Section 1 Contemporary issues

Chapter 1

Turning the screw: welfare reforms in practice

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Last year's *Review* included articles examining the early impacts of the local housing allowance (LHA) reforms for private tenants, and the plans for universal credit and an overall benefit cap.[1] This chapter both updates the story of those reforms, and also outlines the early impacts of what is officially called the 'spare room subsidy limit', but is more commonly referred to as the 'bedroom tax'. It also examines two other welfare reforms now in operation – the tougher conditionality rules that have brought a substantial rise in the numbers of claimants being cut off from benefits, and the varied arrangements in England to replace council tax benefit.

Welfare reforms – the overall impact of changes

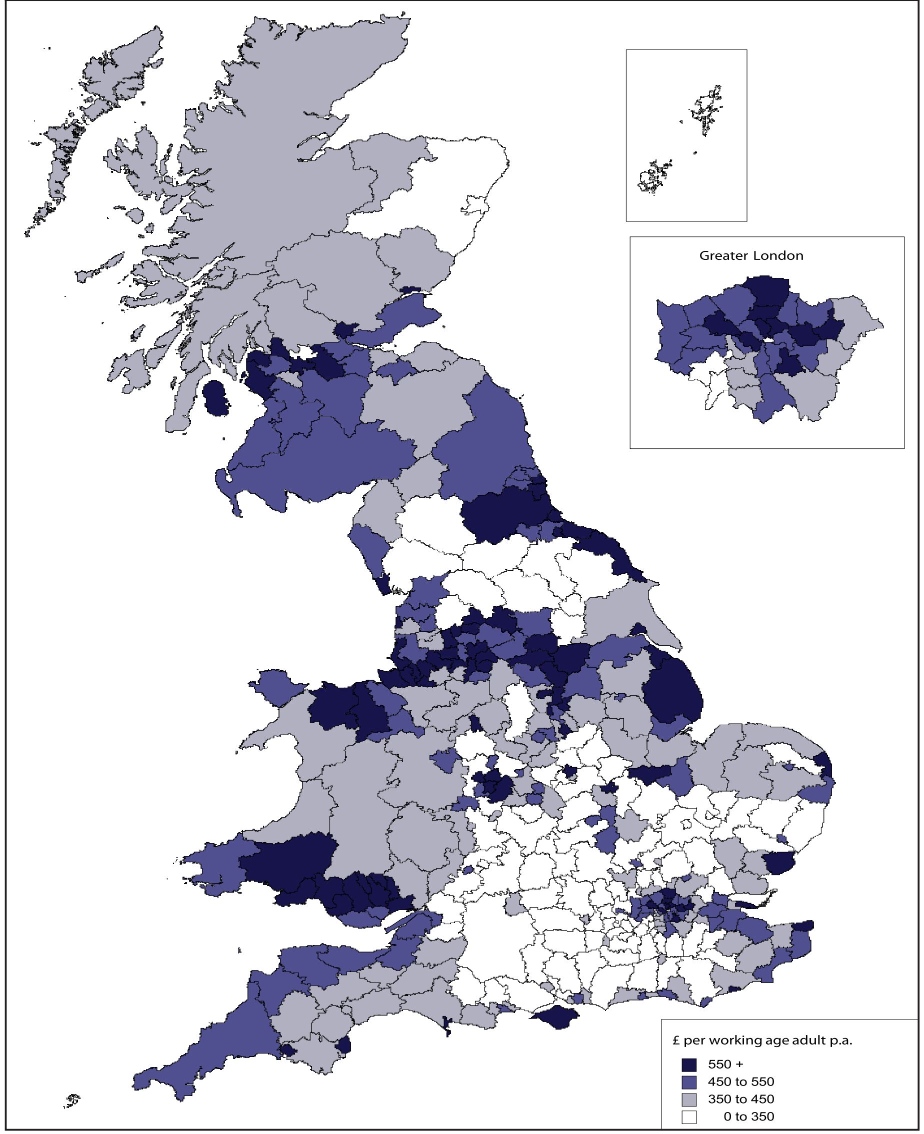
All of these reforms, together with freezes or annual under-indexation of benefit rates and other measures, are part of a wider drive to contain the costs of welfare benefits as one of the government's overall austerity measures affecting public spending. The combined impact of all these cuts and reforms is estimated at some £19 billion a year by 2014/15, or an average of £470 per working-age adult. The average impact on claimants is, of course, far greater.

