



OFFICIAL REPORT
AITHISG OIFIGEIL

Social Security Committee

Thursday 1 November 2018

Session 5



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SOCIAL SECURITY COMMITTEE

21st Meeting 2018, Session 5

CONVENER

*Bob Doris (Glasgow Maryhill and Springburn) (SNP)

DEPUTY CONVENER

*Pauline McNeill (Glasgow) (Lab)

COMMITTEE MEMBERS

*George Adam (Paisley) (SNP)

*Dr Alasdair Allan (Na h-Eileanan an Iar) (SNP)

*Jeremy Balfour (Lothian) (Con)

*Michelle Ballantyne (South Scotland) (Con)

*Mark Griffin (Central Scotland) (Lab)

*Alison Johnstone (Lothian) (Green)

*Shona Robison (Dundee City East) (SNP)

*attended

THE FOLLOWING ALSO PARTICIPATED:

Dave Semple (Public and Commercial Services Union)

Shirley-Anne Somerville (Cabinet Secretary for Social Security and Older People)

CLERK TO THE COMMITTEE

Anne Peat

LOCATION

The Mary Fairfax Somerville Room (CR2)

Scottish Parliament

Social Security Committee

Thursday 1 November 2018

[The Convener opened the meeting at 09:00]

Decision on Taking Business in Private

The Convener (Bob Doris): Good morning, everyone, and welcome to the 21st meeting in 2018 of the Social Security Committee. I remind everyone to turn mobile phones and other such devices to silent mode, so that they do not disrupt the proceedings.

No apologies have been received.

Under agenda item 1, does the committee agree to take item 7, which is consideration of evidence, and item 8, which is on pre-budget scrutiny, in private?

Members indicated agreement.

Subordinate Legislation

First-tier Tribunal for Scotland Social Security Chamber and Upper Tribunal for Scotland (Composition) Regulations 2018 [Draft]

09:01

The Convener: Under agenda item 2 we will take evidence on relaid draft regulations that are subject to affirmative procedure. I welcome Shirley-Anne Somerville, the Cabinet Secretary for Social Security and Older People; Naeem Bhatti, who is the head of complaints, redeterminations and appeals policy at the Scottish Government; and Colin Brown, who is a solicitor at the Scottish Government. I invite the cabinet secretary to make an opening statement, after which we will move on to questions.

The Cabinet Secretary for Social Security and Older People (Shirley-Anne Somerville): Thank you, convener. Following my previous appearance on 4 October to discuss six of the seven sets of regulations that are required to establish the new chamber, I am pleased to be here today to discuss the final set of regulations. The original draft regulations were withdrawn and have been relaid in order to address a concern that was raised by the Delegated Powers and Law Reform Committee.

The tribunal composition regulations will allow the tribunals service to have panels that best meet the needs of the particular cases that it considers. Although the regulations set out that cases will normally be considered by a legal member sitting alone, there are a number of exceptions. For example, for employment injury cases, there will always be two members—a legal member and a medical member—and for disability assistance cases there will always be three members: a legal member, a medical member and a member with disability experience.

The regulations also provide flexibility to vary the composition of tribunal panels where needed. The main example is in relation to the Upper Tribunal. It will allow the president of the Scottish tribunals to decide case by case basis on the most appropriate composition of the tribunal. During consultation, that was highlighted as a key requirement. The provision was revised to address the concerns that were expressed when the regulations were initially laid, on 13 September.

I am, of course, happy to take questions from members.

The Convener: Thank you, cabinet secretary.

Jeremy Balfour (Lothian) (Con): Good morning, cabinet secretary, and thank you for your introduction, which was very helpful.

I seek clarification with regard to regulation 4(4), which states that

“The authority to determine the composition of the First-tier Tribunal”

may be made by

“the Chamber President.”

I welcome your remark that First-tier Tribunals, and particularly disability living allowance and personal independence payment tribunals, will always have three members. If I am wrong, please correct me, but my slight concern in reading the regulations is that, in theory, the chamber president could vary that to just two members, so we might lose the disability person. Is that a possibility—maybe not now, because that is clearly not your intention, but under future Administrations—or will the First-tier Tribunal always have three members for PIP and DLA or attendance allowance cases?

Shirley-Anne Somerville: In the early part of my opening remarks, I discussed what will happen for disability assessment tribunals. The flexibility is around what will happen to top-up benefits. The reason for the flexibility is that we do not have top-ups for reserved benefits at the moment. It is therefore difficult to assess exactly what we would want, so it is important not to be too prescriptive about that. The flexibility exists for those types of benefits, which we do not have yet.

Jeremy Balfour: Just to be absolutely clear, for the record, is there no flexibility to alter the membership of the tribunals that we have at the moment? Is it the case that they will be as you mentioned in your opening statement?

Shirley-Anne Somerville: Yes.

Jeremy Balfour: Thank you.

The Convener: There being no other questions from members, we move to agenda item 3, which is to decide on the motion on the regulations.

Motion moved,

That the Social Security Committee recommends that the First-tier Tribunal for Scotland Social Security Chamber and Upper Tribunal for Scotland (Composition) Regulations 2018 [draft] be approved.—[*Shirley-Anne Somerville*]

Motion agreed to.

The Convener: I thank the cabinet secretary and her officials for joining us.

09:05

Meeting suspended.

09:06

On resuming—

Social Security and In-work Poverty

The Convener: Agenda item 4 is our fourth evidence-taking session in our inquiry into social security and in-work poverty. This week, the focus comes back to universal credit—in particular, the role of the work coach.

I welcome to the meeting Dave Semple, who is the chair of Scotland committee of the Public and Commercial Services Union. With your permission, Mr Semple, we will go straight to questions.

The PCS has a very clear position on universal credit. However, our inquiry is specifically about in-work poverty, and there are a lot of wider issues to consider in that respect. It might therefore be helpful if I read out the pretty clear and strong comments about universal credit that have been made by the PCS's general secretary, Mark Serwotka. He said:

“Universal Credit remains a disaster because it is driven by the Tories' political choice to cut public spending and to denigrate people who rely on social security support. The misery being inflicted by the government's mishandling of this disastrous programme must be stopped and the full roll-out should be suspended immediately.”

I might share those beliefs, but as I have said, our inquiry is about in-work poverty. What are your comments on those pretty strong words from your general secretary in the context of people who are in in-work poverty? If you can tell us what “disaster” and “mishandling” have occurred in relation to in-work poverty, that will allow us to interrogate better the issues that we are covering in our inquiry.

Dave Semple (Public and Commercial Services Union): I—and, I think, our members—agree very strongly with the sentiments that have been expressed by the general secretary. In relation to in-work poverty, we see day and daily the evidence of what is happening with universal credit; indeed, our written submission to the committee includes evidence from members in Dundee and from the three benefits centres in Glasgow of their experience of dealing with people who are very upset and unhappy about the handling of universal credit. By that, I mean all elements of universal credit, including those that cover people who are in work.

