

# Report to COUNCIL

# **Welfare Reform Update**

Portfolio Holder: Cllr A Jabbar MBE, Deputy Leader and Cabinet

Member for Finance and Corporate Services

Officer Contact: Anne Ryans, Director of Finance

Report Author(s): Caroline Lee, Head of Revenues, Benefits and

**Business Support** 

**Ext.** 4905

### 6 November 2019

### **Reason for Decision**

This report is for information only and presents a status update on the Government's Welfare Reform programme.

### **Executive Summary**

The Government's Welfare Reform programme continues to have an impact on the residents of Oldham. Most of the Government's cuts to the Welfare budget as part of wider austerity measures have now been implemented. However, Universal Credit is yet to be fully rolled out and 2019/20 sees the fourth consecutive year of the freeze on working age benefits. This report looks at the current position placing particular focus on the impact of the roll out of Universal Credit in the borough.

### Recommendations

That Members note the contents of the report.

Council 6 November 2019

### **Welfare Reform Update**

### 1 **Background**

1.1 The Welfare Reform programme was introduced by the Government as part of its wider austerity agenda which aimed to reduce the budget deficit. The changes also had a policy aim of encouraging incentives to work. There have been several amendments to the social security system since 2011, most of which have now been implemented. However, some, including the phased implementation of Universal Credit and the working age benefit freeze, now in its fourth consecutive year, are still on-going. The Office of Budget Responsibility<sup>1</sup> (OBR) has noted that these policy changes have resulted in expenditure on welfare benefits falling as a share of national income since 2012/13 with this trajectory set to continue.

1.2 This report focusses on the roll out of Universal Credit, which particularly concerns Oldham as one of the early adopter pathfinder authorities for this large-scale welfare benefit change. The report also gives a snapshot of the current position including unemployment levels and the on-going impact of the freeze on working age benefits.

#### 2 **Current Position**

2.1 The Welfare Reform dashboard at Appendix 1 sets out the current position. Alongside a snapshot of the current position detailing the number and location of benefit claimants and unemployment levels in the borough, this also includes details of the support provided by the Council to vulnerable residents including awards of Discretionary Housing Payments (DHPs) to support those experiencing difficulty in covering their housing costs and the issue of food bank vouchers to support those experiencing extreme financial hardship. Deprivation and the associated costs have also been incorporated, including homelessness and the cost of temporary accommodation.

#### 3 **Universal Credit**

- 3.1 Universal Credit (UC) is a single monthly payment which replaces six working age benefits (known as legacy benefits). These are Housing Benefit (HB), Income Support (IS), Working Tax Credits (WTC), Child Tax Credit (CTC), Employment and Support Allowance (Income-related) and Job Seekers Allowance (Income-related) (JSA). UC supports residents on low incomes who are both in and out of work.
- 3.2 Oldham has been a pathfinder for Universal Credit (UC) live service since 2013. The number of residents moving onto UC from 2013 were initially guite low as those eligible to apply for UC were restricted to new claimants and straightforward cases. The roll out of the full service of UC which commenced in Oldham on 26 April 2017, adopted a new entirely online-based system and claimants must apply for and manage their UC claim online. From April 2017, the roll out also gathered pace because it brought in a wider range of claimants, (including those with more complex circumstances), who were signposted to UC when they made a claim for the first time or had a change in circumstances that meant their existing claim had to be cancelled.
- As at August 2019, there were 17,673 UC claimants in Oldham, representing 6.9% of the 3.3 total of UC cases in the whole of the North West. The move to UC affects those claiming for the first time and those currently claiming legacy benefits who have a relevant change in circumstances. This process is known as natural migration. The full-scale transfer of

- cases from legacy benefits to UC is known as managed migration. The date for managed migration has not been set for Oldham but could be as late as 2023.
- 3.4 In July 2019, benefit claimants in Harrogate, North Yorkshire were the first to be transferred to Universal Credit by managed migration under a pilot scheme. Transitional protection is available to those taking part in the pilot to ensure that their existing amount of benefits will not be lower under UC. The initial pilot will last around a year and only once the pilot scheme has been completed and assessed, will claimants be moved over to Universal Credit in greater numbers.
- 3.5 Universal Credit has a conditionality regime which means that claimants must satisfy certain work-related criteria to continue to receive UC. Failure to comply with this conditionality regime can result in claimants being sanctioned and their benefits suspended or cancelled. A breakdown of the conditionality regime categories and the number of claimants falling into each category in Oldham as at August 2019 is set out below:

