

Report from EATA consultation meeting on DWP Welfare Reform Green Paper “No one written off: reforming welfare to reward responsibility”

On Tuesday 23 September 2008, EATA organised a consultation meeting with EATA members to discuss the implications of the proposals contained within the Welfare Reform Green Paper, No one written off: reforming welfare to reward responsibility, which was launched by the Department for Work and Pensions (DWP) in July. EATA intends to incorporate comments discussed during the meeting as part of our formal submission to the department on the proposals. We are also carrying out an email consultation to offer members who were unable to attend the meeting the chance to contribute to this submission. The submission will be published on the website at www.eata.org.uk/policy after it has been sent to DWP as part of the consultation which ends on 22 October.

A key role of EATA is working on behalf of its members with government departments and other agencies. By representing the interest of its members on working groups and at consultation events, EATA continually raises the concerns and needs of the independent sector. We also engage our members so that they contribute to the impact we make on policy and practice. For more information about our policy activities, please contact Rachel Clarke (Tel: 18002 020 7553 9583 or email rachelclarke@eata.org.uk)

- Part 1 DWP presentation**
- Part 2 EATA presentation**
- Part 3 Comments from the floor (summary)**

Part 1 DWP presentation

Consulting on a new regime for problem drug users

Changes to the Welfare System

- DWP Consultation “No one written off: reforming welfare to reward responsibility” is taking place between 21 July and 22 October 2008.
- Green Paper proposes a benefit system that rewards responsibility. It aims to ensure that opportunity is available to everyone and to end the current injustice whereby too many people are written off on benefits and excluded from help to get back to work.

Introducing a new regime for problem drug users

- Consultation includes a proposal to introduce a new regime for problem drug users in order to break the cycle of dependency
- This builds on the commitments made in the drug strategy – “Drugs: protecting families and communities” which was published in February

Why introduce a new regime for problem drug users?

- The social and economic costs of drug misuse is unacceptably high
- Estimates are that there are 240,000 people in England who are in receipt of out of work benefits and dependent on opiates or crack cocaine
- This is around $\frac{3}{4}$ of the estimated total number of people who are dependent on these drugs.

What is the proposal?

The proposal has a number of elements

- Appoint drug co-ordinators in Jobcentre Plus by April 2009, as proposed in the recent Health Inequalities Strategy (funded by Dept of Health)
- Identifying problem drug users when they first make a claim for benefit by making some changes to the benefit claim process.
- Exploring options to share data with the Police, Courts and Prisons to ensure that people who have been referred to treatment by the criminal justice agencies and who are claiming benefits are identified.
- Referring problem drug users to a drug treatment provider.

What happens then?

- If treatment is appropriate then the problem drug user will agree a rehabilitation plan. (By April next year, drug co-ordinator in Jobcentre Plus will refer problem drug users to treatment.)
- This plan would set out the steps that they will need to take to stabilise their drug dependency, move towards recovery, tackle the problems they face and get into work.
- The plan would provide an integrated approach to supporting problem drug users.

What support will the problem drug user be offered?

- One of the measures that is being considered is the introduction of a "Treatment Allowance" to replace normal benefit payments while problem drug users stabilise in treatment. This could be time-limited and once stable the individual would be paid benefit in line with Jobseekers Allowance or Employment Support Allowance
- This approach will build on the current Progress2Work programme which provides specialist support for recovering drug users to help them overcome the range of barriers they face including – housing, debt and skills needs.

What happens if someone didn't co-operate?

- In return for this access to drug treatment and specialist employment support, there would be obligations on the individuals to take it up
- Failure to adhere to rehabilitation plan would potentially result in a benefit sanction
- Approach would take account of the range of barriers that many drug dependent claimants face (often including chronic health conditions).

What is the public being asked?

Two specific questions on the new drugs regime

- Do you agree with the proposed approach for identifying drug use? How should it be implemented? Do you think that everyone claiming a working age benefit should be required to make a declaration of whether or not they use certain specified drugs?

- What elements should an integrated system of drug treatment and employment support include? Do you agree that a rehabilitation plan would help recovering drug users to manage their condition and move towards employment?

How do people take part in the consultation?

- Visit: www.dwp.gov.uk/noonewrittenoff
- Email: welfare.reform@dwp.gsi.gov.uk
- Tel: 020 7712 2316
- Post: Welfare Reform Team, Room 249, Level 2, Department for Work and Pensions, The Aldephi, 1-11 John Adams Street, London, WC2N 6HT

Part 2 EATA presentation

This presentation aims to...

Outline the questions being asked during the consultation process
 Highlight possible areas of concerns as a starting point for discussion
 Ensure delegates have the opportunity to have their say on the proposals

Do you agree with the proposed approach to identifying drug use?

Issues that the floor might like to consider...

- Practical implications about sharing information effectively and staff development so that claimants identified get access to appropriate treatment
- Data protection if sharing confidential information on claimants between prisons, probation services and the police

How should this proposed approach be implemented?

Issues that the floor might like to consider...

- Those identified run the risk of benefit sanctions if they fail to attend treatment
- Motivation is more effective than coercion into treatment

Do you think everyone claiming a working-age benefit should be required to make a declaration of whether or not they use certain specified drugs?

Issues that the floor might like to consider...

- Proposal to penalise those who don't declare
- Threat of benefit sanctions or proceedings because of 'overpayments'
- Reluctance to declare might stem from fear, shame or even a lack of trust, and stigma attached to drug use.

