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Your ref: Council – Sanctions
01042015

Our ref: POS(2)4053/280

18 June 2015

Dear Dr Wilkins

Thank you for your letter of 12 May to the Secretary of State about benefit sanctions. I am replying as the Minister responsible for this area of the Department's work.

I would also like to thank you for sharing Oldham Council's concerns with me.

You referred to a number of conclusions in a recent report and I will reply to these in the order they have been raised.

The Oldham Poverty Action Group state that the system is complex and that letters are difficult to understand. We continue to make improvements to communications to jobseekers as committed to in the Oakley Review.

The Government has gone further than the scope of the Review and it is reviewing all claimant communications and sanctions processes, not only for those that came under the remit of the Review, but all of those in receipt of Jobseekers Allowance (JSA) and Employment and Support Allowance (ESA).

The group also suggests that sanctions are applied when they should not be. Claimants only face the possibility of sanction when they do not meet the reasonable requirements, taking into account their circumstances and capability, including health conditions, disability and caring responsibilities.

Our most important consideration is getting the correct decision regarding a sanction as soon as possible.

Independent Labour Market Decision Makers fully consider each case taking into account all of the evidence presented in accordance with current legislation or policy to make a fair, balanced and consistent decision.

You also state that 56 per cent of claimants are successful at getting their sanctions overturned. We do not recognise this figure. Where we do impose a sanction we get the majority of our decisions right first time. I can confirm that in Great Britain during 2014, 13.3 per cent of JSA sanction decisions and 23.5 per cent of ESA sanction decisions were overturned at review, mandatory reconsideration or appeal.

When decisions are overturned it is often because the claimant brought forward new evidence that was not made available to the Decision Maker at the time the original decision was made. Where a sanction is applied claimants can ask for an explanation of the decision, ask for it to be reconsidered and can appeal against the decision to an independent tribunal.

We have a number of safeguards in place specifically to protect vulnerable people, ensuring they fully understand what they have been requested to do and the consequences of not doing it. ESA claimants will never face a sanction for not finding work or failing to apply for or take up specific jobs.

There is a well established system of hardship payments, which offers support to claimants who have been sanctioned and can demonstrate they require financial assistance to buy essential items, including food, clothing, heating and accommodation.

In addition to this, as you know, local authorities provide assistance to the most vulnerable people in their communities through local welfare provision, which has received an additional £74 million on top of the £129 million prior allocated funding.

We continue to deploy a comprehensive monitoring regime to check that sanctions are applied appropriately across our network. Where any site is making significantly more or fewer referrals than we would typically expect, their activity is reviewed to ensure sanctions are being applied appropriately.

I am grateful to you for raising these concerns with me and if I can be of further assistance please do not hesitate to contact me.

A handwritten signature in blue ink, appearing to read 'J. S. Singh', with a large, stylized flourish below the name.

Rt Hon Priti Patel MP
Minister for Employment