**Table 1: Conditionality Regime** 

Conditionality Regime	Numbers as at August 2019	Definition				
Preparing for work	1,034	Expected to start preparing for future work even with limited capability for work at the present time or with a child aged 2 This may include attending work focused interviews				
Planning for work	601	Expected to work in the future. Lone parent / lead carer of child aged 1. Attendance at periodic interviews is required to plan for a return to work				
Working no requirements	2,277	Individual or household earnings over the level at which conditionality applies.				
No work requirements	4,538	Not expected to work at present. Health or caring responsibility prevents claimant from working or preparing for work				
Working with requirements	2,605	In work but could earn more or not working but has a partner with low earnings				
Searching for work	6,607	Not working, or with very low earnings. Claimant is required to take action to secure work - or more / better paid work. The Work Coach supports them to plan their work search and preparation activity.				
Unallocated conditionality regime	10	Not yet allocated to a particular conditionality regime				

### **Unemployment and Claimant Levels**

3.6 The Claimant Count is the number of people claiming benefits because they are out of work. Historically, Claimant Count has been used as a good proxy for unemployment levels. However, since the introduction of UC Full Service in Oldham, Claimant Count has ceased to be a good proxy for unemployment, as significantly more benefit claimants are included in the Claimant Count. As such, the Annual Population Survey now presents a clearer picture of true unemployment levels.

- 3.7 Before 2013, the Claimant Count was limited to the number of people claiming Job Seekers Allowance (JSA). Following the introduction of UC, the Claimant Count is now measured as the number of people claiming JSA plus the number of UC claimants who are required to look for work. There has been a marked increase in the Claimant Count following the roll out of UC full service and this is more pronounced in areas like Oldham where UC has been in operation for longer. For example, someone out of work who previously claimed Housing Benefit but not JSA was not required to look for work. Under UC, they are (subject to certain exceptions). Also, partners are required to look for work under UC.
- The number of unemployed people in accordance with the Claimant Count as at August 2019 was 6,985, an increase of 67.5% since the implementation of UC full service in 2017. Oldham's Claimant Count rate currently stands at 4.8% which is higher than both Greater Manchester (GM) (3.9%) and England (2.8%). The Youth Claimant Count as at August 2019 was 1,450, a rise of 47.2% since the implementation of UC full service. The Youth Claimant Count rate remains at 7.3%, which is also higher than both GM (5.2%) and England (3.8%).
- 3.9 Oldham is much further along in terms of the roll out of UC full service which makes comparisons with other areas much more difficult. However other Local Authorities in GM are catching up with every Local Authority in GM, apart from Trafford, having a higher than Oldham annual change in their Claimant Count in August 2019. Even though Rochdale started to roll out UC Full Service a year after Oldham, they are close to matching Oldham's Claimant Count Rate, with Oldham at 4.8% and Rochdale at 4.5% as of August 2019.

**Table 2: Unemployment Statistics** 

Regional Unemployment Statistics (aged 16-64): August 2019

Local Authority	Unemployed	% Unemployed	% Monthly change	% Annual change	Full Service Launch Date	
Bolton	7,680	4.4	3.5	34.4	Nov-18	
Bury	3,955	3.4	2.2	43.3	Jul-18	
Manchester	16,825	4.4 2.4		34.6	Oct-17*	
Oldham	6,985	4.8	3.5	13.3	Apr-17	
Rochdale	6,105	4.5	2.6	45.7	May-18	
Salford	6,705	4.0	3.6	42.8	Sep-18	
Stockport	4,485	2.5	6.0	37.6	Nov-18	
Tameside	5,610	4.0	1.3	20.6	Mar-18	
Trafford	3,540	2.4 2.5		11.3	Jul-17	
Wigan	7,695	3.8	2.0	27.0	Apr-18	
GM	69,590	3.9	2.9	30.9	-	
England	976,125	2.8	2.8	32.0	-	

3.10 The Annual Population Survey (APS) Unemployment Rate<sup>2</sup> shows that unemployment in Oldham has been falling relatively steadily since the peak of the recession (11%), with the

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<sup>&</sup>lt;sup>2</sup> The Annual Population Survey Unemployment rate is the accepted standard unemployment measure as stated by the ILO (International Labour Organisation). This dataset however carries some limitations. For example, it is a quarterly dataset released with a lag of 3-4 months. Secondly, when breaking down the national survey to the Local Authority level, the confidence intervals increase, which decreases the figures reliability. This is why the Claimant Count has

latest rate being 4.8% as of March 2019, which is slightly above both GM (4.4%) and England (4.1%). Oldham's Youth APS Unemployment Rate in March 2019 was 5.6%, which was lower than the GM (8.1%) and England (7.3%) levels.

