

# Scottish Campaign on Welfare Reform



27 January 2011

To all Scottish MPs,

We are writing on behalf of the Scottish Campaign on Welfare Reform (SCoWR), a broad and diverse coalition of over 60 Scottish charities, faith groups and trade unions.

As you may recall we previously wrote to you highlighting our deep shared concerns around the **Welfare Reform Bill**. Since then we have been pleased that six very reasonable and practical amendments have been made by your colleagues in the Lords which we believe will provide important safeguards to the livelihoods and wellbeing of many of your constituents.

The Bill returns to the Commons next week and you will have a vital opportunity to ensure that these **six important amendments** are upheld.

The amendments we urge you to uphold are set out below, each with a single modeled case study highlighting just one example of how important it is that the amendment is not overturned. The case studies are based on the experience our members have of working with a broad range of households across Scotland. Technical details of the case studies are attached if required.

**Amendment 12** (and consequentials) mitigating the **under-occupancy penalty** for social tenants.

Jack is separated from his wife and has two daughters in their early teens. He lives in small highland town and was made redundant from his job last October. While he looks for work, he's receiving JSA and the rent for his small 2 bedroom housing association flat is covered by Housing Benefit. The girls stay with him two or three times a week and they all value their time together.

If the Lords amendment is overturned, Jack will have to contribute around £36.50 a month towards his rent. He's already well below the poverty line and doesn't know where he'll find the money. There are no one bedroom flats available in his small town and if he moves anywhere else, he'll be stuck miles away from the girls without a car. Even if he did find a one bedroom flat, he doesn't know how they'd manage. The girls are getting older and he thinks they'd be uncomfortable sharing a room with him.

**Amendment 36A** linked to the 'substantial' amendment 46 replacing clause 52 to ensure that young people assessed as being in the support group could still get **ESA in youth**

Martin has been disabled since childhood. For years his parents have been putting money into a savings account for him, including saving money from his disability living allowance. Now a young man, Martin cannot work but can nevertheless look forward to living an independent life. Claiming contributory ESA in youth will help him to do this. Because of the capital his parents have painstakingly saved for him, he is excluded from income-related ESA. Instead of having the means to pay for the independent living equipment and support he needs, if he cannot access ESA in youth he will have to run down his savings on day to day living costs, leaving him with no financial cushion for extra needs or against the day that his parents are no longer able to provide any support.

**Amendment 38** on extension of the **contributory ESA time limit** to a minimum of two years and Amendment 38A on an exemption for cancer patients from the time limit

Ross has a number of disabilities which include polio; post polio syndrome; spinal fusion; arthritis in both hips; asthma and high blood pressure. He is in constant pain which he manages by taking preventative tablets and 4-8 strong painkillers per day. He is in the work-related activity group (although he believes this is based on inaccurate assessment of his condition, which his doctor says will only deteriorate in the future). He has been getting contributory ESA on this basis since April 2011, having paid national insurance contributions for many years.

If the Lords' amendment is reversed, the government plans to stop his contribution based ESA from April 2012. Because his partner works 29 hours a week (at minimum wage), Ross will not qualify for means tested ESA. The couple will be worse off by £80.75 a week. Both are terrified about the future and what these changes will mean to them. They are already behind on mortgage payments and Ross feels his health is deteriorating further as a result of the stress and anxiety.

**Amendment 59** exempting child benefit from the **benefits cap**

Nasreen is a lone parent of two young children in a Scottish city. She has a two bedroom private rented flat. Nasreen's teenage niece and nephew are at risk of going into care. She agrees to look after them as a kinship carer to prevent this from happening and finds a larger private tenancy (staying within the local housing allowance for the area).

If the amendment is reversed, from 2013 Nasreen would be expected to find over £100 a week from the family's benefits to contribute towards the rent. The benefit cap acts as a massive disincentive to Nasreen agreeing to look after her niece and nephew. The cost to the local authority of looking after the two children would far outweigh the saving from imposing the benefit cap.

**Amendment 62C** preventing fees being levied by the Child Maintenance and Enforcement Commission upon parents with care where private arrangements are not possible or appropriate

Daphne has separated from her partner. The difficult nature of her separation means she is unable to reach a private arrangement in relation to child maintenance. She has been unable to find work and receives £185.61 per week, after paying rent, in benefits and tax credits to support herself and her son. **A £20 upfront fee would represent 14% of their weekly income.**

Reversal of the amendments agreed by the Lords would have a terrible impact on many of your constituents, including those in similar situations to those outlined above.

**We urge you to use your vote to protect these six vital amendments in the Commons.**

In the meantime please do not hesitate to get in touch if you would like further details or to discuss the issues further.

Yours sincerely,

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Vice-Convener,  
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On behalf of members the Scottish Campaign on Welfare Reform (SCoWR)

**SCoWR** members include: Action for Children Scotland, Action Group, Afreshe, Archibald Foundation, Barnardos in Scotland, Bipolar Scotland, Capability Scotland, Carr-Gomm Scotland, Children 1<sup>st</sup>, Child Poverty Action Group, Choices - One Parent Families West of Scotland, Church and Society Council of the Church of Scotland, Church Action on Poverty, Citizens Advice Scotland, Ecas, Edinburgh Coalition Against Poverty, Energy Action Scotland, Faith in Community (Scotland), Glasgow Council for the Voluntary Sector, Glasgow Disability Alliance, Glasgow University Students' Representative Council, Headway UK, Hillcrest Housing Association, Inclusion Scotland, Iona Community, Leonard Cheshire Scotland, Margaret Blackwood Housing Association, Momentum, National Autistic Society, One Parent Families Scotland, Oxfam in Scotland, Poverty Alliance, Public and Commercial Services Union, Quarriers, RNID Scotland, Salvation Army, SAMH, Save the Children in Scotland, Scotland's Commissioner for Children and Young People, Scottish Council for Single Homeless, Scottish Drugs Forum, Scottish Federation of Housing Associations, Scottish Homelessness & Employability Network, Scottish Out of School Care Association, Scottish Poverty Information Unit, Scottish Womens Convention, SCVO, STUC, Sense Scotland, Turning Point Scotland.