimants to ESA (due to commence in 2010) promises to be a huge undertaking for Jobcentre Plus and its partners. On a similar timescale, and in response to both the recession and rising youth unemployment, the Government plans to introduce a Young Person's Guarantee to provide substantial numbers of jobs and training opportunities. This would be another programme where elements of the options on offer are to be backed by sanctions for non-participation, and securing good quality employment, training and other activities to which young people would be directed will be a challenge when resources are stretched. However, quality must be the key to ensure the credibility of the programme. We strongly believe that mandation for its own sake does not have a positive impact on labour market outcomes in either the short or the longer term. We also continue to question the effectiveness and efficacy of the threat of sanctions in persuading benefit claimants to take up training and work experience options. In our view, the most convincing case for participation will be made by offering programmes that are seen to be worthwhile, and that are delivering demonstrably good outcomes.

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### *Our scrutiny of proposals for regulations*

- 1.10 In the period 1 August 2008 – 31 July 2009 we have scrutinised a total of 43 sets of Department for Work and Pensions (DWP) proposed regulations. Of these, we took six on formal referral, a substantial increase over previous years. At the end of the reporting period one set of regulations (the proposed amendments to The Social Security (Transitional Payments) Regulations 2009) that was subject to formal referral in this period had not been laid. All of our reports on proposed regulations that have been published in this reporting period are summarised in Chapter 4 below.
- 1.11 In the course of the year we have also scrutinised two sets of proposals that were subject to the statutory urgency provisions. The first of these (The Social Security (Housing Costs Special Arrangements) (Amendment and Modification) Regulations 2008) dealt with the payment of eligible housing costs to those benefit recipients who are homeowners with mortgage liabilities. These measures were announced in September 2008, and eventually came into effect in January 2009. They were proposed as a fast-tracked response to both the rise in unemployment and the collapse of the housing market, and as such, were broadly beneficial. However, they also included a two year cut-off point, and we could see no reason why this aspect of proposed measures was judged to be in any way urgent. We put our concerns to the Secretary of State, and later reiterated these concerns when it became apparent that the regulations laid in January were defective in a number of respects, and would require amendment. We took both the original regulations and the amendments on formal referral, and reported on them to the Secretary of State on 13 May 2009. At the end of our reporting year the regulations had not been laid.
- 1.12 In the second case (the Social Security (Habitual Residence) (Amendment) Regulations 2009) that urgency was used we took the view that the procedures had been properly employed in the circumstances prevailing at the time, and we did not ask for the regulations to be formally referred.
- 1.13 We commenced our two final formal referrals of this reporting year (of the proposed Housing Benefit Amendment (No. 2) Regulations 2009 and the proposed Jobseeker's Allowance (Skills Training Conditionality Pilot) Regulations 2010) in July 2009. In both cases we were disappointed to find that the proposals presented to us lacked, in our view, both a robust evidence base and properly thought through impact assessments. As we note in our report on the equality duty below (paragraph 1.17), we do not think that the Department and its agencies have yet demonstrated that compliance with the equality duties is at the heart of both policy making and benefit operations. We have noted on a number of occasions over the year (for example, in the context of our report on proposed changes to the backdating rules for Pension Credit, Housing Benefit (HB) and Council
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Tax Benefit (CTB) that is summarised at Chapter 4) an apparent lack of evidence and information that has inhibited and compromised both the policy development and the associated impact assessment processes. While we understand why it is that certain information may not have been gathered historically, or not gathered in a form that is conducive to use in the modern policy making environment, we are concerned that the Department may continue to develop policies on the basis of conjecture and speculation about desired outcomes and potential impacts.

- 1.14 The majority of the proposals and accompanying draft regulations we scrutinise give effect to relatively minor and small scale changes to the benefits system. Nonetheless, we pay close attention to the nature and purpose of these changes and to how they are to be expressed in regulations. It is not unusual for us to find errors and omissions in the draft regulations, or to identify potential problems with the underlying policy (all, again, mostly small scale) that may require the regulations to be reworked. In this area of activity we have found officials to be both helpful and supportive and we believe that our work is effective and appreciated.
- 1.15 In the course of the year we have reviewed our role in relation to regulations made within six months of the new primary powers coming into force. This role was strengthened in 2006/07, and although it does not form part of our statutory remit we have valued the opportunity to familiarise ourselves with, and comment upon, new legislation. This has been particularly helpful in the case of major changes to the benefits system (the introduction of ESA, for example). Working with our sponsor team, and officials who have brought these regulations to the Committee for informal scrutiny over the last two years, we concluded that the current arrangements are working well. Ministers subsequently agreed, and these informal arrangements are continuing.

### *SSAC and the equality duty*

- 1.16 We reported last year that we had been paying particular attention to the diversity and equality implications of both the proposed legislation we scrutinise, and policy and operational developments more generally. We also noted that the Equality Impact Assessments (EIAs) on proposals that we had been receiving had showed a marked improvement in quality, although information to support the Department's discharge of its equality duties, and its policy making generally, was sometimes lacking. We have suggested on a number of occasions that the Department might better target its information gathering, monitoring and research and evaluation programmes to address the more significant information deficits.

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1.17 Our assessment of the EIAs we have seen this year suggests that, overall, the progress we had reported on last year has not been maintained. In more than one instance where we decided to take proposed regulations on formal referral, the inadequacy of the accompanying EIAs was a determining factor in our decision. We have drawn our concerns to the attention of officials and we have been assured that the Department is committed to the proper discharge of its equality duties and to ensuring that equality and diversity awareness is at the heart of the policy making process.

### *Complexity in the benefit system*

1.18 Although we are invited to report annually on complexity in the benefits system and the Department's drive for simplification, we find it hard to identify any really significant progress being made. As we remark elsewhere in this report, in a number of different contexts, the benefits system and its associated programmes and services remains complex in both structure and detail, and no more transparent to customers than it was five years ago. Indeed, in many areas, our stakeholders tell us that it has become more complex than ever (the introduction of ESA being one example). For every small positive change in one part of the system, there appears a complementary complication introduced in another part of the system. Small gains made by smoothing and shortening complicated processes and procedures are often outweighed by the need to simultaneously push through a priority change that requires new clerical processes to work around IT systems that cannot be modified.

