DEPARTMENT OF SOCIAL SECURITY

DELIVERING BENEFITS TO UNEMPLOYED 16 AND 17 YEAR OLDS

Bruce Stafford, Barbara Dobson and Jill Vincent
DEPARTMENT OF SOCIAL SECURITY

RESEARCH REPORT No 70

DELIVERING BENEFITS TO
UNEMPLOYED 16 AND 17 YEAR OLDS

Bruce Stafford
Barbara Dobson
Jill Vincent

A report of research carried out
by the Centre for Research in Social Policy,
Loughborough University
on behalf of the Department of Social Security

London The Stationery Office
Views expressed in this report are not necessarily those of the Department or any other government department.
CONTENTS

Acknowledgements v

List of abbreviations vi

Summary 1

1 Introduction 7
  1.1 Background 7
    1.1.1 The claims process 9
    1.1.2 Exempt categories 10
    1.1.3 Jobseeker's Allowance 11
  1.2 Research objectives 12
  1.3 Research design 12
  1.4 Analysis 15
  1.5 Structure of the report 15
    1.5.1 Ensuring anonymity 15

2 Nominated Benefit Manager the Managerial Perspective 16
  2.1 The managerial role 16
    2.1.1 The nominated benefit managers' workload related to 16
          16 and 17 year olds 16
    2.1.2 The nominated benefit managers' roles and 17
          responsibilities 17
  2.2 Respondents perceptions of the claimants 19
  2.3 Service delivery 20
    2.3.1 Certification 20
    2.3.2 Standards of service and resources 21
  2.4 Liaison arrangements 22
  2.5 Attitudes towards Jobseeker's Allowance 23
  2.6 Overview 24

3 The Specialist Staff Perspective 25
  3.1 Certification 25
  3.2 Specialist officers' 16 and 17 year old workloads and 26
      other duties
  3.3 Respondents perceptions of the claimants 27
    3.3.1 Claimants' knowledge of the benefit system 27
    3.3.2 Claimants' understanding of the claims process 28
    3.3.3 Claimants' attitudes towards claiming 28
    3.3.4 Claimants' behaviour towards Benefits Agency specialist 30
          staff
  3.4 Respondents' understanding of the benefit regime for 31
      16 and 17 year olds

III
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<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Description</th>
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<tr>
<td>CPAG</td>
<td>Child Poverty Action Group</td>
</tr>
<tr>
<td>HEO</td>
<td>Higher Executive Officer</td>
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<tr>
<td>SMART</td>
<td>Specific measurable, achievable, realistic and targetable</td>
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Introduction

This qualitative study examines the views of Benefits Agency staff on benefit policy and delivery for 16 and 17 year old unemployed claimants before the introduction of Jobseeker’s Allowance. The research was undertaken by the Centre for Research in Social Policy and commissioned, as part of the evaluation of the Jobseeker’s Allowance, by the Department of Social Security on behalf of the Benefits Agency, the Department for Education and Employment and the Employment Service.

Sixteen and 17 year olds do not have an automatic entitlement to Income Support (Section 1.1). However, they may be entitled to Income Support if they fall within an 'exempt category', or are eligible for an award under the Severe Hardship provisions if they are actively seeking work or a training place and severe hardship would result if financial support was not given. A Direction to award Severe Hardship is a Secretary of State decision formally made by a Benefits Agency LO1 grade member of staff holding a Certificate of Authority. A decision to make a Severe Hardship Direction can be taken at local level, but a refusal to award benefit, along with certain other types of decision must be taken at the centralised Severe Hardship Claims Unit in Glasgow.

Research objectives

The objectives of the research are (Section 1.2)

- to learn about staff knowledge and behaviour in relation to 16 and 17 year old claimants,
- to investigate claimants' knowledge, attitudes and behaviour as understood by staff, and
- to elicit the views of staff on matters to do with the administration and implementation of benefit for young people.

Research design

In order to capture the views of a range of staff dealing with young people, interviews were held with (Section 1.3)

- 22 specialist 16/17 year old officers (13 on grade LO1 and 9 on grade LO2),
- seven nominated benefit managers (Higher Executive Officers (HEOs) or equivalent), and
- staff at the Severe Hardship Claims Unit (two group interviews and one personal interview).

The nominated benefit managers’ perspective

Within each District a nominated benefit manager, usually at HEO grade, was responsible for customer service for 16 and 17 year olds.
Managers' roles/ responsibilities

With one exception, 16 and 17 year olds represented a relatively small proportion of respondents' caseloads (Section 2.1.1).

Although our sample was small and not designed to be representative, it does reveal variation in the management of the service and in the nominated benefit managers' roles. One respondent only maintained the District Register of officers holding a Certificate of Authority, a few of the respondents co-ordinated the provision of 16/17 year old training for staff whilst the remainder were more proactive and adopted a 'wider' managerial role.

The nominated benefit manager respondents tended to have little direct contact with claimants.

The nominated benefit managers' perceptions of the claimants

The nominated benefit manager respondents tended to perceive 16 and 17 year olds as a problematic claimant group most of whom were 'playing the system'. This view of 16/17 year old claimants might be because managers were usually involved with a case only if there was a problem such as a violent incident.

Service delivery

All of the nominated benefit manager respondents believed that their offices provided a good standard of service (Section 2.3.2). The basis for this belief was the absence of complaints from outside organisations.

Liaison arrangements

The nominated benefit manager respondents had little direct involvement in the liaison arrangements with the Careers Service, Employment Service Jobcentres or the Severe Hardship Claims Unit. Nevertheless, relations with the Careers Service were typically viewed as 'good' and those with the Jobcentres as more problematic. This was attributed to high staff turnover at Jobcentres and infrequent Employment Service attendance at joint liaison meetings with the Careers Service (Section 2.4).

The Specialist Staff perspective

Chapter 3 outlines the attitudes, knowledge and behaviour of local office specialist staff involved in the delivery of Income Support to unemployed 16 and 17 year olds.

Workloads

Typically, the LO2 grade respondents saw three or four cases per day, against the one per day normally seen by the LO1 grade respondents. There was, however, a wide variation in the number of cases dealt with by the LO1 respondents, it varied from 11 to 100 per month (Section 3.2).

Specialist staff perceptions of the claimants

All the specialist staff respondents felt that young people's knowledge of the benefit system varied (Section 3.3.1). Some claimants comprehended little or nothing, most understood something about the system and some knew a lot.

The majority of claimants were seen as having a relatively poor understanding of the claims process (Section 3.3.2). The respondents inferred this from the behaviour of the minority who did not visit the
Careers Service, Employment Service Jobcentre and Benefits Agency in the correct sequence, and who did not maintain regular contact with the Careers Service (a condition of benefit receipt)

At least half of the claimants were believed by most of the specialist staff to be seeking a youth training placement (Section 3.3). Most of the respondents estimated that between 30 and 50 per cent of claimants were 'playing the system', with the estimates ranging from one to 60 per cent.

The respondents appeared to have a very good understanding of the benefit regime for 16 and 17 year olds. The research team could identify only a small number of errors in the respondents' descriptions of the benefit system (Section 3.4).

How the service was delivered varied and depended upon

- which groups of 16 and 17 year olds were seen by the specialist staff,
- the grade of staff (LO1 or LO2) interviewing the young people, and
- the grade of staff taking the decision on whether to award a Severe Hardship Direction or refer a case for possible refusal to the Severe Hardship Claims Unit (Section 3.5).

In 15 of the offices, Severe Hardship decisions were taken by an LO1, in seven offices they were taken by an LO2 who was not acting up as an LO1. Indeed, in three of the sampled offices, non-certificated LO2s were making Severe Hardship Directions or referring cases to the Severe Hardship Claims Unit for a 'nil' decision. This represented a breach of the Benefits Agency's guidelines.

The reasons given by the respondents for LO2s taking decisions were

- the LO2s had greater experience of Severe Hardship cases and knowledge of the rules and guidelines than their LO1s,
- claims were processed more quickly if the LO2s made the decisions,
- the LO1s were not always available to take a decision, and
- the Severe Hardship Claims Unit acted as a 'safeguard' against claimants entitled to benefit being denied a Severe Hardship Direction.

The claims process is considered in Section 3.6, and covers appointment systems (Section 3.6.1), help given to claimants to complete or check claim forms (Section 3.6.2), the Severe Hardship interview (Section 3.6.3), the difficulty of establishing estrangement (Section 3.6.4), making the Severe Hardship decision (Section 3.6.5) and whether Social Fund applications were dealt with at the interview or separately (Section 3.6.6).
**Interviews** Interviewing claimants was not always easy. Establishing rapport with the claimant was important because it enabled the respondent to obtain information needed to determine a claim. Some respondents used the claimants' attitudes and body language as an indicator of whether they were a 'genuine' or 'non-genuine' case.

**Establishing estrangement** Almost all of the respondents said that establishing estrangement was the hardest and most difficult part of their work. This was partly because the definition of estrangement was ambiguous, partly because its determination entailed the exercise of discretionary judgement, and partly because, for Severe Hardship Directions, it involved contacting claimants' parents and verifying the claimant's situation which some respondents found an uncomfortable task.

When there was a difference of opinion between the parents'/guardians' and claimants' accounts, the respondents seem to have adopted one of three approaches to accept the young person's version of events, to accept the parents'/guardians' story, or to weigh up the two and make a decision on the 'balance of probabilities'.

**Making the decision** The respondents differed in the extent to which they saw themselves as exercising discretion. Most stated that they had a high degree of discretion in Severe Hardship cases. However, a few believed that they had little or no discretion.

The respondents varied on the proportion of Severe Hardship claims they had referred to the Severe Hardship Claims Unit for a 'nil' decision. One respondent said that they had never turned down a Severe Hardship claim, whilst another maintained that they had 'nullled' a third of all claims.

**Sanctions** Claimants not regularly attending the Careers Service or any youth training interviews could be sanctioned by the Benefits Agency (Section 3.7). There appeared to be some variation in the respondents' use of sanctions. For example, some respondents sought revocations from the Severe Hardship Claims Unit 'a lot', whilst others revoked proportionately fewer claims.

The Careers Service should have informed the Benefits Agency if a claimant had ceased to be a member of the youth training guarantee group for example if they had not attended the Careers Office to the required minimum standard or had refused a youth training opportunity (Section 3.7.1). This was done in some of the offices in our sample, however, in others the Careers Service informed the Benefits Agency relatively infrequently.

**Guarantee Liaison Officer referrals** Formally, if a claimant had no youth training place at the end of eight weeks then the Benefits Agency referred the case to a Guarantee Liaison Officer, based at one of the local Training and Enterprise Councils or Local Enterprise Companies (Section
In practice the number of referrals made varied from none to 12 per month with most respondents making only a few. Most respondents believed that such action was neither useful nor helpful.

In some areas, the Careers Service removed claimants from the guarantee group for part of a day. This meant that a claimant started a 'new' eight week Severe Hardship Direction, and this stopped any pending referral to the Guarantee Liaison Officer. This was seen as a 'statistical fiddle' by some respondents.

Liaison arrangements

The specialist staff respondents thought that they had good, even excellent relationships with the local Careers Service (Section 3.8.1).

The relationship with the Employment Service was usually described as 'all right' or 'OK'.

The respondents' contacts with the Severe Hardship Claims Unit were also described as 'good'. It was seen as a valuable 'backup' for the decisions made at local level.

Improvements and Jobseeker's Allowance

The majority of the respondents believed that the then existing benefit system did not meet the needs of 16 and 17 year olds (Section 3.9). The introduction of the Jobseeker's Allowance was seen by most respondents as an improvement (Section 3.10).

The respondents believed that a majority of claimants did find a youth training placement (or work), that some had basic skill difficulties and a few were 'not employable'. It was recognised that there was a proportion of young people who 'played the system'.

Uniformity

Part of the rationale for a centralised Unit was to ensure consistency and fairness in decision making across the country. However, the respondents at the Unit recognised that, from their vantage point, there was a variation in the quality of the service delivered at local level (Section 4.4). Indeed, they could identify offices following 'good' and 'bad' practices.

