

Department for Work and Pensions

Research Report No 475

Qualitative research exploring the Pathways to Work sanctions regime

Martin Mitchell and Kandy Woodfield

A report of research carried out by the National Centre for Social Research on behalf of the Department for Work and Pensions

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The Authors

Martin Mitchell, National Centre for Social Research.

Kandy Woodfield, National Centre for Social Research.

Abbreviations and acronyms

ADF	Adviser Discretion Fund (award of up to £300)
Choices package	Range of provision to support return to work, including existing programmes, as well as the CMP
CMP	Condition Management Programme (developed between Jobcentre Plus and NHS)
DEA	Disability Employment Adviser
ESA	Employment and Support Allowance
FA	Financial Assessor
FCO	First Contact Officer
FTA	Failure to Attend
GP	General Practitioner
IBPA	Incapacity Benefit Personal Adviser
JPP	Job Preparation Premium
JSA	Jobseeker's Allowance
LMS	Labour Market System
NatCen	National Centre for Social Research
NDDP	New Deal for Disabled People
NDYP	New Deal for Young People
NHS	National Health Service

PA	Personal Adviser
PCA	Personal Capability Assessment
PSI	Policy Studies Institute
RIAB	Renfrewshire, Inverclyde, Argyll and Bute
RTWC	Return To Work Credit (£40/wk for 52 wks for those earning >£15K)
SPRU	Social Policy Research Unit
WBLA	Work-Based Learning for Adults
WFI(s)	Work Focused Interview(s)

Summary

Introduction and research design (Chapter 1)

In October 2003, based on proposals outlined in the Green Paper *'Pathways to Work: Helping People into Employment'* (2002), the Government introduced new Incapacity Benefit (IB) pilots – Pathways to Work. Under the reforms, IB customers are liable to have a percentage of their benefit entitlement sanctioned if they fail to attend a Work Focused Interview (WFI) and are unable to account for this by showing 'good cause'. At present, non-attendance is the main way in which IB customers may receive a sanction. They may also receive a sanction for failing to actively participate in a WFI they are attending, although in practice this latter provision is rarely enforced. Recent plans to roll out the programme nationally have indicated that other aspects of the programme may also become mandatory in the future.

Previous studies with Incapacity Benefit Personal Advisers (IBPAs)¹ have shed light on how information about sanctions is communicated to customers and the views of IBPAs towards imposing sanctions. However, little is so far known about the role sanctions play in the decisions customers make about attending WFIs and in their engagement in the Pathways to Work programme more generally. This qualitative study was undertaken as part of the wider evaluation of Pathways to Work and specifically explored the impact of sanctioning on customer engagement with the programme where sanctions were imposed as a result of a failure to attend. Understanding the role and impact of sanctioning may also help explore how extensions of conditionality might affect other aspects of the Pathways to Work programme and implications for the implementation of the Employment and Support Allowance (ESA), due to replace IB for new IB customers in 2008.

¹ Dickens, S., Mowlam, A. and Woodfield, K. (2004), *'Incapacity Benefit Reforms – the Personal Advisor Role and Practices'*, DWP Research Report No. 212; and Knight, T., Dickens, S., Mitchell, M. and Woodfield, K. (2005), *'Incapacity Benefit Reforms – The Personal Advisor Role and Practices: Stage Two'*, DWP Research Report No. 268.

The study adopted a qualitative approach using depth interviews to explore the experiences and impact of the sanctioning process on customers. The study also drew on secondary analysis of previous qualitative research conducted with customers and IBPAs as part of the wider evaluation. Thirty-four interviews were conducted with new and existing customers who had experience of the sanctioning process, including 12 customers who were referred for sanction but not sanctioned and 22 customers who had been sanctioned once or more. The sample was drawn from six Jobcentre Plus districts, including areas involved in the original pilots of Pathways to Work and more recent roll-out areas, and was purposively selected. It is important to note that the sample group, by their nature, are liable to be more difficult to engage with the programme and the Choices provision than customers with no experience of the sanctioning process and that the interpretation of findings should be seen in this light.

The summary reviews four key areas: awareness and understanding of the sanction regime; the impact of sanctioning on attendance at WFIs; experiences of the sanctioning process; and the impacts of being sanctioned on programme engagement, personal and financial circumstances, and motivations to work. It concludes by reflecting on the implications for future policy and practice.

Awareness and understanding of the sanctions regime (Chapter 2)

Sources of information

- Customers gained awareness of the mandatory nature of WFIs and the sanctioning regime through a variety of sources. These were chiefly: the initial Jobcentre Plus appointment letter; telephone contact with their IBPA; face-to-face contact with Jobcentre Plus staff when making a claim and previous knowledge of sanctions through claiming other benefits.
- Understanding of the mandatory nature of the programme prior to the first WFI was mainly achieved through the initial appointment letter, although messages about the mandatory nature of participation were also reinforced through later face-to-face contact with Jobcentre Plus staff.

Awareness of the mandatory nature of WFIs

- Customers were generally aware, prior to their first WFI, that attendance was mandatory and that non-attendance could lead to a financial penalty. However, exceptions to this pattern occurred where customers did not receive the initial appointment letter or where they felt that the letter did not sufficiently link the mandatory nature of the WFI with a **financial** penalty.

- Failure to receive the initial contact letter was linked to incorrect contact details, this was particularly evident among customers with unpredictable lifestyles experiencing problems such as homelessness, relationship breakdown and parental estrangement. For similar reasons, customers in this sample appeared to have had less pre-WFI telephone contact than those in the customer panel study sample².

Understanding the purpose of the WFI

- While customers generally understood that they had to attend a WFI they were much less clear about the purpose of the interview or the details of the sanctioning process. In the absence of such information they often assumed that the interview was about checking whether they were claiming IB fraudulently or that they would be 'forced' back to work.
- Prior to being sanctioned, customers had a widespread lack of detailed knowledge about how the sanctions process operated and of the actual financial implications of a failure to attend (FTA).
- The emphasis in the initial contact letter on the possibility of benefits being reduced for non-attendance was described as undermining more positive messages about the potential for help and support at WFIs. Although there was evidence that this could be alleviated where IBPAs were able to achieve pre-WFI telephone contact with customers and be flexible about the timing and date of the interviews, which helped IBPAs and customers establish better relationships.

Impact of sanctioning on attendance at WFIs (Chapter 3)

In general, the threat, or imposition, of a sanction improved attendance at WFIs, whether this happened at the first or later WFIs.

Reasons given for failing to attend

- Lack of awareness of the required attendance at WFIs due to non-receipt of the initial contact letter.
- Barriers to attendance directly related to the customer's health condition. Chief amongst these were mental health issues relating to the need to attend, mobility problems, forgetfulness and volatile health conditions.
- Clashes with other appointments.
- Personal or family emergencies and crises.

² Corden, A., Nice, K. and Sainsbury, R. (2005) *Incapacity Benefit Reforms Pilot: Findings from a longitudinal panel of clients*, DWP Research Report No. 259

- Having an unpredictable lifestyle.
- Perceived temporary or permanent irrelevance of the WFI due to the customer's health condition or family circumstances.
- Alienation from the benefits system and Jobcentre Plus partly reinforced by the threat of sanctions.

Where the sanctions regime did impact on attendance

- Customers who attended following a sanction, or the threat of one, were particularly concerned about the loss of money and the problems they anticipated or had experienced trying to have their benefit reinstated. Some customers found that the sanctions threat helped them to realise the seriousness of having to attend WFIs.
- Customers varied in the extent to which the sanctions threat acted as a trigger for continued attendance at later WFIs. For some it remained the sole reason for later attendance, in other cases it was only part of the reason for compliance and for a final group it did not feature as a reason.
- Customers could be divided into four types in relation to the role of the sanction in ongoing attendance:
 - **reluctant attendees** mainly or wholly motivated to attend by the sanction threat;
 - **hopeful attendees** partially motivated by the sanctions threat;
 - **enthusiastic attendees** unaffected by the sanctions threat;
 - **unresponsive customers** partly or completely immune to the sanctions threat.

Unresponsive customers

- Customers who were wholly unresponsive to the sanctions threat fell into three groups, those who:
 - were not solely reliant on IB, meaning that the sanction had limited financial impact;
 - perceived themselves as incapable of work due to their health condition or family circumstances (e.g. childcare responsibilities) and the sanctions threat did not change this;
 - felt that they did not need or want assistance to find work and therefore avoided Jobcentre Plus contact.
- Unresponsive customers, who were not immediately waived or deferred, consequently attended their WFIs intermittently and, as a result, some received further sanctions. Whilst additional sanctions prompted increased attendance for some, they rarely led to positive engagement.

Experiences of the sanctioning process (Chapter 4)

Why are some customers sanctioned and others not?

- Whether customers were waived, deferred, referred for sanction, or sanctioned depended on whether IBPAs and other Jobcentre Plus staff had managed to speak to the customer and/or treated their reasons for failing to attend as legitimate.
- Where customers **were** sanctioned this reflected two main factors:
 - breakdowns in communication about non-attendance (for example, not receiving appointment letters, failing to notify the IBPA about reasons for non-attendance, messages not being relayed about non-attendance);
 - IBPAs viewing the reasons given by customers for failing to attend as illegitimate, especially where they believed there was a pattern of repeatedly re-arranging interviews.
- Two reasons were found for sanctions not being imposed following a referral. In one group of cases IBPAs seem to have used alternative approaches to avoid implementing the sanction (e.g. use of a warning letter and/or attempts to contact the customer in person), reflecting earlier evidence about how IBPAs were implementing the regime. In other cases the positive outcome reflected good contact and communication on the part of customers about their reasons for non-attendance and willingness to rearrange appointments.
- The findings suggest that the need for sanctions could be averted in some cases by providing greater clarity about what reasons for non-attendance are seen as legitimate and which are not, and improved information about the appropriate channels of communication for customers needing to report non-attendance.

Issues regarded as legitimate or illegitimate for failing to attend

- A sanction was less likely to be imposed where customers were ill or had a personal crisis and telephoned to rearrange their appointment, or where care of young children appeared to rule out work in the short-term.
- A sanction was more likely to be imposed:
 - in order to encourage customers to make first contact where all other means had failed;
 - where customers had anticipated problems of access to the Jobcentre that IBPAs believed could be overcome;
 - where appointments were cancelled due to ill-health, forgetfulness, or family crises but were not re-arranged (especially where this happened repeatedly); or
 - where there was a disagreement over whether the customer was ready for work and/or needed help from the jobcentre.

Patterns of sanctioning

- The amount and duration of sanctions reflected the rules on sanctioning, depending on whether the sanction was for a first or later WFI and the extent to which the customer had been sanctioned before.
- Customers recalled one-off reductions of a specific amount or percentage per week until they attended their WFI or gradually escalating amounts or percentages for each subsequent Failure to Attend (FTA).
- The impact of the sanction was sometimes limited because customers were not aware that they had been sanctioned or were not clear about the amount or duration of the sanction. This was either because they were not initially aware of the sanction at all until they collected their benefit; because other deductions were already being made from their benefits which they confused with the sanction; or because they had recently transferred from another benefit (e.g. Jobseeker's Allowance (JSA)) and assumed the reduction arose from this change.

Fairness of sanctioning

- Sanctioned customers rarely saw their sanction as fair. In some cases this stemmed from disagreements or misunderstandings about what constituted a legitimate reason for non-attendance but was also linked to views about: who was culpable for communication breakdowns; the perceived lack of warning about the implications of FTA; and what some believed were insufficient opportunities to show good cause.
- Customers who were sanctioned because IBPAs viewed their reasons for failing to attend as illegitimate were sometimes resigned to this decision, even though they were unhappy about it. However, other customers said that they were not aware of opportunities to appeal against the decision, felt that appealing would be complicated and laborious or questioned the legitimacy of sanctioning IB customers who are already struggling on low incomes.

The impacts of receiving a sanction (Chapter 5)

While the imposition of a sanction had a significant impact on the attendance of customers, the evidence of positive engagement with the programme arising from this attendance was more limited.

Factors leading to engagement or disengagement

- There was much greater discussion among customers of factors leading to disengagement from the programme than there was discussion of factors that promoted engagement.

- Factors promoting engagement were: good customer-IBPA relationships (particularly having the same IBPA across all interviews); the perceived usefulness of information about the help and support available for the future (particularly relating to employment and training opportunities); the receipt of advice about other benefits and financial matters; and opportunities to make use of general job search facilities at the jobcentre.
- In contrast, factors leading to disengagement were:
 - poor quality interactions between IBPAs and customers during the WFIs;
 - perceptions that support offered was not appropriate to the needs of the customer;
 - perceptions that the WFI was badly timed in relation to the customer's health condition or family circumstances;
 - the extent of repetition in WFI content relating to the customer's ability to progress towards work;
 - customers' negative, and deeply held, perceptions about their own employability;
 - lack of customer engagement from the outset.

Impact on the customer-IBPA relationship

- There was limited evidence of a negative impact on the relationship between customers and their IBPAs which had been previously anticipated by IBPAs. Customers regularly drew a distinction between the sanctions policy and the role of individual IBPAs in enforcing it, and between the role of IBPAs and other Jobcentre Plus staff who they regarded as responsible for the sanction.
- This suggests the importance of maintaining a distinction between the supportive and enforcing roles of IBPAs.

Impact on engagement with Choices provision

- The impact of sanctions on customer engagement with Choices and other provision was limited. Some customers had considered taking up provision such as the Condition Management Programme (CMP) but had been unable to, or decided not to, because it duplicated existing provision within the National Health Service (NHS) or elsewhere. Where customers had considered taking up provision such as voluntary work or training, they felt that they had not been offered sufficient support to access the provision or that the options offered were inappropriate to their condition. Only in an exceptional case did a sanctioned customer engage with counselling through the CMP which they had found helpful.

Impact on views about work

- Customers fell into three groups in relation to how exposure to sanctions had affected their motivation to work:
 - Those who were enthusiastic about moving towards work continued to be so. Other customers saw themselves as disabled, 'too ill' to return to work, or felt that their condition at that time prevented them from being able to return to work despite wanting to do so.
 - Customers who did not want help from the jobcentre and/or who regarded themselves as **almost** ready to return to work, sometimes decided to look for work sooner and to transfer to JSA in the interim, rather than engage with the programme following a sanction or referral.
 - A final group of customers described no impact on their negative views about work after being sanctioned and, in some cases, the experience strengthened their views that they were being 'forced' to return to work before they were ready.

Financial impacts of sanctioning

- Sanctioning had an uneven financial impact across the sample with evidence that sanctions hit the more socially deprived or isolated, or longer-term benefit recipients, harder.
- Limited impact arose where customers were unaware that the sanction had actually been imposed or where customers had other sources of financial support meaning they were not totally reliant on IB for the income and security.
- Greatest impact occurred where customers were highly reliant on IB as their only source of income and security within their household. Impacts were similar to those found in other studies of benefit sanctions with customers describing various impacts, including: 'going without' basic necessities; delaying paying bills; or having to borrow money.
- Customers were not always aware of the possibility of crisis loans and, where they were aware of them, could be reluctant to apply because of existing loans and debts or because they believed the benefits system was bureaucratic.

Impacts of sanctions on relationships with others

- While some customers' families and friends helped them willingly, for others the need to borrow money caused difficulties ranging from minor arguments to more serious family tensions.

Impacts of sanctions on health

- The impact of sanctioning on health was mixed depending on the financial severity of the sanction, the extent to which customers felt a greater degree of stress and anxiety arising from the sanction and attendance at their WFI(s) and the nature of their original condition.

- Negative impacts on health tended to be linked to stresses, strains and anxieties arising from financial impacts and were found across the sample and not solely where customers had existing mental health conditions. However, some of these customers felt that the additional worry and anxiety caused by the process had made their existing condition more pronounced.
- Positive impacts on health were also identified by customers, such as increased confidence through attending a WFI or engagement with Choices provision, but were rare.

Conclusions (Chapter 6)

General conclusions

- It is important not to confuse increased attendance at WFIs with positive engagement. While financial penalties triggered greater attendance they did not always lead to greater engagement or enthusiasm on the part of the customer.
- Deep-seated beliefs about the relevance and timeliness of the intervention in relation to customers' health and personal circumstances were key factors influencing levels of engagement and motivation, coupled with customer perceptions of their own employability.
- There is a tension between the supportive and enabling aspects of the programme and the use of sanctions. However, the impact of this tension on the customer-IBPA relationship was less pronounced than anticipated with customers able to distinguish between the enabling and enforcement roles of the IBPA. The establishment and continuity of good relationships between IBPAs and customers was a key way in which engagement with the programme could be sustained where customers continued to hold deep-seated beliefs about their health or disability as a barrier to employment.
- Sanctioning can act as an important tool for initial or renewed attendance but is not by itself sufficient to produce positive engagement with the programme without attempts to address the deep-seated beliefs about health barriers and employment described above. It can reinforce initial hostility to the programme and act in a counterproductive way where customers are not provided with an adequate understanding of the purpose of the programme or how it can address their specific needs.
- Whilst the range of impacts resulting from sanctions was similar to those found in other recipient groups (such as JSA customers, for example), the inherent vulnerability of this group due to their health conditions can exacerbate those impacts. In particular, the negative impacts on mental health (both among customers with an existing primary mental health condition and those with other primary conditions) were notable amongst this sample.

Potential changes to improve understanding of conditionality and reduce the need for sanctions

- Positive outcomes were more likely where IBPAs were able to use a variety of methods to make pre-WFI contact. The unpredictable lifestyles and erratic health conditions amongst this group of customers suggests increased difficulties in communicating information about the programme and conditionality.
- Compliance might be improved by placing information about the sanctioning regime within the context of a brief explanation about the purpose of the WFI and the positive help and support available through the programme (e.g. by introducing a suitable paragraph in the initial appointment letter).
- Improving clarity about the seriousness of non-attendance, the type of circumstances that would be regarded as legitimate for non-attendance and the nature of the financial implications arising from not attending a WFI, were all suggested as possible ways to avoid failures to attend.
- Greater consistency in the use of the warning letter system, clarity of understanding in relation to the nature of legitimate reasons for failing to attend and ensuring customers awareness of the right to appeal a sanction may help to avoid referrals leading to sanctions.
- Customers felt that communication channels with their IBPAs were often problematic and could be made more straightforward enabling prompt notification of non-attendance and the reasons for this.

Promoting engagement and avoiding disengagement

- Customers placed great importance on the consistency of their relationship with IBPAs and providers over time, which helped them to build trust, rapport and so sustain engagement. This may have important policy implications in the context of provider-led Pathways in terms of who is responsible for building such a relationship.
- There may be greater need for IBPAs and providers to provide greater support to customers when accessing Choices or other provision, for example, by making initial contact with providers for them or by arranging three-way initial meetings to promote confidence in the referral.

- Where customers hold deep-seated views that they will always be too ill or disabled to work or that their history of ill-health or disability will automatically act as a barrier to employment then the use of sanctions to promote attendance may provide IBPAs with a window to challenge these views through providing greater access to work preparation and training or psychological support to access the customer's capabilities and strengths. However, customers will need to be convinced of the relevance of these activities if greater engagement is to result and it is likely that these customers will require longer and more intensive support from IBPAs. The findings suggest that customers may also need support to build their self-confidence or challenges to their perception of their health or disability as a barrier to work (where appropriate) prior to potential engagement with Choices or other Jobcentre Plus provision.

1 Introduction

In October 2003, based on proposals outlined in the Green Paper *'Pathways to Work: Helping People into Employment'* (2002), the Government introduced new Incapacity Benefit (IB) pilots – Pathways to Work. A research consortium, led by the Policy Studies Institute (PSI), was commissioned by the Department for Work and Pensions (DWP) to undertake a comprehensive evaluation of the pilots.

As part of its evaluation of the Pathways pilot, DWP commissioned a qualitative study to focus on the role of the Pathways sanctions regime in customer engagement. This report is based on analysis of data collected during the study and on secondary analysis of qualitative data collected during earlier components of the evaluation. The study was led by a team from the National Centre for Social Research (NatCen), with data collection and initial analysis also conducted by the PSI and the Social Policy Research Unit at York University (SPRU).

1.1 Background to the Pathways to Work Incapacity Benefit pilots

The Government's welfare to work programmes have sought to improve the lives of long-term unemployed people. However, despite the introduction of interventions like the New Deal for Disabled People (NDDP), aimed specifically at people with a health condition or disability who currently do not actively participate in the labour market, the number of people on IB continued to rise between the 1970s and 1990s. Despite reductions in the level of new IB claims from the late 1990s, and recent declines in the number of people claiming IB, people claiming IB still make up the largest group of economically inactive people in Britain, with approximately 2.66 million people of working age currently receiving IB in 2007.

The new Pathways to Work pilots were intended to refocus customers on the prospects of returning to work through a series of Work Focused Interviews (WFIs) and other forms of support. The main elements of the pilots are as follows:

- IB customers in pilot areas are required to take part in a series of **WFIs**, depending upon the length of their claim (six for new customers and three for existing customers). Through WFIs, customers are actively encouraged to consider the possibility of a return to work and discuss issues regarding their health, benefit receipt, work-focused activity, financial support, training and programmes with their Personal Adviser (PA).
- New, specially trained, **IB Personal Advisers** (IBPAs), as well as Disability Employment Advisers (DEAs) and Work Psychologists, were employed to advise and support people directly.
- The **timing of the medical assessment process** for new claims (the Personal Capability Assessment (PCA)) has been closely linked to the WFIs to allow for more rapid decision making around benefit eligibility and earlier access to capability reports from medical assessors.
- A **Choices package** of interventions offers people a range of provision to support their return to work. The package consists of easier access to existing programmes, such as NDDP, Work Preparation and Work-Based Learning for Adults (WBLA). The package also includes new **work-focused Condition Management Programmes** (CMPs) developed jointly between Jobcentre Plus and local National Health Service (NHS) providers.
- A **Return To Work Credit** (RTWC) of £40 per week for a maximum of 52 weeks is available to those returning to, or finding, work of 16 hours or more, where their gross earnings are less than £15,000 a year.
- An **Advisers' Discretion Fund** (ADF) is at the disposal of IBPAs to enable them to make awards of up to £300 per customer to support activities that can improve the likelihood of a person finding or taking up a job.
- Only those identified as being PCA exempt³, and those new customers identified through a screening tool as least likely to need additional help, are not required to attend WFIs. However, those customers can request such interviews on a voluntary basis and all customers in the pilot areas have equal access to the Choices package, the RTWC and the ADF.
- In addition, existing customers who are required to take part in three WFIs, can also qualify for the **Job Preparation Premium** (JPP), a new financial incentive of £20 a week to encourage activity in preparation for a return to work. This is time-limited to 26 weeks and payable as long as work-related activity, agreed as part of an action plan, is undertaken.