1.19 It is perhaps understandable that at a time when the benefits system is under severe pressure, a systematic approach to simplification may not be a priority. Nonetheless, we would support further work that looked at the savings that might be derived from fewer transitions between benefits, with associated reductions in claims handling and repeated gathering of information; helping customers to self-navigate around the system; and simpler, more accessible communications with reduced production and maintenance costs.

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### *Our work with HMRC*

- 1.20 We reported last year that a review had been completed of our Memorandum of Understanding (MoU) with HMRC. The review's recommendations have now been implemented in full, and a new MoU was signed in January 2009. Working with Treasury and HMRC officials, we have carried out a full programme of work this year. In addition to scrutinising and commenting on eight sets of regulations we have also offered advice on both the HMRC's Charter and the 2008 consultation paper *Tax Credits: improving delivery and choice* and had the opportunity to meet HMRC's new Chief Executive, Lesley Strathie.
- 1.21 Our scrutiny of HMRC regulations has sometimes had to be carried out at short notice, but we have generally been able to offer views and advice in the time available to us. For example, we first considered the new Health in Pregnancy Grant and its supporting regulations (The Entitlement and Amount Regulations (2008/3108) and The Administration Regulations (2008/3109)) in November 2008. We raised a range of issues with officials including the application of the regulations by the Devolved Administrations, the general administration of the regulations, and their potential for overlap with regulations proposed by the DWP. All these issues were resolved in correspondence. In another example in March 2009, we considered the proposed Revisions and Appeals Regulations (2009/751). Here we raised concerns about decisions that do not carry a right of appeal. We then proposed, and HMRC accepted, a revised wording for the regulation in question that better reflected the policy intention.

### *Our independent work programme*

- 1.22 Pressure on our resources from our core business has limited the number of projects we have been able to undertake this year. However, we have commissioned and published one major piece of work from independent researchers (*Rights and Responsibilities in the Social Security System* – see Chapter 5) and we have almost completed work on a follow-up paper to our 2007 publication *Telephony in DWP and its agencies: call costs and equality of customer access*. Work has just commenced on an investigation into service delivery and vulnerable customers, and we are about to complete a policy paper on earnings disregards within the income related benefits in relation to public appointments and public service.

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## Chapter 2

### *The Department's public information strategy*

#### *General*

- 2.1 At the start of the reporting year we were hopeful that the long-outstanding questions around the future of our role in relation to the Department's public information strategy were about to be resolved. As we have reported in previous years, this role – which we were given by the Secretary of State in 2001/02 – has been problematic from the outset and we have been pressing the Department to review our responsibilities in relation to public information matters and decide whether, and in what form, our role could be performed more usefully and effectively.
- 2.2 In the event, no decisions have been taken, and we have therefore continued our ad hoc scrutinies of public information materials, while discussing possible options for our role with officials. We have carried out ten scrutiny exercises (some taking in sets of products comprising several individual items) covering customer letters, fact sheets and other materials in addition to conventional leaflets. All but one exercise was initiated at the request of officials who asked for our input. In addition, we have had some involvement in larger projects, such as the re-design of the Department's main website.

#### *Product scrutinies*

- 2.3 In the majority of cases where we scrutinised individual information products, we made suggestions for changes, both to the content and the presentation. Most of the changes we proposed were accepted, and on the whole the material we saw was of an acceptable standard. At the same time we have found our engagement with the officials involved to be generally very positive, and we recognise that those officials who seek out our input seem to find the scrutiny process an effective additional quality control.
- 2.4 In the course of two scrutiny exercises, however, we identified both errors and omissions that we believed to be significant. In the first instance, we found that a leaflet, which had been prepared very quickly to address the needs of the large number of newly-unemployed people who may be using Jobcentre Plus services for the first time, had omitted important information on Tax Credits and Housing Benefit (HB). Other stakeholders had also pointed out these omissions to the Department, and in this case a revised leaflet was quickly prepared and issued. Nonetheless, we remain concerned
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that the Department's normal quality assurance procedures did not appear to have been followed in this case and that, as a result, it was necessary to produce two versions of the leaflet in rapid succession and then have them both circulating at the same time.

- 2.5 The second instance was rather different. In this case, our scrutiny of a set of products (comprising letters and fact sheets for lone parents whose Income Support (IS) is about to cease) enabled us to identify, and draw to officials' attention, a previously unremarked discrepancy between a policy intention (as properly described in the materials we saw) and the law as it had been drafted and implemented. The materials were put on hold while officials explored the implications of the problems we had identified, and we understand that plans are now in hand to amend the relevant regulations.
- 2.6 These two scrutiny exercises also raised a number of interesting wider issues for us, including questions around what constitutes key/core benefits and services information (for example, what are the essentials for someone newly unemployed and unfamiliar with the benefits system?); the extent to which the systems and procedures that are currently being operated within the Department to quality control public information materials and ensure that they are fit for purpose and effective can be relied on when speed is of the essence; and the channels that the Department employs for the dissemination of this information.

### *The public information challenge*

- 2.7 As the Department moves away from producing and maintaining a large set of leaflets and towards the use of self-service channels – particularly on the internet – we are uneasy about the visibility, accessibility and completeness of the information that is available, and whether it is truly meeting the needs of customers in all the diverse circumstances in which they are likely to have dealings with the Department and its agencies. We fully understand the limitations and drawbacks of a reliance on leaflets, but we are not convinced that the Department has yet come up with viable alternatives that are universally available, reliable and user friendly. Internet access is still far from universal (and cannot be assumed to be free of cost) and we have observed that there appears to be limited public awareness of the migration of most benefits and services information to the Directgov website. Much of the information relating, for example, to benefit conditionality that is available on the internet is not 'screen friendly' and needs to be printed out if it is to be studied in detail. Meanwhile, our stakeholders tell us that demand for free independent advice and information on benefits and services is at an all-time high, and in many areas in short supply. We have also noted that premium-rate commercial helplines offering benefits advice are widely advertised and may be of dubious reliability.