The respondents identified the following main reasons for any 'bad practice':

- inadequate staff training,
- a lack of staff commitment,
- inexperienced, even non-certificated, staff making Severe Hardship decisions,
- newly certificated officers could 'have a chip on their shoulder' and seek to revoke Directions when they should not, and
the devolution of management in the Benefits Agency meant that local managers had the right to deploy resources as they saw fit. This could lead to a variation in the quality of the service, as offices had different priorities.

The three most difficult types of case, according to the respondents, were those involving estrangement, low income and Local Authority care orders.

Conclusions

Chapter 5 briefly brings together the perspectives of the three sets of actors and highlights some of the implications of the research for Jobseeker's Allowance.

The claimants

Respondents who were specialist staff at local offices and at the Severe Hardship Claims Unit were more likely than the nominated benefit manager respondents to see claimants as reasonably well behaved and as not 'playing the system'.

Staff knowledge

The specialist staff in the sample had a relatively high level of expertise. As expected, the technical knowledge of the specialist staff was greater than that of most of the nominated benefit manager respondents.

Administration

The research identified many examples of good practice, including Service Level Agreements with the Careers Service, appointment systems so that, irrespective of which Agency the young person initially contacted, appointments were made with all three organisations and staff referring young people to, for instance, hostels and other bodies for support and accommodation.

However, the research also shows that there were some aspects of the service which could be improved.

Issues for Jobseeker's Allowance

Training

There were concerns expressed by respondents at the Severe Hardship Claims Unit about the level and quality of some local training programmes.

Certification and LO2s

The research shows that officers on grade LO2 had been taking severe hardship decisions. However, where these officers had received the appropriate training it was not clear that the quality of the decision-making had been adversely affected.

Staff recruitment and retention

Some of the difficulties with the operation of the benefit system for 16 and 17 year olds were attributed by respondents to staff shortages and high staff turnover. The work does require skilled and knowledgeable staff.

Management

The role of the nominated benefit manager in the provision of the service is important. There is a need for specific, measurable, achievable, realistic and targetable (SMART) objectives and targets to be set for the service.
INTRODUCTION

Jobseeker's Allowance was introduced on the 7 October 1996 and replaced Unemployment Benefit and Income Support for unemployed people. To evaluate Jobseeker's Allowance, a series of projects are being undertaken to provide information on the benefit regime for unemployed people before the introduction of Jobseeker's Allowance (see Annex C). This qualitative study examines the views of Benefits Agency staff on benefit policy and delivery for 16 and 17 year old unemployed claimants. It looks at the knowledge, attitudes, and behaviour of a range of Benefits Agency staff. The research was undertaken by the Centre for Research in Social Policy and commissioned by the Department of Social Security on behalf of the Benefits Agency, the Department for Education and Employment, and the Employment Service.

The study is one of a small number which focus on the experiences of 16 and 17 year old claimants. A separate qualitative study, commissioned by the Department for Education and Employment, involves face-to-face interviews with 16 and 17 year old claimants themselves. Research with Employment Service staff has also considered issues related to this project.

In this chapter, the policy and research context to the study is presented. The Income Support regime for 16 and 17 year olds is briefly outlined in Section 1.1. The research objectives are presented in Section 1.2. The research design and analysis of the data are discussed in Sections 1.3 and 1.4. The structure of the remainder of the report is summarised in Section 1.5.

Background

The administration of Income Support for 16 and 17 year olds was relatively complex. The aim of this section is to outline briefly the main features of the Income Support system for young people which operated before the introduction of Jobseeker's Allowance. Further details can be found in Benefits Agency (1994), CPAG (1996), and Maclagan (1996).

The Social Security Act 1988 limited the entitlement of 16 and 17 year olds to Income Support as a right to those under-18 year olds in certain 'prescribed circumstances' for example, lone parents, disabled students, and pregnant women within 11 weeks of confinement. These young people receive benefit because they are unavailable for work.

For all other 16 and 17 year olds, a policy was introduced that young people who were unable to find employment would be guaranteed a youth training place if they wanted one. The Training and Enterprise Councils (in England and Wales) and the Local Enterprise Companies (in Scotland) had to meet Department for Education and Employment requirements on the delivery of
youth training, which they provided by contracting with training providers. The provision of training places by the Training and Enterprise Councils and the Local Enterprise Companies was funded by the Department for Education and Employment in England, the Welsh Office in Wales, and the Scottish Office through Scottish Enterprise and Highlands and Islands Enterprise in Scotland.

In some cases, there was a guaranteed deadline for the young person to start a youth training placement within eight weeks of registering for youth training with the Careers Service. In others, mostly those of school leavers seeking first-time entry to youth training, there was a longer deadline coinciding with the extended Child Benefit period (see Section 112 below). However, the Training and Enterprise Councils were encouraged to endeavour to place all young people within eight weeks of their registering with the Careers Service.

The role of the Careers Service was to try to refer young people to suitable available training. Each Careers Service office maintained records of young persons who were guaranteed an offer of a youth training place. These young people were known as being in the 'guarantee group.'

The majority of those in the guarantee group were financially supported by their parents or guardians.

However, it is recognised by government that whilst actively seeking work or a training place some young people will need financial support. Accordingly, the Social Security, Contributions and Benefits Act 1992 allows the award of Income Support under the Severe Hardship provision to young people. Formally, the Secretary of State makes a Direction to the Adjudication Officer permitting the payment of Income Support to a young person. The decision to issue a Direction is discretionary, and is made when the Secretary of State is satisfied that the young person would suffer severe hardship unless the payment was made. The power to make Directions is discretionary because it would be impossible to prescribe in regulations all the circumstances under which there was a risk of severe hardship.

Income Support is administered at local offices of the Benefits Agency. However, when the Severe Hardship provisions were introduced, a centralised unit, the Severe Hardship Claims Unit, was established to administer the award. From April 1994, decision making for certain types of case was devolved to local offices. The Severe Hardship Claims Unit takes decisions on those cases not devolved to local offices (see below) and seeks to ensure that a consistent service is delivered nationally.

Within each Benefits Agency district there is a nominated benefit manager at Higher Executive Officer (HEO) grade who has managerial responsibility for claims from 16 and 17 year olds. In addition, two grades of staff LO1s...
Decisions on Severe Hardship are made by certificated officers on behalf of the Secretary of State. To obtain a Certificate of Authority, staff must complete a specialised training course which is designed to provide them with the skills needed to deal with this vulnerable claimant group. Certificates of Authority are usually held by LO1s. Formally, only an LO1 certificated officer can grant a Severe Hardship Direction. Whilst officers on an LO2 grade can hold a Certificate of Authority, they are not allowed to award a Severe Hardship Direction unless they are acting up as an LO1 and hold a Certificate of Authority.

Certificated officers can make a Severe Hardship Direction where it is clear that severe hardship would otherwise result. However, to ensure consistency in decision making, certain types of decision must be referred to the Severe Hardship Claims Unit. Notable examples are decisions to refuse benefit (a 'nil decision'), to revoke a Direction, and borderline cases, as well as those relating to a small number of specific circumstances.

The administration of Income Support to young persons eligible under an exempt category has always been the responsibility of local offices.

To assist staff, the Benefits Agency have issued guidelines and a best practice manual (Benefits Agency, 1994).

111 The claims process

Sixteen and 17-year-olds, unlike most unemployed Income Support applicants, had to make separate visits to the Careers Service, the Employment Service Jobcentre and the Benefits Agency in order to claim benefit. Moreover, the visits had to take place in the prescribed order. Potential claimants must first contact the Careers Service and register for work and training, discuss their career aims and agree an Action Plan. If no youth training placements or jobs were immediately available, the young person took a BA1 form to the Employment Service Jobcentre. This form confirmed that the young person had registered for work and for youth training; that is, they were a member of the youth training guarantee group.

At the Employment Service Jobcentre, a claim form for Income Support (a B1) was issued. In addition, a 'dummy' unit was set up to record their claim. The claimant then took the B1 form to the Benefits Agency.

A Severe Hardship Direction was considered only after it had been established that a young person did not qualify for Income Support under one of the exempt categories. A decision on whether to award Severe Hardship

1 That is when the LO1 is absent and an LO2 has been formally designated as the acting LO1.
Hardship was taken only after an interview with the young person. The interview might, or might not, be conducted by a certified officer. Severe Hardship Directions were usually issued for eight weeks to tie in with the youth training guarantee. However, Directions of longer or shorter duration could be issued. Income Support to 16 and 17 year olds was paid at two rates £28.85 and £37.90 per week. The higher rate was paid to young persons who were unavoidably estranged—that is, they had to live independently of their parents or anyone acting in place of a parent, or if they qualified for the disability premium.

If a young person was awarded Severe Hardship, they then had to return to the Employment Service Jobcentre to make an appointment for a New Claims interview. They also signed on at the Jobcentre, usually every fortnight. In addition, the young person had to maintain regular contact with the Careers Service and attend appointments with training providers. Failure to do so without good cause would mean that a young person would be removed from the youth training guarantee group and, as a consequence, lose their entitlement to benefit, even if they had been signing on at the Employment Service Jobcentre. Membership of the guarantee group meant that the young person was trying to find a training placement. Where a young person was removed from the guarantee group, the Benefits Agency should have been informed by the Careers Service.

The requirements to sign on at the Employment Service Jobcentre and to maintain contact with the Careers Service were not necessarily obligations placed on those in the exempt categories. For example, young people in non-advanced education and who were estranged from their parents were not required to sign on or register with the Careers Service.

Broadly, there are three exempt categories. The first group comprised young people who were entitled to Income Support without restriction because they were not required to be available for work. They had, however, to have satisfied the normal conditions for entitlement to Income Support. Examples have already been given of this category, namely single parents, pregnant women within 11 weeks of confinement, disabled students, and certain people in non-advanced education.

Second, some young people were eligible for Income Support during the 'Child Benefit Extension Period'. The Child Benefit Extension Period started on the Monday after the end of the school holiday following the term in which the young person left school. So, for example, for summer school leavers the Child Benefit Extension Period began on the second Monday in September. The extension period lasted for 12 weeks for those leaving school at Easter or Christmas, and until the first Monday in January for summer school leavers.
If a young person was registered at the Careers Service, then the young person’s parent(s) or guardian(s) could apply for Child Benefit for the extended period. If the young person found employment or a training place, entitlement to Child Benefit ceased. Where the young person had no parental or family home, or had to live away from it for specific reasons, then they could claim Income Support during the Child Benefit Extension Period. Examples included being in Local Authority care or custody immediately before the age of 16, being estranged from parents, having parents that were in prison, sick or handicapped and unable to support the young person, and living away from home to avoid physical or sexual abuse. Young people in this category had to register for work and training.

Third, there were groups of young people who might be eligible for Income Support for short periods of time after the Child Benefit Extension Period. These groups were discharged offenders who had to live independently and were registered for work and youth training, young persons leaving Local Authority care who had to live independently and were registered for work and youth training, and young people temporarily sick or disabled.

The introduction of Jobseeker’s Allowance has changed some but not all aspects of the benefit regime for 16 and 17 year olds. Under the Jobseeker’s Allowance regime, young people who are required to be available for education and training are excluded from a general entitlement to benefit, although those in ‘prescribed groups’ may be eligible for Jobseeker’s Allowance. There are also discretionary Jobseeker’s Allowance Severe Hardship payments. Those young persons who do not have to be available for work and training, in other words those in the first of the prescribed groups outlined above continue to receive Income Support.

It is anticipated that for under-18s, Jobseeker’s Allowance will discourage dependency on benefit whilst maintaining a proper safeguard for young people who would otherwise suffer severe hardship, reduce the number of people not in work, education or training, or who leave training early, and improve the service to 16 and 17 year olds.