For those who are in work, there are cuts coming down the line with the introduction of managed migration. Regardless of what has been said about transitional protection, we still feel that people will lose money through the move to

universal credit from other in-work benefits, such as working tax credits. There is also the potential for a conditionality regime. I worked in a jobcentre when the stricter benefits regime was brought in. We foresee the reintroduction—once we go down the road of introducing in-work claimants into jobcentres on a much greater scale than currently happens—of the sentiments and ideology that were directed at work coaches, who were at that time called personal advisers, which forced them to try to treat claimants as if they were the enemy.

Those are examples of ways in which people who are currently in work and in receipt of working tax credits, or people who might in the future be in receipt of universal credit working tax credit components, will face detriments and problems as a result of how the system is set up currently.

The Convener: One of things that the committee has explored through the inquiry is what is coming down the line in relation to in-work conditionality. At some point in the future, people who do not consider themselves to be part of the benefits system, but who get additional support to help them to get by, including families who are doing a good job, will start to have conversations with their work coach about whether they could work more hours, whether they could earn a higher hourly rate or whether they could take a second job. Work coaches could realistically ask families those questions. If work coaches do not get the answers that they feel they need, there will, in effect, be sanctions imposed on families who do not feel that they are in the benefits system.

How would a work coach know about the local labour market in order to determine whether there are ample jobs in the community? How would a work coach know about transport links and whether it is reasonable for an individual to get to a second job? How would a work coach know about the childcare options in an area in order to make, in effect, a professional value judgment on whether someone who is in work is trying hard enough to progress through their employment? Realistically, how could work coaches do that?

Dave Semple: The current number of work coaches simply would not be able to do that work in any meaningful way. Given the additional footfall of claimants into our jobcentres—the number of jobcentres has been cut over the past couple of years, as the committee will be aware—it would not be sustainable for work coaches to have meaningful conversations, and to raise the kinds of questions that you have mentioned, with people who are in work.

I want to be absolutely clear that I trust the professionalism of my colleagues and union members. Every single person I know who works in a jobcentre desperately wants to help the

people to whom they talk. It is about how the system and the conversations are set up, how the work coaches are trained and what support is available in the local area. We need to be honest and say that there is not a huge amount of support for them.

The randomised control trial—I am sure that the committee has the results—shows clearly that there is no meaningful statistical difference between dragging people into jobcentres and subjecting them to those conversations, and not doing so. The simple answer is that work coaches simply could not do all that work. That is not down to the work coaches' want of trying to support their claimant base; it is down to basic things, such as staffing.

There is also a much more structural element to the issue. If we tell someone that they should find a higher-paying job or increase their hours, we need to be aware of the impact that that will have on that person's life. We are greatly worried that, if we treat people who are in work as the Government has, in the past, treated people who are out of work, we will not be aware of that impact.

The Convener: Can you say a little bit more about the work coaches' workload that is coming down the line? We heard that the average case load, before the roll out of universal credit, is well under 100 cases per work coach, but that the figure is anticipated to go up to about 343. There will be additional demands on the time of work coaches, and there will be a huge increase in the number of their clients.

Dave Semple: I am clear that the number of claimants is less important than what we do with them. Under the previous benefits system, no matter how many people work coaches had in their case load, it would not determine how often people were brought into the jobcentre. There was the basic fortnightly regime, which included signing on and things with which many people will be familiar, but there were other regimes, including bringing in people daily or weekly, or having additional ad hoc appointments. The final number of people at the bottom of the page is less important than the regime to which we subject them. For a case load of 343, if we use anything like the kinds of regimes to which we subject unemployed people and those who are on working-age benefits for sickness and disability, we simply will not be able to cope using the resources that we currently have.

The Convener: The figure of 343 is a projected number, of course. I am assuming—although we should never assume, I suppose—that those 343 people will have to use their online journal as a matter of course. That would mean that one individual work coach would have to monitor

nearly 350 separate online journal accounts to see whether there were any communications from their client base. Is that feasible?

09:15

Dave Semple: We do not think so. As you say, the figure of 343 applies to the work coach. The other side of things concerns benefit processing, and our case managers for universal credit in service centres would also look at those journal entries. Their case load would be somewhere in excess of 900, and the concerns that they would be obliged to pick up would relate to whether a payment was correct and so on. That is simply not manageable.

The Convener: I was not questioning the professionalism of work coaches earlier, but we have to think about what they are asked to do, the number of people they are asked to work with and the demands on their time. We also have to think about the training that we put in place for them. I was told that they have to have pretty good knowledge of the local and regional labour market, the local transport links and the local childcare environment—I could list other things, too. What training do work coaches get to ensure that they are aware of those things?

Dave Semple: All our work coaches get training. You mention transport links. I am fairly confident that, if you go into any jobcentre in Scotland, you will find on the wall a fairly well annotated map of all the local transport links. A lot of the support that you are talking about has to be delivered to people who are out of work anyway, so knowledge of the local labour market is not necessarily a problem, although I would say that there has been a process of deskilling work coaches. We used to have dedicated teams in jobcentres who would regularly go out and liaise with local employers so that they could provide the jobcentre staff with a list of vacancies to be presented to the people they were dealing with. A lot of that work has been reduced in scope or stopped entirely, so that additional support is not there.

I am confident that work coaches will have some knowledge of the local labour market and a good knowledge of the local transport links. However, there are behind-the-scenes things that we used to be able to do for people who are out of work that we can no longer do. Those are the same supports that we would look to provide to people who are currently in work but who may be looking for another job and so on.

The more difficult aspect of the question involves the personal conversations that you referenced. For example, people can have reasons—perhaps involving their families—for

being in the situation that they are in, and they might not find a boss in any other job who would support them in the way that a particular boss has done. Such questions are far too open to interpretation, and whether and when to use the discretion that would potentially be at the fingertips of a work coach are difficult questions, too. We do not think that the training is sufficient in that regard.

I presume that everyone has seen the briefing from the Scottish Parliament information centre, which includes a link to the training modules that are available for work coaches in relation to how they can deal with people who are in work. No one who has seen those modules would argue that they are the be-all and end-all of the training that is required.

The Convener: Do bricks and mortar count? In my local community, we lost Maryhill jobcentre. I have to make an apology in that regard, because I should have been in that jobcentre more often than I was before it was threatened with closure. I found that my constituents had built up positive relationships with work coaches—the dynamic was much more positive than I had anticipated. That jobcentre's closure, which resulted in my constituents going to Springburn, Partick or wherever, seemed to break down the local skills and knowledge-based relationship with the community. Do jobcentre closures impact on that positive relationship between work coaches and those who are claiming benefits in a community?

Dave Semple: To talk about the jobcentre closures is to open up a whole can of worms. A jobcentre's closure imposes additional costs on people who travel to and from jobcentres for appointments. Although those appointments might be mandated by their work coach, they might not be told that they can claim money back for them. You are talking about telling people who are in low-wage work that they must attend a jobcentre, potentially every fortnight. Local jobcentres have closed, and the distances being travelled, and the costs of that travel, have increased.

