

To: Secretary of State
Minister for Employment

From: Victoria Hogan, Deputy Director for Employment
Policy

SCS Clearance: On my own authority



Department
for Work &
Pensions

Date: 17 March 2020

COVID-19: SUSPENDING FACE TO FACE REQUIREMENTS

Summary

1. In response to the updated public health advice issued on 16 March, we are urgently looking at the changes to make to our regime in order to protect payments to customers.

Timing

2. **URGENT - if you are content we will make changes to our service from Wednesday 18 March.**

Recommendation

3. That you agree that in order to protect payments to customers and our most vulnerable people we should:
 - a. Suspend face to face mandatory requirements, including weekly and fortnightly signing. We would replace face to face engagement with digital and/or telephony engagement for both UC and JSA claimants. We suggest we do this immediately to start from Wednesday 18 March.
 - b. Retain the face to face channel for our most vulnerable customers who cannot access us online or on the phone.
 - c. Implement these changes initially for a three-month period, and consider after three months whether they need to be extended further.
 - d. Come back with further advice on whether to also further suspend conditionality and the sanctions regime.

4. **Redaction - LPP**

Key Information

Background

5. On Monday 16 March the Government updated its public health advice on managing the Covid-19 outbreak, to advise people under 70, and strongly advise people over 70 or with an underlying health condition, against using public transport, large gatherings and gatherings in smaller public spaces, and use telephone or online services to contact their GP or other essential services. We have looked urgently at the changes we need to make to our Jobcentre regime to respond to this advice.
6. Our current Jobcentre regime includes a series of mandatory face to face interventions, including weekly signing for the first thirteen weeks of a claim, followed by either weekly or fortnightly signing. The Youth Obligation Support Programme also has mandatory face to face elements.
7. **We recommend that in order to protect payments to customers and our most vulnerable people we should suspend other face to face mandatory requirements, including weekly signing.** For Universal Credit claimants, we would replace face to face conditionality interventions with digital and telephone interventions. This would maintain the regular contact between the customer and their work coach. Changes to claimant commitments can be agreed over the phone and accepted by the customer on their online account. We would aim to replicate this approach for JSA claimants. We suggest we do this immediately to start from Wednesday 18 March.
8. We have also made arrangements for people to make their initial UC claim and make advances over the phone. These arrangements go live today, Tuesday 17 March. These arrangements were intended solely for those experiencing Covid19. If they are able to sustain the volumes required, we could move to use them more widely. Moving away from face to face verification of identity carries an additional risk of fraud for advances, new claims, and changes of circumstance on the entire caseload.
9. For new claims, we may be unable to establish some parts of entitlement which rely on face to face, including capital and savings, income other than earnings, and HRT status, resulting in overpayments to people who end up not being entitled. We will move to starting to deliver these by phone this week, but it may not be possible to support the volume of these checks by phone. If we have large scale staff absences, we may need to suspend these entitlement checks, which we aren't currently in a position to do, but are working to achieve.

10. Face to face verification is also used for new claimants and the rest of the caseload to verify private rented housing costs, and child and childcare element in a small number of cases where we either cannot verify information using system checks or people cannot upload their evidence. It is also used to verify bank account details in the 50-60% cases where they are not verified automatically – doing this over the phone would only involve a check of details, not verification that it is the claimant's bank account. Again, with large scale staff absences, we may need to suspend verification activity, and just trust what claimants declare their circumstances to be. We aren't currently in a position to do this, but are working to achieve it.
11. The Permanent Secretary has already received advice on face to face verification.
12. **We recommend that we should retain the face to face channel for our most vulnerable customers.** This includes homeless people and others who cannot access us online or on the phone. For vulnerable people who can't attend face to face, we can consider using the DWP home visiting service; a submission to you on the Visiting Service sent on 13/3/2020 refers. We would continue to issue HMG Payment Exception Service vouchers where the individual has no other means of accessing payment.
13. Group sessions in Jobcentres will also be cancelled. This would include Mentoring Circles and group sessions for the Youth Obligation Support Programme.
14. **We suggest that we should implement these changes initially for a three month period.** We would consider after three months whether they need to be extended further. It is possible that we will not be able to support weekly telephone interventions, if our service comes under significant pressure, and we will keep this under close review.
15. **There is an option to go further, and also suspend conditionality and the sanctions regime altogether for three months. This has been suggested by the Opposition as one of the concessions they would welcome during the passage of the DHSC Bill on Covid 19.** Given that over the last 12 months over 90 per cent of sanctions relate to a failure to attend a face to face appointment, in practice we expect suspension of the face to face requirements may lead to fewer sanctions. We will come back with further advice on this. Sanctions underpin the conditionality regime and our expectations of the actions that customers will take. Removing them altogether may make it harder for us to engage with customers who have disengaged. Since this is something that the Opposition have pushed hard for, if we concede and remove sanctions altogether we would then need to handle their reintroduction carefully.

Fraud Impacts

16. Removing face-to-face contact will remove a key counter-fraud control, in terms of identity verification. Controls and checks around other evidence verification will also to be weakened. This will lead to significant increases in fraudulent claims, and particularly targeting by Serious and Organised Crime. Additional AME losses are hard to estimate, but we expect to be around £1bn in a year based on our experience with UC advances.

Immediate Steps

17. These changes will be discussed in the 'Bronze Command' meeting on Tuesday 17 March. Bronze command will assess our readiness to move to a largely telephony based system, and record the fraud risk.

18. If you are content, we will ask HMT to agree these changes urgently so they can come into effect from Wednesday 18 March and we will advise our operational leaders to implement these changes starting on Wednesday.

AME/DEL Implications

19.

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20. HMT will need to ask their Ministers to approve these changes. We have discussed at SCS level in HMT and they expect their Ministers to be supportive. To note that the SR15 settlement made clear that any conditionality changes needed to be signed off by HMT in advance.

Legal Considerations

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Public Sector Equality Duty

22. Ministers have to comply with the Public Sector Equality Duty “PSED” and we need to ensure that the approach taken here avoids any direct discrimination under the Equality Act 2010. We are ensuring we continue to provide a service to the most vulnerable customer groups.

Initial Handling Considerations

23. It will be important that we communicate this change clearly to our customers to prevent them turning up to the Jobcentres or ringing up in confusion. We plan to update our website accordingly.

24. We will need to ensure colleagues are informed before customers or any public announcement.