The latter includes replacing the existing three or four stop service with a two stop service based on the Careers Service and Employment Service Jobcentres. A young person will normally register with the Careers Service and discuss his/her career plans for finding work or suitable training. The young person then contacts the Jobcentre and makes an appointment for a new jobseeker interview. In the early days of Jobseeker’s Allowance, Benefits Agency staff based in Employment Service Jobcentres will check the claim form and assess the category of the claim before the labour market part of the interview with an Employment Service Adviser if appropriate.

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2 Exempt categories is an Income Support term, whilst prescribed groups is a Jobseeker’s Allowance term. The three main exempt categories/prescribed groups are similar (see Section 11.2)
Benefits Agency 16/17 specialist officer conducts a Severe Hardship interview after the labour market part of the new jobseeker interview. Awards of Jobseeker's Allowance due to severe hardship are made by certificated officers. The role of the Severe Hardship Claims Unit remains the same.

The intention, however, is that by April 1998 the Employment Service will have taken over all aspects of the delivery of Jobseeker's Allowance up to and including making Severe Hardship Directions. Nationally, there is a rolling training programme so that Employment Service Advisers may assume responsibility for all aspects of the interview with unemployed 16 and 17 year olds. In other words, an Employment Service officer will deal with both the labour market and the benefit aspects of Jobseeker's Allowance for 16 and 17 year olds.

In addition, 16 and 17 year olds have a tailored Jobseeker's Agreement and can be subject to Jobseeker's Directions. The Jobseeker's Agreement specifies the types of work and training sought and the steps a young person has agreed to take to find employment and a training place. As under the previous regime, young people must be available and actively seeking employment and training. A Jobseeker’s Direction is a written statement outlining the actions a young person must take to improve their chances of finding work and a training placement, although it is anticipated that these will rarely be applied to 16 and 17 year olds. Nevertheless, failure to adhere to either can result in the imposition of a sanction, which takes the form of reduction in benefit. Sanctions can also be imposed if they refuse offers of training without good cause.

12 Research objectives

The context for the research was the introduction of Jobseeker’s Allowance. The research was designed to provide information on the Income Support regime for unemployed 16 and 17 year olds against which Jobseeker’s Allowance can be compared.

The objectives of the research were

- to learn about staff knowledge and behaviour in relation to 16 and 17 year old claimants,
- to investigate claimants’ knowledge, attitudes and behaviour as understood by staff and
- to elicit the views of staff on matters to do with the administration and implementation of benefit for young people.

13 Research design

In-depth interviews were held with Benefits Agency staff involved with 16 and 17 year old unemployed claimants. In order to capture the range of staff dealing with young people, interviews were held with

- 22 specialist 16/17 year old officers.
• seven nominated benefit managers (HEOs or equivalent) and

• staff at the Severe Hardship Claims Unit (two group interviews and one personal interview a total of four respondents) 

A total of 33 respondents took part in the research. The fieldwork was carried out in September 1996 before the introduction of Jobseeker's Allowance on 7 October.

One specialist officer was interviewed from each of 22 separate Benefits Agency district offices. The districts were selected by the Department of Social Security from four of the 13 Benefits Agency areas.

The selected offices were stratified by office type. The Benefits Agency uses a sixfold classification for local offices: inner city, outer city, large town, urban, large town, rural, medium town, and small town (see Table 1.1). Using this classification, staff from the Department determined the office type for each district. The district types included a blend of 'pure' types, where all or almost all of the local offices were of one category, and 'mixed' types where there was a greater variation, but the dominant type was selected to classify the district.

Table 1.1 Classification of Benefits Agency office types

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<th>Key</th>
<th>Type</th>
<th>Comment</th>
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<tbody>
<tr>
<td>1</td>
<td>Inner city</td>
<td>A city/conurbation office which covers a predominantly inner city area</td>
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<tr>
<td>2</td>
<td>Outer city</td>
<td>A city/conurbation office which covers a predominantly outer city area</td>
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<tr>
<td>3</td>
<td>Large towns (urban)</td>
<td>A built up area with a population of between 50,000 and 500,000</td>
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<td></td>
<td></td>
<td>This category includes the largest towns and cities not covered by</td>
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<td></td>
<td>1 and 2 above; towns close to conurbations and towns in</td>
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<td></td>
<td></td>
<td>predominately heavy industrial areas</td>
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<tr>
<td>4</td>
<td>Large towns (rural)</td>
<td>A built up area with a population of between 50,000 and 500,000</td>
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<td></td>
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<td>The category includes market towns, light industrial towns, coastal</td>
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<td></td>
<td></td>
<td>or inland towns and most New Towns</td>
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<tr>
<td>5</td>
<td>Medium towns</td>
<td>Built up areas and towns with a population of between 20,000 and</td>
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<td></td>
<td>50,000 This will include rural areas</td>
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<tr>
<td>6</td>
<td>Small towns</td>
<td>Built up areas and towns of less than 20,000 population. This covers</td>
</tr>
<tr>
<td></td>
<td></td>
<td>predominately rural areas</td>
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</tbody>
</table>

The managers of the selected districts were invited by the Department's Social Research Branch to take part in the research and to nominate staff for interview. The intention had been to interview 23 specialist 16/17 year old officers, however one district refused to participate in the research and by agreement with the Department was not replaced.

3 The in-depth interview respondent was also a member of one of the group interviews.
The interviews with the nominated benefit managers occurred in seven of the districts where interviews with specialist staff took place. In one instance, the interview was not held with the HEO but with the officer to whom he had delegated all Severe Hardship functions. Another of the interviewees was an acting HEO.

Table 1.2 Staff breakdown by office type and area

<table>
<thead>
<tr>
<th>By office type</th>
<th>Specialist staff</th>
<th>HEOs or equivalent</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>4</td>
<td>1</td>
</tr>
<tr>
<td>2</td>
<td>3</td>
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</tr>
<tr>
<td>3</td>
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<td>4</td>
<td>1</td>
</tr>
<tr>
<td>6</td>
<td>3</td>
<td>2</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>By area</th>
<th>Specialist staff</th>
<th>HEOs or equivalent</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>6</td>
<td>3</td>
</tr>
<tr>
<td>2</td>
<td>6</td>
<td>2</td>
</tr>
<tr>
<td>3</td>
<td>6</td>
<td>1</td>
</tr>
<tr>
<td>4</td>
<td>4</td>
<td>1</td>
</tr>
<tr>
<td>Total</td>
<td>22</td>
<td>7</td>
</tr>
</tbody>
</table>

The interviews with the 16/17 year old specialists were held with both certificated and non-certificated officers and with staff on LO1 (supervisory) and LO2 grades.

Table 1.3 Staff breakdown by grade and certification

<table>
<thead>
<tr>
<th>Grade</th>
<th>Certificated</th>
<th>Non-certificated</th>
</tr>
</thead>
<tbody>
<tr>
<td>LO1</td>
<td>13</td>
<td>N/A</td>
</tr>
<tr>
<td>LO2</td>
<td>5</td>
<td>4</td>
</tr>
<tr>
<td>Total</td>
<td>18</td>
<td>4</td>
</tr>
</tbody>
</table>

The sample of offices and staff was designed to increase the chances of capturing the range of practices within district offices. The names of relevant staff for interview within offices were provided by District Managers or their nominee. It is not known to what extent District Managers (or their nominees) had freedom to choose or were constrained in their selection of respondents by the availability of staff. However, it is possible that the most knowledgeable and experienced staff were put forward for interview and that the research findings depict a more 'rosy' picture of staff knowledge and behaviour than if a random sample of 16/17 year old specialist staff had been taken. This has implications for the extent to which the first research objective outlined above can be met in full.
The sample is also biased against staff working in large districts with an above average number of local offices. It is possible that in such districts, working arrangements, in particular liaison with the Employment Service and the Careers Service, were organised differently.

Both these points should be borne in mind when considering the study's findings and conclusions.

The fieldwork for the study was carried out by researchers at the Centre for Research in Social Policy and was conducted during September 1996.

14 Analysis

With one exception the interviews with staff were taped and then transcribed. This report is based on an analysis of these transcripts and the notes of the one interview not taped.

15 Structure of the Report

The structure of this report is based on the perspectives of the three groups of respondents interviewed. In Chapter 2, the attitudes and roles of nominated benefit managers are examined. The attitudes, knowledge and behaviour of the specialist staff in local offices are considered in Chapter 3. In Chapter 4, the views of the centre, as represented by staff at Severe Hardship Claims Unit, are explored. Finally, some conclusions are presented in Chapter 5.

15.1 Ensuring Anonymity

In this report selective use is made of quotes from the interviews. The quotes are meant to illuminate the knowledge, attitudes and behaviours of staff. Where appropriate the quotes have been 'smoothed' to make them more readable. This has been done by amending punctuation and removing some speech (signified by three dots '...'). The respondents' meaning has not, of course, been changed.

All of the respondents in the research were promised anonymity. To ensure this, only limited information is given about each respondent. In particular, the respondent identifiers used for quotes includes for the specialist staff only their grade and whether they were certificated or not. For respondents from the Severe Hardship Claims Unit and the nominated benefit managers, no details are given other than an identifying number.
The Benefits Agency has about 460 local offices which are grouped into 149 districts, each with a district office. Within each district, there was a nominated benefit manager, usually at HEO grade, responsible for customer service for 16 and 17 year olds. The service was delivered to claimants by specially trained staff (on grades LO1 and LO2).

As part of this research, seven officers who were the nominated benefit managers for their district were interviewed. Five were permanent HEOs, one was an acting HEO, and one was an LO1 who had been delegated, by the HEO, to carry out his nominated benefit manager functions.

This chapter considers the role of the nominated benefit manager in managing Income Support for unemployed 16 and 17 year olds (Section 2.1). Their impressions of young people are outlined in Section 2.2. The respondents' understanding of the delivery of the service is presented in Section 2.3. Part of the delivery of the service involved liaison with other organisations, notably the Careers Service and Employment Service, and this aspect is considered in Section 2.4. Finally, the respondents' attitudes towards the introduction of Jobseeker's Allowance are discussed in Section 2.5.

2.1 The managerial role

This section briefly examines the proportion of the nominated benefit managers' total workload that work related to 16 and 17 year olds represented, and outlines their other duties and responsibilities. The respondents' role in the delivery of the service is then discussed.

In discussing the duties of the respondents in their capacity as nominated benefit managers, there is one respondent who stands apart from the others. The LO1 officer who was delegated as the nominated benefit manager had a significantly different role. Not only did he have a management role, but he was also involved in the front-line delivery of the service. In discussing roles and responsibilities, his experiences were, in comparison to the other six respondents, exceptional.

2.1.1 The nominated benefit managers' workload related to 16/17 year olds

With the exception of the LO1 grade respondent referred to in the previous paragraph, the respondents' 16/17 year olds workload was relatively small.
Although for one respondent it 'varies quite a lot' and had recently increased as a result of preparation for the introduction of the Jobseekers Allowance and the transfer of staff to Employment Service Jobcentres.

The respondents also acknowledged that for front-line staff 16 and 17 year olds were a small part of the total Income Support caseload, but were often sensitive and complex cases. This made processing new claims and maintaining cases time consuming. For the respondents this made the resourcing of the work an issue.

Examples of the other main duties performed by the respondents are listed in Table 2.1

Table 2.1 Other main duties performed by respondents

| Certified LO1 specialist officer                  |
| Supervisor of an alpha split Income Support section of 60 staff |
| (District) Customer Services manager (three respondents) |
| Manager Social Fund section                       |
| Lead responsibility for Jobseekers Allowance (two respondents) |
| Branch office manager (two respondents)            |
| Manager reception services                        |

Note: Respondents could have more than one other main duty.

2.1.2 The nominated benefit managers' roles and responsibilities

The Benefits Agency handbook on Income Support for 16 and 17 year olds (Benefits Agency, 1994) states that the nominated benefits manager was responsible for:

- ensuring that officers making decisions on Severe Hardship had completed the required training course and had the required experience to exercise the Secretary of State's powers.
- providing an effective service for young people, and
- liaising with other interested bodies for example, the Careers Service and the Employment Service.

