

Section 1 Contemporary issues

Chapter 2

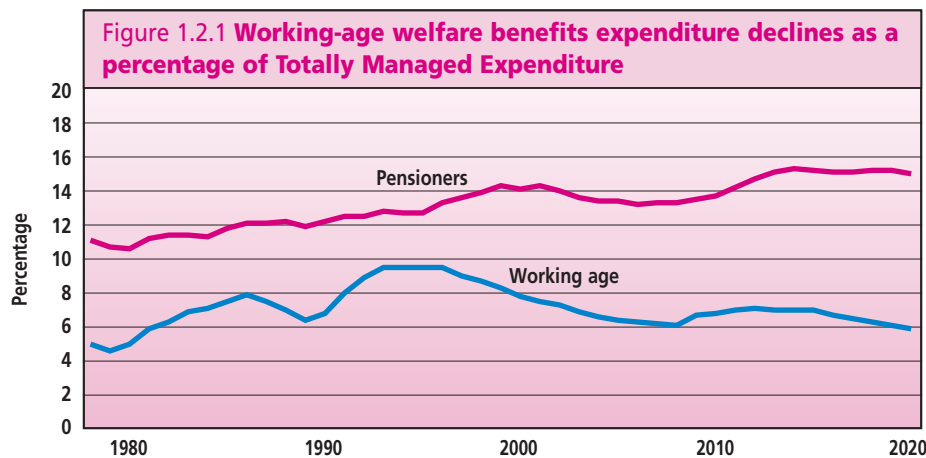
A decade of diminishing welfare

Steve Wilcox

The raft of welfare cuts made by the coalition government were still unfolding when the new government launched a further round of reform, stretching over the rest of the decade. This chapter begins by outlining the evidence on the overall impacts of reform and then considers the effects benefit-by-benefit. It concludes by assessing the diminished scope of the post-war welfare state settlement.¹

A 2014 study showed that the coalition's package of tax and welfare changes was broadly neutral in fiscal terms, with savings from welfare cuts effectively paying for tax reductions. All those in the lowest half of income distribution were net losers, especially those in the lowest three income deciles. However, all those in the top half of income distribution (except the top five per cent) made net gains.² The coalition's welfare reforms took an estimated £19 billion a year out of the pockets of low-income households in 2014/15. The new wave of welfare cuts and reforms will further reduce welfare expenditure by £12 billion a year by 2020/21.³

In part the case for welfare cuts is made on the grounds of growing real-terms costs. However, much of the historic growth related to pensions and pension-age benefits, while the growth in housing benefit costs predominantly resulted from government policies to increase social sector rents and promote the role of the private rented sector (PRS) in housing low-income households.



Source: DWP Autumn Statement 2015 Benefits Expenditure and Forecasts.

An alternative perspective is to look at benefits as a percentage of government expenditure. Figure 1.2.1 shows that costs of working-age benefits have fallen steadily since the mid-1990s, with only a minor upturn following the credit crunch, and even then are well below typical costs under the Thatcher governments. It confirms that virtually all recent welfare cuts focus on working-age households while protecting benefits for pensioners.

Local housing allowance

Changes to the local housing allowance (LHA) regime for private tenants led the way in welfare reform, applying to new claimants since April 2011 and to existing claimants for almost 3-4 years, dependent on their circumstances. They based LHA rates on 30th percentile market levels, set caps that further reduced LHA rates in inner London and from April 2013 uprated LHA by the lower of either inflation (CPI) or changes in local market rents.

Administrative data on LHA claims to August 2015 show that the number of claimants continued to rise after the reforms began, albeit at a slower rate, but then began to fall: private tenants in receipt of HB rose from 1,545,860 in March 2011 to 1,680,308 in May 2013, then fell to 1,526,915 by August 2015. Overall numbers of HB claimants in the PRS across Great Britain are therefore slightly lower than when LHA reforms began, although within that they are slightly higher in Scotland and Wales. While the decline in numbers after May 2013 can be mainly attributed to the working through of the lower LHA rates, this period also saw a fall in the overall jobseeker's allowance (JSA) claimant count. The net decline in HB claimants was proportionately far greater in the PRS than in the social rented sector. However other factors, such as the age profile of tenants in the sectors, may also have contributed to the decline in PRS claims.

