

## MARY FEE MSP MEMBERS DEBATE: SAMH REPORT ON UNIVERSAL CREDIT AND MENTAL HEALTH

SAMH BRIEFING MAY 2019

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### About SAMH

SAMH is Scotland's largest mental health charity. Around since 1923, SAMH currently operates over 60 services in communities across Scotland providing mental health social care support, primary care, addictions and employment services, among others. These services together with our national programme work in See Me, respectme, suicide prevention, sport and physical activity, inform our public affairs work to influence positive social change.

### Introduction

Universal Credit is not working for people with mental health problems. SAMH warmly welcomes this debate on the findings of our recent report on mental health and Universal Credit: ["It Was A Confusion" Universal Credit and Mental Health: Recommendations for Change](#). We thank Mary Fee MSP for lodging the motion under debate today. This briefing highlights a number of key findings and recommendations from the report, as well as outlining concerns about the UK Government's plans to transfer people in receipt of existing legacy benefits to Universal Credit through "managed migration" - now termed "Move To Universal Credit".

Our key demands to the UK Government are:

- **While the Universal Credit regime remains in its current form, no one should be transferred to Universal Credit from legacy benefits, either through natural migration or the forthcoming managed migration.**
- **The UK Government to reinstate the Community Partner programme, which was scrapped in March 2019.**
- **No one should risk having their legacy benefit payments stopped - and potentially left with no income - during managed migration.**

While responsibility for Universal Credit is reserved to Westminster the impact of the Universal Credit system on constituents is rightly a key concern for MSPs and the Scottish Government.

- **We believe the Scottish Government and Scottish Parliament must make full use of their limited responsibility for the Universal Credit Scottish flexibilities to improve the system.**
- **We also urge all MSPs and the Scottish Government to put pressure on their Westminster counterparts to fundamentally reform Universal Credit so that it meets its aims of simplifying the UK social security system and supporting people into work.**

### Universal Credit and Mental health

Universal Credit is not working for people with mental health problems from making a claim to the support received while managing an award. Key problems include:

- **The reliance on a rigid digital by default system acting as significant barrier to people with mental health problems applying for and managing their Universal Credit claim.**

- **SAMH recommends that the UK government scrap Digital by Default and permit people to use the most appropriate contact channel for them.**
- The initial five week wait for payment. This delay is deliberately built into the system and has contributed to increases in rent arrears, the threat of eviction and a great deal of distress.
  - **SAMH recommends the immediate abolition of the unjustified five week waiting period for first payment.**
- The reliance on face-to-face assessment to establish eligibility for the disability component of the award. A significant problem in comparison to the legacy system is that conditionality – with the threat of sanction – can be applied to people waiting for their Work Capability Assessment.
  - **SAMH recommends that no one should have to undertake job searching or work related activities while waiting for a WCA and its outcome.**
- The time-limited nature of Universal Support; and removal of implicit consent for welfare rights advisors.
  - **SAMH recommends that the 'Universal Support' service is funded to meet demand with longer term support provided, including debt advice**
- The central feature of Universal Credit – conditionality – has left claimants lacking control and is not tailored to support people with mental health problems. This is compounded by high levels of Work Coach discretion.
  - **The DWP should routinely gather and publish data on claimant vulnerability, including adjustments made to support vulnerable claimants**
  - **SAMH recommends that the UK Government should end benefit sanctions for people with mental health problems**
- The UK Government has scrapped the Community Partner project, including Mental Health Community Partners in March 2019. The project was funded by the UK Government to assist Work Coaches in supporting disabled people, including people with mental health problems. Community Partners are people with professional or personal experience of disability. Their role is to provide local knowledge to identify opportunities for tailored support to claimants and provide insight on the additional barriers disabled people face entering the workplace.<sup>1</sup>
  - **SAMH recommends that the UK Government should reverse the decision to cut the Community Partner programme and commit to ongoing funding to both the Community Partner programme and additional Disability Employment Advisors (DEAs).**
- Administrative problems with the Scottish. For example, the housing element under the Scottish Choices is paid to landlords in arrears on a four weekly basis and does not match the calendar monthly schedule for Universal Credit payments to claimants. This has caused administrative problems and uncertainty over arrears and income for social landlords as well as confusion to claimants.<sup>2</sup>
  - **SAMH recommends that the DWP and Scottish Government work together to urgently correct issues over the delivery of the Scottish Choices to provide assurance to Universal Credit claimants and landlords**

## Managed Migration

<sup>1</sup> House of Commons Work and Pensions Committee. [Universal Credit: Support for Disabled People](#) 2018

<sup>2</sup> CAS. [Rent Arrears: Causes and Consequences for CAB Clients](#) 2018

The UK Government are committed to transfer people in receipt of legacy benefits to Universal Credit by December 2013. This process will be starting in July with a pilot of up to 10,000 people in Harrogate in England.<sup>3</sup>

We were extremely concerned that the proposed rules for managed migration risked the financial security and health of people with mental health problems and other vulnerable claimants.<sup>4</sup> **Under the proposals someone will have three months to make a UC claim. If they do not, they risk losing their existing benefits completely. This is completely unacceptable, putting at risk the financial security and mental health of people receiving support through the legacy system.**

People unable to work due to disabilities, who currently receive Income Related Employment and Support Allowance (ESA), will be migrated to UC. In Scotland 87,424 people receive income-related ESA due to a mental health problem; that's 59.6% of all income-related ESA recipients in Scotland.<sup>5</sup> All of these people and many more who are vulnerable may experience problems with UC migration.

Our key concerns with the UK Government's plans are:

- **The power to terminate a person's existing benefits and require a new UC claim, instead of automatically transferring people to UC**
- **The lack of clarity on how the 10,000 people for the pilot will be selected.**
- **The lack of sufficient safeguards for clients, including in identifying someone's vulnerabilities.**

We are calling for:

- **The UK Government to withdraw and replace the managed migration pilot regulations with new regulations which address these concerns.**
- **MPs to vote against the regulations if they are not withdrawn by the Government.**
- **An independent review of how ready the UC system is for managed migration**

For more information please contact

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<sup>3</sup> DWP [Universal Credit pilot to launch in North Yorkshire](#) 2019

<sup>4</sup> SAMH [Universal Credit \(UC\) Managed Migration A briefing from SAMH](#) October 2018

<sup>5</sup> StatXplore [accessed October 2018]