The nominated benefit manager recommended to the manager of the Severe Hardship Claims Unit that officers who had received the appropriate training be granted a Certificate of Authority. Administratively, the nominated benefit manager maintained a Register of officers holding a Certificate of Authority.

Although our sample was small and not designed to be representative of how these responsibilities and duties were carried out, it did reveal a variation in the management of the service across the seven districts. As already mentioned, in one district they were delegated to an LO1. In another the
nominated benefit manager retained responsibility for ensuring that sufficient staff were trained, but ensuring the effective delivery of the service was part of the remit of the four branch office managers. Another appeared merely to maintain the Register with branch managers both determining the number of staff they required and ensuring that they were properly trained. One respondent had responsibility for managing the service in two of the three branch offices in the district. Given the devolution of management within the Benefits Agency, these differences were not unexpected.

This variation in how the service was managed was reflected in the respondents’ roles. With the exception of one respondent who merely maintained the Register, all the respondents seemed to have a role in ensuring that sufficient staff were trained.

For one respondent selecting an officer for the specialist training programme was a crucial decision:

> if you’ve got a rather over-active, six foot tall, 17 year old lad thumping the counter and going berserk and threatening to smash the place up if you don’t pay him Severe Hardship allowance, some officers are intimidated and will pay when they perhaps shouldn’t do. And therefore this is why you need to choose your under-18 officers very carefully. They need to have the right balance of tact, sensitivity and firmness to apply the regulations and the law as they are laid down, correctly. We’re looking for somebody who has got common sense. They have got maturity, not necessarily in years, but mental maturity to cope with the difficulties and problems. (HEO4)

A few of the respondents seemed only to have had a training co-ordination role. In part this was a testimony to how well they saw their specialist/front-line staff delivering the service to 16 and 17 year olds. The absence of complaints from either young persons or external organisations was taken to indicate that a ‘good’ service was being provided. Where liaison arrangements were perceived as working, and/or branch managers took responsibility for service delivery, then there was no perceived need for the nominated benefit manager to be involved actively in the provision of the service.

Alternatively, it could be taken to indicate the low level of priority attached to 16 and 17 year olds within some district offices, or it could indicate high workloads and other pressures on managerial staff. Thus, most of the respondents did not know the size of the 16/17 year old caseload. Indeed, one nominated benefit manager respondent did not know the number of certificated officers within the district.

The other respondents were more pro-active and had a wider managerial role with respect to 16 and 17 year old service delivery. One respondent had recently discovered two Severe Hardship overpayments and had taken remedial action. This involved one officer receiving further training and a
discussion with another officer about their performance. Another respondent had decided to give the service a higher profile by setting key work objectives for the service within the framework of performance appraisal. Yet even this respondent was not involved in the day-to-day delivery of the service, having set service standards, his role was limited to monitoring and reviewing progress.

Indeed, with the exception of the LO1 grade acting as the nominated benefit manager, the respondents rarely had any direct contact with young people.

Only two of the respondents mentioned their potential role in suspected abuse cases, in possibly informing the police and Social Services.

The reasons for these variations in both management structure and roles are unclear. It is possible that they arise from local autonomy around deployment of staff, or there might be a link with the number of branch offices. The greater the number of branch offices the more likely an aspect of the service will be the de facto responsibility of another officer. Alternatively, it might be for historical reasons in other words, the management of the service has evolved incrementally in response to restructuring and personnel changes.

The nominated benefit managers were asked their impressions of the unemployed 16 and 17 year olds. The discussion was, of necessity, brief because they tended to have little direct contact with young people making a claim. Moreover, some of the respondents acknowledged that their perceptions of the claimants were 'second hand'.

With the exception of the LO1 who was acting as the nominated benefit manager there was a discordance between the respondents' impressions of young people and those of their staff.

Generally the HEO respondents saw the 16 and 17 year olds as a 'difficult client group'. They were seen as arriving at the local office in groups, not being respectful and as 'quite streetwise'.

"That nonsense about these kids are seen to be handled sensitively, vulnerable people and stuff, we don’t see that. They are our most difficult customers. [They] play up to each other. It's a game." (HEO3)

Only one of the HEO respondents described the claimants as 'Meek and mild as lambs'. This respondent also believed that the majority of the 16 and 17 year olds were confused by the benefit system.

Another admitted that his opinions about young people had been modified by the risk assessment done as part of the transfer of the service under Jobseeker's Allowance to Employment Service Jobcentres. Previously he had believed that 16 and 17 year olds were the local office's most violent client..."
group. However, a statistical analysis for the risk assessment showed they were not. Nevertheless, the respondent was sceptical of the analysis, suggesting that whilst the frequency of violent incidents involving young people was low, the actual level of violence was higher.

The majority of the HEO respondents believed that most young people were ‘playing the system’ and that they had no intention of doing youth training. In support of this opinion, one respondent observed that

> they all seem to be well dressed, they've all got the latest trainers going  

(HEO2)

Moreover, according to this respondent, there was no local shortage of youth training places.

These views about the behaviour of young people were at variance with those of specialist staff. The specialist staff recognised that the behaviour of some young people was unacceptable. However, they were able to manage these situations, and generally established a good rapport with claimants. Moreover, they knew that not all claimants were ‘playing the system’, although their estimates of the proportion not meeting the conditions for benefit varied widely (see Section 3.3.3)

In summary, the HEO respondents had a more negative view of the behaviour and motivation of young people than their staff. One possible explanation for this is that a nominated benefit manager was typically involved with a young person's claim only if there was a problem, such as a violent incident at a local office. The limited amount of time the HEO respondents spent on 16 and 17 year old business meant that they had limited personal experience of both ‘genuine’ and relatively straightforward cases.

### 2.3 Service delivery

Different models of service delivery are discussed in Chapter 3. In this section, two aspects of service delivery are explored from the perspective of the nominated benefit manager. The first issue is certification or, more specifically, the role of non-certificated officers in the decision-making process. Formally, only officers with a Certificate of Authority granted by the Severe Hardship Claims Unit were allowed to take certain decisions on Severe Hardship Directions. The second issue relates to standards of service and resources.

#### 2.3.1 Certification

There were differences between the sampled local offices as to who interviewed unemployed young people and who, in practice, took the decision to award benefit. Essentially, young people who were not eligible for Income Support under an exempt category (cf. Section 1.2) were interviewed by a specialist 16/17 year old officer to assess their entitlement for Severe Hardship. Under the Benefits Agency’s guidelines, and in practice, this officer was a certificated LO1, or an LO2 who might or might not hold a Certificate of Authority. As already mentioned, only staff acting...
up as LO1s with a Certificate of Authority were authorised to make decisions on Severe Hardship claims.

Whether or not an LO1 or LO2 carried out Severe Hardship interviews varied in the HEO respondents' districts. One of the HEO respondents said that whether or not the interviewing officer held a Certificate of Authority made no difference to the

'quality of their decisions or the appropriateness of their interview style'  

(HEO3)

Another of the HEO respondents was aware that whilst the interviews were conducted by LO2s, the decision to award Severe Hardship might also be taken de facto by the interviewing officer and not the certificated LO1

'The LO2s interview and they don't actually make the decision in theory but in practice they do. They put through the decision to the LO1 who will look at it and sign it, but most of the work is done at LO2 level. And they are more than capable of doing it. The LO1 is basically rubber stamping the decision and recommendation by the LO2.' 

(HEO5)

It is however clear that in at least four of the HEO respondents' districts an LO1 did take the decisions on awarding Severe Hardship. This was because either the LO1s carried out the interviews and made the decision or, if an LO2 conducted the interviews, an LO1 still made the decision on the basis of the case papers.

2.3.2 Standards of service and resources

Not all of the respondents directly managed the actual delivery of the service to 16 and 17 year olds instead they restricted their role to facilitating the training of staff. Other staff, namely (other) branch managers, had responsibility for day-to-day service delivery. Yet irrespective of their role in delivering the service, the respondents tended to believe that their districts provided a high or good standard of service to 16 and 17 year olds. As previously mentioned, the basis for these assertions appears to be the absence of complaints from outside organisations, rather than any systematic information collected as part of a performance review system. The exception as mentioned above, was a respondent who set key objectives for the service and reviewed progress. However, it is possible that HEOs with responsibility for the actual delivery of services to 16/17 year olds also monitored service via the performance review system for the staff they managed.

Some of the respondents were critical of the level of resources made available for Severe Hardship related work. This was a concern echoed by some of

1 At local office level neither LO1s nor LO2s were formally allowed to refuse Severe Hardship Directions. Instead, possible invalid decisions were referred to the central Severe Hardship Claims Unit in Glasgow for consideration. Only the Severe Hardship Claims Unit could refuse an award of Severe Hardship.
the specialist staff. Underlying these comments were two issues: first, a misunderstanding by some respondents about the rationale for the resources allocated for 16 and 17 year old work; second, criticism of the actual level of resource allocated for each claim.

For each Severe Hardship interview, a district was awarded 110 minutes of Whole Unit Time representing an average time requirement for processing a severe hardship claim. Based on the number of claims, the Whole Time Units were translated into staff resources which could then be allocated to local offices. However, some respondents appear to have misunderstood the basis for the calculation of the Whole Time Units. They believed that time/resources were not awarded for a number of aspects of Severe Hardship work, notably interviews which were terminated part way through because it was clear to the claimant that any claim would be unsuccessful, work involved in the maintenance of claims, or any interviews other than a New Claim interview.

Some respondents were also dissatisfied with the level of resource. For example, within one district there were four offices which were between 20 and 45 miles apart. The respondent had to distribute 0.2 of an LO1 and 0.68 of an LO2 amongst these offices. In practice, it meant that an LO2 in one of the offices periodically acted up as an LO1 so that decisions on Severe Hardship could be made. This was seen as a cost saving. Even so, this district was putting in more resources to the 16 and 17 year old caseload than had been allocated to the district.

There were also repercussions for the government's Income Support and youth training policies. Staff resources switched to the Severe Hardship caseload could, according to one respondent, mean that Income Support accuracy targets would not be met. In other words, there was an opportunity cost in terms of performance in other areas if additional staff were transferred to 16 and 17 year old cases. Another respondent pointed out that a lack of staff for Severe Hardship cases meant that fewer checks would be made to ensure that young people were adhering to the conditions for benefit receipt.

"It's not policed as well as it should be. There's no incentive to do it. You're not actually being rewarded for doing that." (HEO5)

By implication, levels of fraud by young people could be higher and/or the government's wider youth training policies undermined, as more young people could be 'playing the system'.

The HEO respondents were asked about their liaison arrangements with the Careers Service, Employment Service Jobcentres, Severe Hardship Claims Unit, and other relevant organisations. Formally, as the nominated benefit managers, the respondents had overall responsibility for liaison with outside organisations (cf. 2.1.2 above). Their experiences of the liaison arrangements were mixed.
Relations with the local Careers Service were 'good'. Only one HEO respondent felt that the Careers Service was not providing the level of service required. Some of the respondents attended the regular liaison meeting with the Careers Service and Employment Service Jobcentres, whilst others delegated this task to an LO.

More problematic were relationships with Employment Service Jobcentres. Difficulties were attributed to first, high staff turnover in Jobcentres, which meant that Benefits Agency staff were often dealing with different and inexperienced Jobcentre staff, second, the Employment Service Jobcentres tended not to attend the joint liaison meetings with the Careers Service. Thus there was limited scope to solve problems which involved the Jobcentre and to build close working relationships with Employment Service staff.

It is however, possible that links with Employment Service Jobcentres might have been better in some districts had the respondents been more actively involved in liaison arrangements. Although one respondent believed the liaison to be 'all right', she had never had any direct contacts with the Employment Service Jobcentres in the district. On the other hand one respondent had recently been having more meetings with the Employment Service because of the impending introduction of Jobseeker's Allowance.