What elements should an integrated system of drug treatment and employment support include?

Issues that the floor might like to consider...

- Awareness of stigma and marginalisation experienced by people in drug treatment on a daily basis (employment, housing, community life)
- Address concerns of employers about employing those with criminal records/history associated with drug use

- Failure to access and “take up” drug treatment and specialist employment support (with good cause) could result in a possible benefit sanction.

Any other concerns?

- Quicker processing of benefit claims (including transfers) while undergoing treatment
- Treatment Allowance – positive development which might generate greater flexibility for claimants
- Media focus on “benefit sanctions” alarmed service users and caused anxiety. Prior co-operation with service providers needed before publication to disseminate information to those who need to know?

Part 3 Comments from the floor

Do you agree with the proposed approach for identifying drug use?

Concerns were raised about the following issues

- It is positive to note that the DWP is determined to identify more claimants who could benefit from access to treatment.
- Proposals in this paper have been limited to a section of those that could benefit from being identified and referred to treatment – crack or heroin. Other behaviours seem to be put on hold (even if only temporarily) despite concerns about other types of substance misuse, i.e. alcohol. There were comments that the proposals should be more inclusive.

How should it be implemented?

- It is positive that the DWP is keen to develop closer working relationships between drug services and Jobcentre Plus, particularly through the appointment of drug co-ordinators. However, more clarity is needed on the roles of the drug co-ordinators who will do the bulk of work in identifying those who could benefit from access to treatment.
- More clarity is needed on how this process will be carried out (other than the declaration of use policy – see below) and to address particular issues. For example, how will “drug use” be measured? What is “problematic drug use”?
- Some concerns were also raised about clients that have a history of lapsing/relapsing. More information is needed on how this behaviour will be recognised, managed and incorporated into the proposed approach.
- It appears that following all these unanswered questions, pilots need to be carried out and lessons learned from these pilots before rolling out the proposed approach throughout the country.

Do you think that everyone claiming a working age benefit should be required to make a declaration of whether or not they use certain specified drugs?

- This proposal attracted a lot of comments in opposition to its implementation with one treatment provider explaining that a specific declaration is unnecessarily as finding out what drugs a client is using is part of their assessment.
- Additionally, the sanctions that could result are already similar to current sanctions, i.e. for fraudulent declarations, repaying overpayments and the possibility of criminal proceedings.

- It is also a frightening thought for people to consider that they could lose benefits. This policy could have a negative result, discouraging people from asking for help and leading to those who genuinely need it slipping through the net. It could also alienate people that don't already sign on, even if they are eligible for help.
- Rather than compelling claimants to sign a declaration about using specific drugs, it would be better to offer treatment to those who need it (without declaration of what drug use), and motivate them to take it up.
- Again in any case, concerns about discrimination were raised over the fact that the certain specific drugs are just crack and heroin.
- There are concerns how this information will be used and shared. Apart from data protection issues and ensuring that this information remains confidential, different groups will have different concerns about what use this information may be put to and the impact it will have on them.
- For example, parents, who are using drugs, may be wary of making this declaration because of the impact it could have on their family life. While providers are aware of the need to protect children and vulnerable people, there is great anxiety among parents who are using drugs that social services will become involve and their children will be taken away from them. Could this declaration also go against drug dependent claimants when they have been through treatment and re-enter employment?
- Finally, what happens after sanctions have been imposed? The danger is that this group of people will fall off the radar and not benefit from access to treatment.

What elements should an integrated system of drug treatment and employment support include?

- Jobcentre Plus staff need a greater awareness of client group. They are the group who will be making the decisions (who to send to treatment and which type of treatment). Co-operation is needed with treatment providers alongside greater workforce development of Jobcentre Plus staff and drug co-ordinators.
- Jobcentre Plus/drug co-ordinators need to be aware that being drug free or having reduced harm from drug use to a manageable level does not necessarily mean that the claimant is ready to go back to work. While greater co-operation between drug treatment and employment support is a positive development, treatment providers won't be able to supply a standard definition of readiness for work. There is no "one size fits all" that can apply here. Different treatment takes different times for different people.
- Jobcentre Plus/drug co-ordinators will need to aware of and fully incorporate the resources and experiences of treatment providers.
- Several comments were made about the Treatment Allowance, about how it will be implemented, who will be the gatekeepers and its use as an incentive. There were concerns that if it is an incentive that there will be a surge in people who want to go on it.
- The proposals also indicate that the Allowance will be in place while the claimant stabilises. However, more clarity is needed on how "stability" is defined and to ensure that the timeframe set by legislation matches what happens in treatment. Currently it takes three – six months to stabilise someone, while the rest of the treatment process can last longer (up to a year or two years).
- There were concerns about the Treatment Allowance" being promoted as an "incentive". If it is, then it should be discretionary, so not to alienate other groups of claimants who may not qualify.

Do you agree that a rehabilitation plan would help recovering drug users to manage their condition and move towards employment?

- Correspondence between rehab plan and other plans in place. Helpful to have one overall plan – i.e. fusion of the rehabilitation plan and care plan into one and agreed across all agencies, into a “reintegration plan”?

Any other issues?

- Treatment Allowance – flexibility for process/quicker benefit decision-making and making sure that DWP are right on any sanctioning in order to avoid stress
- More clarity is needed on how effective Progress2Work is in promoting partnership between different agencies.