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- 2.8 As we observe elsewhere in this report, the benefits system remains highly complex, and we have questioned whether the proliferation of new programmes and provisions, including the increasing use of contracted services, has made the system too complicated for many benefit claimants to engage with and fully understand. Advisers working both in Jobcentre Plus and for contractors have little time to explain, in detail, the conditions attached to the benefits (and the many services and programmes, and local variants thereof) for which they are responsible. Jobcentre Plus has almost too much to offer, and we have sometimes been struck by the confusion and uncertainty expressed by customers we have met who may have grasped no more than the basics of what the system expects of them, and do not know why they are being asked to do certain things. It seems to us that this is one information challenge that has yet to be addressed: how to make the mass of information easily accessible and in a format that enables the average customer to identify and locate the information that they actually need at the point at which it is needed.
- 2.9 In the broader customer service arena, we have been involved in the development of the Department's Customer Charter that is due to be launched in August 2009. We have welcomed this initiative, and the Department's recognition of the value of a public statement of its service standards. However, as the Department has noted, the existence of the Charter alone will not deliver improvements to customer service, and we have questioned whether the Department's customers will be sufficiently aware of the Charter, and the service commitments it articulates, to use it effectively, both in understanding their own obligations, and when challenging perceived service failures. The Charter is to be displayed as a poster in local offices, and on the Department's various websites, but we believe that it would be more visible and accessible if it was to be highlighted in some of the Department's routine customer communications and interventions, such as work focused interviews.

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## Chapter 3

### *Visits*

- 3.1 As the list of visits at Annex A demonstrates, our programme of visits has been focused on those operational sites providing services and benefits to people of working age, including, for the first time, Her Majesty's Revenue and Customs (HMRC) sites. However, we have also visited a Sure Start Centre and the Pension, Disability and Carers Service's CASPER project in Scotland that is working on changes to the way in which the Carer's Allowance/Underlying Entitlement/Carer Addition element of Pension Credit is applied for and processed. In April 2009, we also made a two-day visit to Northern Ireland, hosted and organised for us by the Department for Social Development. As ever, we are grateful to all the local managers and their teams who have hosted our visits and offered us the opportunity to gain a better understanding of front-line service delivery.
- 3.2 Committee members have been visiting the offices of the Department and its predecessors for almost 30 years, and since the creation of the Department for Work and Pensions (DWP) in June 2001 we have often commented on the speed and scope of the changes to service delivery that we have witnessed in the course of our visits. Service modernisation has been an expensive and often challenging undertaking, particularly where it involves new or modified IT support. We have been mostly positive about what has been achieved. However, in our view, perhaps the most profound and far reaching changes have been effected over the last five years, and our visits this year have led us to conclude that, in the main, the new service delivery model is a robust one. Certainly, it has stood up remarkably well to the challenge of an increase in claimant numbers that is unprecedented in recent times.
- 3.3 As the network of Jobcentre Plus local offices moves towards offering direct access only 'by appointment', services for the Department's working-age benefit claimants are increasingly being delivered remotely and, in the case of telephony-based services, on a virtual network. The move towards telephony-based services was pioneered over many years by the Pensions and Disability and Carers Services (these services merged in 2008), and we have noted that most of the services that have been rolled out for working-age customers since 2005 have coped reasonably well with an aggressive rollout and development programme and, more recently, increased demand.

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- 3.4 Given the scale of the business transformation involved, a great deal has been achieved in the last five years. Where there appear to be weaknesses (for example, in the Crisis Loans arrangements) these stem as much from the nature of the service and the demands it generates as from deficiencies in the system. We still believe that the Department should be more proactive in seeking to reduce the costs some people may incur when accessing services (for example, by offering call backs to those using mobile phones). However, on the whole and for the majority of benefit claimants, the new services generally work well. At the same time, in meeting the needs of people who, for a range of reasons, may find the new systems daunting or confusing, the Department seems to be committed to working with customer representative groups and other stakeholders to find ways of offering them equality of access.
- 3.5 Towards the end of the reporting year we began to meet some of those new members of staff who had been recruited to Jobcentre Plus to help deal with the substantial increase in workloads that have followed rapid rises in unemployment. It is evident that a recruitment exercise at this point in the economic cycle has brought a diverse and talented group of new people into Jobcentre Plus, and managers we have spoken to have been enthusiastic about the skills and attitudes they have brought to the business. This large influx has presented accommodation and training challenges. The Jobcentre Plus estate has been substantially reduced in recent years, and some offices are visibly struggling to find space and equipment for the new arrivals.
- 3.6 Services for the recent influx of white collar customers have placed new demands on Jobcentre Plus, and we have some concerns that meeting these demands may call for more training and development of Personal Advisers (PAs) in order to enable them to direct these new sorts of customers effectively to the specialised services of partner organisations that Jobcentre Plus now has on offer. At the same time some of the most disadvantaged customers still need the same levels of support as previously. For example, we have noted that, increasingly, employers require job applications to be made on line. Although customers without IT skills and access can be referred to contracted provision, including Programme Centres, for the help they need, we suspect that there may be less local office time and resource for these sorts of tasks than there was previously. However, we have also noted the resilience and enterprise demonstrated by many of the PAs working with the most disadvantaged customers, and their determination to progress their customers into employment despite the challenging employment market conditions.
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## Chapter 4

### *Scrutiny of regulations formally referred to the Committee*

- 4.1 Over the year we have taken five sets of proposals for regulations, and one set of regulations that had been laid under the urgency provisions, on formal referral. Of these, two<sup>1</sup> were still in progress at the end of the period covered by this annual report (31 July 2009) year, and one completed report on proposals formally referred<sup>2</sup> had not yet been published by the Secretary of State. In addition, two sets of regulations taken on formal referral last year were laid in the period covered by this annual report.
- 4.2 Our reports on all regulations taken on formal referral and laid this year are summarised below, along with the Secretary of State's responses to them. **The reports are presented in order of the date on which the regulations to which they refer were laid.**

#### *The Social Security (Miscellaneous Amendments) (No.4) Regulations 2008 (S.I. 2008 No. 2424)<sup>3</sup>*

- 4.3 In April 2008 the Department put forward proposed regulation for our scrutiny which were intended to:
- reduce the time for claiming Pension Credit, Housing Benefit (HB) and Council Tax Benefit (CTB) for persons who have attained the qualifying age for Pension Credit from the current 12 months, to a period of three months;
  - reduce the backdating period in HB and CTB from the current 52 weeks to three months for those who have not attained the qualifying age for Pension Credit; and
  - allow Pension Credit recipients to retain entitlement to that benefit whilst temporarily absent from Great Britain for up to 13 weeks.