Pathways to Work pilots are now operating in 21 Jobcentre Plus districts in England, Scotland and Wales, having begun in seven original pilot areas.

³ 'PCA exempt' refers to those customers whose illness or disability is such that they can be assumed to be eligible for benefits without going through PCA.

1.1.1 Summary of the evaluation programme

The key objective of the evaluation is to establish whether, and by how much, the pilot interventions help IB customers move towards the labour market and into jobs and thereby reduce the rate at which customers move onto long-term IB. In doing so, the evaluation will describe and explore underlying processes and factors which account for differing outcomes and experiences of the pilots.

The evaluation includes work with IB customers, staff and providers; qualitative and quantitative evaluations of process and outcomes, a net impact analysis and cost-benefit analyses. The evaluation began in autumn 2003 and will be active in all pilot areas until at least 2008.

1.2 The Pathways to Work sanction regime

This study focuses on an aspect of the Pathways to Work reforms that has yet to be fully explored by the evaluation. Under the reforms, IB customers are liable to have a percentage of their benefit entitlement sanctioned if they fail to attend a WFI and are unable to account for this by showing 'good cause'. Two studies already carried out with IBPAs⁴ have shed light on how information about sanctions is communicated to customers and also about the views of IBPAs towards imposing sanctions for non-attendance at WFIs. However, little is so far known about the role sanctions play in the decisions customers make about attending WFIs and in their engagement in the Pathways to Work programme more generally. Little is also known about why some customers are prepared to attend WFIs but are reluctant to engage in the Pathways to Work programme in other ways, for example by choosing not to attend one of the programmes of support offered through the Choices package.

At present, non-attendance at a WFI is the only way in which an IB customer may receive a sanction through the reforms. However, recent plans to roll out the programme nationally have indicated that other aspects of the programme may become mandatory in the future. The 2006 Green Paper states that customers may become liable for a sanction if they do not engage in return-to-work activity that they have agreed to undertake with their IBPA in the form of an action plan. The findings from this study should help to explore how similar extensions of conditionality to other aspects of the Pathways to Work programme may impact on customers claiming IB or its successor, the Employment and Support Allowance (ESA), due to be introduced for new customers in 2008.

⁴ Dickens, S., Mowlam, A. and Woodfield, K. (2004), *'Incapacity Benefit Reforms – the Personal Advisor Role and Practices'*, DWP; and Knight, T., Dickens, S., Mitchell, M. and Woodfield, K., (2005), *'Incapacity Benefit Reforms – The Personal Advisor Role and Practices: Stage Two'*, DWP.

1.3 An overview of existing research on sanctions and non-compliance

Studies among other benefit groups give some insight into how IB customers might understand the sanctions process, the range of views they might have about sanctions rules and their potential experiences of being sanctioned.

Research exploring the impact of the sanctioning regime on lone parent customers⁵ found that the general principle of sanctioning was understood, but there was a lack of clarity regarding specific details, such as how much the reduction would be. A review of the Jobseeker's Allowance (JSA) sanctions regime⁶ and that operating under the New Deal for Young People (NDYP)⁷ also concluded that, overall, customers tended to understand the general principle of sanctions, but there was a lack of clarity regarding the details of sanctions. Customers were often confused about their experience of the sanctioning process, including circumstances that led to a sanction and the referral and decision-making process. A study conducted with offenders who had been sanctioned for failing to comply with a Community Sentence⁸, again found limited awareness and understanding of the sanctioning regime prior to and after the imposition of a sanction.

The importance of communication was highlighted throughout the different studies into benefit sanctions. One reason given by lone parents for non-attendance at WFIs was having no knowledge of the WFI invitation; as well as making a conscious decision not to attend; or being willing but not attending for another reason. Some JSA customers who felt the system had been inadequately communicated, or that the sanction was unjust, became frustrated and angry. Both JSA and lone parent customers felt that improved communication would be beneficial, especially those customers with literacy and learning difficulties and those with other language needs. For some young people participating in the NDYP there was evidence that a lack of awareness of the circumstances which could constitute a breach of NDYP rules led to less, rather than more, engagement with the programme and with PAs in particular.

⁵ Joyce, L. and Whiting, K., (2006), *'Sanctions: Qualitative summary report on lone parent customers'*, DWP.

⁶ Peters, M. and Joyce, L., (2006), *'A review of the JSA sanctions regime: Summary research findings'*, DWP.

⁷ O'Connor, W., Ritchie, J. and Woodfield, K. (2001), *'Experiences of New Deal: Qualitative Profiles of Young Participants'*, Employment Service, Research and Development Report ESR71.

⁸ Knight, T., Mowlam, A., Woodfield, K., Lewis, J., Purdon, S. and Kitchen, S. with Roberts, C., (2003), *'Evaluation of the community sentences and withdrawal of benefits pilot'*, DWP.

Each of the studies found that issues with communication mediated the extent to which sanctions operated as an effective deterrent to non-compliance. During the lone parent benefit study few impacts were noted, due to lack of knowledge of the sanctions amongst lone parents. Offenders in the Community Sentences study did not describe sanctions as having a major influence on their behaviour due to limited awareness. Overall, however, it was estimated that the sanctions policy had a small but positive impact on compliance with Community Sentences. The study on JSA sanctions indicated that some customers became more motivated to find work after a sanction, due to fear of being sanctioned again, but also demotivated some customers by presenting barriers to work, such as reducing the amount of money available for job search activities. This was similar for participants on the NDYP where evidence showed that the threat of a potential sanction had some bearing on participants' motivation to complete an NDYP Option, given that completion of an Option was a critical way in which the programme was found to help meet key employment needs, the role of the sanction was found to be central in some cases.

In common with other studies exploring the impact of sanctions on claimants' lives, research with participants on the NDYP found that those hardest hit by sanctions were parents with young children who were forced to rely on support from friends and family, other sources of declared or undeclared income or by 'going without'. Research with JSA customers also indicated that stress from receiving a sanction could aggravate existing health conditions, as well as causing new problems such as disturbed sleeping patterns and weight loss.

1.4 Aims and objectives

The overarching aim of this study was to explore the impact of sanctions on customer engagement in the Pathways to Work programme. Within this, the specific objectives were to explore:

- why some customers fail to attend WFIs and refuse to engage in the Pathways to Work programme;
- customer awareness and understanding of the mandatory nature of WFIs and the possibility of a sanction for non-attendance;
- how information about sanctions is communicated to customers before and during their contact with the Pathways to Work programme;
- PAs' attitudes and practice towards imposing sanctions for non-attendance at WFIs;
- the impact on customers of the possibility of a sanction on attendance at WFIs;
- the impact of receiving a sanction on the health and financial circumstances of customers;

- the impact of receiving a sanction on customers' subsequent engagement in the Pathways to Work programme;
- customer views about the use of sanctions for other elements of the Pathways to Work programme.

1.5 Research design and conduct

The qualitative study was based primarily on face-to-face interviews with customers. It also drew on secondary analysis from existing qualitative evidence collected during earlier stages of the evaluation. The study was undertaken between August 2006 and July 2007.

1.5.1 The primary research

Target sample

The study intended to include interviews with customers who were recorded on the Jobcentre Plus Labour Market System (LMS) as having failed to attend a WFI without showing 'good cause', and who were then referred to a Benefit Processor who imposed a sanction. In addition to this group, LMS data also revealed that there is a subgroup of customers who are referred to a benefit processor having failed to attend a WFI without showing 'good cause', but who **are** not subsequently sanctioned. The study also wanted to include a small number of these customers in order to explore the particular experiences of this group and the reasons why they had not been sanctioned. We also wanted to include a third group: those customers who had displayed some reluctance or difficulty in engaging in the Pathways to Work programme but who had not been referred to a Benefit Processor to be considered for a sanction. This group comprised two types of 'reluctant' customers – those who had failed to attend a WFI but had not been referred to a Benefit Processor, having been able to show good cause for their non-attendance or for another reason; or those who had failed to attend a Choices option (such as CMP) that they had been referred to by their IBPA.

Sampling and recruitment

Difficulties were encountered during the sampling and recruitment stage which led to a revision of the focus of the study. The data collected on LMS was not sufficiently accurate or detailed to allow for identification of 'reluctant' customers who were not referred to a Benefit Processor⁹. The decision was made then to focus the fieldwork solely on customers who had been referred and either received or not received a sanction. This meant that the study was not able to explore the

⁹ In addition to customers who were referred to a Benefit Processor but not sanctioned, we hoped to include customers who failed to attend (FTA) a Choices option, such as the CMP, that they had been referred to by their IBPA. At the time it was not possible to identify these customers from administrative data.

impact of sanctions on engagement with the pilot beyond the mandatory WFI stage.

Similar problems with the accuracy of administrative data and the fact that these customers had already demonstrated a lack of engagement with the pilots meant that the study experienced a higher than anticipated number of 'no-shows' for interview. Nevertheless, the study came near to achieving its target of 42 interviews and, as can be seen in Section 1.6.2, achieved a well balanced distribution of key sample characteristics.

Conduct of the sanctions study

Thirty-four customers participated in the fieldwork, a detailed sample profile is provided in Section 1.6.2. Purposive sampling was used to provide a balanced sample, representing, as far as possible, the range of customer circumstances and characteristics. Customers were given an opt-out period following an initial letter explaining about the study and once this was concluded, customers were selected from the database and contacted by telephone and invited to participate in the study. At all stages customers were assured of confidentiality and anonymity and reminded that participation was voluntary, that the research was independent from Jobcentre Plus and DWP and that participation would not affect their entitlement to benefits in any way. All participating customers signed a written consent form indicating they understood the implications of participation.

The fieldwork was exploratory and interactive in form, so that the questioning could be responsive to participants' contributions. The depth interviews were based on topic guides designed in collaboration with DWP which outlined key subject areas to be discussed. Topic guides for this study can be found in the Appendix. All interviews were conducted by members of the research team and were digitally recorded and transcribed verbatim for analysis. Interviews took place in customers' homes and lasted for up to an hour and a half.

The qualitative data was analysed using Framework (Ritchie *et al.*, 2003¹⁰), a systematic approach to qualitative data analysis that was developed by NatCen and is now widely used in social policy research (Pope *et al.*, 2006¹¹). Framework involves a number of stages: First, the key topics and issues which emerge from the research objectives and the data are identified through familiarisation with transcripts. The analytical framework is then drawn up. A series of thematic charts, or matrices, are set up each relating to a different thematic issue. The columns in each matrix represent the key sub-themes or topics whilst the rows represent individual participants. The framework for this study is shown in the Appendix. Data from each participant are summarised into the appropriate cell. The context of the information is retained and the page of the transcript from which it comes

¹⁰ Ritchie, J., Spencer, L. and O'Connor, W. (2003) '*Carrying out qualitative analysis*' in Ritchie and Lewis (eds) *Qualitative Research Practice* Sage.

¹¹ Pope, C., Ziebland, S. and Mays, N. (2006) '*Analysing qualitative data*' in Pope and Mays (eds) *Qualitative Research in Health Care* Blackwell Publishing.

noted, so that it is possible to return to a transcript to explore a point in more detail or to extract text for verbatim quotation. In this way, the data are ordered within an analytical framework that is grounded in participants' own accounts and oriented to the research objectives. The charts allow the full pattern of an individual's attitudes and behaviour to be reviewed – for example, we were able to explore, for an individual customer, how their views about the Pathways to Work pilot influenced their experience of sanctions and decisions about compliance with mandatory and voluntary elements. The charts also display the range of views or behaviours described by participants and allow the accounts of different participants, or groups of participants to be compared and contrasted. Being able to carry out this detailed 'within case' and 'between cases' analysis provides depth and richness in the interpretation of qualitative research data.

The final stage of analysis involved working through the charted data in detail, drawing out the range of experiences and views, identifying similarities and differences, developing and testing hypotheses and interrogating the data to seek to explain emergent patterns and findings.

1.6 Sample

Given that this was a qualitative study, the aim was not to generate a sample that could be statistically inferred to a wider population. Instead, it was to purposively select a sample that would include the variety of different experiences likely to be found among customers who have been involved in the sanctioning process.

1.6.1 Jobcentre Plus districts

In designing a programme of qualitative study it was not necessary to include all Jobcentre Plus, Pathways to Work districts. The choice of districts was made to reflect contrasting job markets, different levels of involvement with the implementation of the Pathways to Work programme and different numbers of sanctions referrals and sanctions imposed. In order to maximise the sample pool of customers, it was necessary to draw most of them from the original seven pilot areas where larger numbers of sanctions had been processed over a longer period of time. The low number of imposed sanctions in most of the expansion areas at the time of selection meant that there was less choice about which of these areas to involve. The Jobcentre Plus districts included in the study were:

- Derbyshire;
- Essex;
- Gateshead;
- Glasgow (expansion district);
- Renfrewshire, Inverclyde, Argyll and Bute (RIAB);
- West Lancashire (expansion district).

1.6.2 Sample characteristics

The sample was drawn from customers who were recorded on the Jobcentre Plus LMS system as having failed to attend a WFI without showing 'good cause', and who had subsequently been referred to a benefit processor for sanctioning. It included both customers who were referred but not sanctioned and customers who had a sanction imposed.

Customer recollection of the number of referrals or sanctions they had received did not always match with administrative data. In some cases participants were adamant that their experiences did not match with the number of referrals and/or sanctions recorded. In others researchers had to go to great lengths to clarify how many times customers had been referred and/or sanctioned with the full picture only emerging during the whole course of the interview. In this respect, the number of sanctions described below is based on the overall interview account rather than solely the administrative data since this is more likely to have influenced interviewees' views of the sanctioning regime.

Thirty-four customers were interviewed who had experience of the sanctioning process. The breakdown of those who were referred and sanctioned is shown below in Table 1.1. The sample was also selected to achieve a diverse sample based on age, gender, whether participants were new or existing customers, which WFI they had failed to attend (first, second, third, etc.), the number of WFIs unattended and type of health condition. The fact that the sample population were by their nature more difficult to engage made adherence to strict purposive sampling quotas difficult. Consequently, characteristics of secondary importance had to be balanced against achieving sufficient sanctioned participants overall. The age and gender of participants is also shown below.

Table 1.1 Sample profile

Sanction status	Gender		Age			Undisclosed	
	Male	Female	Under 35	35-49	50+		
Referred but not sanctioned	12	4	8	4	5	2	1
Sanctioned once	19	14	5	10	5	3	1
Sanctioned twice or more ¹	3	1	2	1	2	–	–
Total	34	19	15	15	12	5	2

¹ Only one participant had been sanctioned more than twice. In her interview account she said that she had been sanctioned '*loads of times*' but was unclear about how many times. Her administrative records indicated that she had been sanctioned three times.

There were a range of health conditions among the participants (see Table 1.2). It is not possible from this qualitative sample to say whether mental health conditions were more prevalent among sanctioned customers but the customers

that we interviewed often cited mental health problems as a key reason why they found it difficult to engage with the Pathways to Work programme. This applied to customers whose primary health condition was documented as mental health in administrative records and to some customers whose initial recorded problem was physical but who had later developed mental health conditions such as depression or anxiety. There was also a group of customers with unpredictable lifestyles associated with drug and alcohol misuse.

Given the small number of sanctions imposed it was necessary to go back as far as 2005 in order to generate the sample. In order to avoid problems of recall, participants with more recent experiences of the sanctioning process were prioritised wherever possible. However, this meant that most of the participants had been through the whole WFI process by the time of their interview. Where customers had not been waived after their first WFI, the number of WFIs that customers said they had attended ranged from one to ten. For reasons described above in relation to the number of sanctions, it was also difficult to establish the exact number of referrals for non-attendance. However, the sample did include people who had been referred on multiple occasions but not sanctioned as well as people who had been referred more times than they had been sanctioned.

Table 1.2 Range of health conditions found among participants

Mental health conditions

- depression, including post-natal depression
- stress, anxiety and panic attacks
- agoraphobia
- alcohol and drug problems (including heroin addiction)
- alcohol-related problems such as liver and kidney failure
- eating disorders

Muscular-skeletal conditions

- back problems (e.g. prolapsed disc)
- orthopaedic problems (e.g. broken hip, fractured spine)
- osteoporosis
- arthritis
- muscular paralysis

Cardio-vascular conditions

- congenital heart disease
- high blood pressure
- deep vein thrombosis (sometimes related to drug addiction)

Other physical conditions

- sciatica
 - kidney failure
 - poor vision
 - road and work-related accidents
-

1.6.3 The secondary analysis

The evaluation has already included numerous qualitative studies exploring various aspects of the pilots. In order to build on this learning, this study also included secondary analysis of the data generated from two earlier qualitative studies with IBPAs from data collected during the longitudinal customer panel. In the two IBPA studies, IBPAs were asked about their attitudes towards, and experiences of, sanctioning customers for non-attendance at WFIs. Due to the broader scope of the studies these findings were reported relatively briefly within the subsequent reports. Further analysis of this data set out to establish how information about sanctions is communicated to customers and what IBPA practice was, at that point in time, with regards to sanctioning. Re-analysis of the relevant data from the longitudinal panel with customers provided more information about customers' awareness of, and views about, the sanctions regime. The key findings from this secondary analysis are included in boxes in the relevant chapters.

1.7 Structure of the report

The report consists of five further chapters: **Chapter 2** explores awareness and understanding of the sanction regime. **Chapter 3** examines the impact of sanctioning and referral on customer attendance at WFIs. **Chapter 4** concentrates on customers' experiences of the sanctions process. **Chapter 5** focuses on how the sanction experience affected customer engagement with the programme, their progress towards work and its impact on other aspects of their lives. Finally, **Chapter 6** concludes the report with a discussion of the key issues and implications for future extensions of conditionality into the Pathways to Work reforms and other incapacity-related benefits.

2 Awareness and understanding of sanctioning

One of the key aims of the study was to investigate the level of customer awareness and understanding of the mandatory nature of Work Focused Interviews (WFIs) and the possibility of a sanction for non-attendance. This chapter examines the level of awareness and understanding of these issues in the context of how information about mandatory WFIs and sanctioning were communicated to customers prior to their first WFI. (The way in which information about these issues is communicated to customers during the WFI process is explored in Chapter 5.)

2.1 Level of awareness

2.1.1 Awareness of the mandatory nature of WFIs

Awareness of the mandatory nature of WFIs was almost universal amongst the customers interviewed for the longitudinal study. Exceptions were those customers who described being unsure if WFIs were compulsory and a handful of customers who mistakenly believed WFI participation to be voluntary.

In this study customers generally understood that WFIs were mandatory prior to their first WFI but there was a group of customers who claimed not to be aware that this was the case. As discussed below there were some customers who failed to receive the initial contact letter and were unaware of their WFI at all until after they received a sanction. However, once contact with the jobcentre was established they generally thought that the message that WFIs were compulsory was clear. A couple of exceptions to this were where customers said that, while they were told by their Incapacity Benefit Personal Adviser (IBPA) that they had to attend their WFIs, they did not recall being made aware that they could have their

benefits reduced if they did not do so. For example, one participant said that he had never been aware that his WFI was mandatory or that his benefits could be reduced if he did not attend. Other than both having musculo-skeletal conditions there did not appear to be any other factors linking these two cases.

Apart from this group of customers, there was generally a high level of awareness that customers' benefits could be affected if they failed to attend their WFIs. Generally, these customers described being fully aware that their benefits could be affected from the time of their first contact with jobcentre staff, whether this was by letter, over the telephone or at the time of making their claim. Some of the customers also recalled that their appointment time could be rearranged but only if they were able to give a good reason. This suggests that where customers were unaware of the mandatory nature of WFIs, this stemmed from failures of communication; either arising from the transient and unpredictable nature of the lives of some of this customer group, meaning that some contacts were missed; or from the failure to convey to some customers that the mandatory nature of WFIs was also linked to a sanctioning regime.

2.1.2 Awareness of the implications of sanctioning

Despite relatively widespread awareness that attendance at WFIs was mandatory and that benefits could be affected for failure to attend, customers had much more limited awareness of the details of the sanctioning regime or what being sanctioned would actually entail. As described in more detail below, customers who had received the initial appointment letter typically remembered the section of the letter that said their benefits could be affected if they did not attend their WFIs. These messages tended to have been reinforced through telephone or face-to-face contact with IBPAs or other Jobcentre Plus staff. However, customers also recalled that they were not given more specific details about how their benefits would be affected if they did not attend, for example, by how much or for how long. The customers were also less clear about whether their benefits would be reduced or stopped completely.

The customer panel study found that when customers spoke about their understanding of the sanctioning regime, it was common for them to describe how their benefits would be 'stopped' if they failed to attend. It was much less common for them to speak about their benefits being 'reduced', 'cut' or 'sanctioned'.

In this study customers indicated a range of understandings about what having one's benefits sanctioned would mean. Some customers said that they understood from the initial appointment letter or a telephone conversation with their IBPA, that their benefits would be 'stopped' if they failed to attend. Others talked about 'some money' being deducted from their payments or their money being cut or reduced.

Most misconceptions occurred prior to the first WFI with improved understandings developing once customers had more face-to-face contact with their IBPAs or following actual sanctionings. For example, one customer who had been sanctioned more than once described the way in which she was told that she would lose a progressively higher percentage of her benefits if she continued to fail to attend. However, other customers also talked about their benefits being stopped in the context of their eligibility for Incapacity Benefit (IB) being questioned; for example, after failing to attend a Personal Capability Assessment (PCA) or when moving between IB and another benefit such as Jobseeker's Allowance (JSA). In this respect, sanctioning was sometimes confused with IB being suspended completely.

2.1.3 Understanding of the purpose of WFIs and the role of sanctioning

The secondary analysis revealed that there was a common assumption among customers that failure to attend could lead to a loss of their entire benefit entitlement. This was, in turn, linked to the misconceptions that these customers had about the purpose of the WFI prior to their first meeting with their IBPA.

This study tended to confirm that customers still had these misconceptions. Previous studies have illustrated that customers frequently felt that they were being called into the jobcentre to check whether they were 'really ill' and not claiming IB fraudulently. This study also confirmed that customers were concerned about the purpose of the WFI, although their apprehension about whether their benefits would be affected was also linked to a range of misconceptions about the purpose of the WFI in the absence of more detailed and clearly articulated information.