These welfare reforms have a spatial as well as a social dimension, and this is clinically charted in a recent report by Christina Beatty and Steve Forthergill, aptly titled *Hitting the poorest places harder*.[2] As their map shows (see Figure 1.1.1), the combined impact of the various welfare reforms now underway will be far more severe in some parts of the country than in others, and in the main the areas that are most severely affected are those that already have the lowest household incomes.

The report covers the impact of both housing benefit and wider reforms, including the national benefit cap and disability living allowance and incapacity benefit changes. To this it adds the freeze in child benefit rates, the one per cent annual uprating factor being applied to most working-age benefits, and the cuts to tax credit rates. It also factors in the latest evidence on individual local authority plans in England for their own schemes to replace council tax benefit, based on a ten per cent reduction in their budgets.

The worst-affected town is Blackpool, where losses top £900 per working-age adult. The other worst-hit areas include some other run-down seaside resorts, older industrial areas in the north of England, the valleys of South Wales and the wider

Figure 1.1.1 **The spatial impact of welfare reforms**



Map shows overall financial loses due to welfare reform, by local authority area. Data relate to 2014/15, except incapacity benefits and the one per cent uprating (2015/16) and disability living allowance (2017/18).
Source: See Reference 2.

conurbation of Glasgow. In other words the worst impacts of the welfare reforms will be on the local economies of precisely those areas most in need of support with regeneration.

Three of the ten worst-affected areas, which all involve average losses of £700 or more per working adult, are in South Wales, and this is despite the Welsh (and Scottish) Governments taking action to avoid the cut backs in council tax benefit now being implemented – in different ways – across England.

Local housing allowances

The local housing allowance (LHA) reforms have now been in operation for nearly three years, and have applied to all existing claimants for over a year. The reforms set LHA rates at a lower level, reduced the rates for single people aged 25-34, set a maximum rate based on a four-bedroom dwelling in all areas, and imposed a maximum cap on LHA rates that in practice applies across parts of central London. Subsequently the LHA rates have since 2013 been uprated by the lower of either inflation or increases in private rent levels. In most areas this has meant LHA rates falling further below average levels in the sector. For further details of the reforms see Contemporary Issues Chapter 3 in last years' edition of the *Review*.

The latest available data relate to November 2013, and show that in overall terms numbers of housing benefit claimants in Great Britain continued to rise in the period from March 2011 to December 2012, but have since begun to decline (Table 1.1.1).

Within that wider picture there has been a continuous decline in claimant numbers in inner London since December 2011, as the new regime began to apply to existing claimants as well as new ones. In two of the central London areas most affected by the caps on maximum LHA rates, claimant numbers have fallen continuously – and sharply – since March 2011.

However, caution should be exercised before attributing the decline in LHA numbers outside inner London in 2013 to the working through of the LHA regime, as over that period there was also a 300,000 fall in numbers of claimant unemployed, against a small rise and fall in the two previous years.

Table 1.1.1 **Housing benefit claimant numbers in the private rented sector**

	March 2011	December 2011	December 2012	November 2013	Percentage change Mar 2011 – Nov 2013
Great Britain	1,545,860	1,600,080	1,652,321	1,645,303	6.4
Scotland	92,290	93,430	96,201	97,168	5.3
Wales	79,130	82,350	85,801	85,896	8.6
England	1,376,440	1,424,300	1,470,319	1,462,439	6.2
London	267,040	278,460	280,007	277,491	3.9
Inner London	102,200	104,980	100,279	96,863	- 5.2
Kensington & Chelsea	4,180	3,930	3,291	3,027	- 27.6
Westminster	8,580	8,570	6,712	5,893	- 31.3

Source: DWP housing benefit statistics.