3.11 It is important to remember than within the Annual Population Survey unemployment data, when breaking down the statistic by age and then by Local Authority, its confidence interval increases significantly which reduces the reliability and accuracy of the data, such as the case with Oldham's Youth APS Unemployment measure.

### **Changes to Universal Credit**

3.12 Early adoption of UC in Oldham has meant that our residents have been 'test and learn' pilot cases for UC and have not benefited in full financially from some of the later adjustments to UC entitlement and regular pausing of roll out of the benefit made by the government across other areas of the country. The changes to the UC system to date include:

**Table 3: Changes to Universal Credit** 

Date	Changes to Universal Credit
Jan 2018	Advance payments were increased from 50% of monthly entitlement paid back over 6 months to 100% paid back over 12 months
Feb 2018	The initial waiting period of 7 days with no entitlement to money at all was abolished
Apr 2018	A 2 week run on of Housing Benefit was introduced for those moving to UC
Apr 2018	Help with housing costs for homeless people in short term temporary accommodation for the homeless was returned to HB from UC. UC was not an appropriate fit for this category of tenancy (For the period April 2017 to January 2018, rent arrears for households in temporary accommodation was over £55,000. This was largely attributable to UC. The total amount for the previous four years combined was £36,000.)
Jan 2019	Those claimants in receipt of a severe disability premium will not move to UC until managed migration
Feb 2019	Removal of the two child limit in UC for those children born before April 2017
Apr 2019	Work allowances in UC increased by £1,000 p.a. for those with children or with a limited capability for work.
May 2019	Introduction of new rules about mixed age couples (i.e. where one partner is a pensioner and the other is under pension age)

### **Mixed Age Couples**

3.13. Previously, mixed age couples (couples where one partner is a pensioner and the other under pension age) have been able to choose to claim either Pension Credit or working age benefits. From 15<sup>th</sup> May 2019, those couples making a new claim are treated as working age couples, so will need to claim Universal Credit.

previously been used as a proxy measure of unemployment. Youth APS is the % of all youth not just those unemployed.

- 3.14 Under Universal Credit, the older partner in a mixed age couple is not subject to work requirements, but as a couple, they can face a much lower income than under the current system.
- 3.15 Age UK (Feb 2019)<sup>3</sup> have estimated Couples could be up to £7,000 worse off per annum as a result of the change. This represents the difference between the standard Universal Credit and Pension Credit rates for couples citing the impact below for a hypothetical couple

### Mixed age couples- the impact of changes for a hypothetical couple

Peter, aged 70, claims State Pension of £143.50 per week. His wife Jean is 62 and recently gave up work to care for her father who has recently died. They own their home. They receive Pension Credit to top up their joint income to £255.25 per week.

The couple are protected if their circumstances remain the same. However, a couple in a similar situation claiming for the first time after 15<sup>th</sup> May 19 would not be entitled to Pension Credit because of Jean's age. Peter's State Pension is too high for them to receive Universal Credit – around £114.80 per week. Their joint income would just be Peter's State Pension of £143.50 per week. If Jean cannot find a job, which may be difficult given her age and time out of the labour market while she was a carer, this will be their income for another 4 years until Jean reaches state retirement age at 66. By this time Peter will be 74.

If Peter was living on his own, he would be able to claim Pension Credit in which case his pension would be topped up to £167.25, considerably more than the Universal Credit standard rate for a couple.