In inner London numbers of LHA claimants have fallen by almost 16 per cent since the end of 2011 when the changes began. There has been an even sharper decline in the areas of central London affected by the caps on maximum LHA rates, notably Kensington & Chelsea and Westminster.⁴ The policy is intentionally making it more difficult for lower-income households to hold PRS tenancies in high-value areas. Since 2013 the wider benefit cap has also been a factor limiting the capacity of out-of-work households to hold a PRS tenancy in such areas.

There has also been a substantial decline in numbers of younger single households in the PRS claiming HB, following the extension of the much lower shared accommodation rate (SAR) to single people aged 25-34. Between December 2011 and August 2015, HB claimants from these groups in the PRS fell by just over 51,400 (38 per cent); numbers of single people aged under 25, also subject to SAR, fell by 42 per cent. Given that overall LHA claimant numbers fell only 1.2 per cent over this period, the sharp fall in young single HB claimants can only be a consequence of the lower SAR rate applying to this broad age range of ‘younger people’. It is certainly consistent with young single people’s increased difficulties in securing accommodation at rents close to the new SAR rates.⁵

Published HB data show, as would be expected, a fall in average payments in the PRS since the new LHA regime began. However, one of the main findings of a DWP evaluation was that for existing claimants only some 11 per cent of the reduction was attributable to landlord rent reductions, with the bulk of the reduced entitlement having to be met by claimants. For almost half this involved cutting back spending on household ‘essentials,’ and for nearly a third borrowing the money.⁶

Research shows a similar impact in Northern Ireland, with income shortfalls for tenants and rising arrears for landlords, although initial impacts were mitigated by the continuation of direct payments to landlords in Northern Ireland and limited market demand in some areas. Nonetheless, more landlords suggest that they will no longer let to under-35s (subject to the lower SAR allowances).⁷

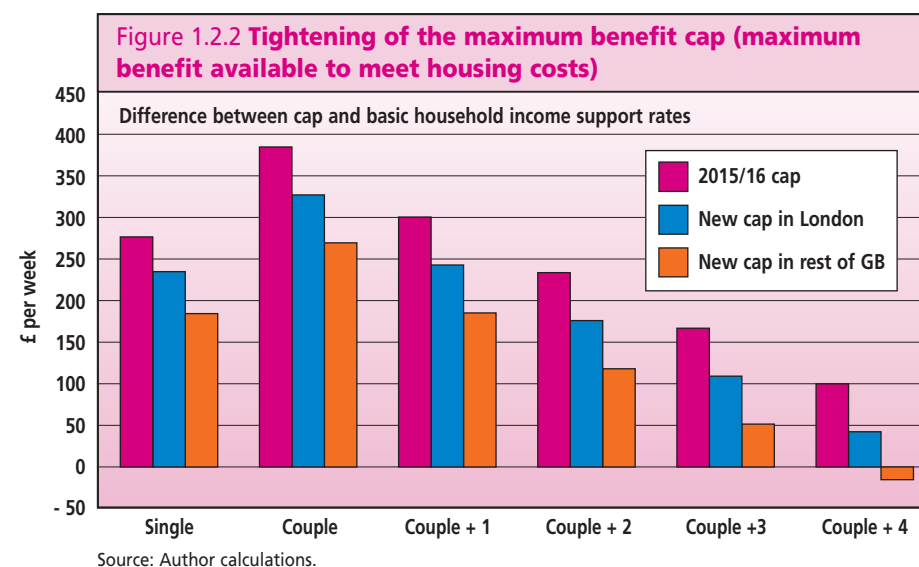
While the LHA reforms are now fully operational, long-term market responses are still emerging and will change over time as LHA rates fall relative to market rents (in 2014/15 and 2015/16 they were uprated by only one per cent; they will be frozen for four years from 2016/17).