Within those overall trends there has also been a sharp fall in the numbers of younger single claimants, following the extension of the shared accommodation rate (SAR) to single people aged 25 to 34 at the end of 2011. Between December 2011 and November 2013, the numbers of 25-34 year-olds in receipt of housing benefit in the PRS fell by virtually 27,000 (20 per cent) to 108,500. However, it is also notable that over the same periods the numbers of single people under 25 in receipt of housing benefit in the PRS fell from 68,688 to 57,062 (17 per cent). Overall, the numbers of single people aged under 35 in receipt of housing benefit fell by 19 per cent. Given that overall numbers of LHA claimants rose over that period, this is indicative of the difficulties arising both from the much lower SAR rate and the limited availability of shared accommodation within the sector.

There has been, as would be expected, some reduction in payments; average payments made to private tenants have declined since the new LHA regime was introduced. However without further information, and the next report from the formal DWP evaluation of the reforms,[3] there is not a clear picture of how far the reduced LHA rates and other factors, such as actions by landlords and tenants, have contributed to the lower awards. As well as the decline in LHA numbers in inner London as a result of the LHA caps, one further factor to take into account is the rise in the proportion of working claimants who receive partial rather than 'full' housing benefit.

It should also be recognized that while the LHA reforms are now fully operational, there will be a further time lag before the long-term market responses to those reforms by claimants and landlords will be apparent. Those responses will also change over time as the limits on uprating LHA look set to further depress LHA rates relative to movements in market rents, bearing in mind that LHA rates will be uprated by no more than one per cent annually over the next three years, in line with the overall cap on increases in most working-age benefits.

The benefit cap

The overall cap on welfare benefits was introduced in four local authorities in April 2013, and has now been extended across the whole of the country. The cap – set at £350 per week for single people, and £500 for all other households – applies to out-of-work households below pensionable age, with exemptions for households with disabled people.

The caps impact particularly on larger families, and households in London and other higher rent areas. The impact assessment estimated that some 58,000 households would have their benefits reduced as a result of the benefit cap – 52,000 in England – of which some 25,000 were expected to be in London. While the (median) average estimated benefit reduction was £62 per week, for a third of all cases the estimated reduction was greater than £100 per week.[4]

Data for the first four authorities (all in London) where the cap was introduced in April show that by the end of June 2,658 households had been affected, with all but 71 households including families with children.[5] A more detailed analysis of the impact of the cap in one of those authorities (Haringey) found that only one in eight were social sector tenants, while the great majority were more or less evenly split between the private rented sector and temporary accommodation (TA).[6] In the short term the impact on the families in TA was being largely offset by the council's provision of discretionary housing payments (DHPs), but this was not considered to be sustainable given the planned future reduction in DHP budgets.

DWP data is now available on the impact of the benefit cap for the months to January 2014. The highest numbers recorded as affected by the cap were in December 2013, at just under 28,500 – very substantially lower than anticipated by the impact assessment. Almost half of the households affected were in London, and over a third of the affected households had five or more children.

DWP figures show that there is a constant monthly flow of cases moving in and out of the group affected by the benefit cap as their circumstances change. Reflecting those changes, a much higher figure of almost 39,000 households have been subject to the benefit cap at some point in time during the period to January 2014, and almost 11,000 of the households had moved away from the cap by that date.

Of those just over 4,000 had moved into work and had an open claim for working tax credit. These represent just over one in ten of all the households impacted by the benefit cap over that period. However not all of those moves into work can be attributed to the impact of the benefit cap, as even without any policy interventions household circumstances change over time, and a degree of movement into and out of work is quite normal, particularly given the insecure nature of much low-paid employment.

The Haringey data also show that a large proportion of those affected would not be subject to the cap if they were able to move into local social sector accommodation. However that option is subject to constraints on availability, and over time the situation of the majority of the affected claimants, where neither tenure nor employment moves are practicable, must be expected to become increasingly untenable.

Universal credit

The universal credit (UC) regime is intended to combine several existing benefits, including housing benefit, and to radically simplify the structure of welfare benefits in the UK. A full account of the structural reforms and the issues they raise was given in last year's edition of the *Review*. There is little to add this year other than that due to the complexities of administration, and difficulties in developing the IT system which is central to to the operation of UC,[7] there have been delays in the roll-out of the scheme, both in terms of the types of households taken on, and the areas in which it has begun to be implemented. In the light of those delays this issue will be returned to in next years' edition of the *Review*.