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<sup>1</sup> The proposed Jobseeker's Allowance (Skills Training Conditionality Pilot) Regulations 2010; and the proposed Housing Benefit Amendment (No 2) Regulations 2009.

<sup>2</sup> On The Social Security (Housing Costs Special Arrangements) (Amendment and Modification) Regulations 2008 (SI 2008/3195); and the proposed Social Security (Housing Costs Special Arrangements) (Amendment) Regulations 2009. Our report covers both the set of regulations made using the urgency provisions (see paragraph 1.11), and proposed amendments to this set.

<sup>3</sup> Cm 7469.

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- 4.4 The Department argued that the proposed changes would reduce burdens on operational staff, and on claimants, who would not have to provide so much evidence in support of their claims, and simplify the decision making process overall. The savings that the changes should generate would be applied to making improvements elsewhere in the system.
- 4.5 Although we broadly welcome the changes to the temporary absence rules, we did not accept the Department's rationale to making changes to the backdating provisions. We identified a number of potentially negative impacts of the changes, noting that we had reported on very similar proposals in 2000 that the Department had subsequently abandoned. In particular, we were concerned about the lack of evidence provided to support both the case for reviving these measures and the Department's Equality Impact Assessment (EIA). Similar concerns were raised by respondents to our consultation exercise on the proposals.
- 4.6 We recommended that the changes to the temporary absence rules should proceed, but further recommended that the backdating arrangements for Pension Credit, HB and CTB should remain unchanged. In his response, the Secretary of State indicated that he would proceed with the changes to the time for claiming Pension Credit, HB and CTB for those who have obtained the qualifying age for Pension Credit, but agreed that for working-age customers the maximum period for backdating should be initially reduced to six months with a view to moving to a three-month period at a later stage, and with a review of the modified arrangements taking place at the end of 2009.

***The Social Security (Lone Parents and Miscellaneous Amendments)  
Regulations 2008 (S.I. 2008 No. 3051)***<sup>4</sup>

- 4.7 In May 2008 the Department put forward proposed regulations under which lone parents with a child aged seven or over would no longer be entitled to Income Support (IS) solely on the grounds of being a lone parent. Instead, those able to take up paid employment would claim Jobseeker's Allowance (JSA) and those with a disability or health condition would claim Employment and Support Allowance (ESA). The arrangements were to be introduced on a phased age-related basis.
- 4.8 Although we welcomed the efforts that had been made by the Department to consult and engage with key stakeholders in the design of the proposed measures, and noted that some flexibilities had been incorporated into the proposed JSA regime for lone parents, we questioned both a number of the policy assumptions that underpinned the proposed measures, and the practical application of the JSA rules to lone parents. We were particularly

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<sup>4</sup> Cm 7480.

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concerned about the apparent tensions between the proposals and the objectives of other Government plans and programmes, the availability and affordability of childcare, the consequences of the potential application of labour market sanctions to lone parents, and the operational implications for Jobcentre Plus of the implementation of the proposed new arrangements. Respondents to our consultation exercise raised a range of similar concerns.

4.9 We recommended that the proposed changes should not proceed. However, we further recommended that if the proposed changes were to go ahead they should be modified, so as to:

- proceed with the implementation for lone parents with children aged at least 12, but postpone implementation for the other groups until the impact on the first group has been monitored and evaluated, **and** it can be verified that comprehensive childcare provision is in place throughout Great Britain; and
- exempt those lone parents who access full-time education and training once they enter the JSA regime, and those lone parents with a child who receives the lower rate care component of Disability Living Allowance; and
- place the burden of proof of suitability of childcare upon the Department; and
- not use Crisis Loans as a mechanism for benefit alignment; and
- provide 'better-off-in-work' calculations that are based on an examination of all relevant aspects of the claimant's in-work circumstances; and
- that in Northern Ireland, greater development of child care is needed.

4.10 In his response, the Secretary of State indicated that he would proceed with the changes, but with a modified timetable for ending IS for existing lone parent customers and an undertaking to work with the Committee on possible improvements to the Better-Off-In-Work calculation. Meanwhile, in Northern Ireland the Department for Social Development decided to significantly modify the administrative arrangements.

***The Social Security (Flexible New Deal) Regulations 2009***  
***(S.I. 2009 No. 480)***<sup>5</sup>

4.11 In October 2008 the Department put forward proposed regulations that were intended to implement an enhanced regime for people claiming JSA which would include the introduction of a Flexible New Deal (FND) as a new employment programme for those who have been claiming the benefit for a year, or after six months for those assessed as having the greatest need for help to find work. In particular, the proposed regulations would provide for:

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<sup>5</sup> Cm 7566.

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- a sanction of the loss of one week's benefit for those who, without good cause, refuse or fail to carry out a jobseeker's direction which relates to attendance at a Back to Work Session;
  - the inclusion of the FND as an employment programme in regulation 75(1) of the Jobseeker's Allowance Regulations 1996, meaning that benefit may not be payable to claimants who, without good reason, refuse or fail to take part in the FND or who lose their place on the scheme due to misconduct;
  - the application of the current New Deal approach to benefit sanctions of two, four or 26 weeks for acts or omissions relating to the FND;
  - no hardship payments to be payable to claimants who are sanctioned in connection with acts or omissions relating to a Back to Work Session or during the period they are required to take part in the FND (the latter mirrors current New Deal policy), unless the claimant is in a vulnerable group;
  - an additional case where a person is to be regarded as having good cause for not taking part in the FND where they are not notified in advance about the application of sanctions;
  - a minor change to the linking rules in relation to JSA housing costs to take account of the FND; and
  - income and capital disregards for certain payments made in connection with a person's participation in FND in the Jobseeker's Allowance Regulations, Housing Benefit, Council Tax Benefit and Housing Renewal Grants Regulations.