Source: Age Uk Feb 19

- 3.16 The change will also affect mixed age couples who need help to pay their rent. If they were not already entitled to benefit on 14<sup>th</sup> May 2019, they will now have to claim Universal Credit (which can include a housing element) rather than Housing Benefit. This could result in a much lower level of support:
  - In general, allowances under Universal Credit are less generous.
  - Mixed age couples living in social housing with spare bedrooms could have their benefit restricted (due to what is commonly called 'the bedroom tax').
     Before 14 May 2019, this restriction did not apply to pensioners.
- 3.17 If a mixed age couple is receiving either Pension Credit or pension-age Housing Benefit, a claim can be still be made for the other e.g. a couple in receipt of Pension Credit can still apply for Housing Benefit. However, if the couple loses entitlement to one or both of these benefits, the couple will not be able to reapply in the future. Instead they will only have access to Universal Credit. There are no 'linking rules '; so even a break of one day prevents a mixed age couple receiving pensioner benefits again until the youngest reaches Statutory Pension age which could be several years.
- 3.18 Mixed age couples could lose their entitlement to Pension Credit and/or Housing Benefit if, for example:

<sup>&</sup>lt;sup>3</sup> Age UK Feb 2019 Benefit Changes for mixed age couples

- Their income increases for example because one of them takes on a temporary job.
- They are receiving only Housing Benefit and inherit a modest sum which takes their savings to just above £16,000. After drawing on their savings for a few months to pay the rent, their savings fall to below £16,000. However, as it will be a new claim, any application will have to be for Universal Credit.
- They are temporarily abroad for a period of more than 28 days for example to spend time with a relative who is seriously ill.
- They no longer qualify for benefit because they lose an additional amount for example if the carer addition stops because they, or the person they care for, has been in hospital for several weeks or the cared for person dies.
- 3.19 Mixed age couples in receipt of benefit need to be aware of the potential impact of losing entitlement due to a change in circumstances. The impact of taking up employment for mixed age couples already in receipt of Pension Credit and/or Housing Benefit for example, could result in a disincentive to work which is contrary to the Government's aims. Someone in a mixed age couple, e.g. aged 60, will need to think very carefully about taking a job and losing Pension Credit, especially if it is not a permanent well paid job and/or they have health problems so are uncertain if they will be able to work until they reach state pension age at 66.

### **Benefit Freeze**

- 3.20 Over the period April 2016 to April 2020, the government introduced a freeze on 'working age' benefits. This means that benefits are not increased (uprated) during this period regardless of the inflation rate over this period. Therefore, as the consumer price index (CPI) sees the price of an average basket of goods increase per household, benefits will not be adjusted to compensate for this increase, thus leaving particular benefit claimants worse off. We are currently in the 4<sup>th</sup> consecutive year of the benefit freeze.
- 3.21 The benefits affected are the following:
  - Job Seekers Allowance (JSA)
  - Income Support (IS)
  - Employment Support Allowance (ESA)
  - Child Benefit (CB)
  - Applicable amounts for the calculation of housing benefit and local housing allowance rates (HB)
  - Child and working tax credits (C&WTC)
  - Universal Credit (UC)
- 3.22 The number of individuals and households which could be affected by the benefit freeze in Oldham are set out below:

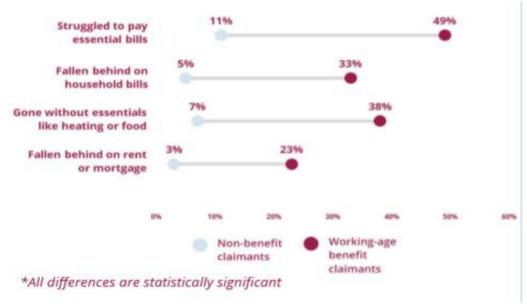
Table 4: Individuals and Households potentially subject to the benefit freeze

Individuals				Households				
Benefit	JSA	IS	ESA	UC	Total	HB	C&WTC	СВ
Count	375	652	8,765	17,673	27,465	7,739	15,400	32,450
Date*	Aug-19	Feb 19	Feb 19	Aug 19		Aug 19	Apr 19	Aug-18

<sup>\*</sup>latest available figures

- 3.23 According to the Institute of Fiscal Studies<sup>4</sup> (IFS) the cumulative effects of the benefit freeze will see households lose an average of £700 to £800. The impact to date on Universal Credit/JSA claimants alone in Oldham could thus be broadly estimated at £9.3m (£750 x 11,953 UC and approximately 500 JSA households). This may be an underestimation. The IFS estimate that the policy will save £1.6bn nationally in April 2019: If this is adjusted pro-rata for Oldham, even taking no account of deprivation, it equates to a loss of £5.6m for that year alone.
- 3.24 In September 2019, Citizens Advice<sup>5</sup> carried out a survey of those claiming frozen benefits since 2016 and found that
  - 49% struggled to meet essential costs such as food and toiletries
  - 23% have fallen behind with rent or mortgage payments
  - 39% have less than £100/month to live on after covering essential costs
  - 29% reported that financial worries had affected their mental health
  - 27% reported that financial worries had left them feeling more isolated and lonely