Where customers had received a letter, some commented that the letter told them that they had to attend a WFI and gave them an appointment time only. They felt that there was no clear detail given about the purpose of the meeting. In one case where a customer had telephoned her IBPA for clarification about why she had to attend a WFI, she said she was told that it was a standard letter and that she should simply come to the appointment.

In the absence of information, customers tended to form their own views about the purpose of the WFI. For example, one customer assumed that the meeting would be about whether his health condition and other circumstances had changed. Others said they were not sure what the purpose of the meeting was but that they assumed it would be part of a medical, a way of checking-up on what they were doing, a review of their benefits or like 'signing-on' for JSA.

One group of customers seized on the 'work-focused' part of the reference to a WFI in the letter. They said that they knew that the meeting was a 'back-to-work' interview or that the meeting would be about getting back to work. Some customers who had spoken to their IBPAs on the telephone described how their Personal Adviser (PA) had made reference to helping them find work, work experience or doing work-related courses. In a number of cases this led to fears and concerns that customers would be forced back to work before they were ready or confusion about why they were being called in. For example, one customer said that his IBPA had told him that he needed to attend the WFI to talk about work and his benefits when he first made his claim. This had left him feeling confused because he did not think he was required to work because he had just been signed off by his doctor.

No clear patterns emerged to suggest that one particular source of information was more effective than others in providing correct information prior to the first WFI about the purpose of the WFIs or why customers might be sanctioned if they did not comply with the Pathways to Work regime. However, the findings do suggest that initial reception of the programme might be improved if customers had a better understanding of the purpose of the WFIs and the role of the sanctioning regime in relation to that purpose.

2.2 Sources of awareness

Findings from the secondary analysis of the longitudinal customer panel study indicated that customers were typically made aware of the compulsory nature of participation and the potential to be sanctioned for non-compliance **prior** to their first WFI. The rare exceptions to this arose where customers said that they had not received the letter introducing the Pathways to Work programme and the requirement to attend a mandatory WFI. They attributed this to a recent change of address or other reasons such as being away from home when the letter arrived. Customers in the panel study described a number of ways in which they had learned about the requirements of the programme, including:

- a letter from Jobcentre Plus asking them to attend a WFI;
- telephone contact with an IBPA;
- face-to-face contact with a Financial Assessor (FA) at the jobcentre;
- previous experience of sanctions or potential sanctions in the benefits system.

Customers in this study described a similar range of ways in which they had learned about the requirements of the programme prior to their first WFI. The issue of the level of awareness is now explored in relation to each of these different sources.

2.2.1 Jobcentre Plus letter

As in the customer panel study, the initial Jobcentre Plus letter was the most commonly cited source of awareness about the Pathways to Work programme and the sanctions regime. In this study, however, there was a significant number of customers who claimed not to have received a letter and who said they knew nothing about the requirement to attend a WFI until they contacted the jobcentre after being sanctioned.

In the customer panel study non-receipt of the letter had been primarily associated with a change of address or being away from home at the time the letter arrived. However, this study revealed an additional layer to these problems in that changes of address were sometimes linked to transient and chaotic lifestyles, including problems of homelessness, the breakdown of relationships and distance from the parental home which customers continued to use as their contact address. For example, one participant who had a serious drug addiction had struggled to find somewhere to live after leaving prison. He was largely estranged from his parents and had moved a considerable distance from his parental home. Letters had been sent to his parents' home but the physical distance and the difficult relationship he had with his parents meant that he only received the letter some months later after his appointment had passed.

The customers who had received the letter generally remembered there being a line at the bottom stating that their benefits could be affected if they failed to attend the appointment without good reason or without telephoning to rearrange it. However, there was a range of different recollections about the precise wording of the letter and what that wording implied. Some took from the letter that their benefits 'would' be affected if they failed to attend but others recalled it saying they 'may' or 'could' be affected. Exceptionally, while some customers remembered the letter saying that the WFI was compulsory, they did not recall any mention of the possibility of being sanctioned if they did not attend.

Customers with a range of health conditions specifically expressed dissatisfaction with the part of the letter that mentioned the possibility of their benefits being affected. Echoing previous qualitative studies in the Pathways to Work evaluation, they expressed the view that the letter did not give enough information about the purpose of the WFI. It was in this context that the letter was viewed as threatening rather than emphasising the positive help and support that could be offered.

2.2.2 Telephone contact with an IBPA

In the customer panel study receiving a telephone call from an IBPA prior to the initial WFI was typical across the sample. IBPAs made use of this telephone call for a variety of purposes (e.g. allaying customer fears, checking the customer had received the introductory letter and confirming the time and date of the appointment). This contact also sometimes included providing information about the mandatory elements of the programme.

Pre-WFI contact of this type was less typical among the customers in this study. Few customers recalled receiving a telephone call from their IBPA in addition to the introductory letter. It was even more unusual for customers to recall having received a telephone call prior to their introductory letter. This may partly reflect the unpredictable nature of the lifestyles of some customers who are sanctioned and the fact that contact details for them might not be up to date. However, it may also reflect a deliberate strategy on the part of some customers to fail to acknowledge such contact (e.g. by ignoring telephone messages from IBPAs to contact them) because of their reluctance to engage with the programme.

In most cases where there was telephone contact, this was initiated by the customer in response to receipt of the letter. These customers telephoned their IBPA to explain why they felt they should not have to attend the WFI or to try to arrange a more convenient time or location for the appointment. Some customers thought that the requirement to attend a WFI should not apply to them because of their health condition or other circumstances.

Reflecting previous findings there was some indication that where there was contact by telephone and the IBPA was prepared to be flexible about the date, time and location of the WFI, that this softened the response of customers to the message about the compulsory nature of participation. Often, customers who had only received the appointment letter expressed anger about their lack of involvement in the decision about the time and location of the WFI. In some cases they said that they were unaware that the time of the appointment could be changed. Unusually, customers had been told by their IBPA that their appointments could not be rearranged when they telephoned to explain why they could not make a specific time or date. They were told that if they did not attend the designated appointment they would automatically be sanctioned on the computer system and that any degree of possible flexibility was out of the hands of their IBPA.

More typically, customers found that their IBPAs were prepared to be flexible when they called them to rearrange their appointments. Some customers said that they understood from the letter that they could rearrange the WFI if it was not convenient to them. For others, initial contact by telephone had meant that a convenient date and time that took account of their needs could be organised from the outset. In one case, discussion with his IBPA over the telephone meant

that the customer was able to explain that his condition (severe arthritis) and care for a young child meant that it was virtually impossible for him to come into the jobcentre for a WFI. The customer felt that his IBPA had responded well to his needs by agreeing to conduct the WFI over the telephone. Consequently, where there was the possibility of a degree of flexibility negotiated through telephone contact, the customers tended to respond better to the need to attend WFIs and to establish a good relationship with their IBPA.

2.2.3 Contact Jobcentre Plus staff when first making a claim

One group of customers said they had first become aware of the Pathways to Work programme and the requirement to attend a WFI when they first made a claim for IB or Income Support (IS). Sometimes this happened face-to-face with an IBPA at the jobcentre, while in one case it happened when a customer made his claim over the telephone. Unlike in earlier studies, no customers in this sample reported being made aware of the requirement to attend WFIs via an FA, although this may be appropriate given that it is not part of the FA role.

2.2.4 Previous experience of the benefits system

As in the panel study there was a group of customers who had had substantial previous experience of claiming JSA, IB and other benefits. Amongst these there were some who had incurred a benefit sanction in the past when on a different benefit to IB or on another welfare to work programme such as New Deal. A significant group of customers in this study had a history of moving between IB and JSA or IS, sometimes making little distinction between the different mandatory requirements of these other benefits or the penalties for non-compliance.

Customers in this group were often very conscious of the possibility of receiving a sanction for failing to attend an appointment at the jobcentre, independent of any information they received from the letter or through their IBPA. They were not surprised to be told in the introductory letter that their benefits could be affected if they did not attend a WFI, with some commenting that all jobcentre letters contained this statement. When they did receive additional information from these sources it merely served to confirm their expectations that an element of compulsion would be present.

2.3 Summary

Customers gained their awareness of the mandatory nature of WFIs and the sanctioning regime through a variety of sources, including:

- the initial Jobcentre Plus appointment letter;
- telephone contact with their IBPA;
- face-to-face contact with Jobcentre Plus staff when making a claim; or
- previous experience of the benefits system.

There was evidence that some customers had transient and chaotic lifestyles that made contact by letter and pre-WFI telephone contact more difficult. Where there was greater possibility of customers being involved in the arrangement or rearrangement of the time and date of the WFI, this often served to soften the message of the compulsory nature of the WFI.

With few exceptions there was generally a high level of awareness that benefits would be affected if customers did not attend their WFIs. However, the customers were also less clear about the details of sanctioning, particularly whether their benefits would be reduced or stopped completely. The view that benefits could be stopped completely was often linked to inadequate information about the purpose of WFIs prior to the first meeting with an IBPA and the misconception that WFIs are about checking on whether customers are claiming fraudulently. There was some evidence to suggest that initial reception to the Pathways to Work programme, and the role of the sanctioning regime within it, would be improved if the purpose of the WFIs was better communicated prior to the first WFI.

3 Impact of sanctioning on attendance at Work Focused Interviews

This chapter examines the reasons why customers failed to attend their Work Focused Interviews (WFIs) and the impact of referral for sanctioning or the implementation of one or more sanction on subsequent customer attendance. It also examines the impact of sanctioning on attendance at WFIs relative to other, more positive, factors, such as making customers aware of the help and support on offer and discusses this in relation to different attitudes that customers held towards the Pathways to Work programme from the outset. At this stage only the impact of sanctioning on **attendance** is discussed. The impact of increased attendance at WFIs on the level of engagement with the programme is discussed in more detail in Chapter 6.

3.1 Reasons for Failure to Attend WFI meetings

Chapter 2 has already highlighted the important role that awareness of WFI appointments and the sanctioning regime could have in relation to whether customers attended their WFIs. Secondary analysis of the customer panel study and previous research with Incapacity Benefit Personal Advisers (IBPAs) both suggested that awareness of the mandatory nature of the WFIs was an important factor in influencing customer attendance. However, we found that this was not the only factor accounting for attendance.

3.1.1 IBPA views about reasons for failure to attend

Findings from the secondary analysis of the previous studies with IBPAs suggested that they believed failures to attend (FTAs) resulted from difficulties making direct contact with customers prior to the first WFI, a lack of familiarity among Incapacity Benefit (IB) customers with the sanctioning process and the unpredictable lifestyles and medical conditions found among some of this customer group.

Incapacity Benefit Personal Advisers were unanimous in agreeing that customers who have only received a letter and who have not had pre-WFI personal or telephone contact with the IBPA (including those who do not have contact telephone numbers) were far more likely to fail to attend than customers who had had pre-WFI contact. They also agreed that FTA rates tended to be higher amongst customers attending first WFIs who had not had the opportunity to engage with an IBPA prior to that point or with the Choices provision.

Those with experience of other sanction regimes argued that customers who had been subject to other mandatory regimes such as New Deal or Jobseeker's Allowance (JSA) were more likely to comply as they were used to being required to undertake certain activities. Conversely, customers receiving IB were less familiar with having to comply with such requirements.

Failure to attend rates were also thought to be higher among customers with unpredictable lifestyles or medical conditions. For example, drug users and people with mental health issues were persistently mentioned as more likely to fail to attend. Others were described as having health conditions that might affect memory and recall and so reduce the likelihood of customers remembering to attend (e.g. clinical depression).

3.1.2 Reasons for failing to attend given by customers

Reasons given by customers for failing to attend tended to support those given by IBPAs in the previous studies. However, there were also a number of other factors related to access to Jobcentre Plus offices, the health conditions of the customers, the perceived relevance of a WFI to their lives and the priority that customers gave to attendance relative to other appointments and issues in their lives. The full range of reasons given for failing to attend are outlined below. The description of IBPA responses to the different reasons for failing to attend that customers gave are also discussed.

Lack of awareness of the WFI and the sanctioning regime

As already discussed in Chapter 2, failure to receive the initial letter meant that some customers did not attend their first WFI because they were unaware that they were required to. However, some customers who claimed to have poor

memories also gave this as a reason for failing to attend subsequent WFIs. While in the former case the sanction acted as a way of encouraging the customer to make contact with their IBPA and the sanction was usually later revoked, in the latter case, IBPAs appeared to be less sympathetic and imposed the sanction to reinforce the mandatory nature of the interviews. In the case of one participant, his IBPA sent him an appointment letter before each WFI, which reinforced the compulsory nature of the WFIs. He subsequently attended all his interviews.

Problems related to the health conditions of customers

The customers discussed a number of health conditions and problems that meant they felt they were unable to attend their WFIs. Prominent among these were mental health conditions such as anxiety and depression. At the time of the first WFI a number of customers described being so anxious about their appointment that they telephoned the jobcentre to rearrange it. One participant described how her fear of attending the appointment at the time outweighed any fear of being sanctioned. Another participant also described how she felt so depressed on the day of the interview she could not have cared less about the possibility of a sanction. Other health conditions related to FTA included arthritis, orthopaedic problems and withdrawal from drug addiction. Included among these was one customer with a fractured spine who simply found it too painful to walk.

Some customers who gave their health condition as their reason for failing to attend emphasised that it was not a deliberate decision not to go to the WFI but was unavoidable. There was some evidence that while the customers' IBPAs were prepared to accept ill-health on the day as a reason to rearrange appointments, they were not, ultimately, afraid to impose a sanction at first WFIs in order that they could actually meet the customer in person. Analysis suggested that IBPAs were less likely to sanction a customer who was unable to attend a second or later WFI because of their health condition, sometimes waiving the customer at this stage where the customer stated that their condition was persistent.

Access to Jobcentre Plus offices

The customers discussed both problems getting to their jobcentre and disabled access within the building as reasons for deciding not to attend. For example, one customer suffering from depression and kidney failure described the difficulties he had getting to his jobcentre because he did not have his own transport. Another described the way in which his anxiety made it difficult for him to use public transport. Other customers anticipated problems prior to their first WFI, such as the stress that the travel would place on one customer's arthritic knees or the problems that having a fractured hip would present for climbing stairs. In all of these cases the customers were sanctioned, although in the latter case the customer was interviewed over the telephone and subsequently waived.

Forgetfulness

There was a group of customers who had health conditions that affected their ability to remember appointments, reflecting the concerns of IBPAs discussed earlier. In one case a customer described the permanent pain that he experienced following a road accident as so bad that he forgot his appointment. In another, a man who suffered from alcoholism discussed the way in which he often forgot appointments because of his heavy drinking. However, some customers simply forgot their appointment on the day. In all but one of these cases the customers were sanctioned, the only exception being where a customer missed one of her later WFIs and spoke to her IBPA on the same day to rearrange it.

Other appointments

Customers who had appointments, such as a hospital appointment or court appearance, on the same day as their WFI appointment, sometimes said that they regarded these as more important than their WFI. In both of the cases where customers had hospital appointments but were still sanctioned, this was because the WFI appointment was not rearranged. In the case of the customer who had to go to court, he had not yet attended his first WFI and it is possible that his IBPA also sanctioned him because he did not arrange another appointment.

Personal or family crises

A range of personal or family crises were discussed by customers as reasons for failing to attend. These were:

- a customer giving birth prematurely;
- a customer's daughter giving birth;
- falling down stairs and having to go to hospital for an x-ray;
- having to visit a grandparent in hospital;
- being stranded on holiday due to a cancelled flight.

Only in the case of the cancelled flight was a sanction not imposed. In the case of the woman whose daughter gave birth, she commented that she did not believe that her IBPA would impose a sanction for this reason. However, it is possible that her IBPA was sceptical about the reason given because the customer had already been referred and sanctioned a number of times.

Unpredictable lifestyles

A group of customers described unpredictable lifestyles that reflected the views of IBPAs that FTA would be higher among this group. Reasons for FTAs related to problems of homelessness, alcoholism, domestic violence and involvement with the police. For example, one customer did not receive his first WFI appointment letter because he had been homeless at the time and was sleeping on friends' floors. A couple of customers discussed the way that alcoholism was related to

forgetfulness about their appointment or domestic violence. For example, one customer had been involved in a fight after a heavy drinking session. He had to go to hospital and said that his WFI was the last thing on his mind. Another customer described how she had to accompany a relative to the police station after they were attacked. All of these customers were sanctioned, whether attending their first or a later WFI. However, as we will see later in this chapter, sanctioning had only limited impact with this group (see Section 3.2).

Perceived irrelevance of a WFI to their lives

The perceived irrelevance of work and the WFI was a key reason that some customers gave to explain why they were unresponsive to the requirement to attend a WFI and the sanctioning process. Key themes to emerge were that:

- the customer's health condition meant that they felt they were a considerable distance from work and that talking about the possibility of work was, therefore, seen as a waste of time;
- the customer was pregnant or had young children and, therefore, did not see how they would be able to return to work in the near future;
- the customer felt they needed to address their own health problems and believed they did not need the help of the jobcentre to do this.

Incapacity Benefit Personal Advisers tended to use their discretion about whether to sanction customers who were pregnant or who had young children, with some of this group being referred but not sanctioned. Even where these customers were sanctioned they tended subsequently to be waived. Customers reported that their IBPAs were less inclined to waive them where they disagreed over whether they were a considerable distance from work, or whether they needed the help and support provided by the Pathways to Work programme. For example, one customer with congenital heart disease was sanctioned twice despite his view, and that of his wife, that he had been 'signed-off' for at least two years and that his condition was chronic and unlikely to improve. Similarly, the imposition of a sanction did little to change the view of the customer who repeatedly said that he wanted to address his health problems himself and did not need the support of the jobcentre.

Alienation from the sanctions process or the benefits system

In rare cases customers said that the sanctioning process or difficulties claiming IB in the first place had made them decide to fail to attend. For example, one customer said that it was because the jobcentre kept reducing her benefits that she decided not to attend; while she attended some WFIs she failed to turn up for others. Another customer said that she could not see the point of attending a WFI when her benefit was suspended because she did not attend a Personal Capability Assessment (PCA).

3.2 The impact of sanctioning on attendance

This section examines the impact of sanctioning on attendance, based on the views of IBPAs from the secondary analysis and from the overall accounts of customers in this study. The impact of sanctioning on attendance for different types of customers is also explored using a typology drawn from the secondary analysis and further refined through this study.

3.2.1 Incapacity Benefit Personal Adviser views about the impact of sanctioning on attendance

In most cases when a customer fails to attend a WFI, the IBPAs sent out what they described as an 'IBR good cause letter' which informs the customer that they have five working days to show good cause for their non-compliance before a sanction is applied. IBPAs were generally positive about this letter which they described as acting as a 'formal' threat that encouraged customers to make contact and to rearrange the WFI.

There was a general feeling amongst IBPAs that in most cases the threat of a sanction did prompt customers who had failed to attend their WFIs to get in contact with their jobcentre or IBPA, either to discuss the reasons for their non-compliance or to arrange a rescheduled appointment. In fact, some IBPAs credited the success of the warning system with the generally low levels of applied sanctions. The fact that most customers attended after being warned meant that IBPAs believed that far fewer ended up losing benefits as a result.

3.2.2 Overall impact on customer attendance

In general, both the threat of sanction and actual sanctioning improved attendance at WFIs, whether this was their first or a later WFI. Key impacts included:

- contact by customers who could not be contacted otherwise;
- increased awareness among customers of the seriousness of not attending a WFI and the need to make contact to rearrange the appointment if they could not make it;
- clarification of situations where customers should be deferred or waived.

Typically, the customers who had been sanctioned said that they attended all or most of their subsequent WFIs if they had not been waived. This pattern also applied to most customers who had been referred but not sanctioned.

However, there were two groups of customers who continued to fail to attend. One was a group of customers who saw themselves as incapable of work. They did not want the help of their IBPA or perceived the WFIs to be irrelevant to them. Consequently, this group continued to miss appointments intermittently, despite receiving further referrals and sanctions. The other group did their best to avoid

contact with the jobcentre or Pathways to Work programme, for example, by relying on other sources of income (e.g. savings or partners), ignoring letters and other attempts to contact them or by transferring to other benefits such as JSA that they believed would involve less 'hassle'.

Another issue that arose was that, while the threat of sanctioning produced almost universal attendance amongst this sample, it was evident that this rarely produced any further engagement with the programme. The issue of whether attendance led to greater engagement with the Pathways to Work programme as a whole is addressed in Chapter 5, as engagement is a broader concept than simple attendance and indicates a psychological engagement and enthusiasm for participation. Therefore, in Section 3.2.3 below we address the impact that sanctioning had on attendance relative to other factors such the initial expectations of the customer's programme, their hopes and their level of enthusiasm. We also address whether these attitudes changed over time through the greater involvement produced through sanctioning and referral.

3.2.3 Impact of sanctioning on attendance for different types of customers

Based on the secondary analysis data from the customer panel study, it was possible to identify a tentative typology of customers in terms of the initial attitudes customers held towards the Pathways to Work programme and the impact of the threat of sanctioning on subsequent attendance relative to other, more positive, factors arising from that attendance. The analysis identified two groups of customers who described being motivated into attending the programme either wholly or partly because of the threat of a possible sanction; and two further groups where customers were unresponsive to the threat of sanctions, albeit for very different reasons. Overall, four groups of customers were identified at this stage:

- Group 1 – reluctant attendees wholly motivated to attend by the sanction threat;
- Group 2 – hopeful attendees partially motivated by the sanction threat;
- Group 3 – enthusiastic attendees unaffected by the sanction threat;
- Group 4 – customers unresponsive to the sanction threat.

The typology using these four groups was largely supported by this study with only very minor differences. For example, we found among the 'reluctant attendees' people who were still reluctant but for whom the sanction threat was only a part of the reason for attending. Among the 'hopeful attendees' we found people whose hopes were dashed because of problems with their health or their feeling that IBPAs had not responded well to their specific personal needs. And among those who were unresponsive to the sanction threat we found a customer who said that

the information that he received might be useful in the future even though it was not correctly timed for him now. The headings for the groups below have been adjusted where necessary to account for these changes. We now address each of these groups in turn.

Group 1 – reluctant attendees mainly or wholly motivated to attend by the sanction threat

One group of customers in the panel study were explicit that they had attended their WFIs because they 'had to' and did not want to lose their benefits. These customers did not identify any other motivations for attending. In this group were customers who stated explicitly that they found the WFIs 'boring', 'a waste of time' or 'no help at all' but continued to attend because they knew their benefits would be stopped if they did not attend. Others described difficulties either with getting to the WFI or the pain that they experienced during the meetings related to their condition. Again, these customers said that they continued to attend because they felt they had to, although it was not clear from the data whether or not they had articulated these difficulties to their Personal Adviser (PA).