4.12 We broadly supported the policy impetus behind the proposed measures and recognised the achievements of the work focused programmes from which the FND was being developed. We also saw the advantages of a move to greater flexibility and Personal Adviser (PA) discretion and access for all to New Deal provision. However, we also questioned the proposed extension of conditionality, the speed of the proposed rollout of the programme, the contracting out of services, and the viability and robustness of the new arrangements in the face of worsening economic conditions. Similar concerns were raised by respondents to our consultation exercise on the proposals, particularly with regard to the extent of choice within the FND, the role of sanctions, the contracting arrangements, and also about the content and conclusions of the EIA supplied by the Department.

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4.13 We agreed that the proposed new programme should go ahead, but recommended the following modifications:

- if the mandatory Back to Work Sessions were to proceed, the timing of their delivery should be reconsidered and they should be designed in a customer-focused manner and delivered in the appropriate environment for the different client groups;
- well trained staff should be deployed to ensure that the decision-making process relating to sanctions is prompt and transparent;
- sanctions for those customers who volunteer for the FND extension should be removed;
- steps should be taken to ensure that the sanctions regime cannot be used by providers as a reason not to work with the hardest-to-help customers and that this requirement be enshrined in the contract conditions;
- the FND contracts should require providers to have in place a clearly communicated complaints procedure, which is independently overseen;
- the contracts should be monitored for ‘creaming or parking’ activities, and that contracts should contain penalties to ensure that this does not occur;
- the systems for job entry validation should be made clear to all and providers’ results be made available for public scrutiny; and
- the Department should consider delaying the introduction of the second phase of the FND (due to start in October 2010) until phase 1 has been evaluated fully, the results published, and the design of the FND has been reviewed in the light of prevailing economic and labour market conditions.

4.14 The Secretary of State proceeded to make the regulations and in his response agreed that the timing of Back to Work Sessions would be kept under review, that appropriate training for PAs would be developed and delivered, and that contracts should be structured so as discourage misuse of the sanctions system, provide adequate redress for claimants who wish to pursue complaints, and enable contractors’ performance reports to be validated. He did not accept that sanctions should be removed from the provisions for FND volunteers and that the timetable for rollout should be extended.

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***The Housing Benefit Amendment Regulations 2009***  
***(S.I. 2009 No. 614)***<sup>6</sup>

4.15 In January 2009 the Department put forward proposed regulations that were intended to:

- cap the maximum amount of Local Housing Allowance (LHA) for all dwellings with six or more bedrooms at the five-bedroom rate, for all customers who make a new claim for HB, or move address in the private rented sector, from 6 April 2009;
- ensure that existing customers in receipt of HB assessed according to LHA rates for more than five bedrooms would continue to receive the same amount until their cases were reviewed (usually at the one-year anniversary point of their claim). HB would be assessed according to the five-bedroom LHA rate, although transitional protection would apply for up to 13 weeks at the higher rate of benefit.

4.16 We questioned both the case for the proposed changes, and the evidence provided to support the associated EIA, and concluded that they would have significant, negative and disproportionate impacts on larger families and their children and elderly and/or disabled people living in extended family groups. The proposals would particularly impact on families from ethnic minority groups, and could thereby lead to homelessness, and thus higher costs to the public purse. We also expressed concern that this proposed change of policy appeared to be driven by sensationalist media representation. Respondents to our public consultation exercise raised similar issues, and pointed in particular to the limited transitional protection that would be offered to existing tenants.

4.17 We recommended that the proposals should not proceed; but that if they did:

- alternative ways of limiting the costs to HB that we had suggested should be considered in more detail, and that more detailed analysis be carried out to assess their feasibility; and that additional investigation of the evidence base is carried out to ensure robust data are available to inform any alternative proposals; and
- if they remained unaltered the period of transitional protection should be increased to a minimum of six months; and
- before the measures are introduced steps should be taken by the Department and local authorities to identify all existing households that are likely to be affected by the capping of HB. These households should then be notified immediately to allow them to plan how they will cope with the situation they may face when their HB is reviewed.

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<sup>6</sup> Cm 7571.

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In addition, the Department should work with local authorities and other stakeholders to ensure that full information about the changes is made publicly available in accessible formats to all those likely to be affected by these changes; and

- the Department should work with local authorities and other stakeholders to monitor and assess the impact of the proposed changes, in particular on homelessness and upon black and minority ethnic families.

4.18 The Secretary of State decided to proceed with the proposed regulations but agreed to extend the period of transitional protection to a minimum of six months, to work with local authorities and other stakeholders to raise awareness of the changes, and to review the new arrangements within the scope of the scheduled review of the LHA scheme generally when it has been running for two years. In Northern Ireland the Department of Social Development decided not to implement the changes.

***The Social Security (Claims and Payments) Amendment Regulations 2009 (S.I. 2009 No. 2009/69, and The Social Security (Transitional Payments) Regulations 2009 (S.I. 2009 No. 2009/609)<sup>7</sup>***

4.19 In September 2008 the Department put forward proposed regulations that were intended to change the way in which certain working age benefits would be paid. In effect, benefits would be paid:

- a minimum of a fortnight in arrears; and
- on a pay day determined on the basis of the benefit claimant's National Insurance number.

4.20 We were broadly supportive of the Department's objective of simplifying and rationalising benefit pay days and periodicity. However, we were concerned that the proposed change from weekly to fortnightly payments, and the provisions for transitional arrangements (involving a 75 per cent bridging loan and back-up arrangements through the Crisis Loans system) could have negative impacts on some of the poorest and most vulnerable benefit recipients. In addition, we were unhappy that the changes to the Department's IT systems that would support the proposed changes appeared to be so advanced at the point that the formal referral commenced, that they could not be modified.

4.21 Accordingly, we decided to conduct a limited public consultation before reporting quickly to the Secretary of State. Respondents detailed concerns similar to those we had identified in the course of our initial consideration of the proposals and our report was swiftly completed and submitted at the beginning of October 2008. We recommended that the proposed changes should go ahead, but with the following modifications:

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<sup>7</sup> Cm 7573.