Work programme and increased conditionality

A further issue that has raised concerns over the past year has been the ratcheting up of the sanctions regime for jobseeker's allowance (JSA) and employment and support allowance (ESA) claimants. The Work Programme was introduced in June 2011, and applies not just to jobseekers but also to those on long-term sickness benefits. The programme requires compulsory participation in specified 'work-related activity'. Failure to participate without 'good cause' results in benefit sanctions or reductions.

Official statistics have shown the limited success of the Work Programme in achieving positive outcomes, despite some improvement since the inception of the scheme. Data for June 2013 shows that only around one in seven JSA claimants achieved a 'job outcome' within 12 months following their referral to the programme, and even fewer – around one in 25 – ESA claimants.[8]

At the same time substantial numbers of claimants have been subject to some kind of benefit sanctions, and figures for 2013 show that those numbers are continuing to increase. In the first three quarters of 2013 some 1.2 million JSA claimants in England were subject to sanction referrals, and in about half of those cases an adverse decision was reached.[9] An indication of the arbitrary harshness of the new sanctions regime is also indicated by the high proportion of successful appeals against those sanctions.

Within that context a recent study by Homeless Link reveals that 31 per cent of homeless JSA claimants had been sanctioned, as compared with three per cent of typical claimants.[10] Those concerns are amplified by reports from a number of other agencies working with singe homeless people, as reported in another recent report for Crisis.[11]

Council tax benefit

For 2013/14 central government has reduced by ten per cent its funding for council tax benefit (CTB), and in England the national council tax benefit scheme has been replaced by locally determined 'council tax support' (CTS) schemes. In Scotland and Wales the existing schemes have continued, with a mixture of Scottish and Welsh Government and local authority funding making good the reduction in central government support.

In England the position is far more varied, but some one in six councils made no changes to the old CTB scheme, and covered the costs of the central government budget cuts from their own resources.[12] The overall savings to central government from the ten per cent budget cut amount to some £490 million in 2013/14; but because of the interventions by the Scottish and Welsh governments, and some local authorities, it is estimated that only some £340 million of those cuts are actually being passed on to claimants.[13]

Of the English councils that have amended the old CTB scheme to achieve savings, some 85 per cent have introduced a minimum council tax payment to be met by all households regardless of their income or circumstances. Of those councils, half set the minimum payment at no more than 8.5 per cent of the council tax bill, while 18 per cent set the minimum payment at over 20 per cent of the council tax bill.

Among other changes, three-quarters of the councils amending the old CTB scheme abolished the 'second adult rebate', a third changed the 'non-dependent' deductions, and about a quarter restricted support to a maximum council tax band rate, and/or reduced the savings limit above which households are not entitled to any support.

One in five of the amending councils introduced a minimum level of CTS entitlement required in order for a payment to be made, and just one in eight widened the scope of the benefits or incomes they took into account when calculating CTS entitlement (such as child benefit and child maintenance). Perhaps somewhat surprisingly less than one in ten of the amending councils changed the 'taper rate' by which CTS entitlement is reduced as a proportion of incomes above the specified threshold levels for each household. However, additionally almost a quarter of all amending councils have made across-the-board percentage reductions in entitlement, and in effect this implies an increase in the taper rate for the households concerned.

Alongside those changes a third of all councils have set up discretionary hardship funds to provide additional CTS, and a similar proportion have either completely or partially exempted some vulnerable groups from the CTS changes.

While decisions on CTS schemes were left to individual councils, DCLG influenced the decisions through a one-year-only tranche of transitional funding to councils that introduced schemes within approved criteria. These included not setting minimum payments at more than 8.5 per cent of council tax levels, and not increasing taper rates to more than 25 per cent (from the old 20 per cent level).