You also touched on the other side of the issue, which is that local communities build up relationships with jobcentres. The staff at Maryhill moved to my jobcentre, which is Springburn, and we work together very well. They have brought all their skills and so on, and most of the time, those skills are not lost. However, some staff have been forced to leave through the closure programme across the country, so we have lost their skills. If there is no local jobcentre, it is more difficult to maintain relationships with local employers. That is a problem. If your job is to liaise with employers and make a judgment call about whether and when somebody can look for additional work or increase their hours, you need those relationships.

Pauline McNeill (Glasgow) (Lab): I want to ask you about two areas. I have a quick question about work progression and a more substantial question about the transfer of in-work benefits from Her Majesty's Revenue and Customs.

Do you agree that not enough work has been done on work progression? It is a phrase, but it is not the reality—I think you have described some of that. I accept that a work coach is out to help the person they are sitting with, but they could not possibly know all the combinations involved in transferring from one employer to another to get progression. That area of work has been completely underestimated by the scheme's designers.

There is a lack of understanding of employment in relation to work progression. Someone would not want to move from one employer to another, even though they might get more pay, because they would lose all their employment rights. Is that a fair comment?

Dave Semple: Yes, very much so. As you rightly point out, it takes two years of employment for someone to gain the right to go to an employment tribunal if they have been mistreated in certain circumstances, and they would lose that right if they had to change employer.

The lack of understanding of employment rights is a huge problem in Scotland and in the United Kingdom as a whole. In vast swathes of the economy, there are no trade unions that can speak up for, represent and defend workers. That is a real problem. We are playing into a culture of attacking employment rights if we are telling people that, in order to get benefits, they have to give up those rights to move to a different employer.

Pauline McNeill: Do you expect to get guidance in the Department for Work and Pensions handbook on what would happen if someone said that they did not want to go for a job because of concerns that the employer had a bad reputation or because they might lose their employment rights? Do you expect your members to get some advice on how to deal with that?

Dave Semple: You phrased that question in an interesting way. Would I expect them to get some guidance? I want them to get some guidance. I am not able to comment beyond that.

Pauline McNeill: Fair enough.

Let us switch to the transfer of in-work benefits from HMRC to DWP. It strikes me that, in transferring tax credits, child tax credits and so on wholesale from HMRC—which has had its problems, as our constituents would bear out—what we are about to do has been underestimated. The transfer will overload an

already creaking system. What can you tell the committee about the effect of the workload on the ability to make universal credit work? Are people who receive those benefits aware that they will now be accountable to the DWP and that their relationship with HMRC will change to become a relationship with the DWP?

Dave Semple: First, let me draw attention to the remarks of Neil Couling or Alok Sharma—for the life of me, I cannot remember which of them said this—on 18 October when they appeared before the Work and Pensions Committee in the House of Commons. They talked about how people who claim tax credits do not even know that they are on a benefit. I would say that that is true.

What is the scale of the work that we are talking about? We are not just talking about moving work head for head, member of staff for member of staff, from HMRC to the DWP. We are talking about fundamental changes that will vastly increase the amount of work per claimant under the new universal credit system. For example, whereas HMRC would have looked at earnings annually, we now have to look at them monthly. The volume of work has gone up dramatically, and that is before we get to the question of conditionality, bringing people into jobcentres or regularly phoning them from service centres.

On top of that, as Mr Doris pointed out, we also have the journals. Coaches will have to regularly check what people are putting into their journals and whether they are being used.

Pauline McNeill: I do not know whether you have a view on this, but given all the problems with trying to make universal credit work and the underfunding, one of the things that you could do to get on with the job would be to leave those benefits where they are—with HMRC—because the system is working well. It is not working perfectly, but it is working well.

Dave Semple: That is what I was going to say. The managed migration process presents all kinds of problems. At this stage, we are not in favour of managed migration. We think that the roll-out of universal credit should be halted in all its forms, because there are too many problems to continue putting additional burden on what is, as you said, an already creaking system. At the very least, the roll-out should be paused, if not halted altogether.

Dr Alasdair Allan (Na h-Eileanan an Iar) (SNP): Could you comment on the preparations for the digital first approach? I will choose my words carefully; I am not making a luddite point. How realistic is digital first, given that you will have to interact with people who do not have the facilities, the confidence or even the internet connection to enable them to engage with that

approach? How realistic is the roll-out? Will it work?

Dave Semple: To be blunt about it, the short answer is no.

I will try to explain the situation from the perspective of somebody who has been trying to negotiate with the DWP as one of the lead PCS negotiators on universal credit within the DWP. The constant problem that we face is that we receive too many phone calls to the service centres—people rely on having telephone contact with the service centres because the digital service is not fit for purpose. It is certainly not fit for everyone—it is not fit for people who have problems accessing the internet or who have literacy difficulties and so forth. Those people call the service centres, but the centres are not staffed for that, because the system has been designed to be a digital first system. It has been designed in such a way as to get people to go online, to make claims online, to use the journal online and so forth. It has not been designed to meet claimants' real needs.

Therefore, the digital model breaks down at the first hurdle. Because there are not enough staff, phone calls are going unanswered. A huge volume of phone calls are missed by the department because of the lack of staffing. Things are left to sit for long periods of time, which drives more phone calls, as people call in to check up rather than use the journals, because they have no confidence in the journals. That means that our staff cannot use digital channels to communicate with claimants, which forces things back to the analogue model. If staff are not regularly checking journal entries—and they are not—the people who put those things online think that they ought to make contact by phone or by walking into a jobcentre. The digital model is extremely dysfunctional at the moment, because of how few staff we have to implement it and because claimants' needs have not been fully taken into account.

During my previous appearance before the committee, I spoke about a paper that the DWP produced in 2011, in which it identified that claimants want to be able to communicate with it through all the available channels. They want to be able to have a face-to-face conversation with someone or to be able to have a conversation over the phone, and a proportion of them want to communicate digitally. That is why, when we worked with ministers to build the new Scottish social security system, having that multiplicity of channels was central to what we were trying to do.

The digital system is not fit for purpose; it is highly dysfunctional.

Dr Allan: It is very concerning to hear that. You mentioned examples of people who do not take the digital route. You said that calls can go unanswered because there are not enough staff to deal with them. Typically, what is happening to those cases? How long are people waiting to get a meaningful response?

Dave Semple: The answer is, "As long as a piece of string." Someone can get a response relatively quickly or they can wait for a long period of time. The problem is that the DWP does not accurately calculate what we would call failure demand—the calls that claimants make whenever we do not do something that we should have done within the timescale that we should have done it in. I cannot give you a figure and say, "This conclusively proves how long people are having to wait," but I can tell you about the experience of my members who take those calls.

Last week, I conducted car park meetings for staff in the Walsall and Wolverhampton service centres. As anyone with a trade union background will know, car park meetings are the first step towards industrial action. Members voted unanimously for industrial action because of the pressure that they are under with regard to workload. A significant part of that pressure comes from the number of people who are phoning in, bitterly unhappy with the service that they have received from the DWP.