These 'reluctant attendees' tended to be the most negative about the pilots in general. By examining the panel data for these customers over time, it was possible to see that the role of sanctions in motivating attendance appeared to persist throughout all the WFIs they attended.

In this study these customers also tended to emphasise that they attended their WFIs because they had to and that they only attended because of their fear that their benefits would be reduced or stopped. They discussed the way in which the threat of sanctioning was a key motivator to attend, partly because they were highly dependent on the money, but also because of the difficulties they experienced having their benefits reinstated. They also commented on the way in which IBPAs reinforced the message, in a firm way, that failure to attend could lead to loss of benefits when they booked them in for their next WFI appointments.

Several of the customers said that the fear of the loss of benefit again after having being sanctioned once, was the motivation for attending that even outweighed concerns about their health condition. For example, one customer who failed to attend her first WFI because she was going through heroin withdrawal described how the threat of a sanction had 'scared' her and that she would continue to attend further WFIs even '*if I had to be pulled in on a stretcher*' (female, 42, mental health condition and drug dependency). Another customer who was sanctioned said he would get to his appointments '*even if I had to crawl there on my hands and knees*' (male, 41, mental health conditions).

Yet, despite this motivation to attend, the view found in the previous studies that the WFIs were generally a 'waste of time' was also evident among participants in

this group in this study. Some customers said that their sole purpose for attending was to get their money reinstated or to persuade their IBPA that they could not take part in the programme.

A key difference from the analysis of the panel study, however, was that, while some customers still gave the sanction threat as their main reason for attending, and remained reluctant to do so, they also identified help and support that they hoped to obtain from their IBPA. For example, one customer said that, although the sanction threat was his main consideration for attending his first WFI, he also decided that he wanted to talk to his IBPA about getting back to work. Another customer said that he discovered that his IBPA was able to help him claim the correct benefits at their first meeting and that this was another reason that he continued to attend his series of WFIs even if the threat of sanctioning was his main consideration. A couple of participants also said that the meeting was better than they had expected and that it was useful to hear about the help and support available (see Chapter 6). However, the sanction threat remained their main concern.

The other side of these more positive changes was that some customers who had initially been hopeful about their involvement with the Pathways to Work programme, had subsequently been disappointed and now said that the sanction threat had become their main reason for continuing to attend. For example, one customer described his experience of his first WFI as 'pointless' and said that he only attended the second one because of the threat of being sanctioned. Where customers felt this way, it tended to reflect their view that their IBPA had not properly listened to the nature of their health problems or how their conditions acted as barriers to work. Consequently, there was some evidence of attendance at WFIs beginning to be motivated by other, more positive, factors among this group of customers but there were also evidence of some setbacks.

Group 2 – hopeful attendees partially motivated by the sanction threat

From the secondary analysis it was also possible to identify a second group of customers who cited the threat of a sanction as one, but not the only or main, reason for their attendance at WFIs.

Typically, these customers held neutral or positive views about the pilot and felt they might benefit in some way from contact with the programme or their IBPA. They were motivated to attend their first WFI both by their hope that they would benefit as well as by their fear of a sanction if they failed to attend. For this group the impact of sanctioning was most apparent with regard to attendance at the first WFI – at the point when they knew little about what the pilot would involve or the support available. Greater knowledge and appreciation of the potential benefits appeared to motivate attendance at subsequent WFIs, lessen the role of sanctions as a motivating factor and develop the potential for increased engagement.

The pattern found among hopeful attendees in the panel study was virtually duplicated in this study. As in the previous study, these customers said that their view that they might benefit from involvement in the programme was at least equally important to the sanction threat. For example, one customer whose children had been taken into care said that she initially felt 'excited' about the WFI because she hoped that her IBPA might be able to help her overcome her condition and return to work. In turn, she hoped this would allow her to have her children returned. Other customers talked about feeling more determined to work, or wanting to return to work, and hoping that there would be some help and support that the jobcentre could offer. One customer who had been diagnosed with a prolapsed disk said that he hoped his IBPA could, '*steer him in the right way [about] what I'm supposed to be doing*', given his need to adapt to his new circumstances.

Once again, the importance of the threat of sanctioning was still important but declined following the first WFI. For example, one customer discussed the way in which the positive experience of her first WFI made her hopeful that the jobcentre would be able to offer her the help she needed, saying: '*I just kept going because I thought it might help in the long run*'. Consequently, for this group of customers, while sanctioning remains an important motivation for attendance, there was also evidence that initial hopefulness could be used to engage these customers in the programme.

Group 3 – enthusiastic attendees unaffected by the sanction threat

Customers who fell into the third group were less prominent in the panel sample than those in Groups 1 and 2. These customers held broadly positive views about the pilot and described positive experiences of engaging in the range of support available. Unlike the other two groups, these customers did not appear to require any additional motivation to attend any of their WFIs and for them, the threat of a sanction did not appear to be an active influence on their attendance or engagement.

Given the nature of the sample for this study, one would expect there to be fewer enthusiastic attendees among those who had been sanctioned or threatened with a sanction for non-attendance. In this respect, it was remarkable to find people who were enthusiastic about attending their WFIs in this study, even though they remained much less prominent than those in the two previous groups.

These customers described positive motivations for attending their WFIs. For example, one customer said he wanted to know what his choices were, while another said that, she did not just go because of the threat of a sanction, but went because she wanted some help. Another customer commented that he was keen to go because he wanted to return to work and has always been a '*grafter*'.

Group 4 – customers partly or completely unresponsive to sanction threat

A final group of customers were unresponsive to the threat of sanctions but not because they were enthusiastic about the programme. Two different reasons were given by these customers for the lack of impact the threat of sanctions had had on their engagement.

First, were those customers whose financial situation was not solely reliant on their IB payments and therefore, the threat of losing some or all of their benefit did not overly concern them. More exceptionally, a customer described how possibility of a sanction was 'an empty threat' which they did not believe would ever be used.

We also found customers where the threat of being sanctioned had mixed or no impact on their attendance at WFIs. Among these were people who were not solely reliant on IB for their income and people who felt that a sanction could not realistically be applied because of their health condition and family circumstances. However, we found a range of other factors which influenced whether customers attended only some or none of their WFIs. Reasons given for the threat of sanctions having little or no impact on attendance included:

- **people not solely reliant on IB payments**

For example, one customer with severe arthritis said that he was not bothered about being sanctioned prior to his first WFI because he had a family endowment. He never attended his first WFI and was subsequently waived. Another customer suffering from alcoholism said that he had simply depended on his girlfriend's income since being sanctioned for his first WFI. It was unclear from his account what had happened since the sanction.

- **people who avoided any further contact with the jobcentre and the Pathways to Work programme**

Some customers appeared to prefer to stop claiming IB rather than attend their WFI or to avoid any contact with the jobcentre by not answering the telephone or delaying opening letters. For example, one customer said that she did not see the point of attending a WFI since her IB had been suspended following her failure to attend a PCA. Another customer with anxiety-related problems described avoiding contact with her IBPA following a WFI that was particularly traumatic for her because of her condition and had failed to address requests to attend a PCA. In the former case the customer was referred but not sanctioned and in the latter case she had not attended any further appointments since her first WFI.

- **people who perceived that their health condition or family circumstances prevented them from working and therefore, made WFIs irrelevant to them**

We have already addressed some of these issues in Section 3.1.2 in relation to reasons for failures to attend (see the section on 'Perceived irrelevance of the WFI to their lives'). The wife of one customer spoke for him when she said:

'I don't see why he should go and have an hour's appointment and waste his time talking about work when they know full well that he's not allowed to work for two years.'

(Male, 21, cardio-vascular condition)

He said that the reason he continued to attend sporadically, despite being sanctioned twice, was because he thought his WFIs were 'pointless' and he could not be 'bothered'. He said that the only reason he had attended when he did was because of the impact of the sanctions on his wife and baby. Another customer said that the reason the threat of sanction had no impact on him was because the combined issues of his hip problem and being the sole carer for a young child meant that he could not work and that it was unlikely that a sanction would be imposed on him. His first WFI was eventually conducted over the telephone and he was then waived.

A number of customers gave pregnancy or the care of young children as a reason why they did not think they should to attend a WFI. In most cases these customers did not attend after being referred or sanctioned and were eventually waived. The one customer in this position who did attend after being sanctioned, did not attend all her following WFIs. She expressed dismay that her IBPA had suggested that she should go to college when she had young children to look after.

- **a woman with an anxiety-related condition who found it impossible to attend the jobcentre**

Customers with anxiety-related conditions in this study tended to be waived or to overcome their anxiety in order to attend their WFIs following a referral or sanction. An exception to this pattern was a customer who had telephoned her IBPA to try to explain that she could not attend her first WFI because she suffered from severe anxiety and panic attacks. She felt that her IBPA had failed to listen to her because she only offered to postpone the meeting and not to waive it. She went to her first WFI the day after the appointment but had felt 'frightened' despite having her partner with her. She then failed to attend any further WFIs despite receiving a sanction. She said:

'I just thought "I can't do this anymore". I just want to go to sleep and tell everyone to leave me alone.'

(Female, 23, mental health conditions)

Since her first meeting she had avoided further contact with her IBPA and the jobcentre, despite the suspension of her IB pending the need to attend a PCA.

- **a man who felt that he should help himself back to work and perceived that he, therefore, did not need the support offered by the jobcentre**

One man suffering from anxiety and depression felt that he needed to address his health problems by getting back to work by himself. Despite being sanctioned he had still not attended any WFIs because he did not perceive that he needed the help of his IBPA or the jobcentre.

- **a woman who felt alienated from the jobcentre and their IBPA by the imposition of sanctions decided to attend intermittently**

A woman suffering from severe osteoporosis and a number of problems relating to her home and family circumstances, perceived that she had been alienated from the jobcentre and her IBPA because of the sanctions that had been imposed on her. She considered that the sanctions she received meant that the jobcentre were messing her around and she consequently decided to mess them about by failing to attend. Although she attended some WFIs after her sanctions, she attended sporadically. In many ways this reflected her already chaotic life.

3.3 Summary

Customers gave a range of reasons for failing to attend their WFIs:

- lack of awareness of the WFI and the sanctioning regime arising from failure to receive the initial contact letter;
- problems related to the customer's health condition, such as anxiety about attendance among mental health customers and mobility problems among customers with musculo-skeletal conditions;
- forgetfulness, sometimes linked to the customer's condition;
- clashes with other appointments (e.g. hospital appointments);
- personal or family crises;
- issues arising from unpredictable lifestyles such as homelessness, alcohol-related incidents, domestic violence and involvement with the police;
- perceived irrelevance of a WFI due to the customer's condition or family circumstances (e.g. care of young children);
- alienation from the sanctions process and benefits system.

Customers described circumstances in which IBPAs were less or more inclined to use a sanctions threat or impose a sanction in relation to the reasons given for failing to attend. They were less inclined to impose a sanction where customers were ill or had a personal crisis and telephoned to rearrange the appointment or where care of young children appeared to rule out work in the short-term. They were more inclined to impose a sanction in order to get customers to make first contact; where customers had anticipated access problems to the jobcentre; where appointments were cancelled due to ill-health, forgetfulness and family crises were not re-arranged; or where there was a disagreement over whether the customer was ready for work and/or needed help from the jobcentre.

In general the sanctions threat or the imposition of a sanction improved attendance at WFIs. Customers were particularly concerned about the loss of money and the problems they anticipated or had experienced trying to have their IB reinstated. They said that the sanctions threat had made them realise the seriousness of having to attend the WFI, sometimes to the point that this outweighed concerns about their health.

Where the sanctions threat had none or a limited impact this arose in relation to a number of types of customers:

- those who were not solely reliant on IB and for whom the sanction had limited financial impact;
- those who saw themselves as incapable of work due to their health or family circumstances;
- those who perceived that they did not need or want the help of the jobcentre and avoided any, or further, contact.

Customers in these groups, who were not waived or deferred, tended to attend their WFIs intermittently.

Reluctant customers who were wholly or mainly motivated to attend their WFIs by the sanctions threat, remained so across their WFIs. Some hopeful attendees, who were only partially motivated by the sanctions threat to attend, were disheartened because they felt that their IBPA did not fully understand their health condition or respond to their work-related needs. Enthusiastic attendees not motivated by the threat of sanction to attend remained so, although, as might be expected, continued to be less prominent among this customer group.

4 Experiences of the sanctioning process

In this chapter we examine customer experiences of the sanctioning process. We investigate the circumstances in which customers were referred for sanction but not sanctioned, the application of the sanctioning process itself and the degree of consistency in the ways in which these processes were being applied. We also explore the nature of the sanctions applied, customer awareness and understanding of why sanctions have been applied and, where customers received a sanction, their perceptions of whether that sanction was fair.

4.1 General attitudes and practices towards imposing sanctions

Before exploring customer experiences of referral and sanctioning, it is useful to review the context, both in relation to sanctioning policy for Incapacity Benefit (IB) customers and what we have learnt from the secondary analysis of previous studies with Incapacity Benefit Personal Advisers (IBPAs). Prior to the Pathways to Work pilots, IBPAs had not been permitted to impose sanctions on IB customers and there were no mandatory work-related activities required. Under the reforms, IB customers became liable to have a proportion of their benefit entitlement sanctioned if they fail to attend a Work Focused Interview (WFI) and are unable to account for this by showing 'good cause'. Where a customer fails to attend they should be contacted and told that if they do not show good cause for failing to attend within five days, they will be referred to a benefit processor who could impose a sanction.

4.1.1 IBPA attitudes and practices in relation to sanctions

Previous research with IBPAs revealed an overwhelming reluctance to impose sanctions. IBPA attitudes towards sanctioning were reflected in their practices along a continuum ranging from strict enforcement of the regime to giving customers as much leeway as possible around failures to attend (FTAs). However, while some IBPAs identified positive uses of the sanctioning process, on the whole, IBPAs tended to do everything possible to enable customers to show 'good cause' and to avoid imposing sanctions.

At one end of the continuum, IBPAs reported doing no more than is laid out in the guidelines for the FTA process, that is to send a letter after an FTA, wait five days for a response and then implement a sanction if the customer does not respond. These IBPAs tended to argue that sanctioning was a positive way to try to encourage customers to attend. They had fewer concerns about imposing sanctions because they believed the system itself gave customers plenty of warning about the possibility of sanctioning and sufficient opportunities to show good cause if they were unable to attend. However, even this group of IBPAs tended to view sanctioning as a last resort.

At the other end of the continuum, IBPAs reported always giving the customer the benefit of the doubt in relation to FTAs and described using a range of different measures to avoid having to implement the sanctions process. These involved making repeated telephone calls to customers to establish their reasons for non-attendance, rearranging appointments, organising home visits and issuing multiple warning letters. This group of IBPAs tended to place a premium on keeping the customer engaged with the WFI process, although this was often coupled with a negative view towards the sanctions regime and a desire to avoid becoming involved in implementing it.

The reasons why IBPAs were reluctant to impose sanctions are discussed in more detail in Chapter 5 in relation to the impact of sanctioning on the engagement, health and financial circumstances of customers. Our key focus in this chapter is on the way in which the different attitudes to sanctioning found among IBPAs, affected the experiences customers had of this process.

Customers were also asked about their general views towards sanctioning IB claimants and it is worth exploring these views before we move on to explore their experiences of the sanctioning process.

4.1.2 Customer views about the fairness of sanctioning benefits for people on Incapacity Benefit

Perhaps unsurprisingly, it was rare for our sample to express the view that being sanctioned was fair. Both customers who had been referred but not sanctioned and those who had received a sanction, questioned the fairness of the sanctioning process for customers on IB. Some of these attitudes were rooted in a more

general attitude that people who have been 'signed off sick' by their GP should not be expected to look for work, whilst others felt customers on IB were already facing significant challenges which could only be exacerbated by the imposition of financial penalties, an issue we address in Chapter 5. There were a handful of customers who argued that a sanctions regime was necessary to 'catch the bludgers' although unsurprisingly no one in the sample felt they themselves fell into this category. However, the fact that some customers appeared resigned to the decision to sanction them and did not appeal, indicates a level of acceptance that they did not have a legitimate case. We will return to how customers' experiences of the sanction and referral process affected their views about the fairness of sanctions in the final section of this chapter.

4.2 Customer experiences of referral and sanctioning

This section explores circumstances where decisions were taken about whether or not to sanction customers. We found customer experiences were shaped by three factors:

- the quality of contact and communication between IBPAs and customers;
- the extent to which both IBPAs and customers used the opportunities to show good cause;
- the extent to which certain reasons for failing to attend were viewed as illegitimate by IBPAs.

We first discuss these issues in relation to the experiences of customers who were referred but not sanctioned. We then look at the experiences of customers who were sanctioned either due to breakdowns in communication or to circumstances where IBPAs believed that customers had not demonstrated good cause.

4.2.1 Customers referred but not sanctioned

Two main factors were linked to customers being referred but not sanctioned: Firstly, customers described situations where IBPAs were highly flexible allowing as much leeway to enable the customer to demonstrate 'good cause' for not attending their WFIs. In the second set of cases, customer contact with the jobcentre informing them about difficulties with their health condition or family circumstances, either before their appointment or shortly afterwards, was critical to averting a sanction.

Strategies used by IBPAs to allow customers to show 'good cause'

Secondary analysis of existing IBPA data revealed the success of the warning letter in generally encouraging customers to make contact and rearrange appointments without the need for a sanction. Incapacity Benefit Personal Advisers also argued that there was a range of strategies they could employ to engage or re-engage customers before they reached the point of needing to impose a sanction, including telephoning customers to find out why they had not attended or sending out a letter asking the customer to make contact following missed appointments.

Similar accounts were found among customers about the range of ways in which the imposition of a sanction was avoided by IBPAs by issuing a warning letter or attempting to make contact with customers who had failed to attend. For example, one customer who failed to attend one of her later WFIs because she was going through heroin withdrawal, said she had received a letter threatening that her benefits would be reduced if she did not explain her non-attendance. She went to the jobcentre in person and was asked, by a person who was not her IBPA, to fill in a form to explain her reasons for failing to attend. Within a few days she received a letter saying that her reasons were accepted and that she would not be sanctioned on this occasion. She attended all of her subsequent WFIs.

In other cases, IBPAs had made contact by telephone or by letter prior to issuing the threat of a sanction. For example, one IBPA telephoned the customer to find out why they had not attended their first WFI. When it became clear that the customer's health condition and family circumstances meant that they would be unable to return to work in the foreseeable future, the IBPA treated this telephone call as the first WFI and he was told that he would not be required to attend further WFIs until his situation changed. In another case, where a customer had severe anxiety and depression, the IBPA sent her a letter asking her to make contact and to rearrange one of her missed WFIs. The customer did so as soon as she was feeling better. This example also illustrates the subtle distinction around decision-making on sanctions between first and later WFIs. It is possible in this last case that the fact that the IBPA had met the customer previously and was aware of her health condition may have influenced how they approached the FTA.

Contact by customers

A key difference between customers who were referred for sanction but not actually sanctioned and customers who were sanctioned, was the extent of contact and communication between the customer and their IBPA. Typically, where customers were not sanctioned this was because they had responded to the threat of a sanction or a request by their IBPAs to contact them or had initiated contact with their IBPA to rearrange appointments when it was not possible for them to attend.

Clearly, making contact and providing justifiable reasons for non-attendance helped to avert a sanction. A group of customers in the study described how they had avoided a sanction by telephoning the jobcentre to explain why they could not attend their WFI or to rearrange their appointment. Reasons accepted as 'good cause' for failing to attend first WFIs were:

- ill-health – either a temporary worsening of the existing condition or development of a new health issue such as flu;
- conflicting health-related appointments (such as hospital appointments);
- poor memory (sometimes linked to the underlying health condition);
- other practical barriers, for example a flight cancellation leaving a customer stranded in another location.

In contrast, reasons accepted as 'good cause' at later WFIs tended to be related solely to the customer's condition or ill-health on the day. Some of these customers specifically commented that it was their IBPA's existing knowledge of their health condition that gave credence to their FTA and meant they were able to reschedule their appointment. For example, a customer with a spinal injury telephoned her IBPA on the day of the appointment to explain that she had no transport and could not travel to the jobcentre. She felt that her IBPA had agreed to the meeting being postponed because she understood her disability and the limitations it caused in relation to travelling. Another customer with alcoholism and depression said that he made a point of telephoning his IBPA if he felt unable to attend on the day of a WFI appointment. To date his reasons had been accepted and he had remained unsanctioned. Consequently, where customers succeeded in making contact with their IBPAs and could show 'good cause' they remained unsanctioned.

There was another group of cases where waivers or deferrals had been granted after contact initiated by customers. In this sample, these were all customers with mental health conditions such as stress, anxiety, panic attacks and agoraphobia. Often, the contact was made by family members or in writing because the customers were too anxious or distressed to speak to their IBPAs in person. Some customers felt third-party representation by a family member would provide formality and authenticity to their request. For example, one customer, who experienced uncontrollable vomiting linked to stress and anxiety when in unfamiliar places, asked her mother to telephone her IBPA to explain her situation and why she could not attend any WFIs. She believed that her mother was listened to and believed in a way that, she did not think, as a young woman, she would have been. In another case, a young woman experiencing panic attacks wrote a letter to her IBPA explaining why she was not able to attend one of her later WFIs. Her reasons were accepted and she was told that she did not need to make contact with the jobcentre again until she felt ready. From this qualitative sample it is impossible to know whether IBPAs are generally more likely to waive or defer cases involving mental health conditions, although the earlier IBPA studies did identify a reluctance amongst some IBPAs to work with customers with mental health conditions primarily because they felt unqualified to deal with mental health issues.

However, contact with the jobcentre was not always enough in itself to avoid being sanctioned. There were also examples where sanctioning stemmed from breakdowns in communication between the customer and their IBPA or where IBPAs and other jobcentre staff simply decided that customers did not have valid reasons for failing to attend. The following section explores these cases.

4.2.2 Sanctioning related to breakdowns in communication

As discussed in Chapter 1, the importance of communication has been highlighted throughout the different studies into the use of sanctions for benefits customers. These studies found that the nature of communication mediated the extent to which customers were aware of the sanctioning process and to which sanctions operated as an effective deterrent to non-compliance.

