



# Public Law Project

The Rt Hon Thérèse Coffey MP  
Secretary of State for Work and Pensions  
Caxton House  
Tothill Street  
London  
SW1H 9NA  
Email: [secretaryofstate@dwp.gov.uk](mailto:secretaryofstate@dwp.gov.uk)

Your Ref:

Our Ref: AP

Date: 1 July 2020

Dear Secretary of State

I am writing to express concerns over the decision not to extend the suspension of work search and work availability requirements for Universal Credit claimants beyond 30 June 2020. In light of the extra pressures the benefits system is enduring as a result of COVID-19, I would also like to offer the Department the support of the Public Law Project in helping claimants and work coaches to understand how claimant commitments can be better tailored to avoid unnecessary and unfair sanctioning.

Public Law Project's priorities are to promote and preserve the Rule of Law, ensure fair systems, and improve access to justice. Conditionality and sanctions have been a core focus of the Public Law Project's work since 2016.

We have two main concerns about the reinstatement of work search and work availability requirements at this time.

First, requiring Universal Credit claimants to look for work and take up job offers immediately will involve requiring claimants to carry out activities that may not be possible to do safely. For example, claimants may be required to take additional journeys using public transport or attend interviews or appointments (at Jobcentres or elsewhere) that may not be hygienic or may not allow for safe social distancing.

Secondly, given that since the beginning of the pandemic there has been a huge number of new entrants to the benefits system, many of whom may not be used to carrying out work-related requirements at the direction of the Jobcentre, there is a

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Address: Public Law Project, The Design Works, 93-99 Goswell Road, London EC1V 7EY  
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very high likelihood that more claimants will be unfairly and unnecessarily sanctioned.

These risks are magnified by:

- The near certainty of an economic recession which may limit the number of vacancies to apply for, and
- Difficulties that many claimants face in accessing advice about their rights, such as from welfare rights advisers or from solicitors who can advise under legal aid.

To help mitigate the suffering and social harm this is likely to cause, Public Law Project urges the Department of Work and Pensions to take the following actions:

- i. Maintain the current conditionality suspensions for at least another three months
- ii. Commit now to the long-promised review into the effectiveness of sanctions as a method of incentivising work
- iii. Commit to an independent review of the overall structure of a scheme in which a sanction is imposed on a claimant before they can exercise their right to a review and an appeal, and
- iv. Improve the availability of information for Universal Credit claimants about adaptations that can be made to a claimant commitment, for example by working with claimants, the advice sector and PLP to improve the information on the DWP's Universal Credit information pages

Secretary of State, as you rightly said in the House of Commons on 29 June, it is vital that work coaches are empowered to provide tailored support to those who are seeking work. With that in mind we would like to draw your attention to our fourth recommendation relating to the claimant commitment.

Our work in this area over the last three years has consistently identified the need to ensure that claimants are aware that they can negotiate the terms of the claimant commitment which they must satisfy in order to receive their benefits, and that doing so will reduce the risk of unfair sanctions.

As you know, it is crucial that those who claim Universal Credit can agree a claimant commitment that is realistic and reasonable for them, and to ensure that those who have already suffered significant financial and other disruptions as a result of the pandemic are protected from any further harm.

Public Law Project has produced a [website](#) and a [series of accessible leaflets](#) to support the most vulnerable, including those experiencing mental health problems, homelessness, those with childcare responsibilities, care leavers, and victims of domestic abuse. We have received very positive feedback from claimants and advisers who have used these materials, and we would be delighted to share our work with your team.

I would welcome the opportunity to discuss how we can work together to ensure that claimant commitments are better and more appropriately tailored. I will follow up with your office shortly.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Alison Pickup', written in a cursive style.

Alison Pickup  
Legal Director  
**Public Law Project**  
Tel: 0207 239 9031  
Fax: 0207 837 7048  
E-mail: [a.pickup@publiclawproject.org.uk](mailto:a.pickup@publiclawproject.org.uk)