09:30

Alison Johnstone (Lothian) (Green): Thank you very much for your evidence so far this morning. To be honest, though, the more I am hearing, the more concerned I am becoming.

Given that in-work conditionality has never been tried anywhere in the world, finding out what works—and, indeed, whether it works—must be a major challenge. In your submission, you say:

"One estimate suggests that to support in-work claimants through the Jobcentre network, footfall across Jobcentres would have to increase by 325,000 per week."

At the same time, we are losing staff and jobcentres. What level of investment, additional training and other changes will be required to ensure that people are properly supported?

Dave Semple: The current demand from the PCS is for 20,000 additional staff. Last week, we submitted an additional demand for 5,000 universal credit staff, not in the jobcentres, but in the service centres alone. If we bear it in mind that at the moment there are about 12,000 staff in the UC centres, you can see the scale of the increase that we are talking about in order to make the system workable.

There are, on top of that, any number of suggestions that we can make for improving the system. According to the figures, the DWP has lost in the region of 40,000 staff since 2010—a massive cut in the number of people supporting claimants. For that reason, the amount of unclaimed benefit has gone through the roof. There are all kinds of additional ways in which we could and should support people if we had the staff. Our demand for 5,000 additional staff on top of the 12,000 existing staff illustrates the scale of the increase that we are talking about.

The very clear view of the union and our members is that there should be a jobcentre in every locality in the country. The process that we have been going through for years now of closing down jobcentres and retreating from communities is not, we feel, sustainable. If we are to have genuinely meaningful conversations about supporting people back into work and supporting them while they are in work, we need to rebuild the jobcentre network.

People must be able to see the jobcentre as a face they can turn to when they need advice or support. However, that would require a system that did not involve sanctions. The greatest barrier to trust between the people who access the benefits system and those who deliver it is that the former are forever fearful that the people to whom they speak will recommend that their benefits be taken from them.

Alison Johnstone: So, when staff try to develop a relationship, there is an undercurrent of concern, if not fear.

The other thing, of course, is that sanctions and conditionality have until now been associated with not being in work. Not only is that quite a shift for those who receive benefits, it is quite a challenge for your staff. To what extent are management and ministers listening? After all, there seems to be such a huge gap in respect of the numbers of staff and jobcentres that are required. It is obvious that the situation will increase the incidence of people not claiming benefits, which is very concerning. Are UK Government ministers listening?

Dave Semple: We do not feel that they are listening. Evidence of that can be seen in the transcript of the committee meeting of 18 October that I referred to earlier. It was put to Neil Couling, the director general of the universal credit programme, that the problem that I have outlined about phone calls was driving service difficulties, and his answer was to provide statistics showing that the average length of a phone call to the DWP is about seven minutes—the last figure that I heard, as a trade union negotiator, was seven minutes and 43 seconds—and that on average individual members of staff were taking in the region of 60 calls a week. That is the highest

estimate that I have seen. However, we do not feel that those figures are accurate. When we reported them directly to our members in service centres, they openly laughed; that is the derision with which they treat those statistics.

The pressure is just beyond belief, but nobody is listening. We do not feel that the director general has been listening, and ministers certainly do not seem to be listening. However, I will say that, despite the fact that they are not listening or co-operating in getting us to the point at which we and DWP staff who are members of the union think we need to be, they have paused or at least delayed managed migration. They obviously recognise that something is going wrong somewhere.

Alison Johnstone: What level of preparation has there been for managed migration?

Dave Semple: I think that my hesitation says it all: there has not been a great deal of preparation. We are already dealing with small numbers of claimants who will be dealt with under managed migration, and the putting in place of some training for work coaches has begun. However, the reality is that the DWP cannot really, until it knows what it is going to do with a lot of the people who are transferred, make the necessary preparations. The biggest debate at the moment is whether people will be subject to light-touch voluntary approaches or to a conditionality regime that has sanctions very much at its centre. The answer to that will determine what preparations will be necessary. However, the honest answer on behalf of the members of my union is that there has not been a great deal of preparation.

Alison Johnstone: Can I ask one more very quick question, convener?

The Convener: Yes.

Alison Johnstone: Who will decide whether there is to be a light-touch voluntary approach or a more robust approach?

Dave Semple: I presume that it will be the secretary of state who decides that.

The Convener: I am happy for members to ask more questions. A lot of members want in, but we are doing well for time, because members have been quite restrained in the length of their questions. I just ask members to show a wee bit of patience when they have to wait before they get in.

Michelle Ballantyne (South Scotland) (Con): I want to follow up on a number of things that Mr Semple has talked about. First, on the answer that you just gave to Alison Johnstone about who makes the decisions, how much autonomy do you believe work coaches have in their relationship with claimants—in decision making on how often

they need to see claimants and the regime that they put in place? You said that the secretary of state makes that decision but clearly, operationally on the ground, different things go on in different jobcentres.

Dave Semple: The amount of autonomy varies very much from place to place and situation to situation. You seem, however, to be rejecting the idea that the secretary of state would make such a wide-ranging decision that would impact on the number of times claimants come into jobcentres each week.

Michelle Ballantyne: I am not rejecting the idea; I am asking how much autonomy people on the ground have.

Dave Semple: Decisions are made at national Government level that determine whether people have to come in weekly, for example, and that takes away flexibility from work coaches. Work coaches have some flexibility in some circumstances, but not in all circumstances. For example, for a while, in the region of one third of all claimant case loads were being brought in every single day—that was the aspiration. At central level, it had been decided that that was the best way to support people and give them the extra oomph to get them back into work. That very much removes flexibility for work coaches and reduces their ability to make judgments about the barriers that people face to getting back into work.

To be honest, because the in-work side is so new and there are so few people in that group prior to the managed migration kicking off, most of the evidence that we are working with is about people who are out of work and who are claimants of jobseekers allowance or employment and support allowance, or the UC versions of those two benefits. Flexibility exists sometimes, but it can be, and has been, taken away on other occasions. I cannot tell you in advance what will be the case for the people coming in from working tax credits.

Michelle Ballantyne: You have talked about the size of case loads. With what percentage of the case load will there be routine contact? Obviously, the vast majority of people who are on working tax credits or child tax credits have no contact, other than the initial application. Do you foresee that that will change?

Dave Semple: Again, I cannot give you a clear and definitive answer to that. However, the intention seems to be, from ground level, that that will change and there will be much more contact with those people. The DWP began to gather an evidence base with its randomised controlled trial involving 15,000 claimants. That brought people into jobcentres—some fortnightly and others eight-weekly. The decisions that are made nationally will

impact on how often people are seen. Potentially, that could impact on everyone who is being moved across to universal credit, and it will certainly impact on everyone who makes a new claim to the universal credit versions of working tax credit and childcare tax credit.

Michelle Ballantyne: You talked about the changes and people's expectations and fears as they go into the new system, and you talked about the restrictive nature of the digital platform. However, my experience, from working with clients before I became a politician, was that jobcentres were pretty unapproachable—people were met by a security guard at the door—and were quite horrific places. In the past year, I have seen a massive change. Now, there is not a security guard standing at the door and people can speak to someone, whereas previously it was almost impossible to get somebody to talk to.