We noted in Section 4.2.1 that, even though IBPAs were reluctant to impose sanctions without first having spoken to customers, there was a general feeling that the threat of a sanction was a useful tool to encourage customers who had failed to attend their WFIs to contact the jobcentre or their IBPA. Sanctions then were commonly viewed not as a punishment for non-attendance but as a tool for re-engaging customers with the programme. Consequently, where customers were sanctioned, IBPAs generally cited a breakdown in communication with the customer as lying at the heart of the problem.

To a degree the views of IBPAs from previous studies implied that sanctioning and the breakdown of communication were often the fault of customers who had either failed to keep the jobcentre informed of their current contact details or were 'playing the system' and being deliberately evasive. While we found some descriptions of circumstances and events that fitted these scenarios, we also found circumstances and events where customers had attempted to make contact with their IBPAs but argued that their message had been lost in a chain of communication. We also found circumstances in which customers had failed to make contact to rearrange appointments for which they had 'good cause' for non-attendance but where circumstances had overtaken them and prevented them from contacting the jobcentre.

Sanctions imposed as a result of breakdowns in communication generally appeared to be viewed by IBPAs as a mistake with the result that the sanctions were usually revoked at a later date.

Incorrect contact details

Customers in one group described how incorrect contact details or wrong addresses had meant that their IBPA had simply been unable to make contact prior to the first WFI appointment. These customers described how they had not received their initial appointment letters either because they had been sent to their parents address or had simply not reached them for some other unknown reason. One participant also explained how his letters had been sent to another jobcentre because post had gone missing from his shared address and a previous jobcentre had decided that his address was unreliable.

In all these cases, the customers said that they had been completely unaware that there was a requirement for them to attend a WFI until after they discovered that their benefit payment had been reduced from that they had expected. They had then contacted the jobcentre to find out why. Consequently, while the application of the sanction had acted as an effective prompt for the customer to make contact with their local jobcentre, they often felt they had been unfairly treated, being penalised when they had been unaware of what was required of them (see Section 4.4.1). In most of these cases, customers began to attend their WFIs once they were aware of the Pathways programme

Communication breakdowns

Another group of customers described trying to make contact with their IBPAs to explain why they could not attend their WFIs but being unable to speak to them directly. Typically, customers described being too ill on the day of their WFI to attend or having hospital appointments that they considered to be more important. They described trying to telephone their IBPA but being unable to reach them because they were not in their office or were unavailable. When this happened, customers usually described leaving messages with other members of jobcentre staff but believed that the messages were not passed on. For example, a customer with arthritis telephoned his jobcentre to say that he could not make his WFI appointment because his knees were painful. When he was told that his IBPA was not in the office he asked if they would call him back. He never received a call and later discovered he had been sanctioned. Another customer fell down the stairs and had to go to hospital to have an x-ray. She telephoned her IBPA to explain and left a message when she was not able to speak to her IBPA directly. She was shocked when she later found out she had been sanctioned because she thought she had followed the correct procedures. Her IBPA later agreed that it was a mistake and the sanction was revoked. However, she never asked for the money she had lost to be returned (see Section 4.4.4). Exceptionally, one customer also described attempting to leave a message that he had a hospital appointment at the jobcentre front desk but being told that they did not take messages.

Communication breakdowns were noted both for first and later WFIs. However, there was some evidence that customers who tried to leave messages at the time of their first WFI were more reluctant to engage with the programme at all compared to those who were unable to attend at later WFIs. In this sense they used leaving a message that they were unable to attend the WFI as a way to try to avoid contact with the programme and their IBPA. For example, the customer who tried to leave a message at the front desk of the jobcentre said that he saw a WFI as irrelevant to him because of his chronic condition and that he only subsequently attended his first WFI because he was sanctioned. His attendance after that time was also erratic and he received further sanctions.

Overtaken by circumstances

In an exceptional case, the communication breakdown occurred because the customer was so ill and the issues involved so complex that the customer was simply overtaken by circumstances and forgot to inform his IBPA that he could not make his appointment. The customer, who had alcohol dependency, had been injured during a domestic violence incident and was hospitalised for several weeks. During that time he said that contacting his IBPA was the last thing on his mind. He later discovered that his benefits had been cut by 20 per cent but they were subsequently reinstated when his hospital consultant confirmed that he had been in hospital. This customer continued to attend most of his subsequent WFIs.

4.2.3 Sanctioning related to failures to show 'good cause'

A key criteria for continued receipt of full IB after an FTA is that the customer can demonstrate they had 'good cause' for missing their appointment. Customers welcomed the way in which IBPAs were prepared to be flexible when they made contact to rearrange their appointments and could show 'good cause', particularly in relation to circumstances relating to ill-health or hospital appointments. However, there was evidence of a hardening of attitudes amongst IBPAs if customers repeatedly tried to rearrange their WFIs or used the same reason for failing to attend their WFIs on a number of occasions. There were also a range of reasons for failing to attend their WFIs that customers were told by their IBPAs did not demonstrate 'good cause'.

Repeatedly rearranging interviews

One customer with depression had been told he was 'at risk' of being sanctioned several times by his IBPA. On the first occasion he telephoned his IBPA to say that he did not have his own transport to travel to the jobcentre and the appointment was rearranged. The second time he telephoned his IBPA with the same reason, she told him that she would send him a form on which he would have to explain his reasons for failing to attend. With what the customer viewed as less sympathy, the IBPA told him it was up to him what he put on the form. Although the customer's attendance improved after he was sanctioned for giving his lack of transport as his reason for failing to attend the WFI, he still missed another WFI appointment at a later date.

In another case, a customer who was dependent on drugs and following a methadone treatment regime repeatedly told his IBPA he was too ill to attend WFI appointments. Although on the first occasion he had gone into the jobcentre to explain his FTA and the meeting had been rearranged, on a later occasion, he was sanctioned and was explicitly told by a member of the jobcentre staff that they did not think that he had a good enough reason for failing to attend, especially as he had rearranged a number of meetings already. After being sanctioned his attendance did improve, although he did miss further appointments because of his unpredictable lifestyle and poor health. In these cases, his appointments tended to be rearranged.

Reasons for failing to attend not regarded by IBPAs as 'good cause'

The response of IBPAs to the variety of reasons that customers gave for FTAs have already been discussed in Section 3.1.2. In this section we focus only on those reasons that were not regarded by IBPAs as of sufficiently 'good cause' and therefore, deserving of sanctioning. These were:

- family crises, such as having to visit relatives in hospital and domestic violence, especially where these occurred repeatedly;
- customers' own assessment that they did not require the assistance of the jobcentre to return to work;
- forgetfulness, sometimes related to the condition of customers (e.g. pain related to a traffic accident, alcoholism), where this continued over a number of WFIs;
- lack of evidence of the customer's health condition due to medical certificates being lost in the post or failure to attend a Personal Capability Assessment (PCA).

The impact of sanctioning on the attendance of these customers was varied. Customers who experienced family crises had unpredictable lives and while sanctioning meant they attended some further WFIs, they also continued to miss others. Sanctioning had no impact on the attendance of the customer who thought that he did not need the help of the jobcentre or on the customer whose forgetfulness was linked to alcoholism. However, the customer who forgot to attend because of the pain of his condition attended regularly after being sanctioned. In contrast, in the case of the customer anxiety and panic attacks experiencing the refusal to accept the validity of her claim meant that her attitudes towards the scheme hardened. She felt that she was not being listened to and rather than attending her WFI or PCA, she began to avoid contact with the jobcentre and her IBPA. The eventual result was that her benefit was suspended indefinitely. She was not offered a home visit in order to confirm whether she had a legitimate case for failing to attend as should be the case for customers with mental health conditions, although it is possible that this was because her jobcentre doubted the legitimacy of her claim due to the failure to attend her PCA. She commented that she would have preferred to see jobcentre staff at her home in an environment where she felt safer and more secure.

In summary, sanctions tended to be enforced in circumstances where customers repeatedly failed to attend or were viewed as not having a good enough reason for doing so. In some cases sanctioning did appear to have had a positive impact on the attendance of these customers. However, in others the apparent reluctance to engage with the programme generally meant that this attendance was patchy or that customers with more complex or unpredictable health conditions, such as alcoholism and anxiety, could be turned away from the potential benefits of the programme.

4.3 Nature of sanctions imposed

In this section we explore customers' understanding of the amount and duration of the sanction(s) imposed on them. The impacts of these reductions on engagement, the customers' health, relationships and finances are explored in the next chapter.

Earlier studies with IBPAs showed that, in the few cases where sanctions had been imposed, the sanctions were applied at different levels ranging from ten per cent to 40 per cent of the customers' benefit. Earlier studies did not provide data for the reasons underpinning the different levels of reduction applied. Incapacity Benefit Personal Advisers also commented on the length of time the sanction took to be applied after the FTA which they felt undermined its potential impact on attendance and engagement.

4.3.1 Amount and duration of the sanctions

Rules relating to sanctioning indicate that a customer should be sanctioned 20 per cent of the basic rate of Income Support (IS) if they fail to attend or participate in a WFI without showing 'good cause' for the failure. This sanction should be removed when they attend (and participate) in a WFI. If a customer continues to fail to attend their WFIs, the sanction will increase by 20 per cent with each failure. Allowing for problems of customer recall, the amount and duration of sanctions tended to fit this pattern. Participants described experiencing financial sanctions as:

- one-off reductions of a specific amount or percentage of the benefit;
- a reduction of a specific amount or percentage per week until the customer either attended their next WFI or transferred to another benefit.

In some cases customers experienced a complete cessation of IB payments. However, this arose from questions about their eligibility for IB in the context of failing to attend a PCA or failing to submit medical certificates rather than from a sanction per se.

With the proviso, mentioned above that some customers were very unclear about the specific sanction they received, participants discussed one-off reductions of approximately between £10 and £40, with the most frequently cited amount being £20. Other participants discussed the reductions in terms of a one-off percentage reduction (e.g. one customer whose benefit of £114 was reduced by 25 per cent or £28.50). There was no particular pattern in terms of whether one-off reductions were used for first or later WFIs. However, one-off reductions were generally found in cases where customers had only been sanctioned once, suggesting that this was sufficient motivation for these customers to attend in future.

Customers who described reductions of a specific amount or percentage until they attended their first or next WFI, had reductions of between £9 and £25 per

week. Fitting the rules described above, some customers who had been sanctioned twice or more discussed reductions escalating at 20 per cent for each failure to attend. For example, the customer who said that, at one point, 60 per cent of her benefits had been sanctioned, talked about failing to attend a number of times with a pattern of escalating reductions, starting at 20 per cent and gradually increasing to this upper limit. In some cases these reductions continued for a considerable time before the customers attended their WFIs. One customer said that his benefits were reduced by £11.50 per week for 12 weeks. Another said her benefits were reduced by £9 per week for two months. Such reductions were found both in cases where people had failed to attend their first WFIs and/or later WFIs, exceptionally, including one customer who was sanctioned but waived after initially failing to attend his first WFI.

In contrast, and more unusual, were customers who had been similarly sanctioned a specific amount or percentage for a period of time but who never re-engaged with the programme, or did so only to receive advice about switching benefits. For example, one customer was sanctioned until she attended her first WFI. Following discussions with her IBPA about her family circumstances (chiefly that she could not work because she had caring responsibilities for a newborn child) and improvements in her health, it was agreed that she should be on IS rather than IB. Another customer affected by arthritis was sanctioned 25 per cent of his benefits for failing to attend his first WFI and this continued until he was passed fit at a PCA and transferred to Jobseeker's Allowance (JSA). In this case it is possible to argue that the WFI acted as a way of making sure that customers were on the right benefit or that they did not stay on IB longer than necessary. In contrast, it could be argued that customers who left IB and became, instead, reliant on unofficial income or loans from family or partners, were lost to a programme which might have helped them to return to work.

4.3.2 Awareness and understanding of the sanction

We have already described a general level of uncertainty about the number of sanctions and amount of the penalty imposed across the sample. Amongst our sanctioned customers was one group who had a deep lack of knowledge about the sanction which had been imposed on them and who, in some cases, were not even aware that the sanction had been imposed.

This extreme lack of clarity was linked to two main factors: Firstly, some of these customers were already receiving deductions at point of issue from their benefits for past crisis loans or for previous non-payment of bills (e.g. TV licence), which meant they thought the reduction related to these deductions and were unaware of the sanction. Secondly, there was a small group of customers who had moved between IB and another benefit such as IS or JSA. In this case the customers were unclear about whether changes in the level of benefit payment related to the switch between different benefits, and the different requirements of these benefits, or failure to attend past WFIs. One customer also confused being sanctioned with her benefits being suspended completely because of her failure to attend a PCA.

Lack of awareness of a sanction being applied clearly potentially reduced the effectiveness of the sanction in prompting attendance and engagement. Whilst confusion with other deductions played a major role in levels of awareness, a general reluctance to engage with the jobcentre also played a part in low levels of awareness. A typical example was a customer with depression, anxiety and panic attacks who was sanctioned for failing to attend his first WFI. He later found out that his benefits had been reduced by £11 for three months. He was not aware of this until he attended the jobcentre for another reason. Up until this point he had assumed the deductions were related to payments for a crisis loan. He was subsequently waived because of his health condition and the money was reimbursed.

The customers in this group tended to be affected by depression or alcoholism and/or to have avoided contact with the jobcentre as far as possible. All of them had failed to attend their first WFI at the specified time and, although some eventually attended their first WFI, none attended any further WFIs. This was either because they were waived or because they avoided further contact with the benefits system (e.g. by relying on income from partners or transferring to other benefits).

4.4 Customer views about the fairness of their own sanction

The study examined how customers reacted to their own sanctions. Overall, views about the fairness of sanctioning were influenced by whether customers thought that the sanctioning process had been applied correctly and legitimately and whether there was sufficient warning in the system that allowed customers who had failed to attend to explain themselves. In some cases, attitudes about fairness were influenced by how quickly the decisions that were found to be flawed or unjust were reversed and whether benefits were reimbursed swiftly.

Views among participants about whether the process of sanctioning was fair were affected by a number of factors. These tended to be linked to different stages in the sanctioning process and principally included:

- whether the customer felt that the FTA was unavoidable, on their part, or had been caused by a breakdown in jobcentre communications;
- whether customers were warned before a sanction was imposed and given opportunity to explain their FTA or to appeal the decision;
- the perceived legitimacy of reasons for failing to attend compared to the decisions made by IBPAs and Jobcentre Plus staff;
- whether the decision was reviewed, either informally by the IBPA or formally through the appeals process; the outcome of that review and whether (and how swiftly) customers were reimbursed where they had 'good cause' not to attend but had been incorrectly sanctioned.

4.4.1 Communication breakdowns

We already discussed in Section 4.2.1 the importance of communication between Jobcentre Plus staff and customers in terms of whether customers were only referred for sanction or sanctioned and whether this led to positive or negative experience of the sanctioning process. We found that communication difficulties could also influence views among customers about whether sanctioning was fair.

Incorrect contact details – unaware of the requirement to attend a WFI

Customers who had not received the initial appointment letter because it was sent to the wrong address, generally described being angry or annoyed that they had been sanctioned. These customers thought that it was unfair to sanction them when they had been unaware of the requirement to attend a WFI. One customer said it would have been better if the jobcentre had telephoned him to see if he had received the initial appointment letter before they decided to sanction him. His only reason for not attending was that he did not know about the meeting and he subsequently attended all his WFIs. Another customer said that she would not have missed the appointment deliberately if she had known about it. The annoyance that another customer felt was compounded by the fact that she said she was not aware that she had been sanctioned until she went to the Post Office and found that she had received less money than expected. When she contacted the jobcentre to find out why her benefits had been reduced, she was told that she needed to attend a WFI and that her appointment could not be rearranged for two months. Her benefits would not be restored until the time of the appointment. Exceptionally, while one customer thought that it was unfair to sanction him for not attending a meeting he was unaware of, he could see the logic of stopping someone's benefits until they made the effort to contact their jobcentre.

Breakdown in the chain of communication

Another group of customers thought that it was unfair to sanction them because they had tried to make contact with their IBPA to rearrange their meeting for what they thought was a good reason but their message had been lost somewhere in the chain of communication. Typically, these customers said they were angry or shocked that they had been sanctioned because they thought they had followed the correct procedures. However, in one case a woman whose IBPA agreed that she had '*followed the proper channels*' was prepared to put the sanction down to an '*honest mistake*' and was stoical about her loss of benefits.

Overtaken by circumstances

Customers, described earlier, who were overtaken by circumstances and neglected to inform their IBPAs that they were unable to attend their WFIs, also said they were unhappy about being sanctioned. In these cases they accepted that it was partly their fault that they had been sanctioned but felt unhappy that their IBPAs appeared to have made no effort to contact them to find out what had happened.

A customer who was unable to attend her first WFI because she went into labour prematurely, said that she was very unhappy that she was sanctioned given that she was giving birth at the time. Another customer who was seriously ill in hospital at the time of the WFI also felt that it was particularly unfair that no effort appeared to have been made to warn him about the sanction before it was imposed so that he would have the opportunity to explain.

4.4.2 The provision of warning about sanction imposition and opportunities to show 'good cause'

A recurrent theme among customers who were sanctioned was that they were not given sufficient, if any, warning that they were actually going to be sanctioned, and/or that the sanction was applied automatically without an opportunity for them to explain why they were unable to attend.

In some instances it was clear that customers had not taken the possibility of sanctioning sufficiently seriously and they felt it was unfair that they had been sanctioned because they had not been warned when the sanction was actually going to be imposed. For example, the customer who had failed to attend his WFIs because he believed that he did not need the help of jobcentre staff to return to work, said that the original letter had only said that his benefits 'may' be affected and not that they would be. Another customer who failed to attend a later WFI because he went to visit his sick grandmother in hospital, thought that the seriousness and consequences of failing to attend had not been made sufficiently clear to him by his IBPA. He could not believe that his benefits had been reduced without notifying him first, saying: *'they didn't contact me or nothing. I had to see it in me actual wage packet that it wasn't there'* (male, 27, muscular-skeletal condition).

Other customers also made this point, feeling that the sanctioning process was unfair because it did not formally let them know when they were actually going to be sanctioned. One example was where a customer with arthritis received a phone call from his IBPA to say that he was going to be sanctioned for not attending his first WFI but that he felt it was unfair that this was not confirmed by letter. Another customer who had been sanctioned twice said that he had never received a warning that he was going to be sanctioned. He only received letters confirming the sanctions after they had been imposed.

Amongst participants who felt they had not received sufficient warning were people attending their first WFI who said the sanction had been imposed automatically without being given an adequate chance to explain. The wife of a customer with arthritis telephoned her husband's IBPA to say that he could not attend his WFI because he had a flu bug (unrelated to his main health condition). The first knowledge they had that a sanction had been imposed was when his wife went to the Post Office to take out his payment. He thought that it was unfair that no one phoned him to discuss the issue or to give him a chance to explain. Similarly, a woman who said that she missed several WFIs because appointment letters

were sent to the wrong address, complained that the sanctions were imposed 'automatically' and that *'they don't give you a chance to explain yourself or anything'* (female, 43, musculo-skeletal condition).

4.4.3 Perceived legitimacy of reasons for failing to attend

Disagreements between IBPA and customer assessments of what constituted 'good cause' were a source of grievance for some customers as seen in Section 4.2.3. Despite IBPAs explaining their reasons for imposing a sanction some customers continued to feel aggrieved about their sanction and argue that their cases for failing to attend were legitimate.

Sanction viewed as illegitimate

As mentioned earlier, some customers who were sanctioned for failing to attend their first WFI could see the logic of sanctioning customers with whom the jobcentre had been unable to contact as it provided a clear incentive to make contact. However, they still felt this was an inappropriate approach. One customer said he could see where jobcentre staff *'were coming from'* but that he thought sanctioning in this context was *'out of order'* (male, 26, drug dependency). Others were even less sympathetic about the perceived legitimacy of sanctioning for non-attendance at a first WFI. Here, customers emphasised that their health conditions at the time of their first WFIs were not stable enough for the jobcentre to insist that they attend. Participants making these comments included customers with mental health conditions and physical conditions which caused variable levels of pain and immobility.

Other customers who had been sanctioned for failing to attend later WFIs disagreed with decisions to sanction them for failures to demonstrate 'good cause'. Amongst these were customers who had not attended due to family crises; the customer who held the view that he did not need the jobcentre's help to find work; a customer who had forgotten to attend his appointment because of pain related to his condition; and the customer who had not provided sufficient medical evidence of her panic attacks (see Section 4.2.3). The customer whose family crises consisted of the need to visit his ill grandmother in hospital said that he believed the sanction was unfair because he viewed the hospital appointment as *'quite a lot more important'* (male, 22, work-related accident). The sanction imposed on the customer who did not want the help of the jobcentre thought that it was unfair because he had telephoned the jobcentre to tell them that he did not need their help. In the other cases the customer who forgot said that it was wrong to impose a sanction because his forgetfulness was genuine, while the customer who failed to provide evidence of her panic attacks said she felt *'victimised'* even though she had what she termed a *'genuine'* illness (female, 23, mental health condition).

The theme of being victimised or targeted emerged a number of times. In addition to the customer discussed above, some customers also described being made to feel that they were doing something wrong, that they had been on IB too

long or that there was a deliberate effort to make life more difficult for them. One customer who missed his second WFI because he failed to receive the appointment letter said that he felt as if he had been *'arrested'* when he received a home visit, even though his sanction was later revoked (male, 36, cardio-vascular condition). Another customer who had claimed IB after an accident at work said that he felt as if he had been *'bullied'* when he was sanctioned with the implication that, *'you've been on incapacity too long; you need to get a job or something else'* (male, 22, work-related accident). A further customer who had been sanctioned for repeatedly attending to family crises rather than attending her WFIs, saw the sanctions as a *'way of taking money'* from her rather than a legitimate punishment for non-attendance (female, 37, cardio-vascular condition). At the heart of many of these grievances is a lack of agreement, or understanding, about what constitutes a justifiable reason for non-attendance and it may be that reviewing how this is conveyed to customers at the outset, including the process for reporting an imminent FTA, could avert some of the disagreements described above. Nevertheless, it is clear that there will remain a group of customers for whom the sheer notion of penalising people who are *'on the sick'* for not attending work-focused activities will remain an anathema.

Decisions about whether to appeal against sanctioning

Although some customers regarded the decision to sanction them as illegitimate, views about whether to appeal were mediated by a range of factors: Firstly, there were mixed levels of awareness and understanding about whether it was possible to appeal, with this occurring across the different Jobcentre Plus districts involved in the study. Some participants said that they had received a leaflet about what to do if they disagreed with the sanctioning decision, that they had been told by their IBPA that they could appeal a decision or that they thought their IBPA may have mentioned it. Others did not recall any mention of being able to appeal or show *'good cause'*, or that they had not even thought about the possibility of challenging the decision.