Some of the nominated benefit manager respondents had experience of the Severe Hardship Claims Unit whilst others claimed to have limited contact with the Unit. One respondent stated that they had no involvement with the Severe Hardship Claims Unit an unexpected claim given their role as the nominated benefit manager.

There were relatively few links with other organisations mentioned by the respondents. A couple of respondents said that the local office had made contacts with Social Services. The same two respondents observed that contacts with the Guarantee Liaison Officer were made by their specialist officers, and not by themselves.

In summary, whilst the experiences of the nominated benefit manager respondents are varied they tended not to have a major role in the liaison arrangements with outside organisations. Moreover, even though liaison arrangements with Employment Service Jobcentres could be seen as less than ideal, there had been no concerted effort by the respondents to redress this situation.

25 Attitudes towards Jobseeker's Allowance

The respondents' attitudes towards the new Jobseeker's Allowance regime for unemployed 16 and 17 year olds were mixed.

Three of the respondents were concerned about the loss of Benefits Agency staff expertise from the benefit system. Under the staffing arrangements for Jobseeker's Allowance, the compulsory transfer of Benefits Agency staff to Employment Service Jobcentres was minimised. Indeed, those with a
number of years of experience were protected' and could choose not to transfer. As a consequence, a number of front-line staff with considerable experience of 16 and 17 year olds did not move across to Jobcentres. The benefit system for unemployed 16 and 17 year olds therefore, lost some of its most experienced and expert staff. As there were usually more Employment Service Jobcentres in an area than Benefits Agency local offices, a considerable number of Benefits Agency staff had to be given specialist training in dealing with 16 and 17 year olds. However, these staff lacked experience.

'frankly [they] have little or no experience of under-18 work' (HEO5)

There was a belief that the importance of 16 and 17 year old work had not been adequately recognised in the development and implementation of Jobseeker's Allowance. One respondent estimated that it would take 18 months before staff new to 16 and 17 year old work would become proficient.

Another respondent argued that it was right that young people should not attend the Benefits Agency. He suggested that moving the work to Employment Service Jobcentres would take them away from the dependency, 'benefit culture' associated with the Benefits Agency.

2.6 Overview

This chapter has focused on the perceptions of the district nominated benefit managers, who formally had responsibility for the delivery of services at the local level to 16 and 17 year olds. The research shows that their roles varied, from maintaining the Register of Certificated Officers to a more pro-active management stance.

The nominated benefit managers had relatively little direct contact with young people. Yet they tended to perceive them as a problematic group, most of whom were believed to be 'playing the system.' This view of 16 and 17 year old claimants might be because they were usually involved with a case only if there was a problem such as a violent incident.

All of the nominated benefit manager respondents believed that their offices provided a good standard of service. This view was based on the absence of complaints from outside organisations.

Some of the respondents were critical of the resources made available for Severe Hardship related work.

The nominated benefit managers tended not to have a major role in liaison arrangements with respect to 16 and 17 year olds. Their experiences of liaison with the Careers Service, Employment Service and Severe Hardship Claims Unit varied. Liaison arrangements with Employment Service Jobcentres in particular were seen as less than ideal.
The research included in-depth interviews with 22 Benefits Agency local office staff who specialised in administering Income Support to unemployed 16 and 17 year olds. This chapter explores the officers' impressions of under-18s and their knowledge of the benefit system and how the Benefits Agency delivered Income Support to young people.

As mentioned in Chapter 1, 13 of the specialist staff were at the supervisory grade LO1, and nine were LO2s. All of the LO1s held a Certificate of Authority to take decisions on Severe Hardship, as did five of the LO2s. In Section 3.1, the perceived importance of certification is considered. The respondents' workload and their other duties, if any, are described in Section 3.2. The respondents' impressions of the claimants' knowledge and understanding of the benefit system, the claimants' attitudes towards training as well as their behaviour is outlined in Section 3.3. The respondents' own understanding of the benefits system is described in Section 3.4. How Income Support for 16 and 17 year olds was delivered varied across the sampled offices, and in Section 3.5, this variation is highlighted.

In Section 3.6, the claims process is outlined, including the Severe Hardship interview, how estrangement was established, and the use of discretion. Claimants who broke the conditions for the receipt of benefit could be sanctioned, and the use of sanctions by the respondents is considered in Section 3.7. Liaison arrangements with Careers Service, Employment Service Jobcentre and Severe Hardship Claims Unit are discussed in Section 3.8.

The respondents' suggestions for remedial changes to the then existing system are briefly outlined in Section 3.9 and their hopes and concerns for the new Jobseeker's Allowance regime are considered in Section 3.10. A brief synthesis of the chapter is given in Section 3.11.

3.1 Certification

Formally, decisions on awarding Severe Hardship could be taken only by staff on grade LO1 holding a Certificate of Authority. If a member of staff was an LO2 and held a Certificate of Authority, they could only make Severe Hardship Directions when acting up as an LO1. Furthermore, if a Severe Hardship Direction was likely to be refused, then the case was referred to the Severe Hardship Claims Unit for consideration.

Views on the value of certification varied by grade of staff. Respondents on grade LO1 saw certification as important for two main reasons:

- accountability – it was their certificate number attached to the statistics recording the decisions taken, and

25
• competence – if staff were not certificated then they had not received the required training to make decisions in an area where a degree of discretion was required.

The respondents on grade LO2 however tended to see certification as a not insurmountable obstacle to taking decisions on Severe Hardship. Indeed, the majority of the respondents on grade LO2 took decisions on Severe Hardship. This did not vary by whether or not the LO2 held a Certificate of Authority that is, both certificated and uncertificated LO2s made Severe Hardship Directions. For the LO2 respondents their extensive experience of Severe Hardship cases together with the Severe Hardship Claims Unit providing a ‘safeguard’ when refusing a Direction meant that possession of a Certificate of Authority was not seen as vital. Most of the LO2 respondents had more experience of dealing with Severe Hardship cases than their supervisory LO1s (see Section 3.5 below). In addition, the LO2 respondents believed that processing the claim was quicker if they made the decision, especially as the LO1 might not always be immediately available to make the decision.

3.2 Specialist officers’ 16 and 17 year old workloads and other duties

Estimating the sampled offices’ liveload was problematic. This is partly because the respondents were not always sure of their office’s official figures. Even when they did have access to the statistical returns to the Severe Hardship Claims Unit, the figures were usually seen as an under-estimate. This is because respondents knew that their figures excluded cases where a Severe Hardship Direction was refused (as these were recorded by the Unit itself) and cases where an interview commenced but no claim was subsequently made. The respondents could, however, estimate the number of cases they saw over a given time period. Yet, comparisons between offices remains difficult because in some instances the respondents dealt only with Severe Hardship cases, in others they dealt with Severe Hardship and some of the exempt categories and elsewhere they saw all under-18 claimants.

Nevertheless, it was apparent that the liveload of 16 and 17 year olds varied significantly across the local offices. It ranged from ten cases per month to 70 per month. Whilst there was no discernible pattern to this variation by type of office (cf. Table 1.1), it did appear to vary by grade of staff. Typically, the respondents at grade LO2 saw three to four cases per day, against the one per day normally seen by the LO1 grade respondents. There was however a wide range in the number of cases dealt with by the LO1 respondents, which varied from 11 to 100 per month.

These figures mask seasonal and even daily variations in numbers of claimants. There were peaks in the workload at the end of the Child Benefit Extension Period (see Section 1.1.2), particularly in January when some young peoples’ entitlement to ‘normal’ Income Support ended and they were considered for a Severe Hardship Direction.

For some respondents, dealing with 16 and 17 year olds was a full-time task. Others had additional duties and responsibilities, and these are listed in
Table 3.1 (below) Essentially, the LO1 grade respondents had other supervisory duties and the LO2 respondents undertook other specialist benefit work.

Table 3.1 Other main duties and responsibilities of respondents

<table>
<thead>
<tr>
<th>Grade</th>
<th>Certificated officer</th>
<th>Non certificated officer</th>
</tr>
</thead>
<tbody>
<tr>
<td>LO1</td>
<td>(Supervising) Social Fund crisis loans (three respondents)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Supervising reception/counter staff (two respondents)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Persons from abroad/Asylum seekers</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Customer services manager</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Adjudication Officer</td>
<td></td>
</tr>
<tr>
<td>LO2</td>
<td>Receptionist</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Habitual residents tests</td>
<td>Habitual residents tests</td>
</tr>
<tr>
<td></td>
<td>Allocating National Insurance numbers</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Self employed claimants</td>
<td>Persons from abroad</td>
</tr>
<tr>
<td></td>
<td>Supervising reception/counter staff</td>
<td></td>
</tr>
</tbody>
</table>

Note: (1) Two of the non certificated LO2 respondents worked full time with 16 and 17 year old claimants.

3.3 Respondents' perceptions of the claimants

One of the key questions underlying the research is the staff's perceptions of 16 and 17 year old claimants. In this section the perceptions of specialist staff dealing with 16 and 17 year olds regarding the claimants' knowledge of the benefit system (Section 3.3.1), understanding of the claims process (Section 3.3.2), and attitudes towards training (Section 3.3.3) are considered. Furthermore, the extent to which the respondents believed that 16 and 17 year olds were 'playing the system' is explored.

3.3.1 Claimants' knowledge of the benefit system

There was universal agreement amongst specialist staff respondents that young peoples' knowledge of the benefit system varied. Some claimants comprehended little or nothing about it, most understood something, and some knew a lot.

'You get all of them. Those that are not sure of their position — very meek and mild. You get those that come in really brisk and start bashing the counter — I want money. You get ones coming in quite confident at asking what their entitlements are and you get those that come in extremely abusive.'

(Certificated LO1, 22)

'Others are so streetwise, they seem to know the system inside out. It's quite frightening actually.'

(Certificated LO1, 7)

The main examples of ignorance of the system found by the research were that a minority of new claimants contacted the Benefits Agency before visiting the Careers Service (and the Employment Service Jobcentre), and that most did not appreciate the importance of staying in contact with Careers Service. However, even the most 'streetwise' of claimants were not perceived as knowing the distinctions between the various exempt categories and Severe Hardship.
The fact that most claimants had some limited understanding is not surprising because when they initially visited the Careers Service their benefit entitlement was explained to them.

_Sometimes at the first point of contact, wherever it might be - with us, with the Employment Service, with Careers, whatever - they will have been advised, very fully and well, exactly what goes on and why. Sometimes if they just come in off the street obviously they haven't got a clue._

(Certificated LO1, 2)

The respondents believed that another source of young people's knowledge about the benefit system, especially those considered to be 'streetwise', was advice and information from friends or parents. It was suggested that friends and parents were able to provide this support if they were in receipt of benefit themselves.

Some respondents also pointed out that there was a learning curve for young people. Claimants who knew little or nothing about the benefit system were perceived as knowing more if they made a repeat claim.

Nevertheless, the respondents also stated that they had to emphasise continually to claimants the conditions for receipt of a Severe Hardship award, namely, that claimants must be available for work and actively seeking work and a youth training placement.

### 3.3.2 Claimants' understanding of the claims process

The respondents maintained that the majority of under-18s had a relatively poor understanding of the claims process (see Section 1.1.1). Although most of the claimants visited the three Agencies involved in the correct sequence, they did not fully understand the respective roles of the Agencies.

The respondents' principal evidence that 16 and 17 year olds did not understand the process was that a significant minority did not maintain regular contact with the Careers Service. This was despite both the Careers Service and the Benefits Agency informing claimants of the consequences for their benefit of non-attendance. Indeed, even when some claimants had lost benefit through non-attendance at the Careers Service they still failed to comprehend the process, their responsibilities and conditions for benefit receipt.