Table 5: Financial Problems experienced by people claiming frozen working – age Benefits in the last 12 months



(source Citizens Advice Sept 2019)

3.25 In March 2019, the Joseph Rowntree Foundation<sup>6</sup> stated that over the last five years, child poverty has been rising and is set to continue to increase in the coming years. According to the JRF, the benefits freeze is the single biggest policy driver behind rising poverty in the UK. The foundation's estimates suggest that by 2020, the benefit freeze will have increased the number of people in poverty by 400,000 and affected 27 million people, including 11 million children.

The JRF analysis also found:

<sup>&</sup>lt;sup>4</sup> https://www.theguardian.com/commentisfree /2018/oct/19/benefits-cuts-poorest-politics-media-cuts
5 https://www.citizensadvice.org.uk/about-us/policy/policy-research-topics/welfare-policy-research-surveys-and-consultation-responses/welfare-policy-research/achieving-income-security-for-all/

<sup>&</sup>lt;sup>6</sup> https://www.jrf.org.uk/press/end-benefits-freeze-year-boost-incomes-working-families

- 20,000 people have already been pushed into poverty by the first three years of the freeze, around half of them children.
- In real terms, the support that people receive in 2019 will be worth 6.5% less than it would have been if it had risen with inflation, as would normally be the case.
- More than nine in ten single parent families and more than eight out of ten couple parent families would see their incomes rise if the freeze was ended.

### **Coordinated Crisis Support Pilot**

- 3.26 Oldham Council has been successful in being selected, as one of only 4 pilot Local Authorities in the country, to take part in a coordinated crisis support (CCS) pilot in conjunction with The Children's Society. The CCS programme will provide a package of key support and resources, to help the Council to work with the local community and voluntary sector (CVS) to better coordinate emergency support provision paying particular attention to the Council's Local Welfare Provision (LWP) scheme which provides emergency support. This includes:
  - £40k funding per year (for a 2½ year pilot period) that The Children's Society will distribute to local CVS organisations to help enable them to be involved in better coordinating and delivering crisis support in their local area
  - Bespoke mapping of crisis support need and provision within the local area – as part of the programme The Children's Society will produce and share a report highlighting crisis support need and provision locally.
  - Access to programme resources including template data sharing agreements and marketing materials, and a training programme for local staff working on delivery of emergency support.
  - Learning and evaluation support to help the Council and other local organisations to learn about what works well within their area, and what changes could be made to implement further changes – including access to a small "test and learn" programme budget to trial small changes in practice
- 3.27 The pilot will enable the Council to engage more widely across different types of crisis support than at present and bring additional capacity to the local community and voluntary sector to support joined up provision of crisis support across the Borough.
- 3.28 The pilot is timely; the Council views tackling poverty as a political priority and is committed to ensuring that it uses resources in the most efficient way to make the biggest positive impact.

### **Holiday Hunger Scheme**

- 3.29 Children from low income families can access free school meals during term time but this provision is not available during the school holidays. Low income families can also suffer from social isolation during the holidays, as they cannot afford to have family days out or engage in other social activities. Oldham Council's holiday hunger scheme aims to match food provision with holiday enrichment activity. In 2018, the scheme provided holiday enrichment activities and access to free food for a total of 8 weeks across the Summer and Christmas holidays and provided 3,955 meals.
- 3.30 In 2019, the Growing Oldham Feeding Ambition partnership and Oldham Education Partnership have each contributed a further £45k to extend the scheme to cover all 13 weeks of the school holidays. Healthy packed lunches, comprising sandwiches or wraps, a piece of fruit and/or a healthy snack have been prepared, packed and delivered by

Incredible Futures (IF), Oldham using surplus food donated by local retailers. To date, a total of 8,487 meals have been provided, across a range of venues across the borough, focused primarily in areas of need. Emergency food provision will also be included in the Co-ordinating Crisis Support project.