Secondly, customers with a variety of health conditions said that they could not be bothered to appeal the decision because they assumed the process would be complicated. One customer who failed to attend because of panic attacks on the day of his WFI (but who also suffered from a number of other health conditions) said he could not deal with the *'rigmarole'* of having to appeal the decision (female, 46, mental health and musculo-skeletal conditions). She subsequently attended her WFIs.

A third reason for deciding not to appeal was because customers thought that jobcentre staff had already made their minds up. In some cases this view represented a stoical acceptance of the decision even though the customers perceived the sanction as illegitimate and unfair. For example, a customer who had repeatedly missed his first WFI due to ill-health or problems with the police, said:

'If they've stopped it in the first place they've obviously made their mind up and that's it, isn't it? Fine!'

(Male, 26, drug dependency)

However, in other cases customers expressed the view that they thought they would have little chance of their views being heard or believed relative to the views of jobcentre staff. In one case a customer who failed to attend her second WFI because she was suffering from panic attacks said that she telephoned the jobcentre to say that she wanted to appeal against the sanction but was told there was no point because she would not have a case. As a result she decided not to bother. In another case a woman who said that she failed to attend her first WFI because she did not receive the initial appointment letters said that she did not appeal because she thought that she was already treated as a 'reject' and a 'nobody' and that no one would believe her anyway (female, 43, musculo-skeletal condition).

4.4.4 Reimbursement of benefits where sanctions were incorrectly applied

Where customers were found to have been sanctioned incorrectly, their views about the fairness of the sanction was affected by whether, and how quickly, reimbursement occurred. Generally, customers who were sanctioned incorrectly did have their benefits repaid and they were stoical about the process even if this took several weeks or months to happen. However, in the handful of cases where this did not occur, the sanction had been a one-off penalty rather than an ongoing percentage reduction.

Customers in this group were usually unclear about the amount they had lost because other deductions were being made and varied in their reaction to the sanction. For example, one customer said that she was resigned to the loss of the money even though she had followed correct procedures to try to rearrange her appointment and her IBPA agreed that the sanction was a mistake. She decided it was not worth the 'hassle' to try to have the money refunded (female, 24, mental health conditions). A second customer was asked by his IBPA if he wanted to appeal against the sanction decision in order to have his money refunded but he decided it was not worth the bother.

Other customers experienced loss of benefits due to delays in revoking the sanction. In these cases they were told that the money could not be refunded until the customer was able to make a new WFI appointment. Although the customers' benefits were eventually returned, the delay and additional hardship this caused negatively affected their view of the sanctioning process. An example of this was a customer with a broken hip who was penalised by £11.50 per week for not attending his first WFI because he had flu on the day of the appointment. He was subsequently waived and his IBPA said that the sanction should not have been applied. However, the customer said that it took 12 weeks for the sanction to be corrected and for his money to be returned.

4.5 Summary

The reluctance of IBPAs to impose sanctions was reflected in the experience of some customers of the sanctioning process, in that those who were not sanctioned were given every opportunity to show 'good cause'. Where customers were referred but not sanctioned this tended to reflect practices used by IBPAs to avoid unnecessary sanctioning (e.g. use of a warning letter or attempts to contact the customer) and good contact and communication by customers.

Where customers were sanctioned this tended to reflect either in breakdowns of communication (e.g. related to incorrect contact details, messages not being passed on to IBPAs by other Jobcentre Plus staff or customers being overtaken by circumstances) or IBPAs viewing reasons given for failing to attend as illegitimate, particularly where this involved repeatedly re-arranging interviews.

The amount and duration of sanctions reflected the rules on sanctioning, depending on whether the sanction was for a first or later WFI and the extent to which the customer had been sanctioned before.

Customers recalled one-off reductions of a specific amount or percentage per week until the customer attended their WFI or gradually escalating amounts or percentages for each subsequent FTA.

The effectiveness of sanctioning was sometimes limited in that customers were not fully aware that they had been sanctioned or of the full amount or duration of the sanction. This was either because they were not initially aware of the sanction at all, or because other deductions were already being made from their benefits.

Sanctioned customers rarely saw their sanction as fair. In some cases this stemmed from disagreements or misunderstandings about what constituted a legitimate reason for failing to attend but it was also linked to the various breakdowns in communication, perceived lack of warning about the actual imposition of a sanction, and what some customers saw as insufficient opportunities to show good cause.

Customers who were sanctioned because IBPAs viewed their reasons for failing to attend as illegitimate were sometimes resigned to this decision, even though they did not like it. However, other customers said that they were not aware of opportunities to appeal against the decision to impose a sanction, felt that appealing would be complicated and laborious or questioned the legitimacy of sanctioning IB customers who are already struggling on low incomes.

5 The impacts of being sanctioned

In this chapter we examine the impact of sanctioning on the engagement of customers with the Pathways to Work programme, Jobcentre Plus staff and the Choices provision. We explore whether, and how, sanctions (or the threat of sanctions) affects engagement with the programme over time and the impact that this had on the views of customers about work. We also investigate the impact of sanctioning on customers' finances, relationships with others and their health.

We saw in Section 3.2 that sanctioning, or the threat of sanctioning, produced almost universal attendance at Work Focused Interviews (WFIs) for customers who were not waived or deferred and could be a useful tool to re-establish contact even where attendance at later WFIs was intermittent. However, in this chapter we draw a distinction between attendance and engagement in terms of whether continued attendance at WFIs can be equated with increased involvement with, and enthusiasm for, the Pathways to Work programme, Choices provision and attitudes towards returning to work.

5.1 The impacts of sanctioning on engagement

Secondary analysis of the previous studies with Incapacity Benefit Personal Advisers (IBPAs) indicated a variety of concerns related to imposing sanctions on Incapacity Benefit (IB) customers. Two main concerns were:

- that the sanctions policy could undermine customer confidence in the positive benefits of the Pathways to Work programme;
- that the imposition of sanctions would have a negative impact on the IBPA-customer relationship.

In this section we look at the impact of sanctioning on attendance and engagement over time and whether the process of sanctioning affected engagement with Jobcentre Plus staff, particularly IBPAs.

5.1.1 Impacts of sanctioning on engagement with Pathways to Work

One way in which the study explored the impact of sanctioning on attendance and engagement with the programme was to compare the reasons given by customers for attendance at later WFIs and post-sanction with the reasons given for attending their first WFIs. In particular, analysis examined whether the role played by the sanctions threat remained stable, decreased or increased over time relative to other factors. For example, one rationale for a sanctions regime is that by compelling customers to engage with the programme they can, over time, through greater exposure to the programme, begin to see potential positive benefits of participation. We found that, while some customers identified positive outcomes from attending their WFIs, customer reasons for attending their later interviews generally changed very little over time regardless of the threat, or imposition of, sanctions.

We have already discussed a typology for the impact of the sanctions threat on attendance in Section 3.2.3. There we saw that customers could be grouped according to whether the sanctions threat was the sole or main reason for attending; only part of the reason for attending; or had no impact on attendance. In the sections below, we assess the impact on engagement with the programme for those customers for whom sanctioning played a role in increasing attendance (i.e. Groups 1 and 2 in Section 3.2.3, respectively).

Where sanctioning was the only or main reason for participation

Where the imposition or the threat of a sanction had been the main or only reason for attending the first WFI, this tended to remain the case at later WFIs. Customers with a range of health conditions continued to state that they only attended their WFI because they had to or to avoid the 'hassle' of trying to have their benefits reinstated. They also continued to see WFIs as irrelevant to them at the current time. Some customers in this group did say that the sanction alerted them to the seriousness and importance of attending the WFI and identified positive benefits that emerged from attendance at their WFIs. The benefits discussed were:

- advice in relation to which jobs would be appropriate for the customer's condition;
- using the opportunity when attending the WFI to look for jobs;
- advice and support in relation to benefits and other financial matters such as rent arrears;
- being able to talk to someone about their current health condition and circumstances.

Customers in this group also noted that it was useful to learn about the help and support available in case they needed it (see Section 5.2.2). However, they continued to see it as irrelevant to them at the current time because of the condition of their health or family circumstances. This meant that they failed to engage with the

programme any further despite their initial views that some aspects of attendance were helpful. In an exceptional case, a customer who had initially been hopeful that the programme would be able to help him address his panic attacks, said that he had been disappointed that this had not been the case. The result was that he saw his remaining WFIs as pointless, even though he attended all of them.

Where sanctioning was only part of the reason for attending

Similarly, where the imposition or the threat of a sanction had not been the main reason for attending the first WFI, or had not featured as a reason for attending, this also continued to be the case. In these instances, customers described wanting to work and gain support and being glad to engage with the programme in order to do so. However, among this group was one customer who also said that the positive experience of her first WFI made her think that, even if the help available was not appropriate to her now, it could be in the longer run. All of this group remained unsanctioned or thought that they had been sanctioned because of a failure in communication.

Reasons given for not engaging with further WFIs for customers who were sanctioned and attended their first WFI but not waived, were:

- being too frightened to attend because of an anxiety condition and avoiding all further contact with Jobcentre Plus;
- avoiding further contact with the Jobcentre by relying on a partner's income;
- not needing the help of Jobcentre and deciding to look for work while signing-on for Jobseeker's Allowance (JSA).

Consequently, the threat or imposition of sanctioning appeared to have little actual impact on engagement with the Pathways to Work programme among this customer group. Despite positive benefits being identified from **attendance** at WFIs by some customers who had been sanctioned or threatened with a sanction, original attitudes to the programme and whether the sanctions threat was the main or only reasons for attending, were a better guide to subsequent engagement.

5.1.2 Impacts of sanctioning on relationships with Incapacity Benefit Personal Advisers

In previous studies some IBPAs argued that the sanctions policy was 'at odds' with the more positive messages they wanted to give customers about the reforms not being about 'forcing people' into work. These IBPAs felt that the sanctions policy undermined positive messages and the role of the IBPA which they felt should be a supportive rather than enforcement role. They repeatedly stated that a key reason for applying to become an IBPA was their desire to help and support people, not act as an enforcer of regulations. More exceptionally, IBPAs argued that sanctions were a necessary part of engaging

reluctant customers and penalising those who were deliberately avoiding contact.

IBPAs described at length the importance of developing a rapport with their customers and that trust and empathy were key features of this relationship. In this context, imposing a sanction was seen as highly likely to damage this relationship, perhaps irretrievably. As noted previously, most of the IBPAs in previous studies went to great lengths to avoid imposing a sanction for these reasons.

In this study we found that the impact of sanctioning on the relationship between IBPAs and customers was less pronounced than IBPAs in the previous studies had anticipated. Where there were exceptions to this pattern this usually arose because customers felt that their IBPA was 'pushing' them towards work when they were not ready or they had a more deep-seated hostility to involvement with the jobcentre.

Distinction between role of IBPA and the IBPA as an individual

Typically, sanctioned customers said that they retained a good relationship with their IBPAs despite the sanction. One key reason for this was that customers made a distinction between the policy of sanctioning and the role of individual IBPAs as enforcers of the regime. An example of this was a customer who explicitly stated that it was the Government who were trying to reduce the number of people on IB and that it was therefore not her IBPA's fault that she had been sanctioned. A recurrent theme was that the customers thought that IBPAs were simply 'doing their job'. For example, a customer who had been sanctioned multiple times said that, although she had initially hated her IBPA for sanctioning her, over time she came to see that she was just doing her job.

Customers also maintained a favourable impression of their IBPA because they did not see them as directly involved in the decision to sanction them or the sanctioning process itself. For example, a customer who was sanctioned for repeatedly cancelling his first WFI said he did not see his IBPA as the ultimate decision-maker in relation to his sanction. Another customer who was referred but not sanctioned said she had a good relationship with her IBPA but she had found the person who processed her reasons for failing to attend her WFI rude and unhelpful.

Importantly, alongside this recognition that IBPAs were 'doing their job', customers who retained a good relationship with their IBPAs said that this was because they were supportive, nice people who gave them helpful advice. Advisers were also described as courteous and understanding when customers contacted them to say they were not able to attend later WFIs. Customers in this group tended to describe the development of rapport and trust over time. For example, one customer said, that because he had attended his WFIs after being sanctioned, he

had become more familiar with his IBPA and they had learnt to understand each other better. However, problems sometimes arose when customers felt that their IBPA was being 'pushy' in terms of trying to move them towards work or that IBPAs were trying to satisfy targets for sanctions or job entries regardless of the customers' circumstances.

In the rare cases where customers discussed very poor relationships with their IBPAs this was usually because they had been hostile to contact with the jobcentre in the first place and felt that the IBPA had an enforcing role. Amongst these customers was one participant who had been sanctioned for missing one of his later WFIs who said that he thought the jobcentre were simply trying to 'control' people on IB (male, 36, cardio-vascular condition). However, another described a worsening relationship with her IBPA and other jobcentre staff when she felt she was not listened to or believed that her anxiety condition and panic attacks made it impossible for her to attend the jobcentre. As a result of the decision to refer her for a sanction and a Personal Capability Assessment (PCA) she said that she 'hated' her adviser and was equally dismissive of other jobcentre staff (female, 23, mental health conditions). She did not feel that anything positive had come out of her contact with the jobcentre and had consequently disengaged from the entire process.

In order to retain a good relationship between IBPAs and customers it, therefore, seemed to be important to maintain a distinction between the supportive role of IBPAs and the role of enforcement.

Breakdowns in communication due to other Jobcentre Plus staff

Customers who had been sanctioned because of breakdowns in communication also tended to retain positive views about their IBPAs because they usually saw other jobcentre staff as to blame. Amongst these customers were participants who had been sanctioned because they could not be contacted before their first WFI. Despite being unaware of the requirement to attend their WFI, these customers tended to see the sanction as a mistake and were generally satisfied as long as the error was rectified and their benefits were reinstated to the previous level. Exceptionally, one customer who had missed a WFI through hospitalisation said he was not happy with his IBPA for sanctioning him and he would tell him so to his face when they next met.

More usually customers saw other jobcentre staff to blame for breakdowns in communication between themselves and their IBPAs, as seen in Chapter 4. However, even here, customers sometimes gave jobcentre staff the benefit of the doubt. A customer who had been sanctioned, despite having a legitimate reason for failing to attend and attempting to pass on this information via another member of the jobcentre staff, simply saw this as a mistake that anyone could make.

5.2 Engagement with Pathways provision and progress towards work

In this section we look at the factors that promoted further engagement with the Pathways to Work programme or led to disengagement, the extent of engagement with Choices provision and the impact of attendance and engagement at WFIs and through other provision on views about work.

5.2.1 Factors leading to disengagement

Relatively speaking, there was much greater discussion of factors leading to disengagement with the Pathways to Work programme and the WFIs among this client group than there was discussion of factors that promoted engagement. A variety of factors led towards disengagement, chief amongst these were:

- the quality of the WFI interaction;
- perceptions that the support offered did not address the needs of the customer;
- the relevance and timing of the WFI;
- the extent of repetition in coverage during the WFIs;
- customer perceptions of their own employability; and
- lack of customer engagement from the outset.

Quality of the WFI interaction

In the previous section we discussed the way in which the quality of the relationship between the customer and the IBPA could lead to continued attendance and engagement or to partial or complete disengagement. In addition to this issue we found that customer disengagement could also occur because of the perceived quality of the WFI interaction. Issues raised were:

- not having the same IBPA at all WFIs;
- the IBPA not looking the customer in the eye and/or only looking at the computer screen for most of the interview;
- having to continually repeat information about their health condition or personal circumstances at a number of WFIs, which was more common where multiple IBPAs were seen;
- feeling that the WFI was rushed.

The significance of these issues were that they conveyed to the customers that they were of little importance or that the IBPA did not have time for them as a person. Prominent among this group were customers with drug and alcohol problems and those suffering from depression. Typically, a customer with drug addiction said that she did not like attending the jobcentre because she thought that people just saw her as a 'junkie' (female, 28). Similarly, a customer with depression said

that her IBPA mainly looked at his computer screen throughout the interview that conveyed to her that she was unimportant. This may reflect earlier findings where some IBPAs described their reticence at dealing with complex mental health or addiction issues. As the study was unable to draw on more of the later areas to join the programme, it is difficult to assess whether improved training and support around these issues may have given IBPAs in the expansion areas greater confidence to deal with these more complex cases.

Failure to address the needs of customers

Customers with a range of conditions said that they thought their IBPAs had failed to properly understand their health condition, which, in turn, sometimes led to them being offered an inappropriate level of support. Again, customers with mental health conditions were prominent in this group. In one case a customer with depression, anxiety and a loss of confidence said that she thought that her WFIs were rushed and that this meant that her IBPA did not fully understand how her conditions acted as a barrier to the possibility of work. Another customer described how a loss of confidence related to her depression meant she needed to be supported through applying for a computer course rather than being left to do it herself.

Other customers thought that their IBPAs had failed to understand that their health condition meant that they were simply not ready for work. A typical example in this instance was a customer with depression and sciatica. Even though he was offered counselling support he felt that this misunderstood his current position in relation to work, saying:

'You can meet a hundred counsellors if you want. If you're not ready for work, you're not ready for work.'

(Male, 41, depression and sciatica)

Another customer with heroin addiction said, despite attending all her WFIs, she thought when it came to addressing her condition, her IBPA was out of her depth because she was not medically trained. Perceived failure to understand or appreciate the customer's condition was also regularly linked by customers to the perceived irrelevance of the WFI to them.

Irrelevance, timing and repetition of information

Customers suffering from a range of health conditions also said they thought that the WFIs were irrelevant to them because they believed that their health condition prevented them from being able to work or because their WFI(s) were ill timed because of the current state of their health or their family circumstances (see also Section 5.2.1). While some customers in this group thought that it was useful to discuss their health situation with an IBPA and to hear about the services and support on offer at their first WFI, they generally emphasised that their IBPA could not offer them anything new at their later WFIs. Where IBPAs focused discussion on the state of the customer's health at each WFI, some customers said that they

could not see how the WFI differed from the medical they had undergone or why such discussions could not be conducted over the telephone. Generally, this group of customers said that their IBPAs would go over the same things, ask the same questions and cover the same ground at each WFI, even though there had been no improvement in their health or change in their family circumstances. Invariably this meant that they could not see the point of the WFIs and viewed them as a waste of time.

Perceptions of employability

Another group of customers were disengaged from the WFI process because they saw their employment options as limited. Prominent among this group were participants with past or current problems with drug use. For example, a customer with a history of drug use and a prison record questioned the point of her WFIs because she did not believe that any employer would employ her. Another customer with ongoing problems arising from heroin addiction said that she could not see what use she would be to an employer. While both these customers had attended some or all of their WFIs, it was clear that they thought that their IBPA would not be able to help to move them closer to work. Other customers in this group argued that they did not engage with the programme because their disability meant that the type of work they would be able to do would be limited and would mean that they would be worse off in employment. A typical example was a customer who had suffered from partial paralysis following a road accident who could not see himself ever being employable due to his disability.

Arguably one of the roles of the programme is to provide customers with the opportunity to expand their employment horizons or to better understand how they can be supported by both employers and other agencies in work. However, as with those customers who maintain a deeply held view that being eligible for IB means you should not be 'forced into work', it is likely there will remain a core of customers who hold an unshakeable belief that they cannot work again because of their health condition.

Lack of customer engagement

In some cases disengagement stemmed from the fact that customers were simply hostile to any form of engagement with the jobcentre. Customers in this group tended to fall into two subgroups: Firstly, those who had unpredictable lives or conditions such as depression who did not welcome the additional pressures that they saw involvement with the jobcentre placing on them. In these cases they emphasised that their attendance meant that they were just 'going along' with the programme or they were doing the minimum necessary to maintain their benefits. Secondly, there were those who were almost fit to return to work and who saw signing off IB and looking for work as more desirable than engaging with the Pathways to Work programme. Ironically, where customers were not able to find work immediately, this sometimes meant they had to claim Jobseeker's Allowance (JSA) and faced greater benefit conditionality and involvement with the jobcentre.

Customers among this later group included people with drug dependency, musculo-skeletal problems and recovery from work-related accidents.

5.2.2 Factors promoting further engagement

Evidence of factors promoting further engagement after the first WFI was limited. The two main factors that were mentioned included having the same IBPA at all WFIs and seeing the usefulness of the information provided at the first WFI at some point in the future. The importance of the quality of the WFI interaction and the relationship with the IBPA have already been discussed above and in Section 5.2.1. In relation to the usefulness of the WFI, some customers said that they continued to attend because the services available might be helpful for them at some point in the future, even if that point was not now. A typical example was a customer who said that, while she did not feel ready for work, it was useful to keep attending so that she would not 'miss out' on the services when she was ready to return to work (female, 24, mental health conditions). In another unusual case, a customer with a musculo-skeletal condition who had initially been annoyed about being asked to attend his WFIs, said he had continued to attend because he could combine his WFIs with the opportunity to look for work at the jobcentre. However, even in these cases engagement beyond the WFI itself, such as with the Choices programme, rarely occurred.

5.2.3 Engagement with Choices and other provision

Engagement with Choices and other provision among the sample was very limited. Customers discussed circumstances where they had considered taking up provision but had not been able to; where provision was considered but met with mixed results; or where customers actually engaged with Choices provision but this also met with mixed results.

Considered provision but was not able to take it up

The reasons why customers did not engage with the Pathways to Work provision have already been discussed above. However, there were also circumstances where the customers had considered taking up provision but decided not to. Where provision was offered but not taken up there were two main reasons for this. These were:

- alternative provision was already being accessed elsewhere; and/or
- the customer did not access the provision because they were told or they decided that it duplicated more appropriate provision elsewhere.

Examples where alternative provision was already being accessed elsewhere included a customer with panic attacks who was receiving therapy through the National Health Service (NHS) and another customer with drug and alcohol problems who had a Drug Testing and Treatment Order following his involvement in criminal activity.

Examples where customers did not access the provision because it duplicated provision elsewhere included one customer with a prolapsed disk who said that he did not attend a Conditional Management Programme (CMP) pain management course because the same provision was available through the NHS and the customer above who was told that she could not access counselling through the CMP because she was already receiving therapy through the NHS.