_Then you've finished all the interviewing, and the last thing they've said is, 'Well, can I have my fortnight’s money then?' And you think, 'I've just told you you've lost it. You've lost your money by not doing what you're supposed to do.'_

(Uncertificated LO2, 3)

### 3.3.3 Claimants' attitudes towards training

Two-thirds of the respondents expressed an opinion on claimants' attitudes towards searching for youth training placements, estimated the proportion playing the system and gave reasons why they thought young people did not pursue training. Other respondents were unsure of the proportion and/or commented more generally on how claimants were believed to 'play
the system Not seeking a youth training place was the principal way in which young people could play the system (Other methods were forging letters from parents or colluding with parents in order to convince the Benefits Agency that they were estranged, and claimants who were estranged from their parents and in non-advance relevant education leaving college once they had been awarded 'normal' Income Support)

The respondents' estimates of the proportion of claimants 'playing the system' and hence not actively seeking youth training varied substantially. They ranged from under one per cent to 60 per cent, with most respondents estimating between 30 and 50 per cent. In other words, most or at least half of the young people claiming Income Support were perceived as seeking youth training placements.

These estimates did not appear to be affected by grade of respondent or by office type. Possible explanations for this variation are differences in the local availability of youth training places or employment.

The respondents were divided as to whether or not they could, at an initial meeting, correctly identify claimants who were likely to be 'genuine' and so actively seeking a youth training placement. Most respondents claimed that they could identify 'non-genuine' cases primarily because of the claimants' attitudes and body language.

'It's more of an attitude. The way they look at you when you ask them questions, what their body language says and things like that, whether they're uncomfortable with certain questions. It's all about interviewing techniques really. Whether they shift about in their seat or they're not quite consistent in everything they say. You might say something to them and every answer comes off pat.'

(Certificated LO 1/6)

Others said they could not initially class young people as 'genuine' or 'non-genuine'. This led these respondents to give claimants the 'benefit of the doubt'.

'I don't believe that any of us can tell exactly who is genuine and who is making it up. You can have someone coming on the counter who you're convinced is telling a story, and it can turn out to be true. And at the same time someone can suck you in with a story, hook, line and sinker, and it would be one that you'd swear was genuine and it turns out to be absolute rubbish.'

(Certificated LO 1/2)

The respondents mentioned a variety of reasons why they believed young people remained on benefit rather than find a training place.

- Six respondents gave a benefits dependency culture explanation – they observed that those remaining on benefit came from families where parents were long-term benefit recipients.
'And for some of them you can see how it happens. It's second generation customers, and some of the parents have been on benefit all their lives so they think why should I get a job? It's very sad, because they've got no hope and it's difficult to inspire these kids.'

(Uncertificated LO2, 11)

Some of these respondents also emphasised that some claimants came from 'disturbed homes', where there was little or no parental support.

'They might have been in care and pushed out at 16, nobody taking an interest in them, which is why they're aggressive, why they think the state owes them.'

(Certificated LO1, 20)

- Three respondents said that for some claimants there was an insufficient financial incentive to accept youth training places. Wage rates were too low relative to Severe Hardship payments.

'They're not prepared to accept a smaller allowance or smaller wage gain experience and work up. They expect everything, right from day one.'

(Certificated LO1, 14)

- Another three respondents argued that some claimants had problems obtaining youth training because of past problems at school and/or basic skills difficulties.

'The trouble is that really they're picking up people that haven't sorted anything out for themselves. A lot of them have been expelled from school or left with no exams, and they're distant really.'

(Certificated LO1, 18)

- A further three respondents suggested that 16 and 17 year olds simply preferred to remain on benefit. This was variously attributed to their being lazy or having other priorities.

'I think they're just lazy. They don't want to go through the palaver of having to go to the Careers Office every two weeks, of going for youth training interviews.'

(Certificated LO1, 7)

3.3.4 Claimants' behaviour towards Benefits Agency specialist staff

The nominated benefit manager respondents tended to perceive 16 and 17 year olds as a difficult group, who could be rude to staff and potentially violent (see Section 2.2). However, the specialist officer respondents did not fully share this perception. Whilst it was recognised that some young people were 'belligerent' and 'obnoxious', most were reasonably well behaved.

'We don't have too many violent incidents. It tends to be leaflet throwing and plant ripping and that sort of thing, and a few threats.'

(Certificated LO2, 17)

A couple of the respondents believed that the claimants knew that they had to deal successfully with the specialist officer and that aggressive behaviour might delay any payment of benefit.
One respondent observed a gender difference in behaviour, which was not noted by other respondents.

'The boys are usually quite funny hard as nails, covered in tattoos, head shaved but you get them in the room, and they're sweet as anything. They're really honest with you. But the girls - very tough. They're much harder than the boys.'

(Certificated LO1, 20)

Only one respondent reported an ongoing problem with violent incidents in the local office and this was attributed to a major illegal drugs problem in the area. In addition, a few respondents could recall isolated incidents which they, or colleagues at the same office, had found intimidating or threatening.

Several respondents also said that claimants' behaviour could depend upon who accompanied the young person. On their own or with their parents or grandparents, they could be well behaved. However, claimants could misbehave when with friends. It was for this reason that many respondents, particularly those using unscreened rooms, preferred to interview claimants without their friends present.

**3.4 Respondents' understanding of the benefit regime for 16/17 year olds**

Before a young person could be considered for a Severe Hardship Direction, their entitlement under normal Income Support rules had to be assessed. This meant that the specialist staff had to have a working knowledge of the Income Support exempt categories rules as well as the provisions for Severe Hardship. A question central to the research was the staff's knowledge of the overall Income Support regime for unemployed 16 and 17 year olds and their ability to explain the benefit system to claimants. However, as mentioned in Section 1 3 above, most of the respondents participating in the study had several years experience of the Income Support system for under-18s and of the Severe Hardship provisions in particular. As a consequence they had a very good understanding of the benefit regime. Indeed, the research team undertaking the interviews could find only a small number of errors in the respondents' descriptions of the benefit system. These related to the use of sanctions (two respondents claimed that certain sanctions were not available to them), and another two respondents incorrectly stated that cases were referred to the Guarantee Liaison Officer after 16 weeks rather than after eight weeks.

Even so, a few of the respondents in the sample reported that the complexity of the benefit system for 16 and 17 year olds did, on occasion, cause them difficulties. The majority of the respondents appeared to have no problems recalling the rules covering the following exempt categories: the Child Benefit Extension Period, non-advanced relevant education, pregnant and within 11 weeks of expected date of confinement, temporarily sick, and discharged from prison. This was because the majority of those awarded Income Support involved one of these groups. Some respondents, however, admitted that for other exempt categories, such as those leaving Local
Authority care, they would have consulted the Benefits Agency's handbook or contacted the Severe Hardship Claims Unit for advice.

In addition, two of the least experienced respondents found cases involving the Child Benefit Extension Period difficult to administer, in particular working out the relevant dates and determining whether or not recipients should sign on.

Another two respondents had never had a care order case. A further two respondents stated that whilst care order cases were unusual, they were difficult. This was because they involved time consuming disputes with Social Services departments about which of the two organisations had financial responsibility for a young person.

One respondent said that for young offenders and those leaving Local Authority care, it did not matter whether they were awarded normal Income Support or given a Severe Hardship Direction because the amount of benefit was the same.

The respondents agreed that the Income Support rules for unemployed 16 and 17 year olds were relatively easy to explain to claimants. This was mainly because they needed only to explain the rules relevant to a particular claimant's situation, rather than the whole benefit structure. Indeed, one respondent observed that it was easier to explain estrangement to a young person than to establish it. Only a few respondents highlighted any problems with explaining the benefit system to young people. For instance, one respondent felt that outlining the benefit rules for non-advanced education was easier to do face-to-face than over the telephone. This respondent also found asking about pregnancy and the date of confinement 'complicated' because the reasons why the information was required had to be given.

3.5 Models of service delivery

How Income Support was delivered to unemployed 16 and 17 year olds varied across the 22 local offices. The differences in delivery related to:

- which groups of 16 and 17 year olds were seen by the specialist staff;
- the grade of staff, LO1 or LO2, conducting the interviews with young people, and
- the grade of staff taking the decision on whether to award a Severe Hardship Direction or refer a case for possible refusal to the Severe Hardship Claims Unit.

These factors can be used to identify a number of descriptive models of service delivery.

In all of the respondents' local offices, the specialist staff dealt with Severe Hardship claims. However, the respondents differed in the extent to which
they dealt with other under-18s claims. There were three main alternatives, with specialist staff interviewing:

• all under-18s
• Severe Hardship and Child Benefit Extension Period cases and/or non-advanced relevant education cases or
• Severe Hardship cases only

Where specialist staff did not interview all under-18s reception staff performed a 'weeding out' or filtering exercise so that the staff administering 'normal' Income Support and the specialist staff dealt with the appropriate cases.

In half of the offices in the sample, the Severe Hardship interviews \(^1\) were conducted by staff on grade LO2, in a further quarter by staff on grade LO1 and in the remainder by both LO1s and LO2s.

In addition, there was a difference between those offices where a young person renewing a claim could be seen by the same interviewing officer and those where a rota system operated which meant that there was a chance that someone unfamiliar with the case would see the claimant. The latter only tended to occur where staff on grade LO2 were involved in the interviews. The perceived advantage of the claimant seeing the same person was that a relatively high degree of rapport and trust could develop between an officer and the young person. This in turn facilitated and enhanced the decision-taking process as decisions were based on more and better information.

As already mentioned, decisions on Severe Hardship can formally, only be taken by a certificated LO1 or a certificated LO2 acting up as an LO1. However, this was not the practice in all of the sampled offices. Whilst in two-thirds of the offices the decision was taken by an LO1 in seven offices it was taken by an LO2 who was not acting up as an LO1.

I do all the interviewing, I basically do the decision in a way, but unofficially, and then I would present it to the [LO1], and he would rubber stamp it with his certificate.'

(Certificated LO2, 19)

Indeed, in three of these seven offices, non-certificated LO2s were making Severe Hardship Directions or referring cases to Severe Hardship Claims Unit for a 'nil' decision. This, of course, reflects the perception of the LO2 respondents. The research design did not include in-depth interviews with the corresponding LO1s. Hence, we do not know the extent to which LO1s saw themselves as managing and leading the decision-making process, as opposed merely to ratifying their LO2's decision.

\(^1\) In some instances these include interviews with young people claiming under the Child Benefit Extension Period and the non-advanced relevant education exempt categories.
The reasons given by respondents for LO2s taking decisions were

- the LO2s had greater experience of Severe Hardship cases and knowledge of the rules and guidelines than the LO1s

  "We basically know more about it than the LO1s, so in effect we make the decisions and they authorise it. She lets us get on with it. We are like our own little section. We really please ourselves about what we do and how we do it as long as we do things according to how the law states we should."  
  (Uncertificated LO2, 11)

- claims were processed more quickly if the LO2s made the decisions,

- a related point was that the LO1s were not always available to take a decision and

- the Severe Hardship Claims Unit acted as a 'safeguard' so claimants entitled to benefit were not being denied a Severe Hardship Direction

In some instances, the LO1 taking the decision would consult the LO2 who had interviewed the claimant. One LO1 respondent went through the decisions with her LO2 as part of a staff training and development exercise.

It is possible to cross-tabulate who carried out the interviewing by who took the decision. Table 3.2 shows this for the sampled offices. In half of the offices the officer conducting the interview also took the decision on Severe Hardship. In five cases this was an officer at LO2 grade. In the remaining offices the LO1 took the decision based on an interview which was typically carried out by an LO2.

Table 3.2 Who interviewed and who took the decision in the sampled offices

<table>
<thead>
<tr>
<th>Decision taker</th>
<th>Interviewer</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>LO1</td>
<td>LO2</td>
</tr>
<tr>
<td></td>
<td>Certificated</td>
<td>Non certificated</td>
</tr>
<tr>
<td>LO1</td>
<td>5</td>
<td>3</td>
</tr>
<tr>
<td>LO2</td>
<td>3</td>
<td>1</td>
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<tr>
<td>Certified</td>
<td>3</td>
<td>1</td>
</tr>
<tr>
<td>Non-certificated</td>
<td>2</td>
<td>1</td>
</tr>
<tr>
<td>Total</td>
<td>5</td>
<td>6</td>
</tr>
</tbody>
</table>

This implies the following main models of service delivery:

- LO1 interviews and takes the decision,

- LO2 (not acting up as an LO1) interviews and takes the decision and

- LO2 interviews and LO1 takes the decision
The second of these models did not adhere to the Benefits Agency’s guidelines for 16 and 17 year old Income Support claimants (Benefits Agency, 1994).