Your members have told me that the environment is now much better and more welcoming. Do you recognise that description, or do you feel that that is not the case?

Dave Semple: I will say that if you are aware of a jobcentre that one can walk into without passing a security guard at the front door, I would like the name of it, because that is a breach of the department's risk assessments.

Do not get me wrong: there are many changes that we would like to make to jobcentres, even with regard to how previous benefits were managed. However, I would say that, overall, the changes to how jobcentres are run have been negative. Jobcentres have been deprived of resources to support people. To give a basic example, we used to have phones that claimants could use to call employers, or if they had queries about payments, officials in the benefits system and so on. The removal of that resource has driven the problem underground, in a way. People are not coming to the jobcentre for that purpose anymore; they are either not getting the help that they need or they are going to third sector organisations for that help.

What you say about the changed atmosphere in jobcentres is not necessarily wrong, but I am not sure that that is for the best reasons.

Michelle Ballantyne: That is interesting. Thank you.

Mark Griffin (Central Scotland) (Lab): On the role of work coaches, the Office for Budget Responsibility says:

“DWP expects a lot of the modestly paid work coaches it is recruiting in terms of tailoring interventions to the needs of individuals and families in the context of local labour markets, setting conditions and monitoring compliance with them.”

The OBR's view is that the DWP "expects a lot" from work coaches; my view is that it is probably expecting too much of them. Do you agree? If so, what would you say is the impact on claimants?

Dave Semple: I agree with the statement from the OBR, and would underline the "modestly paid" part. As you are all aware, the civil service as a whole has faced the most stringent pay restraint of any area in the public sector.

If you look at how other parts of the world approach the job that our work coaches do, you will see that it is a degree-level job that is exceptionally well paid and is about tailoring support to individuals to a great degree, with staff having access to a battery of additional training and learning for the claimants. That is simply not the case for our work coaches, who have a limited toolbox of things that they can use in supporting claimants.

I speak with reference to things that have happened and are happening currently, because I believe that they give us a good marker for what will happen in the future. However, the DWP would say that, where that limited toolbox falls short, the problem is not with lack of provision by the DWP but with the claimants themselves, who must be appropriately referred to sanctions. That is where the emphasis has been.

Mark Griffin: So your view is that, because the DWP is expecting too much of and is putting too much on to its work coaches, that is leading to claimants being sanctioned unnecessarily, payments being missed, payments being incorrectly made, and people being pushed into real hardship.

09:45

Dave Semple: Yes—but it is not just about the work coaches. The hardship payments and legacy benefits have better response rates within 24 hours than universal credit has. That is how much extra pressure is being put on for people who come in for things such as hardship payments. The pressure is terrible.

To begin with, it is about workload, but it is also about the level to which we expect our work coaches to intervene in the lives of their claimants, and the degree to which we are prepared to trust claimants to manage their own affairs. It seems that the tendency is towards increased and more intrusive intervention rather than towards not intervening. That is a massive burden to put on work coaches, who are given departmental training. If you speak to any member of the DWP's staff, they will tell you what they think of departmental training. We are not talking about people who are professionally qualified in the way that, for example, social workers are, to intervene

in the lives of their clients. If the DWP is going to persist with the approach, we absolutely want much better training—accredited training. We do not mean by that the cut-price apprenticeships that the DWP occasionally tries to roll out; we mean serious training that will help people to support their claimants.

Mark Griffin: I had a question about work coaches' levels of qualification, training and pay, but you have covered it well already.

Is the discretion that work coaches have applied consistently? My local unemployed workers centre has come to me with concerns that claimants turn up at its door with stories about different information being given and different conditions being applied in seemingly very similar situations. What is your view on how consistently work coaches apply their discretion?

Dave Semple: I hear the same stories that you hear. The union and I work very closely with Disabled People Against Cuts and other organisations that represent our claimants. They would be very up front in telling the same kind of stories of inconsistency and things depending very much on which work coach is talked to. However, we only ever hear one side of any individual story. We do not hear the work coach saying, "This is why I did that." We hear the claimant saying, "This is why it was unfair," but we never hear both. Therefore, I do not tend to make judgments about such cases.

If we are serious about a system that supports people, the discretion should relate to what support to provide and not to how we can take people's benefits off them. It is not about whether certain types of discretion are applied consistently; it is about what power we really want work coaches to have and what powers will enable them to do what they are there to do, which is to support claimants. That is what they want to do. You mentioned discretion. That means giving work coaches the power to vary appointment times so that they can have half an hour instead of 10 minutes with a claimant, and it means additional work that they can do to overcome barriers to work and to in-work progression. It also means that the resource needs to be found somewhere else to deal with people who are not seen by the work coach because the work coach has had one half-hour appointment with somebody who really needed it rather than three 10-minute appointments with three people.

Questions about how we prioritise and allocate resources and whether we have enough resources have a huge impact on how and when discretion is used and on the final experience of people who use the service.

Mark Griffin: My final question is about your earlier comments about the switch from annual income assessment to monthly income assessment. That is causing problems for people who are paid on a four-weekly basis, get two payments in December, and essentially lose all universal credit entitlement at Christmas time. What is your view on that and can you suggest any solutions to the DWP?

Dave Semple: Obviously, the view is that it is terrible that people will lose benefit to which they would be entitled if we took an average view of their earnings rather than looking at a four-weekly period. Looking at a four-weekly period potentially means that two wage-earning days fall within the same month that we use to calculate universal credit eligibility. An easy fix would be to change the system of regarding those two as falling within the same eligibility month and to smooth out the process and the earnings. There is plenty of precedent for that in the legacy benefits. Decision makers on JSA and ESA are benefit processing staff and not front-line work coaches. They deal with decisions in the back-of-house areas, and part of their job has been to look at earnings over a broader period and make a decision about whether that is commensurate with continuing entitlement to benefit. We have done it before and not taken such a short view in relation to eligibility requirements, so why should we be unable to do that with universal credit?

Shona Robison (Dundee City East) (SNP): I want to go back to a couple of things that you have said. You talked about your recognition of the complexity of the managed migration of those on in-work benefits, and the delays. What is your understanding of the revised timeframe? Have you been in discussions about it?

Dave Semple: The first time the union was—I will put this word in air quotes—“consulted” about the timeframe was when it was leaked to the press that the timeframe was being kicked back from the beginning of 2019 to the middle of 2019 and the end date was being pushed back to, I think, the end of 2023. There have been no serious discussions whatsoever about that process with the representatives of staff.

Shona Robison: Essentially, you found out through the public domain that there might be a delay of six months. It was originally supposed to be December, was it not?

Dave Semple: That is right.

Shona Robison: I will move on to the other thing that I wanted to ask you about. I accept that this is a policy decision and I understand that regulations are being drafted at the moment, but has the PCS been involved in and consulted on what the transitional protections should look like?

The principle is that the income of people who migrate across should be protected. Has the PCS been consulted?