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- make 100 per cent bridging payments available on the basis of an active 'opt-out' for those who do not wish to receive them; and
  - extend the repayment period to 52 weeks;
  - introduce a temporary increase in the 'debt ceiling' for Crisis Loans, and extend the period for repayment;
  - make the option of a continuation of weekly payments known to the most vulnerable customers and offer the choice of a continuation of weekly payments and/or later conversion.

Additionally, we further recommended that:

- consideration should be given to aligning the migration of lone parents from IS to JSA with these proposed changes (carrying out the pay day and periodicity changes before IS ceases); and
- officials should review the customer communications and marketing activity planned to support these changes in order to ensure that the fullest possible publicity is given to all aspects of the proposed arrangements, including the continued availability of weekly payments.

4.22 The Secretary of State proceeded to make the regulations, but agreed to increase the adjusting payment of benefit upon conversion to fortnightly payments from 75 per cent to 100 per cent. In the event, the advanced state of IT development did not prevent our recommendation being adopted. The Secretary of State also agreed to apply this change to the provisions for lone parents arising out of the new Lone Parent Obligations, but rejected our other recommendations except inasmuch as he agreed to ensure that guidance to Jobcentre Plus staff should be checked to ensure that it was appropriate to the sorts of situations that would arise during the conversion period.

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## Chapter 5

### *Social Security Advisory Committee published papers*

- 5.1 In the period covered by this report we have published one Occasional Paper on our website <http://ssac.org.uk>. This is briefly summarised below.

#### *Rights and Responsibilities in the Social Security System*

- 5.2 The Committee published Occasional Paper Number 6, *Rights and Responsibilities in the Social Security System*, in July 2009<sup>8</sup>. The paper was written by independent researchers at the Department of Social Policy and Social Work, University of Oxford (Dr Julia Griggs and Ms Fran Bennett), working to our commission, and drawing on a discussion of relevant issues with our stakeholders at the Committee's annual Stakeholder Seminar in November 2008. A key element of the paper is a discussion of some of the issues for consideration when proposals are put forward to change the balance of rights and responsibilities in the social security system, especially by deepening or widening the responsibilities of claimants through an extension of conditionality. Evidence from the paper informed advice on rights and responsibilities that we put to the Secretary of State for Work and Pensions in July 2009. A response is currently awaited.
- 5.3 In addition, we have completed work on a second paper on telephony, following up our 2007 publication *Telephony in DWP and its agencies: call costs and equality of customer access*<sup>9</sup>. We plan to publish this paper at the end of August 2009.

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<sup>8</sup> ([http://www.ssac.org.uk/pdf/occasional/Rights\\_Responsibilities\\_Social\\_Security.pdf](http://www.ssac.org.uk/pdf/occasional/Rights_Responsibilities_Social_Security.pdf))

<sup>9</sup> SSAC Occasional Paper No.3, June 2007.

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# Annex A

## *List of the Committee members' visits*

Derby Contact Centre	September 2008
Merry Hill HMRC Contact Centre	October 2008
Sure Start Centre (NW London)	November 2008
Bathgate HMRC Contact Centre	January 2009
Social Fund pilot	March 2009
Clydebank Jobcentre Plus	April 2009
Barnsley Jobcentre Plus	April 2009
Department of Social Development (Northern Ireland)	April 2009
CASPER pilot (Pension, Disability and Carers Service)	June 2009
Folkestone Jobcentre Plus	June 2009
Milton Keynes Jobcentre Plus	June 2009

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## Annex B

### *The SSAC Stakeholder Seminar 2008*

1. Our third annual SSAC Stakeholder Seminar was held at Sadler's Wells in London on 13 November 2008. The Chairman opened the morning session with an update on our work. Attendees then had an opportunity to discuss our priorities for the coming year with a panel of four Committee Members. The morning session concluded with a presentation by Mike Brewer (Institute for Fiscal Studies) on compliance costs in the benefit system.
2. The afternoon session was led by Fran Bennett and Dr Julia Griggs (Department of Social Policy and Social Work, University of Oxford). Dr Griggs gave a short presentation to introduce a paper they were preparing for the Committee on rights and responsibilities in the social security system (see paragraph 5.2). A discussion followed, with attendees identifying the considerations that should be applied when proposals are put forward to extend and/or increase benefit conditionality; suggesting what benefit claimants might reasonably be expected to do in terms of compliance with conditions of benefit entitlement, and what their expectations might be in return for compliance. The overall aim of the session was to generate ideas for a check list of the points that should be considered when any extension of benefit conditionality is proposed in the future. This in turn fed into the research process for the rights and responsibilities paper that was published in July 2009 and advice we subsequently offered to the Secretary of State.

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## Annex C

### *Regulations considered by the Committee and coming into force in Great Britain since 1 August 2008*

This is a list of those regulations put to the SSAC which the Committee decided did not require formal reference. The list refers only to regulations covering Great Britain; however, in most cases, the SSAC agreed to regulations similar in effect in relation to Northern Ireland:

#### **Statutory Instrument Number:**

#### **2008**

2111	The Social Security (Child Maintenance Amendments) Regulations 2008
2265	The Social Fund (Applications and Miscellaneous Provisions) Regulations 2008
2299	The Housing Benefit and Council Tax Benefit (Amendment) Regulations 2008
2365	The Social Security (Miscellaneous Amendments) (No. 3) Regulations 2008
2569	The Social Fund Cold Weather Payments (General) Amendment Regulations 2008
2667	The Social Security (Miscellaneous Amendments) (No. 5) Regulations 2008
2767	The Social Security (Miscellaneous Amendments) (No. 6) Regulations 2008
2783	The Employment and Support Allowance (Transitional Provisions) (Amendment) Regulations 2008
2824	The Housing Benefit and Council Tax Benefit (Amendment) (No. 2) Regulations 2008
2987	The Housing Benefit and Council Tax Benefit (Amendment) (No. 3) Regulations 2008