The benefit cap

The overall cap on welfare benefits – set at £350 per week for single people and £500 for all other households – now applies across Great Britain to out-of-work households below pensionable age, with a number of exemptions for households that include disabled people. Numbers affected fluctuate slightly but peaked at 28,434 in December 2013 and by August 2015 were 23,379.⁸ In total, some 43,500 households had been subject to the cap at some point, but were no longer capped in August 2015. Of those, just over two-fifths were in work and had an open

working tax credit claim. As anticipated, of the households affected almost half were in London and 18 of the 20 most-affected authorities were London boroughs. Four-fifths had three or more children.⁹

It is still not clear how far the benefit cap has contributed towards households moving into work, as changes in circumstances and in low-paid, often insecure, employment are common among low-income households.¹⁰ Nonetheless, the government plans to further reduce the cap from Autumn 2016 onwards (with the reductions being phased in during that financial year). The new caps will be £23,000 in London and £20,000 elsewhere (£15,410 and £13,400 respectively for single people). As a result, couples with three or more children will not be able to obtain HB even for an average social sector rent, whether in London or elsewhere (see Figure 1.2.2). The DWP believes the numbers impacted by the cap will increase fivefold to some 115,000 across Great Britain.¹¹ These restrictions pose a challenge not just to households but to social landlords that seek to house them despite the constraints resulting from the cap. While many landlords are providing support to households to avoid the cap by gaining work, for many this will not be a practical option. (Note that the benefit cap does not yet apply in Northern Ireland, nor is it likely to in the next four years – see Contemporary Issues Chapter 3.)



The 'bedroom tax'

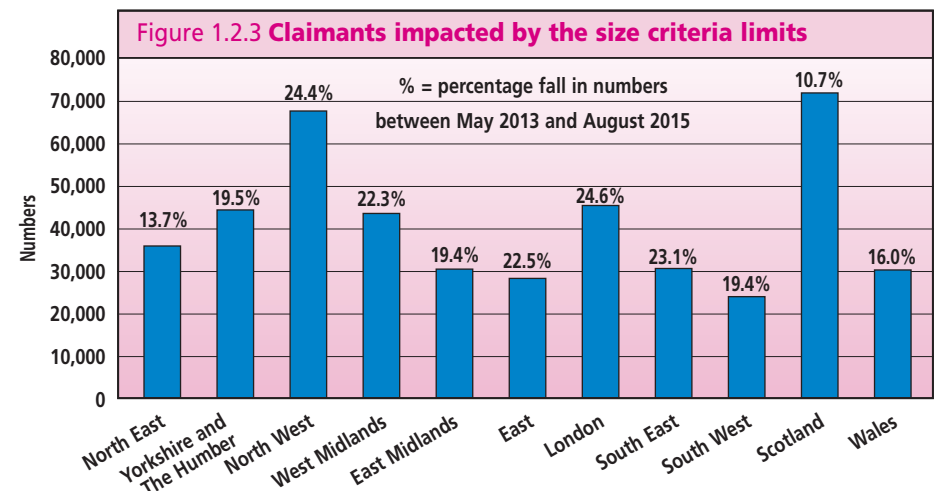
Limits on eligible rents in the social rented sector were also introduced in April 2013, based on the number of bedrooms a household is deemed to require. Officially designated the 'removal of the spare room subsidy', in practice this is widely known as the 'bedroom tax'. In May 2013 just under 560,000 households were affected, but by August 2014 numbers had fallen by 16 per cent to some 472,000. In the year to August 2015 they fell by a further five per cent to just over 449,000. This is a net fall in numbers affected, with changes in circumstances as households may either cease to be, or be newly affected, by the limits.

An analysis of the first nine months of the scheme found that of the 195,000 households who ceased to be affected, 46 per cent stopped claiming HB altogether while 32 per cent had an increase in their bedroom entitlement. Just ten per cent moved into smaller, social sector accommodation while two per cent moved into the PRS.¹² A number of other reports provided evidence on the early impacts of the bedroom tax.¹³ The final DWP evaluation of the scheme has also now been published.¹⁴ The reports confirm that the majority of impacted tenants did not consider themselves to be 'over-accommodated'; not a surprising outcome given that the 'bedroom standard' used is out of touch with contemporary social values.

