



## Scottish Government Debate: Roll-out of Universal Credit -Tuesday 3 October 2017

### SAMH Briefing

SAMH welcomes the opportunity to brief on the Scottish Government debate: Roll-out of Universal Credit. As of August 2017 58,759 people in Scotland are in receipt of Universal Credit (UC).<sup>1</sup> This number will rise substantially as the full service roll out of UC is completed and existing benefit recipients are transferred to UC, including those in receipt of income-related Employment and Support Allowance (ESA). As of February 2017 58% of people in Scotland in receipt of income related ESA had a mental or behavioural disorder.<sup>2</sup> So it's clear that UC is an important benefit for people with mental health problems.

In principle, SAMH supports the aim of UC in simplifying access to social security and supporting people into work. However, we do not believe that this is being achieved in practice. There are some structural problems built into UC in its current form which would need to be resolved before it could achieve its policy aim.

SAMH welcomes the Scottish Government's use of devolved UC flexibilities over frequency of payments of UC (twice monthly) and managed payments to social and private sector landlords. We look forward to these coming into force from October 4<sup>th</sup> 2017.<sup>3</sup>

### SAMH wants to see:

- The UK Government halt the roll out of UC in Scotland until problems are addressed
- The immediate abolition of the unjustified six week waiting period for first payment
- The proposed 'Short Term Assistance' benefit in the Social Security Bill (Scotland) used to pay claimants during this 6 week waiting time, until it can be abolished
- The Scottish Government adequately resource advice and advocacy provision
- The DWP to enable people to manage their claim in a way that suits them, rather than requiring all contact to be digital
- The UK Government end benefit sanctions for people with mental health problems

### Delay in Payment

The six week wait for receipt of the first UC payment is unacceptable. Citizens Advice Scotland reviewed areas where UC has been fully rolled out and found that this, combined with, complications in accessing short term support has contributed to:<sup>4</sup>

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<sup>1</sup> Stat-Xplore Dataset: [People on Universal Credit](#) (Accessed September 2017)

<sup>2</sup> Stat-Xplore Dataset [ESA Cumulative Caseload](#) (accessed September 2017)

<sup>3</sup> Scottish Government [Delivering social security for Scotland's people](#) (19<sup>th</sup> September 2017)

<sup>4</sup> Citizens Advice Scotland [Press Release: CITIZENS ADVICE SCOTLAND CALLS FOR HALT TO UNIVERSAL CREDIT](#) July 2017

- A 15% rise in **rent arrears** issues compared to a national decrease of 2%
- A 87% increase in **Crisis Grant** issues compared to a national increase of 9%
- Two of five bureaux in impacted areas have seen a 40% and a 70% increase in advice about access to food banks advice, compared to a national increase of 3%

SAMH service users have reported similar negative impacts. Service users at our housing support service in Inverclyde reported waits of up to 7 weeks for initial UC payments resulting in rent arrears and the threat of eviction.

- Problems in relation to UC and Jobcentres including :
  - The cost of phone calls for support and advice;
  - a lack of privacy in Jobcentres;
  - a lack of focus on mental health in the UC assessment process;
  - and insufficient advanced payments to cover housing costs.

### **Social Security Bill (Scotland)**

#### ➤ Short term Assistance

We welcome the inclusion of proposals in the Social Security (Scotland) Bill to create a benefit to provide short term assistance. However neither the Policy Memorandum nor the Bill make clear whether eligibility for short term assistance will also include people waiting for determinations, mandatory reconsideration or suffering intentional or unintentional delays in payments of reserved benefits. We believe people in those circumstances should be eligible for short term assistance from the Scottish system to mitigate both the financial and psychological harm that delayed payments can cause. As such we believe short term assistance payments should be used to pay claimants during the six week waiting period for initial UC payments.

#### ➤ Access to Advice and Advocacy

Access to independent advice and advocacy is essential in embedding a human rights approach to social security. The issues discussed above highlight the need for adequately resourced and widely available access to advice and advocacy services. Very worryingly the Scottish Independent Advocacy Alliance (SIAA) latest Advocacy Map shows:<sup>5</sup>

- An increase of 11.5% in the numbers of people they have supported during the 2015/16 year
- A 4% decrease in statutory funding
- A reduction in the numbers of both paid and volunteer advocates

It is vital that the Scottish Government commits to resourcing independent advocacy services to meet need.

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<sup>5</sup> SIAA [A Map of Advocacy across Scotland 2015–2016 edition](#) (2017)

SAMH believes everyone engaging with the Scottish Social Security System should have a legal right to advocacy. The Mental Health (Care and Treatment) (Scotland) Act 2003, which provides that everyone with a mental health problem in Scotland is entitled to advocacy, is a precedent for this.<sup>6</sup>

### Other Issues

#### ➤ Digital by Default

SAMH is deeply concerned by the presumption that people should manage their UC applications and accounts online. A recent UK study found people with mental health problems were still at increased risk of digital exclusion.<sup>7</sup> Many of the people we work with struggle with digital by default approaches. Sometimes this is, because of a lack of confidence with technology but very often it is because they cannot afford the cost of data for a smartphone or travel to a community venue with internet access. The DWP must enable people to manage their claim in a way that suits them.

#### ➤ Sanctions and Conditionality

As of March 2017 there have been 26,955 decisions to apply a sanction to Universal Credit recipients in Scotland.<sup>8</sup> SAMH research [Fit for Purpose](#) highlights the damaging impact of sanctions and the threat of sanctions have had on people with mental health problems.<sup>9</sup>

Figures from the DWP show that benefit sanctions, particularly for ESA, have disproportionately affected the most vulnerable claimants, with 58% of all ESA sanctions in the first six months of 2013 being applied to people with a mental health condition or learning difficulty.<sup>10</sup> While figures are not available on the numbers of people with mental health problems in receipt of UC impacted by sanctions, we are concerned that like ESA they will be disproportionately impacted. We have seen no evidence that sanctions are effective in encouraging people to get back to work, but we have seen and heard of many cases where they leave people desperate and in some situations destitute.

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<sup>6</sup> <http://www.legislation.gov.uk/asp/2003/13/contents>

<sup>7</sup> Gunther Eysenbach, [Do We Still Have a Digital Divide in Mental Health? A Five-Year Survey Follow-up](#), Journal of Medical Internet research 2016 Nov; 18(11): e309.

<sup>8</sup> Stat-Xplore [Dataset: UC Sanctions Decisions - all decisions made](#) (accessed September 2017)

<sup>9</sup> SAMH [Fit For Purpose](#) 2016

<sup>10</sup> UK Government Freedom of Information request 2014-79 March 2014