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3140	The Social Security (Child Benefit Disregard) Regulations 2008
3157	Social Security (Miscellaneous Amendments) (No. 7) Regulations 2008
<b>2009</b>	
362	The Social Security (Habitual Residence) (Amendment) Regulations 2009 – (Urgency used)
471	The Social Security (National Insurance Number Information: Exemption) Regulations 2009
583	The Social Security (Miscellaneous Amendments) Regulations 2009
659	The Social Security (Additional Class 3 National Insurance Contributions) Amendment Regulations 2009
792	The Financial Assistance Scheme and Incapacity Benefit (Miscellaneous Amendments) Regulations 2009
1488	The Social Security (Equalisation of State Pension Age) Regulations 2009
1489	The Social Fund Winter Fuel Payment (Temporary Increase) Regulations 2009
1490	The Social Security (Miscellaneous Amendments) (No. 2) Regulations 2009
1494	The Social Security (Recovery of Benefits) (Lump Sum Payments) (Amendment) Regulations 2009
1541	The Social Security (Incapacity Benefit Work-focused Interviews) (Amendment) Regulations 2009
1575	The Social Security (Students and Miscellaneous Amendments) Regulations 2009
1676	The Social Security (Deemed Income from Capital) Regulations 2009
1848	The Housing Benefit and Council Tax Benefit (Child benefit disregard and child care charges) Regulations 2009

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## Annex D

### *Regulations considered by the Committee other than under the terms of its statutory remit and coming into force in Great Britain since 1 August 2008*

The following is a list of legislation which, although outside the Committee's statutory remit (in most cases because it was made within six months of the coming into force of the relevant Act), was offered for information to the Committee.

**Statutory Instrument Number:**

**2008**

- |      |   |
|------|---|
| 2428 | The Employment and Support Allowance (Miscellaneous Amendments) Regulations 2008              |
| 2928 | Social Security (Incapacity Benefit Work-focused Interviews) Regulations 2008                 |
| 3270 | The Employment and Support Allowance (Up-rating Modification) (Transitional) Regulations 2008 |

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## Annex E

### *Regulations considered by the Committee under the terms of its MoU with HMRC*

#### **2008**

- 2169 Tax Credits (Miscellaneous Amendments) (No. 2) Regulations 2008.
- 3108 The Health In Pregnancy Grant (Entitlement And Amount) Regulations 2008
- 3109 The Health In Pregnancy Grant (Administration) Regulations 2008
- 3151 Tax Credits Act 2002 (Transitional Provisions) Order 2008

#### **2009**

- 697 The Tax Credits (Miscellaneous Amendments) Regulations 2009
- 713 The Health in Pregnancy Grant (Notices, Revisions and Appeals) Regulations 2009
- 751 The Health in Pregnancy Grant (Notices, Revisions and Appeals) (No. 2) Regulations 2009
- 1829 The Working Tax Credit (Entitlement and Maximum Rate) (Amendment) Regulations 2009

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## Annex F

### *Membership of the Committee (as at 31 July 2009)*

**Sir Richard Tilt** joined the Prison Service in 1966 as a graduate entrant, and worked in a variety of prison establishments before governing Bedford and Gartree prisons. From 1990 he worked in Prison Service HQ, first as Head of Industrial Relations, then as Director of Services. In 1994 he was appointed Director of Security, and in the same year he became Director-General. He retired from the Prison Service in 2000. He was an NHS Chair for six years and is the Social Fund Commissioner. In 2007 he was appointed to chair the Independent Complaints Panel for the Portman Group (Alcoholic Drinks Industry Regulation). He is a governor of de Montfort University. He was a Churchill Fellow in 1991 and was knighted in 1999.

**Kwame Akuffo** is Chair of Ealing Racial Equality Council and also Chair of the free law clinic, Community Advice Programme (CAP). He is co-founder of the Equality and Human Rights Centre West London and has been a law teacher since 1982. He is currently a Senior Lecturer at Ealing Law School, Thames Valley University. His research interests and publications are in International Human Rights, Trusts and International and Comparative Law. He is engaged in issues of equality, diversity and cohesion in Ealing where he has also worked for many years in community relations and community legal service delivery. He is a JP and a member of the Family Panel. He served as a member of the Independent Monitoring Board at HMP Wormwood Scrubs until 2004.

**Les Allamby** is Director of Law Centre (NI). He is a solicitor and sociology and social administration graduate. He is a social security adviser involved in advocacy before the Social Security Commissioner, and with taking cases to the ECJ and ECHR on social security issues. He is currently a member of the Legal Services Commission in Northern Ireland and from 2006, was a member of the Legal Services Review Group in Northern Ireland. From 1999-2004 he was the Chairperson of the Standards Committee for Northern Ireland, reporting on the quality of decision making for social security and child support. He has written widely on legal and social policy issues. He has also served as an election monitor and supervisor in Bosnia, Pakistan and Georgia.

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**John M Andrews OBE** is Chairman and founder of the Low Incomes Tax Reform Group (LITRG), a charitable initiative by the Chartered Institute of Taxation to give a voice to the unrepresented in the tax/tax credits systems. LITRG also founded Tax Help for Older People (TOP) which has 650 volunteers giving pro bono tax help to low income pensioners through telephone help and face to face delivery. He has a particular interest in the ways that the DWP and HMRC might work together to provide a better, joined-up service to their most vulnerable customers. He has been involved as a full-time volunteer in the charity sector for the past dozen years and was awarded an OBE in 2003 for his charitable services. In an earlier life he was the national Head of Tax at Coopers & Lybrand (now PricewaterhouseCoopers) and was an author of a number of tax books.

**Simon Bartley** is Chief Executive of UK Skills. He was educated at Durham University where in 1979 he graduated with a BSc in Engineering Science and Management and in 1985 with an MSc in Management Science. Simon is a Chartered and a European Engineer, a Member of both the Institution of Civil Engineers and of CIBSE and is a Fellow of the Institution of Engineering Technology and of the City & Guilds of London Institute. He is the immediate past Chair of Summit Skills, the Sector Skills Council for the Building Services Engineering Sector, a Member of The City & Guilds Council and a Director of the Centre for Enterprise. Simon's other business representations include him being a past Chair of the CBI's Small and Medium Enterprise Council. He currently Chairs both the 14-19 Diploma Steering Group for Construction & the Built Environment and the BSI SME Policy Committee. Simon is Chair of Providence Row Charity, a Charity for the homeless in the East End of London.

