



UK Mission to the
United Nations
in Geneva

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Note No 231

The Permanent Mission of the United Kingdom of Great Britain and Northern Ireland presents its compliments to the United Nations Special Rapporteur on the right to an adequate standard of housing as a component of the right to an adequate standard of living and on the right to non-discrimination in this context; the Special Rapporteur on the rights of persons with disabilities; the Special Rapporteur on extreme poverty and human rights, and the Special Rapporteur on the right to food and has the honour to transit the response of the United Kingdom to the letter from the Special Rapporteurs dated 8 April 2016 concerning the Welfare Reform and Work Act.

The Permanent Mission of the United Kingdom avails itself of this opportunity to renew to the Special Rapporteurs the assurances of its highest consideration.

14 July 2016



Special Rapporteur on the right to an adequate standard of housing as a component of the right to an adequate standard of living and on the right to non-discrimination in this context

Special Rapporteur on the rights of persons with disabilities

Special Rapporteur on extreme poverty and human rights

Special Rapporteur on the right to food

Office of the High Commissioner for Human Rights

Information in response to letter of 8 April 2016 from UN Special Rapporteurs concerning the Welfare Reform and Work Act

The UK Government reiterates our strong support for the work of the UN Human Rights Council, the UN Treaty Bodies and the Special Rapporteur mandate holders. The UK Government has a long standing commitment to supporting human rights and we continue to play a leading role on this issue.

In your letter, you raise several issues with regards to the Welfare Reform and Work Act (“the Act”), which was enacted on the 16 March 2016. The Act is part of the UK Government’s commitment to transforming the life chances of the most disadvantaged in our country, ensuring a sustainable welfare system, and builds on the important welfare reforms we have made since 2010. Our approach is working – the UK economy is forecast to be the second-fastest growing G7 economy this year and employment is at a record rate of 74.2%. The Act helps to move Britain from a low-wage, high-tax, high-welfare society to a higher-wage, lower-tax, lower-welfare economy. Our objective is to ensure that work always pays more than a life on benefits; that support is focused on the most vulnerable; and crucially, that the system is fair to those who pay for it, as well as those who benefit from it.

The UK Government believes that any assessment and monitoring of the impacts of the reforms should be considered in the context of the wider policies set out in the 2015 Autumn Statement and subsequently updated in the recent Budget. These include our introduction of the National Living Wage, extending childcare for working parents and increases to the Personal Tax Allowance. Moreover, it is important to take into account the dynamic effects of these policy changes, which are designed to ensure that people are always better off in work and do not become trapped on welfare. The UK Government published its six impact assessments of all the welfare policies in the Act on the 20 July 2015 on the Parliament website and the memorandum to the Joint Committee on Human Rights on 8 September 2015.

Your letter raises the benefit cap. The benefit cap is about incentivising work, and thereby transforming families’ life chances – consistent evidence across a number of reports indicates that the current cap is working. Capped households are 41% more likely to go into work than similar uncapped households. Our analysis has found that the greater the amount of benefit that is capped, the greater the proportion of those moving into work. Since its introduction, around 52,800 households that were previously capped are no longer capped. Of those, 41% have gone into work, 11% are no longer claiming housing benefit and 10% have reduced their housing benefit.

We want to continue the success of our reforms to help reduce welfare dependency and make sure that work is always the best route out of poverty. That is why we are reducing the benefit cap now to £20,000, except for London where the cap will be £23,000, to better align the levels with the circumstances of hard working families across the country: around 4 in 10 households in London earn less than £23,000, while 4 in 10 outside London earn less than £20,000.

In order to protect the most vulnerable, households are exempt from the benefit cap if someone is in receipt of certain benefits. For example, households in which a member is entitled to an extra-costs disability benefit, such as Disability Living

Allowance (DLA) or Personal Independence Payment (PIP), are exempt from the cap. New exemptions for households entitled to Carer's Allowance, carer-related costs in Universal Credit, and Guardian's Allowance are also being brought forward in the Autumn. In addition, Housing Benefit paid to households in Supported Accommodation is also disregarded from the benefit cap. In order to incentivise work, households which include a member who is entitled to Working Tax Credit or in receipt of Universal Credit and earns £430 or more a month are also exempt from the cap. For cases where claimants need further financial support, Local Authorities can provide additional support through Discretionary Housing Payments (DHP). The UK Government will provide £870 million funding for the DHP scheme over the next 5 years. £40 million of DHPs have been allocated to the benefit cap for 2016/17 – a £15 million increase since last year.

Your letter raises the benefits up-rating freeze. Between 2008 and 2015, Average Weekly Earnings have risen by 12%, whereas the rates of most working-age out-of-work benefits, such as Jobseeker's Allowance (JSA), have risen by 21%. It is not fair that the amount people receive on benefits should increase by a faster rate than the amount working people receive from employment. The freeze will help reverse this trend, helping earnings to grow faster than benefits.