The tightness of the size criteria inevitably raises concerns about the circumstances in which additional bedrooms are needed, e.g. for disability or other medical reasons, or for carers or children of divorced or separated parents. A further issue is that the criteria assume that any bedroom can be shared by two children, regardless of how small it might be or the children's age. In many areas there is a shortage of smaller social sector dwellings available for 'downsizing' transfers. DCLG data show that some 15,000 social sector tenants transferred in 2013/14 in response to the benefit cap or the bedroom tax – just three per cent of those impacted by the two measures. In 2014/15 the number dropped to some 9,000.¹⁵ In Scotland some 1,500 social sector tenants transferred in 2013/14 on the basis of under-occupation, with just under 800 transferring for this reason in 2014/15.¹⁶ Landlord surveys for the DWP evaluation suggest a rather higher number of downsizing moves (45,000 over 18 months), a figure which includes Wales and additional moves made via mutual exchanges.

Constraints on the availability of smaller dwellings are greater in parts of northern England, and these show in the distribution of the impacted households, with particularly high numbers in the North West (see Figure 1.2.3). This also shows the extent to which numbers have fallen, with sharper falls in London and the South East where there are both more opportunities for landlords to make 'downsizing' transfers and greater labour market opportunities for tenants. The lowest rate of reduction in England was in the North East, which of all the English regions has the lowest proportion of one-bedroom dwellings in its social rented stock.¹⁷ Much lower falls in Scotland are related to the greater support provided by the Scottish Government for discretionary housing payments (DHPs) to offset the bedroom tax.

DWP found that, after five months, only two-fifths of the impacted tenants were making rent payments in full, two-fifths were making good some part of the size criteria deductions, but one-fifth were not making any payment to cover the shortfall.¹⁸ A year later half were making rent payments in full, two-fifths were making good some part of the shortfall, while just one in ten were not making any such payments.¹⁹ Some three-fifths of affected tenants were spending less on household essentials and one in four had borrowed money to help pay the shortfall. Nearly three in ten had claimed DHPs (discussed below).



Source: DWP Housing Benefit Statistics, November 2015.

Although the surveys found problematic levels of rent arrears, at the time they had not yet led to significant levels of legal actions or evictions. However, while other factors are involved, there was a clear increase in numbers of social landlord possession actions from the third quarter of 2013 onwards (see Figure 1.3.1 on page 37). Another survey estimated that some 70 per cent of English tenants affected by the bedroom tax also faced cuts in council tax support.²⁰ The bedroom tax has not been introduced in Northern Ireland, and this now looks unlikely within the next four years. While it applies in Scotland, with new devolved powers it is now set to be abolished, so that it will only continue to operate in England and Wales (see Contemporary Issues Chapter 3). There are also some questions about its future scope following an Appeal Court decision that its application to vulnerable households is unlawful. The government has, however, initially responded by saying that they will appeal the decision.²¹

Discretionary housing payments

Local authorities have limited allocations for DHPs to assist in cases where households need extra bedrooms, but inevitably such discretionary provisions are difficult to administer, their application is patchy, and in the past have often been underspent.²² But by 2013/14, while overall DHP budgets were slightly underused, the specific sums to ease the impact of the size criteria were generally spent. Spending was also higher in Scotland and Wales, largely because of additional funds provided by their respective governments. The overall spend figure also includes additional self-funded spending by some LAs that in part offsets underspending by others. In England and Wales, 100 authorities 'overspent', while 236 underspent and 12 exactly spent their DHP budgets.²³

In England three-fifths of total DHP spend in 2013/14 was on bedroom tax cases, including households with disabled people living in specifically adapted accommodation. In Scotland just over four-fifths and in Wales just over two-thirds of total DHP spend was on bedroom tax cases. In both countries this is far more than is provided by DWP and clearly many councils use their discretion to direct support to bedroom tax cases and away from others, such as LHA and benefit cap cases.

By 2014/15 councils had clearly adapted to the administrative requirements for DHPs and in England and Wales as a whole total spending either equalled or exceeded the DWP provisions. Similarly Scottish councils made full use of both their

DWP and Scottish Government provisions, quite an achievement given that the Scottish Government contribution increased by £15 million.