Dave Semple: No. That is in stark contrast to the Scottish ministers’ approach to the regulations on the new social security agency. They have been very open and have consulted us at a policy level about what we believe the regulations should and should not contain, whereas the Westminster Government’s approach to the matter has included no consultation with us whatsoever.

Shona Robison: A couple of concerns have been raised in evidence and I am particularly concerned about what the transitional protection regulations will look like. For example, a woman who is in an abusive relationship may be concerned that, if she leaves that relationship, she will lose the transitional protection because of the change of circumstances. Does the PCS share the concern about that scenario? Will you make representations on that in trying to influence the regulations?

Dave Semple: The union does not want a single person to lose a single penny of their benefit as a result of being forced to move from working tax credits to universal credit. We do not believe that, in such situations, it would be helpful for any change of circumstances to involve such a major change to the person’s benefit. We share all the concerns that have been raised about how far transitional protections will apply and the changes of circumstance that will result in the end of transitional protections.

We have put stuff in the public domain on that. We are working to prepare additional submissions to UC management, but also to the secretary of state, and we have been working with the shadow secretary of state in relation to her concerns about universal credit.

Shona Robison: It would be really helpful if you could share with the committee any of those submissions that are for public consumption.

Dave Semple: I am more than happy to do that.

Jeremy Balfour: The advantage of going almost last, I suspect, is that most of the questions have been dealt with, but I want to go back to one issue. Because of the controversy around the subject, I have gone out of my way to visit a number of jobcentres in my region and I have had helpful discussions with both the DWP and a lot of your members. I got the opportunity on three or four occasions in different places to walk around and speak to your members without anyone else listening, and I have to say that what they reported to me was very different from what you have said to me this morning. They have been a lot more positive, and they have welcomed much of the discretion that they have been given. They feel

that they have had the training and that they have the support. Clearly, you are trying to represent what your members are saying, and the people to whom I have spoken are, of course, only a small cross-section, but how is the take that I am getting from your members on the ground so different from what you have said today?

Dave Semple: I honestly would not like to hazard a guess as to why people have told you different things from what they have told our reps up and down the country. What you have to remember is that I am not here after speaking to members at only one or even half a dozen jobcentres; the union's view is shaped by the reps who are elected by the members of every single jobcentre in the country, the regular reports that they deliver to the elected executive of the union and the policy that is passed as a result of those views at the union's annual conference.

It might well be that the individuals to whom you have spoken have the views that you have described. This is a conversation that I occasionally have with DWP management; a manager will tell me, "Well, I spoke to staff just the other day, and they said that everything's fine," and then those same staff are out in the car park the following week, protesting about the state of affairs. It is just one of those things.

Jeremy Balfour: Are you getting back from your local reps any positive reports or comments that members might be making, or is negativity all that you are getting back in those reports?

Dave Semple: I do not think that it is fair to say that everything we receive is negative. The last time we carried out a big survey of our members in the DWP, 500 people, I think, made comments and voted on the different options that were set out. The vast majority were negative, but there were people who thought that positive things were happening as a result of UC. With regard to what you said about discretion and so forth, I am sure that there are people who have those views, but I think that they are very much the minority.

The Convener: Let me check a couple of things, Mr Semple. Is it the PCS position or your position that tax credits should not be part of universal credit but should remain a stand-alone benefit—or, I should say, entitlement, if it is part of universal credit?

Dave Semple: I do not think that we have a particular position in the way that you have laid out. You have to remember that, in some cases, the amounts that are being allocated to different people who move across to universal credit are better. Some people get more money under universal credit than they get under the legacy benefit—in other words, tax credits. Obviously, we want people to have as much money as possible.

The question whether tax credits should exist just as they are or whether they should be moved to universal credit is therefore not a straightforward one, because we want elements of both systems. We want people to have increased allowances where applicable but, on the other hand, we do not want them to be subject to the kinds of cuts that will be implemented for many under universal credit.

We want the roll-out to be halted to give us time to sit down and puzzle out who will and will not be better off, how we ensure that nobody loses a single penny and so on. Regardless of what a benefit is called, the issue is the purpose that it serves and the amount of money that the people who need it are getting. We want to maximise that, whatever we call the system.

The Convener: That was very clear. I also seek clarity with regard to those claiming universal credit who might face in-work conditionality or sanctions. That brings us back to our conversation about people increasing their hours or getting a higher hourly rate and potentially having money taken off them if they do not do that. As I think you have made clear, if there are enough staff on the workforce and if they get the right support, they can give good-quality support to individuals. However, should there be any sanctions for in-work claimants? Does the existence of sanctions at all create an area of conflict in respect of the support that your members can offer those who want work progression? In short, what is the PCS position on sanctions, specifically with regard to in-work entitlements under universal credit?

10:00

Dave Semple: Our view of sanctions is not limited to in-work sanctions. Sanctions are ineffective, and they should be abolished. That applies to in-work conditionality and potential for sanctions. We are clear that sanctions are a blunt instrument that do not have the effect that the Government believes they have of encouraging people to apply for jobs. All they do is put up additional barriers to finding work for the unemployed. If they are applied to people who are in work, all they will do is create additional barriers to the kind of progression that we want.

The Convener: They also destroy relationships between people and coaches.

Dave Semple: Very much so.

The Convener: You mentioned stopping the roll-out of universal credit until we work out how it can be done effectively. Are we trying to work that out? Is the UK Government or the DWP pushing back full roll-out and are they still not really sure about how to make it work? When you say "we", do you mean that the PCS could assist the DWP

in finding solutions to all the issues that have been thrown up by universal credit? Have you been offered that opportunity?

Dave Semple: For clarity, whenever I say “we”, I am always referring to the PCS and the workers in the DWP who are represented by my union. I would not presume to speak for the DWP.

We have not been afforded any opportunity to get involved in what would be called up here the co-production of universal credit. We would like to be involved, obviously, but we are going to be working on proposals to iron out a lot of the problems that people are facing.

The Convener: Is that a clear offer to the DWP that, if it halts all this now, the PCS will sit down with the UK Government and find a way of making universal credit work that does not put undue pressure on staff and cause detriment to the public whom you serve?

Dave Semple: Yes.

The Convener: That is pretty clear.

Alison Johnstone: You expressed concerns about so-called managed migration and your key concern was that the transition might not proceed automatically, so claimants will be written to and they will have to get in touch with the DWP.

Dave Semple: Yes.

Alison Johnstone: What will happen if a letter gets lost or a claimant simply cannot understand what is being asked of them, for whatever reason? Will they just end up with no money?

Dave Semple: We do not have an answer to those questions. We are obviously concerned about them. We are also concerned about whether, if we are writing to people to tell them that they have to apply for the new benefit and they change their address during the application process, for example, that will count as a change of circumstances and remove their transitional protections.

I think that it was Alok Sharma who said at the Work and Pensions Committee that migration will not just happen over the period of a month but will run over a longer period of time. How long is a longer period of time and what will the DWP do to get in contact with people?

