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Baroness Sherlock  
Lord Davies of Brixton  
Lady Bennett  
Lord Allan of Hallam  
House of Lords

16 January 2024

Dear Lady Sherlock, Lord Davies of Brixton, Lady Bennett, and Lord Allan of Hallam,

I refer to the debate in the House of Lords on 30<sup>th</sup> November 2023 initiated by the Bishop of London, on the subject of the removal of free prescriptions for benefit claimants who fail to look for work.

I thank all Noble Lords who took part in the debate and am grateful for their contributions. There were a number of points and questions raised which I was not able to answer on the day. I undertook to write to address the outstanding issues.

On the matter of safeguarding, Baroness Sherlock, and Lord Davies of Brixton raised the importance of supporting and protecting the most vulnerable.

There are protective measures in place throughout the conditionality and sanctions regime. From the moment a claimant engages with the Department's support, their experience and requirements are tailored to their individual circumstances. Those severely ill or disabled people with limited capability for work and limited capability for work-related activity are *not* subject to the conditionality and sanctions regime. Therefore, they are protected from having their claim closed or losing their entitlement to passported benefits which could, but not necessarily end under this measure.

In the House, I detailed the application of good reason, easements and pre-referral quality checks which prevent claimants from being sanctioned when a sanction would be inappropriate. Sanction decisions will continue to be undertaken by a DWP decision maker and measures will be put in place to ensure that any claimant vulnerabilities are taken into consideration before a claimant is sanctioned or a benefit claim is closed.

We recognise that some people may have developed new or additional health conditions or disability over a sanctioned period, which is why we are introducing a new process to protect these claimants. This new process will include procedures that seek to identify any known or new vulnerabilities that may have impacted the claimant since the sanction decision. Any claimant who has a vulnerability will *not* have their claim closed. The design of this is still in development.

Lady Bennett of Manor Castle asked if claimants who are entitled to free prescriptions because of their health conditions will lose access to their free prescriptions. I wish to clarify that this measure will not impact any claimant's entitlement to passported benefits through other means beyond being a UC claimant. Those who are automatically eligible for a prescription charge exemption due to qualifying conditions such as cancer, diabetes mellitus (except where treatment is by diet alone), hypothyroidism and epilepsy can be assured that they will not lose access to their free prescriptions, providing they hold a valid medical exemption certificate.

Anyone may be eligible for the NHS Low Income Scheme, including those with conditions not listed on the medical exemption list, such as asthma and mental health, providing they meet the terms of the scheme. Prescription charges can be capped by purchasing a prescription pre-payment certificate (PPC), which can be paid for in instalments, to allow people to receive all their required prescription medicines for just over £2 per week.

In response to the Lady Sherlock's question on access to other passported benefits: we are reviewing any potential further impacts of this policy on passported benefits as part of our policy development for the claim closure measure and in the development of our new process to protect vulnerable claimants.

I wish to reassure Peers that those who have child, housing or disability elements attached to their claim will not have their claims closed as a result of this measure, so they will continue to be eligible for Free School meals.

Equally, claimants who are pregnant and hold a valid maternity exemption certificate will also be exempt from this measure. A claimant may qualify for Sure Start maternity grant within 11 weeks of the baby's due date or within 6 months after the baby's birth. Claimants are moved into the No Work Related Requirements Regime 11 weeks before the expected due date, becoming exempt from conditionality and sanctions. As such, their claim would not be closed.

As I noted during the debate, those who are impacted by this measure will likely see no material difference as many will not have been eligible for free prescriptions for the majority of months prior to closure due to free prescription eligibility rules requiring a positive award in place. Claimants are entitled to help with health costs, including free prescriptions, dental care and help with travel costs to attend hospital, only if they are in receipt of a monetary award of universal credit that is above zero and if their earnings in their last assessment period were below the income thresholds.

In answer to Lady Sherlock's question on the scale of disengagement and what we know about who is disengaged, ad hoc management information on the number of sanctioned disengaged claimants from April 2019 to August 2023 was released on 12 December 2023. The relevant data tables were published on 21 December 2023. This information is available on Gov.uk at [Sanctioned disengaged claimants management information, April 2019 to August 2023 - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/data-and-data-sets/sanctioned-disengaged-claimants-management-information-april-2019-to-august-2023).

Lord Allan of Hallam and Lady Sherlock rightly raised the importance of understanding who will be affected by the claim closure measure and how they may be impacted. We will undertake a full Impact Assessment, which will include an Equality Impact assessment, before the Primary Legislation for this measure is commenced.

It was clear from our debate that we all share a commitment to ensuring the most vulnerable members of our society are protected, as well as highlighting the importance of the increased support we are providing to those people who are able to work and enabling them to access the advantages that work can provide, both financially and for improving their health.

I hope you find this information helpful. A copy of this letter will be placed in the House of Lords library and sent to all Peers who spoke.

*My best wishes  
James Younger*

**The Viscount Younger of Leckie**

**Parliamentary Under Secretary of State**