This is also an important part of the Government's welfare reforms that, together with the freeze of Local Housing Allowance rates in Housing Benefit, contribute £3.5 billion of savings per year by 2019-20. These savings are a necessary part of the Government's economic plan to restore the nation's finances. Our approach provides the appropriate balance between incentivising work for those who can move closer to the labour market, while protecting benefits in order to protect the most vulnerable. That is why we have made many important exemptions to the freeze, including DLA, PIP, disability premiums in JSA, Employment and Support Allowance (ESA), Income Support and Housing Benefit, Attendance Allowance, the support group component in ESA, the Limited Capability for Work and Work-Related Activity amounts in Universal Credit, the disability elements of working tax credit and the disabled and severely disabled child elements of Child Tax Credit.

Your letter raises the changes to ESA. This Government recognises that the gap between the employment rates of disabled people and non-disabled people remains too large. That is why we are committed to halving it, as set out in this Government's election manifesto. Most people with disabilities and health conditions want to work, including the majority of ESA claimants (61% of the work-related activity group) and there is a large body of evidence showing that work is generally good for physical and mental wellbeing. The work-related activity component was originally designed to act as an incentive to encourage people to participate in work-related activity and therefore return to work more quickly.

The recent record employment levels have benefitted many but have yet to reach those on ESA. It is important to remember that whilst 1 in 5 JSA claimants move off benefit every month, only 1 in 100 of ESA work-related activity group claimants does so. In addition to providing financial security for individuals, work often has a profound effect on people's life chances and it is right that this Government does everything it can to provide better support to get people into work. The work-related activity component, which was originally designed to act as an incentive to

encourage people to participate in work-related activity and therefore return to work more quickly, isn't working as intended and is failing claimants. This change will ensure people have the right support and incentives to move towards work, and enables us to recycle money that will make a significant difference to the life chances of those in the work-related activity group. This new funding will be worth £60 million in 2017/18 rising to £100 million in 2020/21 and will support those with limited capability for work to move towards and into suitable employment.

Your letter raises the issue of changes to the measures of child poverty. The Government has set out during the passage of the Act its new approach to tackling poverty and transforming the life chances of the most disadvantaged children and families. The Government is committed to tackling the root causes – not the symptoms – of poverty. Our new Life Chances Strategy will include a set of measures that will drive action on the underlying causes of child poverty, such as children in workless households, children's educational attainment, family breakdown, problem debt, and drug and alcohol addiction. It will be an opportunity to say more about how deep rooted social problems can be tackled to help transform children's lives so they can realise their full potential.

This Government has already made real progress on action which affects children's life chances. The number of children living in workless households is at a record low. Around 450,000 fewer children are living in workless households compared with 2010. There is the highest employment rate on record with 2.5 million more people in work since 2010. These figures show that this Government's approach – growing the economy, creating jobs, and ensuring that work will pay – has transformed the lives of some of the most vulnerable in our society. By focussing on the root causes of poverty, the Life Chances Strategy will continue to drive action in areas that affect children's outcomes.

The Government is also committed to improving social mobility. Provisions in the Act therefore reformed the Social Mobility and Child Poverty Commission to become the 'Social Mobility Commission'. This will enable it to have a single-minded focus on social mobility. The reformed Commission will publish an annual report setting out its views on progress made towards improving social mobility in the UK. It will also have a new duty to promote social mobility in England, enabling it to engage a range of partners to help make a real difference.

Your letter asks about the consultation on the measures in the Act. As per the usual Parliamentary process, the Public Bill Committee took 6 oral evidence sessions with a range of stakeholders representing interested groups, which are recorded in the parliamentary record. Furthermore, an open call for evidence was held with 86 pieces of evidence submitted and considered over the course of 8 months of Parliamentary scrutiny and 26 Parliamentary sessions.

Your letter asks a question with regard to the rate of suicide amongst people with disabilities. Suicide is a tragic issue which the UK Government takes very seriously. There are complex reasons why someone would commit suicide and we believe it is too simplistic to attribute this to a single reason. Whilst any death is extremely distressing for the family, no causal link whatsoever can be made between the likelihood of dying and the fact someone is claiming benefits.

Your letter also asks a question with regard to food banks. There are a number of complex and overlapping reasons why people use food banks, such as an immediate, acute financial crisis – whether a family bereavement, relationship breakdown or job loss. The UK Government have given Jobcentre Plus advisers the ability to signpost people who need help to a range of local support including food banks. Furthermore, where people need it, we provide a strong safety net through the welfare system for those who need extra support. The UK Government believes the solution is to build a strong economy, get people into work, and ensure that they have a higher wage and take home more of that wage.

Finally, your letter suggests that the UK Government is failing to meet its “minimum core obligations” under the International Covenant on Economic, Social and Cultural Rights. We strongly dispute this and maintain that we continue to have in place a strong safety net, with around £90 billion a year spent on working-age benefits to support those in need. Furthermore, spending to support people with disabilities and health conditions will be higher in real terms in every year to 2020 than in 2010, and spending on main disability benefits actually went up by £3 billion in real terms between 2010 and 2015. We continue to spend around £50 billion every year on benefits to support people with disabilities or health conditions and this represents over 6 per cent of all Government spending.

We hope this information is helpful in clarifying the UK Government’s position.