In 2014/15 spending on bedroom tax cases in England and Wales fell back to 45 per cent of total DHP spend, but this was still 29 per cent higher than DWP's notional allocations. Thus councils were still using their discretion to prioritise bedroom tax cases as against other needs. Concerns have nonetheless been expressed about some of the criteria councils have applied in awarding DHPs. Some councils take disabled living allowance into account when assessing eligibility, and as a result deny DHPs to some households with disabled people living in adapted accommodation.²⁴

The overall DWP budget for DHPs in 2015/16 has been cut by 25 per cent, although the notional element for bedroom tax cases stays unchanged. The wider cut will nonetheless limit councils' capacity to help bedroom tax as well as other cases. In Scotland the budget cut is less significant as the Scottish Government has again provided £35m to supplement DHP budgets. Further ahead there are proposals to increase the DWP's DHP budget, but that is in the context of the further welfare cuts announced in the 2015 Summer Budget (see below).

Alongside their responsibilities for DHPs, councils in England have been given the responsibility for 'local welfare allowance' schemes, in lieu of the DWP's previous social fund. Centralised schemes operate in Scotland and Wales.²⁵

Universal credit

Universal credit (UC) is intended to combine several existing benefits, including HB, and to radically simplify the structure of welfare benefits (a full account was set out in the 2013 edition of the Review). The new regime is now operational in an increasing number of pathfinder areas, but the overall timetable has been deferred, not least due to difficulties in developing the IT system for a scheme where detailed regulations and operational requirements were only finalised quite recently. Poor management and lack of cost controls have been identified by the National Audit Office.²⁶

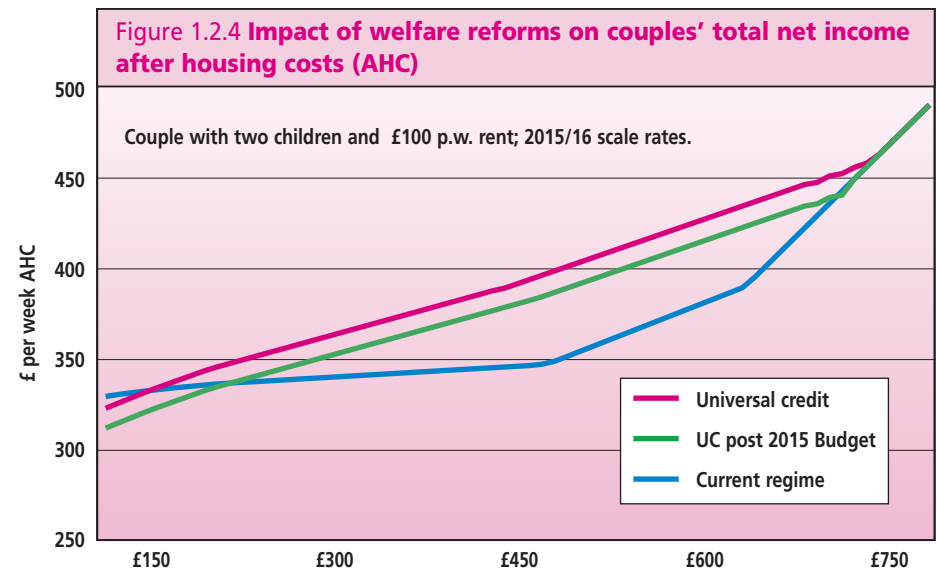
By October 2015, 141,000 predominantly single people were in receipt of UC. Only since July 2015 has UC begun to apply to new childless couple claimants, with new claims from families with children only being considered from November 2015.²⁷

Considerable uncertainty remains over the timetable for a full roll-out, particularly for families with children.