We used to have what were called pensions local services—now DWP visiting—that we could have sent out to meet people and chase them up to make sure that they were making the transition. The resources that were available to those teams have been cut to the bone and we do not have that kind of availability any more. What resources are being put in to make sure that no one falls through the cracks? Somewhere in the programme that is responsible for universal credit,

it will be worked out what percentage of people it is thought will not make the transition. That information has not been shared with us, but I have seen it for other changes to legacy benefits from back in the day and consultations that we have had in the past. I cannot imagine that it does not exist for universal credit and I would be interested to see what percentage of people is estimated will fall through the cracks.

Pauline McNeill: It will be a real shock. I realised only a few days ago that those who have been in receipt of tax credits will have to make a fresh application. That is shocking. Someone who has been working full-time 35 hours a week, who has three children, and who gets tax credits is doing what they are supposed to do by working hard and having a better standard of living because of tax credits. The figure for that percentage of people will be pretty high because, if I was unaware of the situation until recently, people out there are almost certainly unaware. They will not understand why they are getting such a letter.

Arguably, someone might have been in receipt of tax credits for 10 years—actually, that is not true; they might have been in receipt of tax credits since their introduction, which I think was in around 2011. That is a long time. Suddenly, they will get a letter in the post telling them that they must make a fresh claim to the DWP, with which they will have had no relationship up to that point. I expect that you would agree that that is a total disaster for people in that position.

Dave Semple: I absolutely would. There is the question of which phone number will be put on that letter to deal with the millions of calls that we will get from panicked people who face the ending of their tax credits claim.

The Convener: It might be worth exploring that a bit further. We have not spoken about the fact that, generically, universal credit is designed to have, at the very least, a five-week time lag before anyone receives any cash that they are entitled to. That consists of one week of processing and a four-week time lag, and that is if everything goes to schedule; we know that some individuals have had to wait for eight or nine weeks. Will that five-week gap also exist for those people who will move from the tax credits system to universal credit? Will they, too, have to wait for five weeks?

Dave Semple: I cannot answer that question, because I do not think that the draft regulations will be laid until next week. Only then will we find out what the planned process is. If you would like my best guess, I cannot imagine that there will be a five-week lag before eligibility kicks in. I imagine that an effort will be made to ensure that one system runs into the other. In saying that, I might be expressing a lot of confidence in the DWP.

The Convener: We can get clarity on PCS's position, which is that the transfer should not happen at all until it can happen seamlessly. There should be no gap.

Dave Semple: That is absolutely right.

The Convener: That is pretty clear.

We have a bit of time left. I could ask questions all day, but lots of members have questions.

Shona Robison: You might not be able to answer this, because you have not had sight of the regulations. It is probably a question that we should ask the DWP. Has an assumption been made that a certain percentage of people will not apply? It would be interesting to know whether that has been built into the DWP's budgets. If someone falls through the cracks and eventually makes a retrospective application, is it your understanding that it would be backdated to the point at which they left the tax credits system? I do not know what the common practice has been. We have not been through an identical change, so it might be new territory. What do you expect will happen if, six months down the line, someone realises that they need to make an application?

Dave Semple: My understanding is the same as yours, which is that I do not yet know the answer to the question. We want to make sure that as many people as possible will be able to make retrospective claims, if that becomes necessary.

You mentioned standard practice. The standard practice for legacy benefits is that, in general, people can backdate a claim by three months from the date on which they make it. That seemed reasonable for legacy benefits, but given the magnitude of the change that we are talking about and all the concerns that people will have about universal credit, it would probably be reasonable to have a period in excess of that.

Shona Robison: Will a dedicated unit be established to deal with all the inquiries that people will make? You talked about the volume of phone calls that will be made once people get the letters that Pauline McNeill mentioned. Is it PCS's understanding that there will be a dedicated team to deal with that?

Dave Semple: At the moment, UC telephony is managed through something called integrated telephony, which involves geographical call routing. Whenever someone makes a claim and gives the DWP their telephone number, it is able to allocate them to a case manager on the processing side of the DWP. When someone calls the DWP from that number, they are automatically allocated to their designated case manager; in other words, they are meant to have a personal

relationship with someone who regularly picks up their calls.

At the moment, the system does not work perfectly; in fact, it does not really work at all. If someone cannot reach their case manager, the call goes to their team, and if the team cannot be reached, it goes to the whole service centre. If it cannot be taken by anyone in the service centre because they are all on calls, it goes to a national telephony hub.

The impact of the kind of calls that you are talking about is unquantified at this stage. The DWP has not given us figures on how many calls it estimates will be taken. I imagine that the discussion that has been had so far is that roll-out will be very limited until 2020 and will then move at pace. We had the same conversation when UC full service began to roll out and took over from the predecessor, UC live service. However, the roll-out at pace of universal credit full service was a catastrophe. The delays that Mr Doris outlined were a common experience during the UC full service roll-out. Staff were genuinely angry that they did not have the wherewithal or the time to help the people who called in in such a desperate state of affairs. We have no reason to believe that the impact of the managed migration will be anything shy of exactly the kind of thing that happened during the roll-out of UC full service.

Shona Robison: Do you know whether recipients of tax credits have been contacted in any way to alert them to what was going to happen in December, until the delay? Are you aware of any contact being made?

Dave Semple: I am not aware of any contact.

Michelle Ballantyne: Am I correct in saying that you represent approximately two thirds of DWP staff?

Dave Semple: That is about right.

Michelle Ballantyne: Of the 12,000 who currently service universal credit, is the percentage about the same?

Dave Semple: It is probably a bit higher, as we tend to have higher density in sites such as universal credit centres.

Michelle Ballantyne: You said that you had 500 responses to your most recent survey. Is that the normal level of response to surveys?

Dave Semple: Yes. We do relatively regular surveys among different groups of members, and a substantial number—usually mid to high three figures—respond to those.

Michelle Ballantyne: You have talked about the level of concern and the outcry. If that level is so high, I wonder why you did not get a much

bigger response to the survey and why your members do not want you to know about it.

Dave Semple: It is not that they do not want us to know about it; people are already very busy, and it does not occur to everybody to use their 15-minute break to respond to a union survey rather than have an actual break. However, when we held the car park meetings in Walsall and Wolverhampton, well in excess of 50 per cent of the staff at those sites turned out and took a unanimous vote in favour of industrial action on the basis of the concerns that I have outlined today. I am in no doubt whatsoever about the mandate that I have from members to speak up about those concerns.

Michelle Ballantyne: Do you expect to go on strike in the near future?

Dave Semple: I honestly cannot comment. The DWP has agreed to urgent negotiations on Monday, and we will go from there.

The Convener: I certainly hope that those negotiations will be real, relevant and productive and that the threat of industrial action is lifted. I appreciate the frustration that your members must feel. You have said that the number of jobs in the service has been reduced by 30,000 or so over the past decade at a time when staff are being asked to do much more. You have put your concerns about that on the record pretty clearly today.