In the main the reductions in levels of CTS entitlement are relatively modest, with an estimated 2.5 million households in England having their CTS entitlement reduced by an average of marginally over £3 per week. However over time the issues arising from those reductions will be increasingly felt and it is already the case that Citizen Advice Bureaux have seen a significant increase in households seeking help because of difficulties in meeting council tax payments.[14]

There are also concerns about the additional administrative costs arising for councils, not just in devising and supporting the new CTS schemes, but also in the costs of collecting small amounts of council tax from those households that would previously have had to make no payment as they had incomes at or below the level requiring any contribution. There will also be costs in the form of council tax arrears, a proportion of which is likely to have to be written off. Those concerns have been raised in a recent report from the House of Commons Public Accounts Committee, along with concerns about the negative effects of increased CTS taper rates on work incentives and more generally about the complexities of administering CTS schemes alongside the new universal credit regime.[15]

The 'bedroom limits'

While accounting for little more than five per cent of the total annual cuts in welfare expenditure, the bedroom limits have been particularly controversial. Officially called the 'spare room subsidy limit' for social sector tenants it has become more widely known as the 'bedroom tax'. However both these terms are rather loaded ways of describing a policy measure which sets a limit on the number of bedrooms to be fully supported by housing benefit for social sector tenants. Consequently here, and in a soon-to-be-published report for the Joseph Rowntree Foundation, they are more simply referred to as the 'bedroom limits'.[16] The bedroom limits have applied to all working-age households claiming housing benefit in the social rented sector since April 2013. If they are held to occupy dwellings that have more bedrooms than they are deemed to require by the DWP 'bedroom standard', then their benefit entitlement is reduced – by 14 per cent if they are deemed to have one additional bedroom, or by 25 per cent if they are deemed to have two or more additional bedrooms.

The DWP bedroom standard provides for:

- i) One bedroom for couples.
- ii) One bedroom for single adults aged 16 or over.
- iii) One bedroom for two children of the same gender aged up to 15.
- iv) One bedroom for two children of either gender aged up to 9.
- v) One bedroom for any single or unpaired child.

In addition the DWP bedroom standard makes provision for an extra bedroom for overnight carers where they are required.

The DWP bedroom standard is essentially the same for social sector tenants as the one applied for nearly two decades as part of the regime for housing benefit in the private rented sector, and currently used to determine which LHA rate apply for a household. The DWP bedroom standard is in turn essentially derived from the social survey 'bedroom standard' first developed and applied in 1960. The only differences are that the social survey bedroom standard makes no provision for carers, and permits single adults of the same gender aged up to the age of 20 to share a bedroom.

To put the bedroom limits in context it should be recognised that 73 per cent of all households in Great Britain occupy dwellings with more bedrooms than specified by the bedroom standard. Within that overall picture a far higher proportion of homeowners occupy dwellings above the bedroom standard (85 per cent) than do social sector tenants (43 per cent). Numerically, all social sector tenants occupying dwellings above the bedroom standard account for just 11 per cent of all households in Great Britain occupying dwellings above the standard, while working age social sector tenants in receipt of housing benefit account for less than three per cent of all households above the standard. In other words to the extent that this is a policy measure designed to reduce levels of under-occupation relative to the bedroom standard it is only operating in one tiny corner of the housing market.

More generally the wider levels of under-occupation against the bedroom standard in all tenures are indicative of the measure being both dated and out of touch with contemporary social norms – the de facto contemporary social norm is the bedroom standard plus one. Indeed even at the time of the 1960 social survey that originated the standard only one in eight of those households that had one bedroom above the standard agreed that they had more bedrooms than they felt they required.[17]

While the DWP impact assessments anticipated that some 660,000 households would be affected by the bedroom limits in practice numbers have been rather lower, as shown in Table 1.1.2. There is very limited evidence of households moving, or taking other action to remove themselves from the scope of the bedroom limits, ahead of their introduction in April. Instead, the lower outturn figures are predominantly the result of the survey-based estimates used in the impact assessments being rather on the high side.

The reducing numbers of households affected by the bedroom limits between May and November 2013 are, however, at least in part likely to reflect actions by both landlords and tenants to mitigate the effects of the limits, e.g. by transferring to another property.