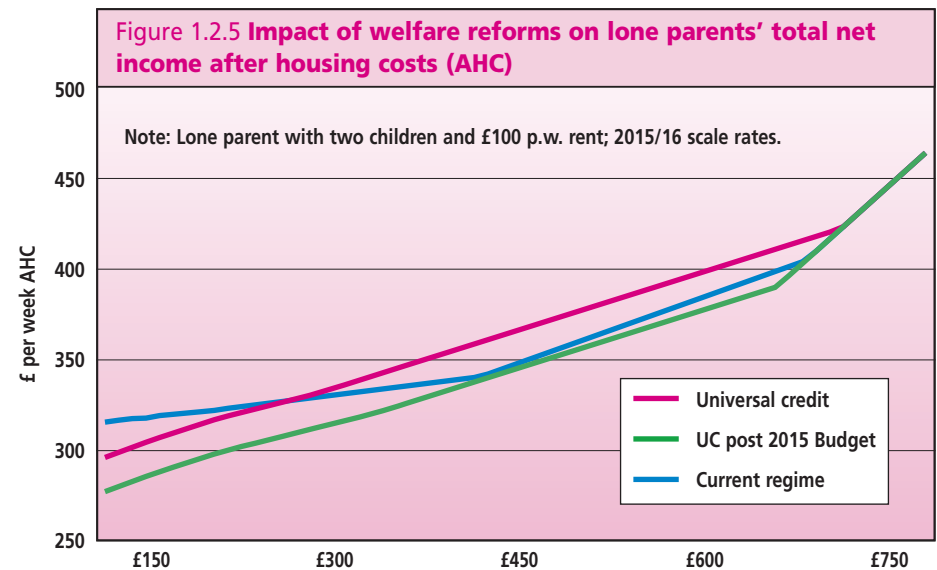
The concerns have been reinforced by the experiences of social landlords involved in the direct payment demonstration projects. Over the 18 months of the programme, average rent payments were estimated to be 5.5 per cent lower than would have been the case without direct payments.²⁸ While underpayment declined over the course of the projects, it was also erratic and difficult to predict (and therefore manage), reflecting the challenges of unforeseen changes of circumstances on low-income households' budgets.

The original UC regime would not, in itself, have involved cuts in benefits, but it would have produced gainers and losers, albeit with transitional protection for existing claimants.²⁹ However the potential work incentives claimed for UC have been substantially eroded by changes in the 2015 Summer Budget, notably a reduction in the permitted earnings levels before working claimants are subject to a 'tapered' reduction in their entitlement. While the government backtracked on its proposals for tax credit cuts in the Autumn Statement, it confirmed that the UC cuts will go ahead. The lower 'work allowances' that take effect in April 2016 and the removal of the first-child premium for new births (or claims) from April 2017 will significantly reduce disposable incomes for those in low-paid work, limiting the extra work incentives that were a primary rationale for UC.

The combined impact is illustrated in Figures 1.2.4 and 1.2.5, which show the net income after housing costs (varying with gross earnings) of a couple with two children and a lone parent with two children. Households worse off under the revised UC regime (those earning under £200 per week in the case of a couple with two children, and more generally for lone parents with two children) will be eligible for transitional protection. For couples with two children the main effect is at slightly higher income levels where it simply reduces the potential gains from working relative to those under the current UC regime, albeit leaving them better off than under the current tax credits and HB. In contrast, for lone parents with two children the revised UC will consistently leave them worse off than under current tax credits and HB, often by quite a substantial margin. While this will be eased by transitional protection, for lone parents with low or moderate earned incomes this will completely negate the UC's improved work incentives.



Source: Author calculations.



Source: Author calculations.

The only positive work incentive impacts of the new UC regime, applying particularly to second earners in couples, are that UC entitlement and its associated poverty trap expire at a slightly lower level than in the original regime. But as can be seen from the examples this only applies to households with well above-average earnings. The reduced advantages are even more marked for low-income homeowners. Under UC they get no help with their mortgage interest costs if they are in work, and for those out of work help in the future will be a loan rather than a benefit payment (see Compendium Tables 108-110). If in work their UC work allowances will be reduced from £169 per week, to £91 per week for a lone parent with children, and from £123 per week to £91 per week for a couple with children.

If the potential advantages of UC have been reduced by the Summer Budget cut-backs, it is also the case that the failure to include council tax benefit in the scheme, and the difficulties and complexities of the variable replacement schemes (see below), also detract from the UC regime's objectives.

Council tax benefit and its replacement

In 2013/14, government cut by ten per cent its funding for council tax benefit (CTB) and in England the national CTB scheme was replaced by locally determined 'council tax support' (CTS) schemes. In Scotland and Wales the existing schemes have continued, with a mixture of extra funding from the Scottish and Welsh Governments and from LAs.