Considered provision with mixed results

Where Choices or other provision was considered this met with mixed results. Both referred and sanctioned customers said they had thought about undertaking some kind of training or voluntary work but felt that the options offered, or the way in which it was offered, was inappropriate or unsatisfactory. One customer with arthritis, for example, said that he considered some training courses offered by his IBPA but ultimately they did not appeal to him because they did not take account of his health condition. Another customer who had alcohol addiction and deep vein thrombosis similarly said that his IBPA had suggested that he could do some voluntary work but they had eventually agreed that he was very limited in what he could do. In an unusual case a woman in her 50s who had depression and high blood pressure said that she had wanted to do a computer course but felt that she needed her IBPA to help her to apply for the course rather than just signposting her to it. It was not clear whether she had actively sought this support from her IBPA.

Engaged with provision with mixed results

Where customers actually engaged with Choices or other provision this also met with mixed results. For example, the customer with depression and high blood pressure described above was asked if a work psychologist could sit in on her WFI. She said that she had found the session more upsetting than useful and that the psychological support that she was promised never materialised (it is possible in this case that the customer was being assessed for the CMP and was considered unsuitable due to the severity of her condition). In another case, a customer with anxiety and depression had attended the CMP for a short while but dropped the programme because she had not got along with the person delivering the programme. She said that the CMP had since found her another person to deliver the programme and she was giving it a second try. Only in a rare case did a participant describe positive engagement with the provision available. In this case a customer with depression and alcoholism, who had been referred but not sanctioned, received counselling, which he said had helped to address his condition.

5.2.4 Impact of attendance and engagement on views about work

The customers in this study tended either to describe no impact from the programme on their views about work or maintained negative views on the basis that they felt they were being 'forced' to return to work before they were ready.

No impact on views about work

There were a variety of reasons why customers said that the programme had no impact on their views about work. These included that they were too ill to return to work, that the timing was not right, or that there were other factors related to their ill-health or age that would affect their employability even if they were able to work.

In cases where customers expressed views that indicated that the programme had no impact on their views about work, they emphasised their perception of themselves as disabled, too ill to work, or not fit to work. This group of participants included customers with the full range of health conditions, although most prominent among them were customers with musculo-skeletal and other physical conditions (e.g. kidney failure or heart disease). A typical example was a woman with osteoporosis and a collapsing spine who said her views about work had not changed because she is simply '*not fit for work*' (female, 43). Some customers expressing this view said that, of course, they would look for work if their condition did not prevent them from returning to work.

Another group of customers saw their condition as less permanent but emphasised that their health problems needed to be resolved before they could return to work. In this case they said that the timing was not right for them to return to work or that they were not ready to go back to work. Once again, there was a range of illnesses and conditions found among these customers but mental health conditions such as depression, anxiety and panic attacks tended to be the primary health conditions.

Other customers linked the lack of impact of the programme on their views about work to the kind of factors discussed above in relation to the perceptions of their employability. In such cases customers linked these perceptions to the fact that their ill-health meant they had been out of work for some time and that they lacked the qualifications they needed to return to work. In some cases they noted that they could not return to their previous jobs because their condition prevented them from undertaking the job (e.g. a customer with a broken leg and hip who could no longer undertake his work as a driver). In these cases discussion of the possibility of work raised concerns that they were not ready or able to return to work and that they would not be able to find work despite the intervention of the programme.

Negative and mixed views about work

Where customers said their contact with the programme had made them think negatively about work and the programme, this was because being sanctioned made the customers feel that they were being pressured into returning to work even though they were unwell. For example, one customer sanctioned at his first WFI said that the experience of this made him start thinking that he would have to return to work even though he was still experiencing depression and sciatica. The result was that he did not attend any of his WFIs. Amongst the customers

who held these negative views was also a customer who left IB to claim JSA. He said that he had felt '*bullied*' into looking for work by the sanction following a work-related accident (male, 22).

Other customers discussed mixed views about the impact of sanctioning and attendance on their attitudes towards work. In these cases the sanction made customers decide that it was more desirable to look for work than to remain on IB. For example, one customer with drug dependency and migraines decided that it was easier to look for work than to try to survive on the reduced benefits he was receiving. In other cases customers decided it was better to look for work and to claim JSA in the interim rather than have to have further contact with the jobcentre. In one case where a customer was unable to return to his old job because of deep vein thrombosis, he said that he wished that he could because it would mean that the jobcentre would have less control over his life.

5.3 Impacts on finances, relationships and health

Secondary analysis of the previous studies with IBPAs showed that they were sometimes reluctant to impose sanctions because they felt that a sanction might disproportionately affect the financial and/or health situation of IB customers. Some IBPAs were worried about stopping any amount of IB payments as a punishment for non-compliance and this was heightened by concerns that they felt, 'by definition', IB customers were ill.

In this section we address the financial impact of sanctioning on the customers themselves, the impact this had on their relationships with others such as family and friends, and on their health.

5.3.1 Impacts of sanctioning on finances

Customers were divided between those who described no financial impact of the sanction on them and those for whom even a one-off reduction in their payments presented financial worries and a 'struggle' to pay for basic provisions and various bills. Where the latter was the case, customers also described the strategies they used to try to address the impact of the sanction.

No financial impact

Where customers said that sanctioning had no financial impact this reflected one of two reasons: In the first instance there were customers who were unaware that a sanction had actually been imposed because they were receiving other deductions from their benefits (see also Section 5.3.2). An example of this was a customer who was sanctioned at his first WFI because the initial appointment letter was sent to the wrong address. He said that he was unaware of the sanction for some time because he was already receiving deductions from his IB to pay for

a past crisis loan and had learnt to live frugally. When he eventually discovered the sanction and the £180 he had lost over several months was returned, he was pleased to receive the unexpected money.

The second reason for sanctioning having no financial impact on customers was where the customer had other sources of financial support and was not totally reliant on IB for their income and security. These other sources of financial support included a family endowment and previous savings. In one case a young woman still living at home said that the sanction had no financial impact on her personally because the one-off reduction of £10 was absorbed by her mother to whom she would normally give her benefits as housekeeping.

Financial worries and struggles

Where customers said that the sanction had impacted on them personally this was generally in terms of worries about not being able to pay for basic provisions (e.g. food shopping), rent and bills such as gas and electricity. In contrast to the customers for whom a sanction had no financial impacts, there was evidence that sanctions hit more socially deprived or isolated customers, and customers who had been on benefits for longer, harder. The theme that even one-off reductions in payments presented customers with a financial 'struggle' emerged a number of times. This finding echoes that from other studies exploring the impact of benefit sanctions on other groups. Where customers said that they had to struggle to get by, this was also noted in the context of sometimes being reliant on IB as their only source of household income over a long period of time. For example, a customer who had been on IB for three years because of congenital heart disease, thought that the impact of the sanction was worse for him and his young family because they had no savings to draw on. Another customer emphasised that while a £20 reduction might not seem a lot to someone who is working, it is a lot for someone on benefits:

'It's only £20 but, I mean, it's a lot out of what you're given. It makes you struggle.'

(Male, 25, depression and kidney failure)

Strategies used to address financial impacts

Some customers tried to address the financial impact of the sanction by cutting down on the amount they spent on food, delaying paying bills (e.g. water rates) by a week or two or by only paying part of a bill for that week. In some cases this meant getting into council tax and rent arrears or adding to existing arrears. In other cases where the money was not returned, participants said that they borrowed money from family, friends or other unspecified sources. In an exceptional case, a customer sanctioned because he did not receive the initial appointment letter, said that he partly made up the shortfall through criminal activities until his benefit was returned to its normal level. While he recognised that he had already been involved in criminal activity prior to the sanction, he believed that it contributed to his need to commit crimes in order to survive and to feed his drug addiction.

It was relatively rare for customers to mention consideration of application for a crisis loan as a strategy to address the financial impacts of their sanction. In many cases this was because they had been unaware of the sanction in the context of other deductions from their benefits at point of issue or because of changes in the level of their benefits related to movement between IB and other benefits (see Section 4.3.2). However, in others this related to a lack of awareness about the possibility of a crisis loan and/or the fear that accepting the offer of a crisis loan would leave the customer in even worse debt. Where crisis loans were mentioned as a possibility, this was usually among customers with long histories of claiming IB and/or who had applied for crisis loans before. However, such loans, where considered, were rarely applied for, with one participant being offered a loan having been sanctioned multiple times and arguing that the loan had placed her further in debt. Additionally, it is also possible that the reliance on family and friends reflected the informality of borrowing money in this way and a reluctance to get involved with a benefits system they already thought was bureaucratic. For example, a customer who rejected the idea of applying for a crisis loan did so because he thought the application process would be 'a nightmare'.

5.3.2 Impact of sanctioning on others

Participants described financial impacts on other members of their families and households and the difficulties that sanctions could create where they had to borrow money from others such as family and friends.

Financial impacts on the household

Some customers said that the sanction did not just impact on them personally but also on other members of their household. A customer with a young child described the way in which being sanctioned more than once meant that he and his wife had to 'go without' some food in order to ensure that their baby was fed (male, 21, cardio-vascular condition). In another case a customer said that her teenage daughter, who was unemployed, was also affected by the sanction because their joint household income depended on the amount of IB that the customer received. In an exceptional case, a customer who said that the sanction had not impacted on her personally, said that the sanction had impacted on her mother who relied on her benefit as a contribution towards the household income.

Impacts on relationships with others

Even where customers lived alone, the need to borrow money could create difficulties in relationships with family members and others such as friends outside the immediate household. In some cases customers described no difficulties arising from borrowing money from family members, saying that they had helped them out willingly. However, other customers described difficulties ranging from minor arguments with friends or family over money to more difficult stresses and strains arising from existing family tensions.

At the more minor end of the scale, participants described avoiding family members from whom they had borrowed money to feeling uncomfortable asking to borrow money from parents at a time when they were trying to establish an independent adult home. At the more serious end, customers described major family arguments and family tensions. An example of this was where the loss of money arising from the sanction combined with other benefit deductions to mean that a customer felt that he could not afford to have his children to stay with him. His ex-wife thought that this was a excuse for not taking his parental responsibility seriously, leading to arguments and strain between them.

Arguments and strains of this kind tended to be found among customers with unpredictable lifestyles and/or a history of drug addiction or alcoholism. An example in this respect was a customer who discussed the way in which, when he asked to borrow money from his mother to compensate for his sanction, this renewed her fears that he was borrowing the money to buy drugs, causing further stress and arguments between them.

5.3.3 Impact of sanctioning on health

Issues about the impact of sanctioning on the health of IB customers emerged from the secondary analysis as a particular concern among IBPAs and as a key reason why some IBPAs were reluctant to impose them. These concerns were especially heightened for customers with mental health problems. Even amongst those IBPAs found to be confident about dealing with these types of customers, there were worries about the unpredictable impact a sanction might have on them. For example, whether a sanction might lead to more prolonged or deeper depression or heightened paranoia or mistrust?

In this study we found mixed impacts of sanctioning on health depending on the financial impact of the sanction itself, the extent to which customers felt a greater degree of stress arising from the sanction or attendance at their WFI(s), and the nature of their condition. Negative impacts on health tended to be linked to the stresses and strains arising from the financial impacts discussion above or to being forced to attend a WFI where the customer felt that they were really unable to do so.

None or negligible impact on health

At one end of the spectrum, customers with both physical and mental health conditions expressed the view that the sanction had none or negligible effect on their health. This related to two factors: the extent to which the sanction had impacted on the customer financially and the extent to which they felt that any stress they experienced affected their primary health condition.

In some cases respondents said that the sanction had no impact on their health because the stresses that might have been created by the financial impact

were negated where they had other sources of income or were mitigated by being temporarily able to borrow money. In other cases they said that, despite any difficulties arising from the sanction, they did not think this added to or compounded their condition. For example, a customer with depression and anxiety said that she had had these conditions prior to the sanction and did not think that it or subsequent attendance at her WFIs had any impact on her health. Another customer with a congenital heart condition described a situation in which a sanction had once deprived him of the bus fare to attend a hospital appointment but he did not believe that this, or attendance at his WFIs, had impacted on his health.

Stress unrelated to the primary health condition

In the middle of the spectrum were a group of customers who said that they had felt stressed about the sanction or their WFI(s) but this did not impact on their primary health condition. The stress they described as relating to the sanction ranged from being relatively mild to more serious, for example by worrying customers to the point where they felt tense or stopped eating properly. In a rare case a customer with osteoporosis said that she had found the experience of being sanctioned both physically and emotionally stressful to the point where the financial impact of the sanction and interaction with Jobcentre Plus staff were, 'damaging my head' (female, 43).

Negative impacts on mental health conditions

At the other end of the spectrum were customers with existing mental health conditions who felt the sanction or forced attendance at a WFI had a significant impact on their health. Generally, customers in this group tended to see the worry and anxiety produced by the sanction as making their condition more pronounced. Typical cases in this respect included customers with depression, one of whom, for example, said that being sanctioned for non-attendance at her first WFI made her feel more depressed, and another who said that the stress caused by the sanction made her feel similarly and caused her to eat less. In a rare case a customer with anxiety and panic attacks found the experience of being sanctioned and forced to attend the jobcentre so frightening that she avoided all further face-to-face contact with jobcentre staff. She described how worry about not being able to pay the bills had made her more stressed and wound up and the fact that attending the WFI, in a crowded place with unfamiliar people, had made her panic attacks worse.

Positive impact on mental health conditions

Not all customers saw the impact on their health from the sanction and attendance at their WFIs negatively. In a rare case a customer suffering from an eating disorder, depression and alcoholism welcomed the fact that attendance at the WFI prompted by the sanction made her leave the house and had begun to rebuild her confidence. She said:

'It forced me to actually do something. If I hadn't had to go into the town once a month then I might never have set foot outside the door.'

(Female, 24, mental health conditions and alcoholism)

However, such positive impacts among this sample were exceptional.

Overall, while some customers experienced no health impacts, others experienced varying degrees of stress. In the case of some customers with mental health conditions this made them feel that their condition worsened. Positive impacts on health from sanctioning and attendance at WFIs were rare.

5.4 Summary

While some customers identified positive outcomes from attending their WFIs, customers' reasons for attending their later interviews generally changed little over time, regardless of the threat or imposition of sanctions. The threat or imposition of sanctioning appeared to have little impact on engagement with the Pathways to Work, with original attitudes to the programme and initial reasons for attendance, post-sanction, being a better guide to further participation in the programme.

The negative impact of sanctioning on the relationship between customers and IBPAs was less pronounced than IBPAs in the previous qualitative studies had anticipated. This was due to the distinction that customers drew, on the one hand, between the policy of sanctioning and the role of individual IBPAs as enforcers of the regime; and on the other hand, between their IBPAs and other Jobcentre Plus staff who they regarded as involved in, or responsible for, the sanction.

There was much greater discussion of factors leading to disengagement from the Pathways to Work programme among customers than there was discussion of factors that promoted engagement. Factors that lead to disengagement were:

- poor quality interactions between IBPAs and customers during the WFIs;
- perceptions that the support offered did not address the needs of the customer;
- perceptions that the timing of the WFI was poor in terms of the customer's health condition or family circumstances;
- the extent of repetition from one WFI to the next, especially when the customer viewed themselves as not ready for work;
- customers' perceptions of their own employability (especially among customers with drug and alcohol problems or severe disabilities);
- lack of customer engagement from the outset.

Factors that promoted engagement included good customer-IBPA relationships (particularly having the same IBPA across all interviews) and the perceived usefulness of information about the help and support discussed at some point in the future.

Actual engagement with Choices and other provision was very limited. In some cases customers had considered taking up provision such as the CMP but had been unable to, or decided not to, because it duplicated existing provision within the NHS or elsewhere. Where customers had considered taking up provision, such as voluntary work or training, they felt that they had not been offered sufficient support to access the provision or that it was inappropriate to their condition. Only in an exceptional case did a customer engage with counselling which he had found helpful.

Customers tended to describe either no impact on their views about work from sanctioning and attendance at the WFI(s) or maintained negative views on the basis that they felt they were being 'forced' to return to work before they were ready. Customers tended to see themselves as disabled, 'too ill' to return to work or felt that their condition at that time prevented them from being able to return to work.

Sanctioning had an uneven financial impact across the sample. Customers were divided between those who described no financial impact from the sanction and those for whom even a one-off reduction in their payments presented financial worries and a 'struggle' to pay for basic provisions and bills. Limited impact arose where customers were unaware that the sanction had actually been imposed or where customers had other sources of financial support (e.g. savings or other income within the household) that meant they were not totally reliant on IB for income and security. There was evidence that sanctions hit the more socially deprived or isolated, and customers who have been on benefits for longer, harder.

The impact of sanctioning on health was mixed depending on the financial impact of the sanction itself, the extent to which customers felt a greater degree of stress arising from the sanction and attendance at their WFI(s), and the nature of their condition. Negative impacts on health tended to be linked to stresses and strains arising from financial impacts for customers with a range of health conditions and were not always linked to mental health conditions. However, some customers experiencing mental health problems felt that the additional worry and anxiety caused by the sanction and WFI attendance had made their condition more pronounced. Positive impacts on health identified by customers, such as increased confidence through attending a WFI or engagement with Choices provision, were rare.

6 Discussion and conclusions

In this final chapter we review the findings of the research in relation to customer experiences of the Pathways sanctions regime and reflect on the impact of the sanctioning process on customer experiences of the programme, their motivation to sustain engagement and, more generally, on their orientation to work.

Broadly speaking, the nature of the 'conditionality contract' between the state and welfare recipients means that those receiving benefits must recognise that receipt of financial or other support is conditional upon their participation in specific activities. For the Pathways to Work pilots, participation in a series of Work Focused Interviews (WFIs) is the central requirement which facilitates ongoing support. As we have seen throughout this report, where a customer fails to honour this responsibility without 'good cause' then they become liable to a financial sanction. In this chapter we reflect how effectively that conditionality contract operates in the Pathways to Work context, and look more widely at issues surrounding the use of sanctions for customers in receipt of benefit and support due to temporary or long-term ill-health or incapacity.

6.1 Discussion of the findings

The first section of this chapter reviews the findings against the key objectives of the study, exploring the impact of sanctions for Pathways to Work customers and staff. Drawing on both the primary data collected from customers for this study and secondary analysis of data collected during earlier evaluation studies of the programme, we are able to compare and contrast the experiences of, and attitudes towards, the sanctions regime from both the Incapacity Benefit Personal Adviser (IBPA) and customer perspective.

6.1.1 Awareness and understanding of the sanctions regime and process

As with the findings of earlier studies in the evaluation, we found that customers typically had a high level of awareness that they were required to attend meetings with their IBPAs at the jobcentre. The primary source of this knowledge was through the initial letter received by customers joining the pilot, although awareness also

stemmed from direct interaction with jobcentre staff, including advisers; word-of-mouth; or, in the case of customers with longer or more varied histories of benefit receipt, from a general awareness that the receipt of benefits generally requires the recipient to undertake some form of mandatory activity or risk loss of benefit through a sanction. These findings echo the views of IBPAs from previous studies who argued that the two-stage process of an introductory letter (with a clear statement about the requirement to attend meetings) followed by direct reinforcement through pre-WFI contact was sufficient to ensure that customers understood their responsibilities without deterring participation or frightening customers into compliance by taking a 'too heavy handed approach'.

In this sample, there was a particular group of customers who claimed to have no prior knowledge of the mandatory element of the pilot or of the potential for a sanction. Communication breakdowns were given as the primary reason for this happening, with letters failing to reach the correct address, either because customers had moved, used a different addresses for communication with the jobcentre than their residential address or experienced difficulties with postal reliability. These problems were also noted by IBPAs in earlier studies, particularly in relation to certain customer groups (such as those with drug or alcohol addictions or chronic mental health conditions) whose transient living arrangements or unpredictable lifestyles make maintaining up-to-date and accurate customer details a major challenge. Although it should be noted that this is a challenge faced across benefit type and is not peculiar to the Pathways to Work experience.

Nevertheless, the study did establish that one factor customers attributed to their failure to attend (FTA) was a lack of more detailed knowledge both about the sanctions process and, importantly, the implications of failing to attend. Across the sample there was a widespread lack of detailed knowledge of how the sanctions process operated. In particular, customers commented on being unclear about:

- how the financial sanction was directly linked to non-attendance at the WFIs;
- what level of sanction would be applied;
- when sanctions would be applied following an FTA.

Some customers argued that their FTA **may** have been averted if they had fully understood the implications of not attending and the purpose of the WFI. Therefore, it might be reasonable to conclude that a more thorough description of the sanctions process and the financial implications of non-attendance, alongside more positive descriptions of the help and support available, could encourage more customers to attend as required. This would need to occur in the initial contact letter and in subsequent meetings with Jobcentre Plus staff. However, clearer understanding of the financial implications of non-attendance would still not necessarily influence those customers, identified in Chapter 5, for whom the financial impacts were of little consequence because they were able to rely on other sources of financial support. In this respect, emphasising the positive purpose of the WFI in terms of providing access to help and support would also be important.

Findings from earlier work with IBPAs, in contrast to customers' assessments of the need for greater knowledge about sanctions, raised concerns that providing more detailed communication could lead to unintended negative consequences.

Incapacity Benefit Personal Advisers worried that placing more emphasis on sanctions and the mandatory nature of the WFI process could undermine their attempts to 'market' Pathways to Work as a positive, supportive opportunity for customers to reflect upon their options in relation to work, gain skills and training where required and access additional financial or personal support. An emphasis on the 'requirement' to attend and the penalties imposed for non-attendance were thought to be potential obstacles to both encouraging participants to positively engage with the programme, rather than grudgingly 'going along with it' to avoid a penalty, and developing strong and supportive IBPA-customer relationships. This perceived tension between the 'enforcer' and 'enabler' role of the IBPA runs throughout the discussion of the role of sanctions in the Pathways programme and we will return to it in later sections.

In conclusion, it is difficult to predict what impact providing greater knowledge of the sanctions process and financial penalties at the outset of the programme might have. Yet, for these customers there was a sense that greater knowledge and awareness may have encouraged them to either not fail to attend or at least, to assess whether they had 'good cause' for that FTA and if so, convey that to their adviser.

What is clear is that in order to operationalise the 'conditionality contract' customers must be made aware of their responsibilities and how failure to meet these could affect them. It seems that the difficulty of making contact with some customers before the first WFI, coupled with a more general lack of awareness of the implications of non-compliance, contributed, in part, to some customers receiving a sanctions referral.

6.1.2 Understanding the role of sanctions in customer attendance and engagement in the pilots

The central goal of this study was to explore whether, and how, the sanctions regime played a role in encouraging greater attendance and engagement with the programme. In this section we review the findings and their implications for current practice and policy.