Table 1.1.2 **Social sector tenant households subject to a 'bedroom limit' deduction**

Region	May 2013		August 2013		November 2013	
	Numbers with deduction	Average weekly deduction	Numbers with deduction	Average weekly deduction	Numbers with deduction	Average weekly deduction
North East	**41,271**	**£13.22**	**38,663**	**£12.90**	**37,549**	**£12.85**
North West	**89,027**	**£14.08**	**82,944**	**£13.97**	**78,836**	**£13.92**
Yorkshire & The Humber	***54,763***	**£13.10**	**50,953**	**£12.99**	**49,046**	**£12.92**
East Midlands	**37,462**	**£13.57**	**35,257**	**£13.46**	**33,522**	**£13.34**
West Midlands	***55,680***	**£14.70**	**52,234**	**£14.57**	**49,364**	**£14.54**
Eastern	**36,123**	**£15.97**	**33,829**	**£15.87**	**32,230**	**£15.78**
London	**59,881**	**£20.38**	**55,219**	**£20.22**	**52,196**	**£20.12**
South East	***39,496***	**£17.54**	**36,904**	**£17.38**	**35,107**	**£17.35**
South West	**29,427**	**£15.00**	**27,366**	**£14.93**	**26,253**	**£14.90**
England	**443,130**	***£15.29***	**413,357**	**£15.14**	**394,121**	**£15.06**
Wales	**35,714**	**£13.23**	**33,876**	**£13.11**	**32,385**	**£13.08**
Scotland	**80,122**	**£11.61**	**75,662**	**£11.50**	**71,682**	**£11.32**
Great Britain	**558,972**	***£14.63***	**522,905**	**£14.48**	**498,174**	**£14.40**

Source: DWP Statistics November 2013 and February 2014. May figures shown in italics have been adjusted for a small number of incomplete local data returns.

However as already noted above, the total numbers of out-of-work claimants also fell during this period, and the overall numbers of social sector tenants claiming housing benefit also fell by 48,000 over the period. Nonetheless an Ipsos MORI survey[18] found that during the first six months of operation of the scheme some 12 per cent of the affected tenants had removed themselves from the impact of the bedroom limits, and in roughly half of those cases this was as a result of moving to alternative accommodation.

Conversely the survey also found that some three per cent of the households impacted at the time of their survey would not have been affected back in April, but had come within the scope of the survey as a result of changed circumstances. This makes the point that some measure of changing circumstances in households is perfectly normal and would have happened anyway without any change in policy.

But there is clear evidence both of an increase in numbers of downsizing transfers, and in particular of increased levels of mutual exchanges, since the bedroom limits were introduced. Indeed it is clear that in some areas there is a shortage of smaller dwellings, and that this is preventing households making moves to escape the impacts of the bedroom limits. However it also needs to be recognised that the great majority of the tenants concerned would also prefer to remain in their existing homes, and do not consider themselves as having too many bedrooms.

The introduction of the bedroom limits has raised a number of questions about the fairly crude manner of its definition and application. There have been particular concerns about the impact on households with health or disability issues, whose circumstances are such that it is not appropriate for a couple or a child to share a bedroom. There are also cases involving households with a disabled member where significant sums have been spent adapting a dwelling to their requirements, and/or where a room is required to store all the equipment related to their disability.

Another issue that has been raised in a number of tribunal appeals against bedroom limit decisions is about the size of a bedroom. The DWP regulations neither define a bedroom nor specify minimum size requirements for a bedroom. In contrast the 1935 statutory over-crowding criteria, while also permitting a living room to be available as a bedroom, set clear minimum size requirements both for any room to be considered available as a bedroom at all, and for bedrooms to be considered large enough to share.

The main DWP response to these concerns has been to refer to the finance it has provided for discretionary housing payments (DHPs) to deal with hardship cases, and in particular that are envisaged as assisting households with disabled people living in adapted dwellings. Indeed it is fair to recognise that the £55 million funding for DHPs for bedroom limit cases in 2013/14 is on course, in most areas, to be fairly or very fully utilised. The Scottish Government has also added £20 million to the total DHP budgets for Scottish councils this year.