3.6 The claims process

By elucidating how claims were processed by the respondents it is possible to elaborate some of the variation in the administration of Income Support to under 18s and to highlight examples of good practice.

3.6.1 Appointment systems

The respondents used an appointment system for Severe Hardship interviews and, where necessary, for interviews with Child Benefit Extension Period and non-advanced relevant education claimants. With the exception of one office, the respondents also operated an ‘on demand’ service for claimants in emergencies. In most areas the Employment Service Jobcentre and sometimes the Careers Service could telephone the respondent on behalf of the claimant and make an interview appointment.

An example of good practice was the booking of back-to-back interviews by Benefits Agency and the Employment Service Jobcentre.

Another instance of good practice sought to tackle the problem of young people not contacting the three agencies in the correct sequence. Whichever organisation the young person contacted first would book appointments for the claimant at all three agencies. The claimant was also given an appointment letter which specified when each appointment was to take place.

There was however, an example of poor practice. Due to the pressure of workloads at one local Benefits Agency office, young people handing in their claim forms were not booked an appointment. An interview was not arranged until the young person chased the claim. Given that claimants could be in Severe Hardship an appointment should have been made when they handed in their claim forms.

3.6.2 Form completion

Under-18s had to complete a claim form for Income Support. Most of the respondents who conducted interviews with young people would help them complete the claim form or check a form completed by the young person. The estimates of the proportion of claimants requiring such assistance varied widely from a small percentage to most claimants.

The reasons respondents gave for completing/checking forms were:

• the young people concerned had literacy problems,

• the claimants were too lazy to complete the forms themselves, and

• it was easier and quicker if the respondent completed the form.

3.6.3 The interview

This section considers where the Severe Hardship interviews were held, their content and attendance by third parties.
**Screens**  In half of the sampled offices the staff preferred to interview in private rooms where there was no screen between the number of staff and the claimant. The perceived advantage of this was that a screen acted as a barrier to obtaining the information sought. However, if a young person was potentially violent then a screened room was used.

The other respondents used a screened room because they had experience of young people being violent or there was a lack of unscreened rooms.

"...sometimes you can find they can be effing and blinding and banging on the screens and you're worse than mad, and you sometimes think, 'Well, if I didn't have the screen there, what would they do?'" (Certificated LO2, 10)

Whether or not a screened room was used, the respondents wanted the right to be able to choose if a particular claimant was interviewed in a screened or unscreened environment.

**The Interview**  The interviews were regarded as 'fact gathering' exercises for the purpose of determining benefit entitlement. The respondents did not see themselves as providing any counselling or social work type services.

Typically the interview would begin with the respondent checking, or helping to complete, the claim form. Where reception staff did not filter out young people entitled to 'normal' Income Support, the interviewing officer would consider whether a claimant fell into one of the exempt categories or was to be considered for a Severe Hardship Direction.

One respondent described her approach as follows:

"Well, largely we would just say 'What is your name, address?' ask them something comfortable, and then ask them about what circumstances are they living in. Where have they been living or what happened, what are they doing now, are they at college? And if there’s something tricky about it, then you would ask them specific questions. There we’re just largely asking them to give us what we want, name and address, why aren’t you living at home, etc. So it gives them very open questions. And then after that we would ask them specific about – if they said, "We were arguing" “So could you tell me what you were arguing about?” That sort of thing."

(Certificated LO1, 16)

Although it was contrary to recommended best practice (Benefits Agency, 1994) some respondents completed the Severe Hardship claim form (YP2) during the interview. This was done by both LO1 and LO2 grade staff. Those completing the form during the interview argued that they might otherwise forget relevant questions on the form and that it made the claims process quicker.

The respondents could have problems in getting some young people to talk. They tried to make the interview informal and conversational.
'It's difficult to get them to open up really. But if they talk to you and are quite nice with you and reasonable, you get a bit of a rapport with them, that's good. Some of them do talk to you or get talking about something else, what they do in the evenings, which is quite nice. We don't want to be sat there parrot fashion asking them questions.' (Uncertified LO2, 6)

Establishing a rapport with the young person was perceived to be important because it enabled the respondent to obtain the information needed to determine the claim.

Some of the claimants were introverts, others were extroverts yet both types were often vulnerable.

'Some of them are very timid, and they need to be looked after. They are not young people. And others seem as if they've been around, and they know what they're doing, but still underneath they are quite vulnerable but they're not going to show you that.' (Certificated LO1, 16)

Some respondents seem to be almost detectives, piecing together a claimant's circumstances.

'The more official you make it the less information you're going to get. And actually I think in lots of cases it's not what they've said, it's what they haven't said, it's picking those bits out. Like they might be talking about 'Can't go home because me and my dad are fighting all the time' and you might say, 'You didn't mention anything about your mum,' and it might be that 'My mum has passed away.' And because of that, is the young person having to deal with grief for loss of a parent or are they expected to do other things round the house? So you might pick up on that and draw more information out. I think basically if you keep it on an informal basis and try and get a good rapport, and always be honest.' (Uncertified LO2, 11)

However, some young people could dissemble their circumstances. They could feel obliged to say what they believed the respondent wanted to hear.

'If they think they've got to tell us certain things to get [benefit] I mean we've had them say, 'I'm gay,' which is fair enough, and then it's turned out they're not. Because they know that's what we want, that possibly could help their claim along. Or, 'I'm pregnant,' and turn out not to be.' (Uncertified LO2, 6)

Some respondents also highlighted the importance of the claimants' attitudes and body language in identifying whether or not the claimant was genuine (see also Section 3.3.3 above).

'Everything comes across - the way they dress, attitude, you can feel whether or not somebody is actually genuine or is spinning you a yarn.' (Certificated LO1, 7)

'A lot of it is their attitude. When they come in, obviously they are sort of genuine hardship - they're very quiet and withdrawn and don't say an awful lot about
themselves. If they're someone who "knows" the system, they'll come out with all the spiel. You tend to look sort of go into a bit more detail with them. And if they give you the right answers then unfortunately you've got to pay them.' (Certificated LO1, 15)

'Generally if they can't look you in the eye you know they're spinning you a bit of a yarn.' (Certificated LO1, 20)

With one exception, the respondents stressed the conditions for benefit entitlement, in particular for those claiming Severe Hardship the importance of remaining in the guarantee group.

'When we get them in for the initial interview and tell them there's two parts to the benefit, the first part is we've got to feel that they're in Severe Hardship and the second part is they have got to be seen to be actively seeking a YTS [Youth Training Scheme] and by that to keep in the guarantee group. In order to keep in the guarantee group they must attend at least [the Careers Service] once every two weeks and attend all the interviews they're given. If they don't, they're placing their benefit in jeopardy. I always say to them, 'It's up to you to safeguard your benefit.'" (Certificated LO1, 5)

'I'm honest with them. I say, 'I know that a youth training scheme is not what you're aiming for.' I'm realistic. I say, 'There's nothing to stop you looking for full-time work;' it's just that while they're under 18 and they're wanting to claim Hardship, they've got to pursue that avenue.' (Certificated LO1, 7)

Third parties. Claimants were allowed to have third parties present at their interviews (Benefits Agency, 1994). The willingness of the respondents to have third parties in attendance varied. Social workers, partners and parents (usually the mother) were often welcome because they could corroborate a claimant's case. Although a few of the respondents felt uncomfortable when parents were at an interview.

However, friends were sometimes refused permission to attend an interview, particularly if the interview took place in an unscreened room.²

'I tell them they can't come in because when you've got a few lads it's a bit intimidating.' (Certificated LO2, 4)

Friends were often permitted if the respondents judged that a claimant needed moral support.

Many of the respondents had experienced third parties causing problems at an interview. Not all of these incidents were due to a claimant's friends being troublesome, it could be partners or even professional advice workers.

² Respondents using screened rooms were divided as to whether or not they would usually allow friends to accompany a claimant.
Interview length  Typically, the interview lasted 30 minutes. A further 30 minutes might lapse whilst the interviewing officer verified with the Careers Service that a claimant was in the guarantee group and if estrangement was claimed, to contact by the telephone a parent or guardian to confirm the estrangement. To the extent that the interviewing officer was checking that the young person was in the guarantee group, as opposed to gathering any further details, then this contact with the Careers Service ought not to be necessary. Form BA1 which the young person obtained from the Careers Service was intended to provide the necessary verification that the claimant was in the guarantee group.

Interviews where a Severe Hardship Direction was being renewed could be of shorter duration. Indeed, in a few of the sampled offices renewals were either re-interviewed by counter staff or matters were dealt with by post.

3.6.4 Establishing estrangement

Many Income Support cases for unemployed 16 and 17 year olds involved deciding whether or not a young person was estranged from their parent(s)/guardian(s). For the claimant, the establishment of estrangement could be important because estranged claimants were paid a higher rate of benefit (£37.90) than those judged to be living at home (£28.85).

Almost all of the respondents said that establishing estrangement was the hardest and most difficult part of their work. It was also seen as a topic which had to be handled with great sensitivity and could be a very emotional issue for claimants and their parents/guardians.

Establishing estrangement was problematic partly because its definition was 'vague or woolly' and partly because different definitions applied to the exempt category and Severe Hardship cases. The definition for the exempt category cases was seen as less stringent than that for Severe Hardship. For exempt category cases the estrangement rule says that they are living apart from parents and they have no desire to carry on living with them. And we have to accept that just accept it from the customer’s standpoint.

(Certificated LO1, 21)

For Severe Hardship cases, staff had to know the reason(s) for the alleged estrangement and had to verify the estrangement with the parent/guardian or a third party such as Social Services.

we have to ask the young person why they’re not living with parents and then, with their permission, we contact the parent either by phone or letter to [establish] what the parents’ view is – whether they’d have the youngster back. If not, why not.

(Certificated LO1, 21)

There was agreement that there were no clear decision rules which could be used to determine estrangement. Respondents had to use the ‘dictionary definition’ and examine each case individually.
In determining estrangement for Severe Hardship purposes the respondents took into account the following the level of financial support from parents/guardians and others, extent to which the health and safety of the claimant was at risk, including alleged physical or sexual abuse, and whether the parent(s)/guardian(s) ‘house rules’ were unreasonable.

The respondents often had to decide whether or not a young person was estranged or if it was a ‘normal’ row between parent/guardian and child:

“often you come and you get some hard luck story from the youngster. You ring up the mother, and all that’s happened is the young person has come in at three in the morning, there’s been a fearful row, she doesn’t like the boyfriend, and the youngster has gone off in a huff. Then one of their friends has said, ‘Go to the Social. Get some money’. And when you ring the mother she’s at her wit’s end because the child hasn’t come home for two days, but they have not thrown them out. In those cases, estrangement is not verified.” (Certificate LO1, 20)

‘But it can be difficult. A lot of them just have normal teenage problems. Teenage years can be so stressful and who doesn’t have a row with their parents It’s trying to sort out what’s not normal teenage arguments from actual estrangement.’

(Certificate LO1, 14)

Another ‘grey area’ was overcrowding. Could a young person be estranged because of overcrowding? The reasons for the overcrowding and why it had become an issue, were explored by the respondents.

In alleged abuse cases the respondents did not require a young person to recount events, rather confirmation of the estrangement was sought from Social Services.

For other cases of Severe Hardship, verification of the estrangement was required from a parent/guardian or appropriate third party. All except one of the respondents did seek verification of estrangement. The claimant’s permission was required before the respondent could contact the parent/guardian. If permission was denied, and this might be for legitimate reasons – for instance, the threat of violence – the case could be referred to the Severe Hardship Claims Unit.