England's schemes are now highly variable, but in the first year almost one-fifth had no change compared to the old CTB scheme, with costs covered from councils' own resources.³⁰ The overall savings to central government from the ten per cent budget cut amounted to £490 million in 2013/14; but because of the interventions by the Scottish and Welsh Governments, and some local authorities, only some £340 million of cuts were actually passed on to claimants.³¹ Of the English councils that amended the old CTB scheme to achieve savings in 2013/14, some 70 per cent introduced a minimum council tax payment to be made regardless of income. Of those, 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 at over 20 per cent of the bill.³²

Perhaps surprisingly, less than one in ten of the amending councils changed the 'taper rate' by which CTS entitlement is reduced as a proportion of household incomes above the specified threshold levels. However, additionally almost a quarter of all amending councils made across-the-board percentage cuts in entitlement. Alongside those changes, a third of all councils set up discretionary hardship funds to provide additional CTS, and a similar proportion have either completely or partially exempted some vulnerable groups from the changes.

While decisions on CTS were left to individual councils, DCLG initially influenced their decisions through one-year-only transitional funding for those that met specified criteria, including 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). In the second year of local CTS schemes, and with no further transitional support, the number of councils maintaining the old levels of CTB fell to 45 (14 per cent of all councils); 76 councils made new changes to their CTS schemes. There were further changes in 2015/16, mainly involving cuts in support, with five more councils introducing minimum payments and 20 increasing minimum payment levels.³³

In the main the cuts in CTS entitlement are relatively modest, with an estimated 2.5 million households in England having their entitlement reduced by an average of just over £3 p.w. in 2013/14. However, the reductions will have increased in 2014/15 and 2015/16, and over time the issues arising will be more apparent. Citizens Advice Bureaux have seen a significant increase in households seeking advice about meeting council tax payments.³⁴

There are also concerns about the extra administrative costs for councils, not just in running the new CTS schemes but also in the costs of collecting small amounts of tax from households that would previously have made no payments. There will also be arrears, a proportion of which are likely to be written off.³⁵ Those concerns have been raised recently by the Public Accounts Committee, along with concerns about the work disincentive effects of increased CTS taper rates and more generally about the complexities of administering CTS alongside the new UC regime.³⁶

Indeed the latest data show that in-year council tax arrears rose by 20.8 per cent in 2013/14, and by a further 2.4 per cent in 2014/15, having been at virtually unchanged levels for three years before the new CTS regime began. Council court and administration costs for dealing with council tax arrears rose by 11.5 per cent in 2013/14 and a further 16.7 per cent in 2014/15.³⁷

While council tax arrears, in themselves, are rarely a cause of homelessness, they can exacerbate the financial difficulties for households hit by other welfare reforms such as LHA shortfalls, the bedroom tax, etc., and make it more likely that some of them will not be able to stay in their homes.

Benefit sanctions

The sanctions regime has significantly tightened in recent years. The number of sanctions rose from fewer than 300,000 per year during 2001-2009 to around 900,000 in 2013.³⁸ They then fell by a third between 2013 and 2014, though the majority of this fall was accounted for by a drop in the claimant count (i.e. there are now fewer claimants to be sanctioned). The monthly sanctions rate thus fell less sharply from 5.6 per cent in 2013 to 5.1 per cent in 2014, and has fallen further to 4.7 per cent in the year to March 2015.³⁹ Despite this, current levels are still well above those seen pre-2010.

This intensification of the conditionality regime has been highly controversial, not least given evidence that sanctions are often misapplied, that communication between Jobcentre staff and claimants is poor, that they disproportionately affect vulnerable groups and that there are barriers to challenging decisions.⁴⁰ Sanctions also have unintended effects including extreme hardship, reliance on food banks and even destitution.⁴¹

In March 2015, the House of Commons Work and Pensions Committee published its inquiry into benefit sanctions and made a series of recommendations including: fully implementing the Oakley review's recommendations about issuing pre-sanction warnings; exploring non-financial sanctions; allowing the Work Programme to accept claimants' 'good reasons' for not meeting conditions; to review the appropriateness of the Claimant Commitments, and to mitigate the

risks of severe financial hardship. The government accepted a number of the recommendations, including to automatically notify claimants that they have been sanctioned, so that fewer claimants should now experience unexpected stops in their payments.⁴²

A key concern has been the impact of the intensified sanctions on homeless and vulnerable claimants. A new study from Crisis of users of homelessness services across England and Scotland sheds light on the concerns:⁴³ 54 per cent were subject to benefit conditionality and of these 39 per cent had been sanctioned in the past year, as compared with 18 per cent of all JSA claimants in 2013/14.⁴⁴ Moreover, homeless claimants are more likely to experience multiple sanctions, especially those who had been in local authority care or had mental health or substance misuse problems.