Local practice is, however, inevitably uneven and fixed-term DHP awards are not the best method of providing support to households whose circumstances are long-term rather than transitional. There are also issues around some councils taking disability living allowances (DLAs) into account in the income assessments for DHPs, and as a result finding that those households do not meet the ‘hardship’ criteria for payments. The Papworth Trust has argued for the exclusion of all adapted properties from the bedroom limits regulations, and for stronger guidance to local authorities in respect of disregarding DLAs in their income assessments for DHPs.

More generally while the majority of affected tenants would prefer to stay put there are questions about how far this is practical. Different surveys have had slightly different results, but in broad terms suggest that close to half of all tenants affected by the bedroom limits are now in rent arrears, with some paying to cover part of the bedroom limits deductions, and some paying nothing at all.

The evidence of the impact of the bedroom limits on social landlords’ rent arrears levels is more mixed. Analysis by the Scottish Housing Regulator[19] found levels of arrears that can be specifically attributed to the bedroom limits corresponding to about a quarter of the total level of bedroom limit deductions. However those findings should be seen in the Scottish context where cuts in council tax benefit do not apply, and where the budgets for DHPs have been boosted by the Scottish Government.

Moreover there are indications that actions by social landlords to invest in increased welfare support and rent collection management, in anticipation of direct payments as part of the roll out of universal credit as well as the introduction of the bedroom limits, have had a wider beneficial effect in containing overall levels of rent arrears. Indeed the Ipsos MORI survey found no significant difference in average rent arrears levels for English housing associations during the first half of 2013/14.

However if there is clear evidence of a range of difficulties for both landlords and tenants as a result of the bedroom limits, this all inevitably relates only to the relatively short period over which the policy has been operating. It is not yet clear how many tenants who would prefer to pay and stay will be able to do so in the long run. How far have they exhausted savings, or financial support from other family members, or how far have they relied on other forms of borrowing to keep up with their rent? Will attitudes to staying or moving change over time?

So far there are only limited indications of households moving into the private rented sector as a result of the bedroom limits, but might this increase in the future as households grapple with increasing levels of rents arrears, and potentially legal action by their landlords? In that event there would clearly then be a potential net increase in costs to DWP, as set out in the Rowntree report.

Meanwhile, net of DHP costs, DWP might make direct savings of a little over £330 million in 2013/14 – some £120 million less than it originally anticipated on the basis of its initial lower budgetary provision for DHPs. But those savings have been achieved at a great cost to both tenants and landlords, and the policy still continues to face considerable political opposition. Indeed it is one of the few welfare reform policies which the Opposition is clearly committed to abolishing. But even short of abolition there are a wide range of both minor and major reforms that could be made to reduce some of the excesses of the current policy.

There are also much wider policy options to consider if a government wants both to reduce levels of under-occupation more effectively and to obtain net financial savings for the Exchequer. Reducing the tax advantages to established homeowners in the form of capital gains tax and other exemptions would be one approach (see Commentary Chapter 1). Reducing the level of the non-means-tested single-person council tax rebates would be another.

Conclusions

The wide range of welfare reforms and cuts introduced by the coalition government are now being increasingly felt by lower-income households, and as seen above many of these have particular implications for social landlords.

Indeed these policies pose a challenge to social landlords, that have over the last four decades been able to take the view that welfare and housing benefits would 'take the strain'. With the breakdown of what was more or less a political consensus on welfare benefits, that position is now difficult to sustain and social landlords need increasingly to ask themselves how far the new welfare paradigm supports their social mission and policy objectives, and where national policy falls short what actions they should be taking themselves.

Looking ahead there are clearly prospects for further welfare reforms and cuts, even if here and there some easing takes place in the policies now in train. And clearly the nature and direction of future policy will now be a consequence of political choices. The current government has in the Budget 2014 set a 'cap' on total government welfare expenditure, excluding only the state pension and cyclical variations in unemployment benefits (see Commentary Chapter 1).

While the cap has not been set at a level that will automatically require further welfare benefit cuts over the next few years, it does effectively serve to 'lock in' the cuts that have already been made. It will however impose greater challenges in the medium term, both as a result of population growth and of the increasing numbers of retired people relying on means-tested benefits in addition to the state pensions that are excluded from the cap.

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