Understanding engagement

In the previous chapter we drew a distinction between attendance and **engagement** in terms of whether continued attendance at WFIs can be equated to increased involvement with, and enthusiasm for, the Pathways to Work programme. This is an important distinction as one of the goals of the programme is to generate motivation and trigger positive attitudinal changes towards work-related activities. There is an important difference between a customer 'going through the motions' out of fear that to do otherwise would lead to a loss of benefit and a customer

who is actively engaged with the opportunities the programme is providing and motivated to pursue those opportunities. Incapacity Benefit Personal Advisers have previously described how their goal is to foster the latter type of engagement with the programme, although they equally noted that there can be positive outcomes for customers in the former group, simply by virtue of greater exposure to support, information and advice. Therefore, when exploring the role of sanctions in customer involvement, we looked at both attendance and wider engagement of the sample with the programme.

6.1.3 Why do people fail to engage with the programme?

The findings from this study closely correspond to IBPA accounts of the factors which lead to both non-attendance and broader disengagement with the programme. Customers described four sets of obstacles or factors which accounted for their failure to attend or engage with the programme:

- communication breakdowns and lack of awareness or knowledge about the potential implications of non-attendance;
- unpredictable events or circumstances preventing attendance or engagement;
- lack of conviction about the appropriateness of Pathways to Work for the customer;
- reluctance to engage with jobcentre activities more generally.

Communication breakdown

In addition to the circumstances described previously where customers received no prior notification of the WFI or their participation in the Pathways pilot before being sanctioned, other customers blamed communication breakdowns for their sanction referral. In these cases customers argued that they had attempted to rearrange their appointment or notify their IBPA that they were unable to attend but that this had failed, either because they could not make direct contact with their adviser or because messages they left for the IBPA did not reach them in time. Others, discussed previously, felt they did not have enough information about the mandatory nature of WFI attendance, or the seriousness of the implications of non-attendance.

Unpredictable events or circumstances

Unexpected events or personal circumstances on the day of the WFI appointment were often cited as the primary reason for customers failing to attend an appointment, or a series of appointments, with their IBPA. These fell into three main groups:

- **Health issues** – a key reason for non-attendance amongst the sample was the worsening of a particular health condition, whether on a temporary or longer-term basis. Both physical and emotional obstacles to participating in the WFI resulted from these changes to the customer's health, for example by either being physically being unable to journey to the jobcentre or too emotionally fragile to cope with a WFI interaction. Additionally, customers sometimes experienced new health issues which temporarily affected their ability to attend appointments, such as developing poor mental health or catching a temporary infection. Generally, customers failed to attend for these reasons on one-off occasions, and as seen in Chapter 4, where the pattern was more regular than IBPAs tended to investigate whether the cause for non-attendance was valid and if there was a need to consider a deferral or waiver. For another group of customers the issues relating to health were more deep-seated and less temporary. In these cases a lack of conviction about the appropriateness of participation in the Pathways to Work programme for someone with their health issues led a wider disengagement with the programme that one-off non-attendance, these cases will be discussed below.
- **Personal emergencies or family crises** – another factor given for one-off non-attendance was the intervention of a family or personal crisis which prevented attendance at the WFI. It was this category of explanations for non-attendance where the greatest dissonance was reported between what a customer believed to be a justifiable reason for non-attendance and what their IBPA judged to be acceptable. There were suggestions that greater information about what constitutes a 'good cause' in this context could help customers to avoid being referred for a sanction by not assuming that their explanation would be judged reasonable. As noted in Chapter 4 IBPA acceptance of this type of reason for non-attendance varied both in relation to what they deemed as justifiable and unavoidable and as to whether they believed a pattern was emerging, with customers using crises to mask a deeper lack of motivation to engage with the programme.
- **Conflicting appointments** – to a lesser extent customers described a clash between appointments being the cause of their FTA, typically this involved a clash between their WFI appointment and either a GP appointment or meeting with a medical specialist. Whilst it is arguable that some of the FTAs described could have been avoided by prompt notification by the customer in some cases, the last minute notification of an appointment slot was given precedence over the WFI appointment often because the customer had been waiting for a length of time for an appointment to become available. In these cases receiving the treatment, tests or advice they required to improve their health was seen as their key priority.

Lack of conviction of the appropriateness of the Pathways pilot

A more ingrained obstacle to overcome was evident in cases where customers failed to attend appointments or programme referrals because they lacked conviction that the pilot and its constituent components were appropriate to their individual needs or circumstances. Customers fell into two groups: those who believed the programme would never be appropriate for them and those who believed it was currently inappropriate but that this may change in the future.

- Those who saw the programme as permanently inappropriate did so for one of two reasons. They either believed they were already too close to a return to work for it be of any use or they believed they were permanently barred from returning to work. Those in the latter group were: people close to retirement age who felt they would not find work because of their age; those who believed the severity, nature or impact of their ill-health or incapacity meant they would never be able to hold down a job; and those who believed the Pathways programme did not offer appropriate support or activities for someone with their particular health issues.
- Those who saw future potential for the programme but were currently not attending because they thought the timing of the intervention was inappropriate, included people who expected their health condition to improve over time but not rapidly, those with sole childcare responsibilities who would not consider working until their children were older and those who were currently undergoing a period of treatment or awaiting a specific medical intervention such as an operation.

There was evidence in IBPA accounts that some customers in this group could be eased out of the sanction process through the application of waivers and deferrals but that there was variable practice on the part of IBPAs in applying these processes or persisting in trying to engage these more reluctant customers. Further engagement of customers who saw their health as a significant barrier to employment is likely to require greater investment on the part of IBPAs or other providers in order to overcome the lack of conviction of the appropriateness of the pilot and to achieve active engagement.

General disinclination to engage with Jobcentre Plus

A final group of customers were failing to attend due to a deep-seated suspicion or resentment of 'official' interventions in their lives. Sometimes these customers had prior poor experiences of support and training programmes, in other cases there was a general disbelief that official schemes were aimed at helping claimants rather than policing their receipt of benefit or reducing the unemployment figures. In the previous studies IBPAs also described this group of customers, often labelled as 'hardcore', as particularly difficult to reach, although the studies did find evidence of changes in attitudes and motivation in exceptional cases where IBPAs persisted in efforts to engage these customers and disabuse them of long-held beliefs.

In conclusion, some of the reasons why customers fail to attend are unavoidable and cannot be predicted or averted, in these cases there is little which can be done to avoid the FTA. In other circumstances the lack of attendance might have been avoided if customers had greater knowledge of: what an FTA might imply for them, how they should inform their adviser of their impending inability to attend a WFI and the types of circumstances which are seen as legitimate explanations for non-attendance and those which are not. However, for other non-attenders the obstacles lay not in practical circumstances or unpredictable events but in their attitudes towards the programme or Jobcentre Plus more generally. Here, disengagement was an indication either that the customer was a viable candidate for a deferral or waiver (and indeed some in this sample were waived and deferred following investigation of a sanction referral) or that re-engagement with the programme would require considerable effort and resources on the part of the adviser to convince the customer of the value of the programme to their life. In some ways it could be argued that the sanctions referral following an FTA is a flag that something is wrong with the customer's engagement and as a tool provides an opportunity for IBPAs to explore the underlying reasons for non-attendance and tailor future activities to them accordingly.

How do customers experience the sanction process?

We knew from existing evidence that there was an overwhelming reluctance amongst IBPAs to impose sanctions and that on the whole, advisers tended to do everything they could to avoid initiating the referral process. This study supported these findings, with customers describing a variety of ways in which IBPAs offered them opportunities to provide 'good cause' for their non-attendance, including proactive contact with 'missing' customers to establish the context for their non-attendance. However, the work with customers also demonstrated that IBPAs became less flexible in certain circumstances, namely when: participants repeatedly rearranged WFI appointments, particularly for the same reason; or where the reasons the customers gave for non-attendance were not viewed as legitimate by the IBPA. Although generalisations cannot be made from this qualitative sample, there was some evidence that home visits were not being used for customers with mental health problems (e.g. anxiety or panic attacks) prior to sanctioning and that this may require further exploration.

At the time of the IBPA research there was limited experience amongst advisers of implementing sanctions so the nature of the sanctions being imposed was unclear. Evidence from customers reveals a variety of different sanctions ranging from one-off benefit cuts (or whole or partial amounts), to ongoing reductions in allowance which lasted until attendance was re-established, and ongoing reductions which escalated the longer non-attendance persisted. There was a clear lack of clarity amongst customers as to why that specific amount of benefit had been taken and at the time of the sanction, often uncertainty about how long it would last for, suggesting better explanation of the individual sanction might be important in the future. One group of customers had no recognition that they had been sanctioned

usually because they were accustomed to other repayments being removed at source or because they had recently transferred between benefits and had assumed the reduction was a result of that switch. Clearly there are implications for the effectiveness of the sanction in initiating contact if the customer remains unaware of the penalty being applied.

Few customers viewed their sanctions or sanction referral as 'fair', either because they felt the lack of notification they could not attend the WFI was not their fault, they believed they had a justifiable reason for non-attendance or more generally, they felt that it was unfair to 'punish' people who are 'signed off' as sick by their GPs.

However, further exploration of their views about the sanction process revealed that very few, if any, who had been sanctioned, held their IBPA responsible or directed their anger or upset at being sanctioned towards their IBPA. We found that customers typically saw the role of their IBPA as a 'supportive' adviser as separate to their role in 'enforcing' the sanctions regime. This runs counter to the fears expressed by IBPAs about enforcing sanctions and may suggest that they could play a larger role in explaining and detailing the process to customers without fear of damaging their relationship with the customer. Alternatively, the customers' willingness to disassociate the IBPA from any negative impacts or connotations linked to the sanctions process may be a reflection that so far IBPAs have tended to seek alternative ways of dealing with non-attendance and managing disengagement, leaving customers more comfortable in their relationships with their advisers.

What is the impact of a sanction or sanction referral?

We explored how the sanctions process affected customers, both in relation to their programme engagement and in relation to other aspects of their lives.

In relation to attendance and engagement, the sanctions regime was intended to encourage sustained participation and provide a tool for re-engaging customers who have fallen away from the programme.

We found that the sanction did impact on some people's attendance at later WFIs either because they did not wish to receive further penalties or because they had developed a greater awareness of the implications of not attending through the process of being sanctioned. However, as we have already discussed, increased attendance does not always equate to greater engagement and this was true with this group of customers, some continued to simply 'go through the process' and remained relatively disengaged from the potential opportunities of the wider programme. However, even amongst this group of 'reluctant' attenders were those who recognised positive impacts of their exposure to the programme including: advice about suitable employment for their health condition; having the opportunity to use job-seeking facilities at the jobcentre; receive support around financial and benefit issues; and learn about potential opportunities for training, support and provision.

The extent of the impact on participation and motivation was found to be mediated by whether the sanction was the sole reason for participation in the programme or one of several reasons. In both cases we found little change from the reasons given for early attendance versus that for later WFIs following a referral or sanction. It appears that the sanction of and in itself, was less of a factor facilitating engagement than others which related to the WFI interaction itself.

Customers described the following as critical as to whether they sustained attendance or not:

- the quality of the WFI interaction;
- being seen by the same IBPA;
- whether that WFI was judged as meeting their needs;
- how relevant the timing and content of WFIs were.

Similarly, where customers had taken-up Choices provision, such as the Condition Management Programme (CMP), their experience of the quality and appropriateness of the provision could also affect their ongoing commitment to the programme.

In addition, the nature of the customers' own perceptions of their employability and their general attitudes towards participation in similar programmes both affected their engagement levels.

In common with previous studies of other sanction regimes (as discussed in the introduction) this research found the same range of impacts on customers' financial situations, close family and health conditions. As with existing evidence, sanctions often caused a great deal of hardship for people already managing on a reduced income and for those with dependents, could lead to being forced to 'go without' certain purchases (both food and other types of purchases) to ensure that children, for example, could be fed properly. Others were able to rely on financial support from family or friends, although in some instances this led to relationship difficulties.

Given the nature of this customer group the impact on health is critically important. We found evidence of people who experienced no adverse impact on their health whilst others experienced a worsening of their primary health condition (especially true for those with mental health conditions) or the development of new secondary issues such as increased stress, anxiety or depression.

In conclusion, the study found that the sanctions regime did have useful role to play in Pathways to Work both in bringing non-attenders back into reach of the programme and in encouraging sustained participation. However, evidence of its role in heightening engagement and motivation towards the programme was more limited, with customers citing a range of other factors seen as more relevant to whether or not they were enthusiastic about the potential opportunities of the programme.

6.2 Learning for future policies and programmes

The introduction of a mandatory element to the Pathways to Work pilots marked a departure in relation to the conditionality attached to receipt of benefits associated with incapacity or ill-health. Recent policy announcements, particularly the 2006 Green Paper and the introduction of the new Employment and Support Allowance (ESA) in 2008, suggest that conditionality will continue to play a role in programmes designed to encourage and support a return to employment for customers with short- or long-term ill-health or incapacity. This final brief section reflects more widely, drawing on the findings of this study, to explore what might be learnt about the potential impacts that any future expansion of conditionality may have on customer and staff experiences and attitudes.

The first issue to note is that there is a strong tension between the concept of programmes as 'supportive' and 'enabling' and the use of mandation and sanctions. However, work on the Incapacity Benefit (IB) Pilots reforms has shown that staff concerns about the potential impact of this tension as it manifests in their role to customers seem to be less important in customer accounts than advisers had anticipated. Customers generally perceived the sanction as an element of the 'system' which IBPAs had to operate and seemed comfortable with viewing a sanction as illegitimate or unfair whilst continuing to praise the support they were receiving from their adviser. This is particularly evident for benefits such as IB, where the reason for receipt of benefit is linked directly to a certified obstacle to work. Although mixed views were held by the sample, with a handful of customers arguing that every system requires a sanctions regime to identify and tackle illegitimate claims, the broad consensus was that it was wrong to impose sanctions in these circumstances. People argued that it was unfair to be penalised for being ill and that those who were claiming IB were already facing challenges and stresses which would only be exacerbated by a sanction process.

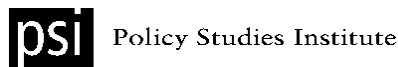
Secondly, it is important not to confuse attendance with customer engagement, we have found that whilst better attendance may be triggered by the application of a financial penalty, it does not always lead to greater engagement or motivation on the part of the customer. However, even some of the most 'reluctant' participants were able to identify positive impacts of sustaining their attendance despite their commitment not to journey beyond the mandatory element of the programme. The establishment of trust and rapport with IBPAs over time may also be an important way to sustain attendance and to build the possibility for further engagement in future.

Thirdly, deep seated beliefs about the relevance and timeliness of the intervention are key factors which influence levels of engagement and motivation and which can undermine the effectiveness of a sanction in re-engaging those who have fallen away from the intervention. Challenging such beliefs may require considerable input from IBPAs over a period of time prior to referrals to Choices and other Jobcentre Plus provision. This in itself may also require improved processes or

provision related to confidence building and changes in attitudes to health and employment.

Finally, the quality and content of the intervention is arguably the most important mediator on customer engagement and changing attitudes or motivations. Whilst sanctions might act as a tool to renewed attendance, they cannot alone produce positive engagement and may be counter-productive by strengthening an underlying hostility to the intervention or conviction that the intervention's goals or objectives are not focused on the customers' needs.

Appendix Topic guide



A study of health and employment: Exploring engagement with the Pathways to Work Pilot: Topic guide

Key areas to explore with respondent:

- knowledge and awareness of sanctioning prior to sanction;
- reasons for failure to attend WFI/s;
- personal and financial impacts of sanction;
- impact of sanction on subsequent attendance at WFIs/relationship with PA;
- impact of sanction on engagement in Pathways to Work generally.

* NB. Customers may not be familiar with the terms ‘sanction’ and ‘sanctioning’ so throughout the interview please steer clear of using them unless it is the language the respondent uses. It may be best to start off by talking about their benefits being ‘reduced’ or ‘affected’ in the first instance.

1. Introduction

- *introduce self and NatCen/SPRU/PSI (emphasise independence from DWP, JC+)*
- *outline evaluation and particular aims of this study*
- *reassure about confidentiality*
- *seek permission to record*
- *ask to sign consent form*
- *check whether they have any particular requirements for the interview (i.e. need for a break halfway through etc.)*
- *ask if they have any questions or concerns before starting*

2. Personal Circumstances

**establish what their current circumstances are, and identify any recent changes*

- Family and household circumstances (any children, including those not currently living in household, activities of other adults in household)
- Age
- Current activity (whether on IB/other benefit/in work, how long for)
- Health status (general assessment, nature of condition, duration, day-to-day impact)

- Any recent changes (eg. to health, where they live, household composition etc.)

3. Overview of contact with Jobcentre Plus

** get a brief outline of their benefit history, and if appropriate any previous occasions when their benefits were affected due to non-compliance*

- Experiences of claiming benefit **prior to** most recent/current IB claim *'Before we talk about your most recent/current claim, can I just ask, have claimed IB or any other benefits in the past?'*
 - type of benefit
 - when claimed, duration of claim
- Details of most recent/current IB claim
 - when started
 - reasons for making claim
 - if claimed ended, when and why

4. Initial contact and information received

establish here the details of their contact and the information they received **before their first WFI appointment*

- Nature of Initial contact
 - how contact made (eg. by phone, in person, or letter)
 - who contacted them
- Information given at initial contact
 - generally about pilot and requirement to attend WFIs
 - specifically about consequences of non-attendance **wait for spontaneous responses. Prompt about sanctioning if not mentioned*
 - initial reaction to information given
- Arrangements for further contact (ie. first WFI)
 - do they remember arrangements being made?
 - was this done at initial contact or in subsequent letter?
 - how was date/time/venue of appointment decided? (and did they have say in this?)
 - did they receive confirmation of arrangements (eg. phone call from PA)?
 - were they given any more information about consequences of non-attendance when making/confirming arrangements?
- Level of awareness of consequences of non-attendance

'Did you understand what would happen if you didn't attend your appointment at the Jobcentre at this point?'

5. Attendance at Work Focused Interviews

**map out how many and which WFIs respondent did and didn't attend, and explore the factors that influenced their attendance.*

• Attendance at **first** WFI appointment

If they did attend first WFI appointment:

- reasons/motivations for attending
- experiences of WFI (information received, feelings about venue, timing etc.)
- views of Personal Advisor (manner, rapport, perception of their role)
- views on support offered (eg. Choice package, brokers etc. in terms of relevant, perceived value to them)
- general views (ie. was it positive or negative experience? How compared to expectations)

If they didn't attend first WFI appointment:

- reasons for non-attendance **explore in depth and probe for whether possibility of sanction ever considered*
- **Attendance at subsequent WFI appointments** *'And after the first appointment you had, can you remember if you missed, or were unable to attend, any of the ones after that?'*
 - number and timing of subsequent failures to attend

For subsequent WFI appointments they did attend:

- reasons/motivations for attending
- experiences of WFI (information received, feelings about venue, timing etc.)
- views of Personal Advisor (manner, rapport, perception of their role)
- views on support offered (eg. Choice package, brokers etc. in terms of relevant, perceived value to them)
- general views (ie. was it positive or negative experience? How compared to expectations)

For subsequent WFI appointments they failed to attend:

- reasons for non-attendance **explore in depth and probe for whether possibility of sanction ever considered*

6. Consequences of failing to attend WFI(s)

**Use this section to explore what happened after the WFI or WFIs they failed to attend. Cover here the immediate consequences (eg. did PA try to contact them? were they sent a warning letter?) and also any further consequences (eg. were they asked to show 'good cause'? were they told that they had been referred for a sanction?). NB. Respondents may have little or no awareness of their case having been referred for a sanction, or the fact that there is a referral process – if so get as detailed an account as possible of their understanding of what happened following their failure(s) to attend.*

- Immediate consequences of not attending: *'So what happened after you missed that appointment?'*
- Nature of contact with Jobcentre after failure to attend (when, how made, what was said)
- Information received about possibility of a sanction *'Were you told anything at this point about the possibility of your benefit being reduced or stopped?'*
- Awareness of being referred for sanction **if respondent has no awareness of having been referred for a sanction get as detailed an account as possible of their understanding of what happened following their failure(s) to attend, and establish whether they did ultimately receive a sanction or not.*
- When learned they had been referred for sanction
- How learned and who told by
- Understanding of reasons for referral
- Experience of referral procedure
 - how was procedure explained to them
 - *If not already explored:* were they given opportunity to account for non-attendance? did they try to do so?
 - duration of procedure
 - views about fairness of procedure
 - views about who responsible (ie. did they hold PA personally responsible or not)
- Outcome of referral
 - whether received sanction or not
 - understanding of reasons for outcome
 - whether expected/unexpected

*If respondent **did not** receive sanction go directly to **section 8**.*

*For those who **did** receive a sanction:*

- Details of sanction
 - when did sanction start from
 - what benefit was reduced
 - how much by
 - for how long

- Views about fairness of decision
- Thoughts about appealing against decision (and details of appeal if taken up)

7. Personal and financial impacts of sanction(s)

**Explore impact of sanction in terms of personal and financial circumstances, and engagement with Jobcentre Plus/the reforms*

- What effects did sanction have **wait for spontaneous responses, then probe for:*
 - financial impacts on them personally (eg. ability to pay rent/bills, personal expenditure)
 - financial impacts on partner or children (including those not living with them)
 - how coped with financial situation (eg. borrowing money, using savings, delaying payment of household bills, rationalising personal expenditure)
 - impacts of sanction on health **probe carefully for any physical or mental impacts, both during and after sanction*
 - impacts on relationships with others (particularly with family members financially dependent on them)
 - impact on feelings about work (either as a deterrent or motivator)
 - impact on engagement with Jobcentre Plus/the reforms **establish whether respondent continued/started to see PA following sanction*
 - impact on relationship with PA (eg. on trust, co-operation)
 - impact on views about Jobcentre Plus and Pathways to Work generally
 - any other/unforeseen impacts of sanction **NB including anything positive they may have taken from process*

8. Reflections on sanctioning policy

**Explore respondent's reflections on the impact/non-impact of threat of sanction on their engagement with WFI process*

- Views about effectiveness of threat of sanction on engagement
 - personally
 - for other people on IB (types of people it will/won't affect)
- Key reasons why threat of sanction did or didn't influence them to engage (eg. lack of awareness, presence of other barriers to attendance, poor relationship with PA/loss of income, sense of responsibility etc.)
- Views about fairness of sanctioning policy, in terms of:
 - the principle of sanctioning benefits
 - the level and duration of sanction
- ***Suggestions for alternative measures to encourage engagement***