You also said—I am paraphrasing, so I hope that I am capturing it accurately—that the service has to be more public facing in communities, and you compared it to the roll-out of the new Scottish social security agency, which is trying to achieve a mix of communication with claimants. For some, it will be by telephone, for others it will be face to face and for some it will be digital. I have just had a look at information on the Scottish social security agency and found that it hopes to have a hub in every community by making use of existing public buildings.

That takes me to the nub of my question. If there were more staff in the DWP to support universal credit and deal with the workload, would you want them to go into the remaining jobcentres and do more of the same to ease that workload, or is there a need for significant service redesign? We are talking about a digital-by-default approach for claimants. Laptops and broadband exist, so there could be co-located hubs at the heart of communities where work coach teams can go for part of the week to support claimants constructively. That is one version of a service redesign model that might mirror the work that the Scottish social security agency is doing.

Clearly, PCS does not like what is happening. It thinks that staff are overworked and need better

support and that that is having an impact on claimants. However, is getting more people to do the same work the answer, or is there a need for a more significant service redesign?

10:15

Dave Semple: The members at our conference have expressed concerns repeatedly about the concepts that you have outlined, such as co-location and the impact on the services that we deliver. There have been battles over many years to ensure that our jobcentres have the space to be able to deal with fairly confidential conversations without the person next to them overhearing them. The jobcentres are built to a certain specification. They are not perfect but, as a first step, we want the staff in them to be able to deliver the necessary support. That means having many additional staff, which is key. We can then design what we want a wholly revised social security system to look like.

It is fair to say that members in the DWP up and down the country believe that the social security system needs to be overhauled. We would not impose too many preconditions on that, but the basic preconditions are that we defend the terms and conditions of the staff, defend the things that the claimants find to be beneficial and defend a quality public service. One of the problems with co-location is that we often talk about co-locating with private sector organisations that—not to put it too bluntly—bid for work from the DWP. That work is then taken away from existing DWP staff, and private companies do not deliver the work to the same standard as is achieved by civil servants in the DWP.

The Convener: I take on board those concerns. In case I set a hare running with my question, I should say for the record that I was thinking of public sector and third sector organisations such as Skills Development Scotland and Citizens Advice Scotland. You have been pretty clear that any overhaul of the service would need to protect, at the outset, the terms and conditions of the people whom you represent.

As members have no further questions, is there anything that you would like to put on the record before we move to the next item on the agenda?

Dave Semple: Thank for the opportunity to make a final comment. We have covered most of the points that I came here to make. The key themes are the undervaluation of the work coaches, the potential infliction of sanctions on people who will be in receipt of in-work universal credit and the impact of anything other than a light-touch regime. I want to underscore the staffing problems. As well as the poor preparation for bad policies that are being implemented from

above, at the root of all our conversations is the point that we do not have the staff that we need to deliver the quality service that every DWP member of staff desperately wants to be able to deliver. If we were given those staff, we would begin to see a substantial change in the public perception of the benefits system, particularly if that was allied to the elimination of the sanctions regime.

The Convener: Thank you very much for your time, Mr Semple.

Scottish Government Consultation

Draft Social Security Assistance (Investigation of Offences) (Scotland) Regulations 2018

Draft Code of Practice for Investigations

10:19

The Convener: We come to agenda item 5. I refer members to paper 3, which is a note by the clerk. The committee sought written views to inform any response that it might make to the Scottish Government's consultation on the draft regulations and code of practice. The committee's only response was from Inclusion Scotland, which will respond directly to the Scottish Government's consultation. Is the committee content to note the points that were made by Inclusion Scotland?

Alison Johnstone: Inclusion Scotland has said:

"We believe that this would make it impossible for Third Sector Agencies, and their employees, who provide services to their clients on a confidential basis to continue to offer such services on that basis in the future."

I appreciate that Inclusion Scotland will respond directly to the Scottish Government's consultation, but I would be grateful if the committee would consider writing to the minister, noting that the Government should expect that response. Inclusion Scotland represents a great many people and clearly has some concern about the matter.

The Convener: That is a reasonable suggestion. I do not see anyone disagreeing with it. Thank you for making that suggestion, Alison.

On that basis, are we content with the approach that has been outlined?

Members *indicated agreement.*

Public Petition

Welfare Cuts (Mitigation) (PE1677)

10:20

The Convener: Item 6 on the agenda is PE1677, which calls on the Scottish Government to make more money available to mitigate welfare cuts through reassessing spending priorities and bringing in more progressive taxation. I refer members to paper 5 and the petition from Dr Sarah Glynn.

In the light of the evidence that has been taken by this committee, the correspondence from the Scottish Government to the Public Petitions Committee and the fact that the Social Security (Scotland) Act 2018 makes provision for new forms of assistance and uprating, the committee is invited to close the petition.

If we wish to close the petition, we might wish to acknowledge that policy and expenditure considerations such as those raised in the petition are embedded in the work of this committee. That should give the petitioner confidence that her concerns form part of our day-to-day concerns. We might also note that the committee will soon consider a pre-budget letter to the Cabinet Secretary for Finance, Economy and Fair Work, which will give us an opportunity, should we wish to take it, to raise with him the petitioner's concerns in the context of the forthcoming budget.

Following those assurances to the petitioner, does anyone have any comments?

Mark Griffin: I think that the proposal to close the petition is slightly premature, particularly because we are yet to consider and agree the letter that we are going to send to the cabinet secretary. We should at least wait until we have agreed what the contents of that letter will be, and we should ideally wait until we hear oral evidence from the cabinet secretary during the budget process.

Shona Robison: Dr Glynn has spoken to me on a number of occasions about these and other issues. There is a process or timing issue here, and I have some sympathy with the suggestion that it might be helpful to consider the petition in the light of discussions about the budget. I do not have strong views either way, but there might be a logical order there. Dr Glynn appears to be asking for the welfare fund to be expanded—that is certainly what she raised when she spoke to me—and we will discuss that matter in the context of the budget letter.

Alison Johnstone: We are the lead committee on the issue, and I agree that there is an issue of

timing. Dr Glynn represents a strong coalition of those who want the Parliament to do all that it can to ensure that people's lives are worth living. I would like us to wait until we have discussed the letter and, perhaps, heard from the cabinet secretary, and until matters have progressed, so that the petitioner and her colleagues will feel that the Scottish Parliament has urged the Scottish Government to do all that it can in that regard.

The Convener: I do not see anyone disagreeing with the proposal that we hold the petition open until we have addressed our own budget scrutiny approach.

It is worth putting it on the record that, day to day and week to week, this committee will look at the connectivity between the UK social security system and the Scottish social security system, the protections that are in place and how the arrangements impact people on the ground. We want to give the petitioner the assurance that the point that the petition makes has not been lost on us, that it will be part of our regular work and that, in the future, it will not take a petition to ensure that it is embedded in the committee's working practices.

Given that the issue is one of timing, do we agree to keep the petition open?

Members indicated agreement.

The Convener: We move to agenda item 7, which we have previously agreed to take in private.

10:25

Meeting continued in private until 11:16.

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