In this supplementary evidence submission, I want to briefly comment on the oral evidence session from 20th June 2018.  

I would like to address four issues: (i) alternatives to the present system; (ii) claimant commitments, discretion and personalisation; (iii) the public’s view of the fairness of punishing minor non-compliance; and (iv) research on conditionality.

**Alternatives to the present system**

The Committee asked a reasonable question to the first set of witnesses about alternatives to the existing sanctions regime – and I found it disheartening that some witnesses did not give a convincing response. I would like to stress that a different sanctioning system is possible. That is: in most countries, claimants that consistently refuse to undertake activities that they are clearly capable of may receive financial penalties; but the way this system operates is completely different to the way the system works in the UK.

I explain this further in the original submission – but one way of simply explaining this for sick/disabled people is in the difference between the UK’s ‘compliance-based’ system and a ‘demanding’ system like Denmark. In a demanding system, there is intensive assessment and rehabilitation which claimants are obliged to take up; and while the threat of sanctioning exists, actual sanctioning is rare. (Other conditional systems have even lower levels of sanctioning practice and threats, which may well produce equally good or even better employment outcomes, as well as seeming to be regarded as fairer by both the public and expert stakeholders).

**Claimant commitments, discretion and personalisation**

Regarding the Claimant Commitment and discretion more broadly, I would like to stress how badly the current system struggles with judging capacities among people with health conditions and disabilities; too many people are required to do things that they are not capable of, which is neither fair nor effective. The WCA does not judge people’s capacities in any way that is useful to the decisions facing a work coach – yet nor do work coaches have the time or training to be able to make these judgements themselves.  

In making recommendations for a revised Claimant Commitment, the Committee should consider requiring work coaches to take claimants’ at their word in their descriptions of their health-related capacities – because work coaches are simply ill-equipped to over-rule this. (A backup system could be implemented that allowed work coaches to challenge this, but this would require expert adjudication that is currently not available). This would need to be augmented by flags for claimants with limited insight into their condition, or who have other impairment-related reasons may be unwilling to divulge details in a crowded Jobcentre environment.

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2. I explain this further in my 2018 Demos report, *A Better WCA is Possible*.

3. I make more detailed recommendations on a revised system of conditionality in my 2018 Demos report, *A Better WCA is Possible*, as well as the original evidence submission.
The public’s view of the fairness of punishing minor non-compliance

In Q193, Nigel Mills asks directly if claimants should be sanctioned for being late if this is their first offence.

To be clear: **almost no members of the British public support full-benefit sanctions even if disabled claimants sometimes arrive late for their appointments.** The following figure is taken from the survey described more fully in my Demos report:

![Figure 1: The British public’s view of what should happen to a hypothetical wheelchair users benefits in various situations](image)

Source: YouGov survey of 1,973 members of the British public between 28 Feb and 6 March 2017, averaged across a variety of different pen-portraits (“vignettes”); see Geiger 2018 Demos report for details, including results for other types of disability.

Research on conditionality

I wish to support Anna Bird’s request at Q185 for disability flags to be added to Universal Credit – without this, our picture of disability-related sanctioning will be even poorer under Universal Credit than it was under JSA/ESA.

I also wish to draw the Committee’s attention to the recently-published evaluation of the Personalisation Pathfinder pilots.⁴ To my mind, these were one of the most promising pilots that the DWP have undertaken in recent years (looking at the impact of intensive caseworker support with low caseloads, and without conditionality). However, it is disappointing that the published evaluation contains no impact evaluations whatsoever, despite the extensive programme of research associated with the pilot.

*June 2018*