### **Living Wage**

- 3.31 Incomes for low to middle income families are also lower in real terms than they were 15 years ago. The English indices of deprivation 2019 issued in September 2019 shows that Oldham's ranking has declined from 34<sup>th</sup> to 19<sup>th</sup> worst of 317 Local Authorities. Oldham Council is one of the Local Authorities hardest hit in terms of loss of government funding as a result of austerity measures and this limits the Council's ability to reach or impact on as many people as may have been the case in recent years.
- 3.32 However, the Council has made a commitment to seek national accreditation from the Living Wage Foundation with regard to adopting its National Living Wage over a three year timeframe, as confirmed in the paper approved by Cabinet on 28 January 2019. The first stage in 2019/20 has been to ensure that the Council's wholly owned companies are compliant and appropriate budgetary provision is included in budget estimates. The next stage is ensuring other external service providers pay the higher value wages. The Council will work towards this over 2020/21 and 2021/22. It could have significant financial implications, but these are still being worked though. As a result, such costs will emerge and will be featured in reports which present the financial position of the Council.

## 4 Options/Alternatives

4.1 For information only. Members are asked to note the content of the report and provide feedback where needed.

### 5 **Preferred Option**

5.1 Not applicable

### 6 **Consultation**

6.1 No external consultation was undertaken to inform this report.

### 7 Financial Implications

- 7.1 There are currently no financial implications associated with the report in terms of Council investment either revenue or capital. The Finance Service may be involved as the work continues and if potential changes to services or investment in new technologies are needed, then the Finance Service will provide comments as appropriate.
- 7.2 It should also be noted that there is likely to be an ongoing impact to Council services in relation to Welfare Reform. The changes could see an increase in Council Tax and rent arrears and a greater reliance on additional financial support. The Council may also face increased expenditure on homelessness services for young people. Any impact to services will be highlighted in the budget monitoring reports. (Nicola Harrop)

### 8 Legal Services Comments

8.1 Although the Welfare Reform programme is part of the wider central government austerity measures, it is important that the council continue to closely monitor the impact on the

<sup>&</sup>lt;sup>7</sup> https://www.resolutionfoundation.org/app/uploads/2018/07/Living-Standards-Audit-2018-3.pdf

<sup>&</sup>lt;sup>8</sup> https://www.gov.uk/government/statistics/english-indices-of-deprivation-2019

local community. The Council has Equality Act obligations to those vulnerable individuals within the borough and it is possible that The Council could be exposed to legal proceedings as a result of this wider programme. For example groups of people who were in receipt of severe disability premiums in their legacy benefits were negatively effected when migrating to Universal Credit. This resulted in compensation payments from the DWP and a change to Housing benefit regulations but only after some people were badly effected. It is important for the Council to closely monitor any potential challenges such as this. (Alex Bougatef)

### 9. Co-operative Agenda

- 9.1 Welfare reform activity is directly relevant to the achievement of corporate and cooperative objectives, for example through:
  - Reducing dependency on public services 'confident communities where everyone does their bit'
  - Tackling worklessness 'a productive place where business and enterprise thrive'
  - Local Welfare Provision, Discretionary Housing Payments and Council Tax Reduction 'a co-operative council creating responsive and high quality services'.

### 10 Human Resources Comments

- 10.1 There are currently no HR implications, although People Services are leading on the Living Wage Foundation accreditation work. It is worth noting that as 68% of the Council's workforce are Oldham residents, they may be affected by welfare reform timelines which are specific to the borough. (Stewart Hindley)
- 11 Risk Assessments
- 11.1 None
- 12 **IT Implications**
- 12.1 There are no IT implications
- 13 **Property Implications**
- 13.1 There are no property implications
- 14 Procurement Implications
- 14.1 There are no procurement implications
- 15 Environmental and Health & Safety Implications
- 15.1 There are no Environmental and Health & Safety Implications
- 16 Equality, community cohesion and crime implications
- 16.1 None as part of this report
- 17 Equality Impact Assessment Completed?
- 17.1 No
- 18 **Key Decision**

- 18.1 No
- 19 **Key Decision Reference**
- 19.1 N/A
- 20 Background Papers
- 20.1 The following is a list of background papers on which this report is based in accordance with the requirements of Section 100(1) of the Local Government Act 1972. It does not include documents which would disclose exempt or confidential information as defined by the Act

File Ref: The background paper to this report is the 20 March 19

Council Report Welfare Reform Update www.oldham.gov.uk

Officer name Caroline Lee and Muhammad Ali

Officer contact 0161 770 4905/2926

# 21 Appendices

21.1 Appendix 1 Welfare Reform Dashboard – October 2019