**Brigid Campbell OBE** studied Classics before entering the civil service, working mainly with expert advisory committees in the medical field. She subsequently underwent teacher training, spent five years in a Citizens Advice Bureau, and went on to study law and qualify as a solicitor. After a short spell in practice, she joined the teaching staff of The College of Law and became the College's Head of Welfare Law, co-authoring the student textbook used for the Legal Practice course. She was appointed to the Independent Tribunal Service (now The Tribunals Service) in 1995, and sits as a part-time Chair, with particular experience in disability and incapacity appeals. Since retiring from the College of Law in 2000 she has returned to Citizens Advice, where she works mainly in social policy.

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**Angus Erskine** is a freelance research and policy consultant. He has been a lecturer at the Universities of Stirling, Glasgow and Edinburgh and the, then, Sunderland Polytechnic. He has many years of experience working with local area-based anti-poverty initiatives. He is particularly interested in social security delivery in rural areas and the rights of citizens. He was Chair of the Editorial Board of the Journal of Social Policy and Review Editor for the Journal of Social Policy. He has researched and written on social security, employment, social exclusion and poverty and co-edited The Student's Companion to Social Policy and The Dictionary of Social Policy.

**Alison Garnham** is joint-Chief Executive of the Daycare Trust, taking up her position in June 2006. Prior to this, for nine years she was the Director of Policy and Research at One Parent Families. She worked for many years as a welfare rights adviser and for a number of women's organisations before, in 1989, joining the Child Poverty Action Group (CPAG) where she co-authored a number of publications about the Child Support Act. She has subsequently written about lone parenthood and child poverty, including an edition of Poverty: the Facts, published by CPAG. Before joining One Parent Families she was Senior Lecturer in Social Policy at the University of North London (now London Metropolitan University) where was also Honorary Research Fellow. She is a Trustee and Honorary Officer of the End Child Poverty Campaign.

**Carolyn George** is a freelance writer and trainer and has worked in the welfare rights field for nearly 30 years. She has worked in the Citizens' Rights Office at Child Poverty Action Group (CPAG), with Citizen's Advice and with other advice organisations, giving advice both to members of the public and to other advisors. She has been a part-time lecturer in Law at the University of Northumbria (1994-2003), including supervising students in its Student Law Office. She is an experienced advocate and was part of CPAG's legal team. She was a lay member of the Social Security Appeal Tribunal Panel (1984-1999). Carolyn has extensive experience in providing training and information. She is an author of CPAG's Housing Benefit and Council Tax Legislation and the Welfare Benefits and Tax Credits Handbook and has contributed to a large number of other publications.

**Professor Elaine Kempson CBE** is Professor of Personal Finance and Social Policy Research and Director of the Personal Finance Research Centre at the University of Bristol. She is an internationally known and respected authority on consumer financial issues, and has over 25 years' experience in conducting research into various aspects of personal financial services. In recent years, this has included a large body of work on access to financial services and financial inclusion, over-indebtedness, and the need for financial education. Elaine was appointed as the first independent reviewer of the UK Banking Codes in 2002 and was reappointed to review

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the Codes again in 2004. She is a member of the BIS advisory group on over-indebtedness and HM Treasury's Financial Inclusion Taskforce. She is also a non-executive director of the Financial Ombudsman Services and was, until recently, a non-executive director of the Banking Code Standards Board. In 2007 Elaine was awarded a CBE for services to the Financial Services Industry.

**Ms Maureen A Reith** is a social worker with over 19 years' experience. She has provided a social work service over the years to all client groups including childcare, criminal justice and learning disabilities. Since 1995, she has specialised in community care, providing a service to individuals, carers and families affected by disability. One of many roles included working with the Independent Living Fund (ILF) as a Social Work Assessor. Ms Reith is registered with the Scottish Social Services Council (SSSC) and was appointed as a Mental Health Officer in 2003. In 2005, Ms Reith was appointed and continues to serve as a General Member of the Mental Health Tribunal Service for Scotland. Ms Reith's interest in SSAC stemmed from her experience in social work, which provided her with a unique insight into the impacts and effects of social welfare provisions on the public.

**Pat Smail** is a research consultant and partner in Focus Consultancy, undertaking social research and evaluations across the public and charitable sectors. She was a non-executive director of Gwent Healthcare NHS Trust for ten years; she acted as Trust Convenor for Complaints and held special responsibility for children and young people's services. She is a registered social worker and has worked in both Wales and England, primarily in children and family services. She is past Chair of MIND Monmouthshire and retains an interest in mental health policy. Her current research interests include severe child poverty, children and young people's participation in decision-making and community regeneration. She takes a particular interest in equality and diversity issues.

**Professor Janet Walker** is Emeritus Professor of Family Policy and Strategic Research Adviser in the Institute of Health and Society at the University of Newcastle-upon-Tyne. Until 2005 she was director of the Newcastle Centre for Family Studies. She has led over 45 studies in the fields of marriage and divorce, parenting, criminal justice and services for children. She has been an expert consultant to the Council of Europe and a non-executive Director of Newcastle City NHS Trust where she was responsible for dealing with complaints from the public and overseeing services for the elderly. She is Vice-Chair of the Board of Trustees of the Family and Parenting Institute. She is a Fellow of the Royal Society of Arts and of the Academy of Learned Societies for the Social Sciences.

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**Professor Robert Walker** is Professor of Social Policy, University of Oxford and Fellow of Green Templeton College. He has devoted his career to informing policy advance on issues related to social security, poverty and social exclusion in Britain and elsewhere through the assembly and dissemination of evidence and by direct engagement in the policy process. After a spell in the civil service, he worked at the Universities of Kent and York before directing the Centre for Research in Social Policy at Loughborough University and becoming Professor of Social Policy, University of Nottingham. He has undertaken over 60 research projects and published 18 books including 'Social Security and Welfare' (OUP-McGraw-Hill, 2005). He is a Fellow of the Royal Society of Arts.

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## **Annex G**

### ***Financial Statement***

The Committee's expenditure in the financial year ending 31 March 2009 was £457,922. Running costs totalled £200,428 and staffing costs £257,494.

**Social Security Advisory Committee**

internet: [www.ssac.org.uk](http://www.ssac.org.uk)

E-mail: [ssac@dwp.gsi.gov.uk](mailto:ssac@dwp.gsi.gov.uk)

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