The study goes on to argue that people experiencing homelessness are at high risk of sanctions due to 'systemic and personal barriers to compliance', rather than wilful non-compliance. It highlights problems with communications, misunderstandings about requirements, and difficulty caused by lack of capacity to meet the requirements, e.g. the problems in requiring claimants with limited access to the internet and/or limited IT skills to complete large numbers of job applications online. Respondents also reported that sanctions create difficulties in keeping their permanent or temporary housing: one-third of sanctioned claimants had had their HB stopped and risked eviction.

Sanctioning also meant that those resident in hostels/supported accommodation were unable to pay service charges; those staying with friends and family could no longer contribute to bills, and claimants with their own tenancy fell behind with their rents. As a result, a fifth of respondents had become homeless and 16 per cent had slept rough. The study suggests that the 'easements' introduced in 2014 which enable Jobcentre Plus advisors to exempt homeless claimants from work-related conditionality requirements in a 'domestic emergency' are not being fully utilised. However, the decline in the rate of sanctioning does suggest there has been some overall easing back following the Oakley review.

Further welfare reforms proposed by the new UK government

A further round of welfare cuts and reforms announced in the 2015 Summer Budget will add further to the impacts on low-income households. These major reforms have particular implications for young single people and larger families, and more generally for low-income households' access to the PRS. In addition to those already discussed the main changes are:

- Young, childless out-of-work people (aged 18-21) will cease to be eligible for housing support in UC new claims from April 2017, unless deemed to be 'vulnerable'. Based on current claimant levels this could potentially affect some 28,000 young childless households,⁴⁵ depending on the extent of any exemptions. UC recipients in this age group will also be subject to an intensified regime of support and conditionality and after six months will be expected to apply for an apprenticeship/ traineeship, gain work experience or be put in a mandatory work placement.
- UC allowances will be limited to support for two children for new claims after April 2017, and the 'family element' will also be removed from tax credit and UC allowances for all new families after that date. By 2020/21 it is estimated that some 640,000 families with three or more children in Britain will have their CTC or UC entitlements restricted to the rate for two children; while some 1,180,000 families will be impacted by the removal of the 'family' element and the first child premium.⁴⁶
- Benefit rates (including LHA rates) will be frozen for four years from 2016/17.

A further reform in the 2015 Autumn Statement is that LHA rates will apply to limit HB payments to social sector tenants. While this will only apply from April 2018, and only in respect of new tenancies starting from April 2016, it will have a particular impact on young single people, as the very low SAR will in many areas be below social sector rents for one-bedroom dwellings. There are particular concerns about the potential impact of this proposal on supported housing schemes, however these provisions are currently under review. Moreover given that the LHA rates are based on the size of the household rather of the dwelling, this policy will affect under-occupying households, including pensioners, in areas where social sector and private rent levels are similar.

Against all these changes, the Great Britain budget provision for DHPs will rise from £125 million this year to an average of £160 million over each of the next five years.

Concluding observations

The swathe of recent welfare cuts and reforms have been controversial and have undercut important elements of the UK-wide post-war welfare reform consensus. They have been one factor in the demand for greater devolution of powers (not just in relation to welfare reform) to Scotland, Wales and Northern Ireland (discussed in Contemporary Issues Chapter 3).

The reforms pose huge challenges for social landlords and voluntary agencies that have a commitment to support low-income households who lose their central government welfare support. While the reforms are frequently presented as a 'tough love' approach to promote independence and work, in practice the danger is that they will create an ever more marginalised 'under-class' of vulnerable households, with all the damaging consequences that entails.

Finally, as pointed out in the introduction, these policies represent the deliberate choices and priorities of the coalition and Conservative governments to redistribute incomes away from low-income working-age households. Similar choices and priorities now also seem to inform the new government's English housing policies, as discussed in Contemporary Issues Chapter 1.

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