The respondents preferred to contact parents/guardians by telephone. This could be done while the claimant was at the local office. Some of the respondents felt uncomfortable about contacting parents/guardians. The conversation could be very upsetting for the parent/guardian or they could be aggressive towards the respondents:

‘[it] can be a bit of a can of worms because you can actually contact the parents, and they say, “He’s still living here. He spends the odd night at his friends but he hasn’t left home.” They don’t know what we are talking about.’

(Certificate LO1, 14)
Where a parent/guardian could not be contacted by telephone, the respondents would write. Usually a claimant would be given a short-term Direction (that is, for two weeks) so that they received some benefit until the respondent heard from the parent/guardian.

Sometimes the claimants brought letters to their interviews from their parents/guardians confirming their estrangement, and in some instances the letters were suspected to have been forged. The latter claimants were referred to the Agency’s fraud section.

Where there was a difference of opinion between the parents'/guardians' and claimants' accounts the respondents adopted one of three broad approaches. These three positions can be viewed as points along a continuum. At one end of the continuum were those who always accepted the young person's version of events. At the other end were those who accepted the parent'/guardian's story. The mid point was held by those who weighed up the two and made a decision on the 'balance of probabilities'.

### 3.6.5 Making the Severe Hardship decision

Formally, the Secretary of State decides whether or not to make a Severe Hardship Direction, and the decision is discretionary. It is discretionary because it is not possible to specify in regulations all the possible circumstances under which a Direction would be made.

However, the respondents differed in the extent to which they saw themselves as exercising discretion. There was a continuum ranging from those respondents who perceived themselves as having a lot of discretion to those who believed they had no real discretion. Most stated that they did have a relatively high degree of discretion in determining Severe Hardship cases (and in particular estrangement). This does not mean that decisions were seen as arbitrary. On the contrary, these respondents could stress the importance of making informed decisions:

> 'I know we have to make judgements, but we try and make informed judgements.'
> (Certificated LO1, 14)

They were 'comfortable' with decisions which they could justify to themselves or to a third party.

A few respondents, however, emphasised that they had little or no room for manoeuvre:

> 'I don't think I have discretion, no.'
> (Certificated LO1, 12)

For such respondents, the guidelines were seen as 'stilet', issues were 'black and white', and they appeared to have fewer problems establishing estrangement.
The degree of discretion that the respondents perceived as possessing does not appear to be related to the grade of the respondent or to whether or not they interviewed claimants.

The respondents also varied on the proportion of Severe Hardship claims they had referred to the Severe Hardship Claims Unit for a ‘nil’ decision. One respondent said that they had never turned down a Severe Hardship claim, whilst another maintained that a third of all the claims they had dealt with had been ‘nilled’.

Where an award was made, it was typically for a period of eight weeks.

3 6 6 Social Fund applications

Payment of Severe Hardship was linked to the claimants’ signing cycle and was paid in arrears. This might mean that a claimant would have to wait a fortnight before they received a payment. To align the claimant with their signing cycle, they could apply for a Social Fund crisis loan. As the loan had to be repaid from a claimant’s benefit, an application could not be made until after a Severe Hardship Direction had been made.

The Benefits Agency handbook (Benefits Agency 1994) suggests that where possible the Social Fund crisis loan should be completed at the same time as the Severe Hardship interview. However, this did not happen in the majority of the offices in the sample; rather the claimant was re-interviewed by another member of staff for a crisis loan. Most of the respondents made the appointment for the young person and sought to get the Social Fund interview on the same day. A few respondents helped them to complete the Social Fund application forms.

The respondents who conducted Severe Hardship interviews varied in whether or not they would suggest to a young person that an application for a crisis loan was appropriate. Some would refer the claimant for a crisis loan because they knew the young person was in Severe Hardship. Other respondents would not make a referral unless the claimant specifically asked for example, how they were expected to manage until they received benefit.

'The onus is on them to ask' (Certificated LO 1, 18)

Young people therefore, were receiving different standards of service depending upon which member of staff they saw.

3 7 Sanctions

The respondents’ perceptions of the claimants’ attitudes towards training have already been discussed in Section 3 3 3 above. Some claimants did ‘play the system’ and appeared not to realise that their benefit could be stopped.

The respondents interviewing claimants did inform them that they had to make a reasonable effort to find a youth training place. Formally, young people were required to attend the Careers Service at least once every eight weeks. However, the Careers Service could require more frequent attendance, for example, to reflect local labour market conditions, and/or if...
a young person's commitment to finding work or training was suspect. Respondents reported that usually a young person had to visit the Careers Service at least once every two weeks and had to attend any youth training placement interviews. If not, and the young person had no good reason, the Careers Service would withdraw the claimant from the guarantee group, and the Benefits Agency could impose sanctions on their benefit. This section considers the range of sanctions available and when they were imposed.

In practice, the respondents could impose three types of sanction:

- a revocation – the payment of Severe Hardship could be stopped
- a voluntary unemployment deduction – benefit could be reduced by typically 40 per cent for young people who left youth training or work, and
- short-term Directions of, say, two weeks could be issued to ensure that claimants attended the Careers Service.

The latter was not technically a sanction, but was used by some respondents as a means to police and control some claimants' behaviour.

There appeared to be some variation in the respondents' use of these sanctions. Some respondents sought revocations from the Severe Hardship Claims Unit 'at bat' whilst others revoked proportionately fewer claims. Indeed one respondent denied that Directions could be revoked. A quarter of the respondents said they would use short-term Directions as a sanction until the claimant demonstrated through regular attendance at the Careers Service that they would abide by the conditions for the receipt of benefit. Of these respondents, two used short-term Directions only after the claimant had dropped out of the guarantee group for the second time. Imposing a reduction in a claimant's benefit was both rarely carried out and imposed only by some of the respondents.

It is not clear from this research whether the disparity in the use of sanctions reflects differences in the respondents' willingness to use (different) sanctions or other factors, such as the variation in the availability of youth training places. That voluntary unemployment deductions, however, were less widely used might be because some respondents believed that only the Employment Service Jobcentre could instigate benefit reductions. Whereas the Benefits Agency could advise the Jobcentre to implement a reduction in a claimant's benefit.

3.7.1 Dropping out of the guarantee group

Revocations, and to a lesser extent short-term Directions, were used to penalise those dropping out of the guarantee group. These sanctions were not necessarily alternatives, some respondents had an escalating scale of sanctions. Claimants might initially be warned. If this failed, then short-term Directions might be used and finally the respondent might revoke a
Direction  This section considers the process that could lead to these sanctions being implemented.

The Careers Service were informed by the Benefits Agency when a young person was awarded a Severe Hardship Direction. If the claimant missed a fortnightly visit to the Careers Service or any youth training interview then a Careers Officer should have advised the Benefits Agency who would then call in the claimant to investigate the non-attendance. In some of the offices in our sample this process was followed. In others, the Careers Service informed the Benefits Agency only every four weeks. This meant that a young person could be in receipt of benefit for up to six weeks (out of eight weeks) when they were in breach of the conditions for benefit receipt. Elsewhere the Careers Service did not regularly check and inform the Benefits Agency which young people were in the guarantee group. Indeed, two respondents claimed that the Careers Service simply did not remove claimants from the guarantee group.

Some respondents maintained their own list/file card systems to keep track of claimants. They would often fix the Careers Service every week or two weeks with a list of claimants and ask if they were still in the guarantee group. Other respondents, however, admitted that they did not have the time to monitor claimants’ attendance at the Careers Service.

When a respondent knew that a young person had been removed from the guarantee group they would write to them asking them to contact the Agency and explain their behaviour. Claimants had to be given two opportunities to contact the Benefits Agency before the respondents could seek a revocation from the Severe Hardship Claims Unit. Most respondents wrote to the claimants on two separate occasions, and there could be up to two weeks between the first call in letter and any reminder. One respondent, however, sent a letter which offered two appointments on the same day, morning and afternoon.

Respondents (and the Careers Service) could have problems contacting claimants with no fixed abode. Messages were often left for such claimants to collect when they signed on at Jobcentres.

Claimants who had good cause for not attending the Careers Service or youth training appointments and who agreed to re-enter the guarantee group were not sanctioned. Often, however, the respondents found that the claimants had only ‘flimsy excuses’ for example they got up late, they had no bus fare when they had just been paid benefit, no decent shoes or a dentist appointment.

“You’re all the time thinking ‘What are they going to come up with next?’”

(Unverified LO2. 6)
Some respondents believed that claimants did not attend the Careers Service because some of them could not be bothered/they wanted an easy life and some simply did not believe that the Benefits Agency would stop their benefit.

'I think they don’t think we’re going to do it'  
(Certificated LO2, 5)

In one local office the respondent believed that the availability of well paid seasonal work meant that young people did not want to look for youth training placements.

When a Direction was revoked the claimant usually restarted the claim process. The young person visited the Careers Service re-entered the guarantee group, and made another claim for Severe Hardship. This process of claim, award of Severe Hardship, dropping out of the guarantee group and revocation of the Direction could be repeated several times for a minority of claimants.

'Most of them would do it again because there’s a break and the Careers Officer telling me they’re not attending. They’ll sign on quite willingly once a fortnight, but they won’t go to the Careers Office'  
(Certificated LO2, 4)

'usually you find that after the third or fourth time the penny drops, and they realise that you’re not just doing it for the fun of it'  
(Certificated LO2, 19)

One of the consequences of this cycle of reclaiming was that some claimants never got to the end of an eight week Direction and hence their case was never referred to the Guarantee Liaison Officer (see below). The claimants did lose benefit however and their subsequent claims were very rarely backdated to when they were last paid because entitlement conditions were not met.

Both the LO1 and LO2 respondents who took decisions on Severe Hardship (see Section 3.5 above) imposed sanctions upon claimants dropping out of the guarantee group.

The respondents differed in their opinions as to the effectiveness of the threat and the practice of sanctions. Some said that because young people could re-register at the Careers Service and regain benefit, the threat and/or practice of sanctions did not work. Others pointed out that the majority of those that dropped out of the guarantee group and were sanctioned did so.

3 The Careers Service had the authority to refuse a young person entry to the youth training guarantee group if in a Careers Adviser’s professional opinion, the individual had demonstrated by their behaviour or actions that they were not genuinely interested in entering and staying in a youth training placement. However, it could be difficult for Careers staff to be certain of their grounds for doing this and such action is thought not to be taken often.
only once. By implication the sanctions had worked. Although it was acknowledged that there was a small minority of claimants for whom the threat or practice of sanctions would have no apparent effect. They could be on and off Severe Hardship until they were aged 18.

One respondent observed that whilst sanctioning was of variable effectiveness it did make the staff feel better.

3.7.2 Guarantee Liaison Officer referrals

Formally, if a claimant had no youth training place at the end of eight weeks' continual receipt of benefit, then the Benefits Agency referred the case to a Guarantee Liaison Officer, based at one of the local Training and Enterprise Councils or Local Enterprise Companies (cf Section 11). The referral was to establish why a youth training placement had not been found. If at the end of 16 weeks a claimant was still not placed, then the case papers were copied to the Severe Hardship Claims Unit for enquiries to be made with the Department for Education and Employment at the relevant government office.

In practice, the number of Guarantee Liaison Officer referrals made by respondents varied. It ranged from none to 12 per month, with most making only a few. The main reasons for the small number of referrals were:

- some claimants knew that a referral, and hence a youth training placement, could be avoided if they withdrew from the guarantee group. Such action would lead to a fresh claim, and the eight week period before a referral could be made would begin again. Even if the claimant was unaware of the referral rules, the effect of dropping out of the guarantee group was to prevent a referral to the Guarantee Liaison Officer.

  'you don't get many in the guarantee group for all that length of time'

  (Certificated LO2, 6)

- according to respondents in at least five of the sampled areas Careers Service staff removed some claimants from the guarantee group for (part of) a day which had the effect of preventing the Benefits Agency referring the case to the Guarantee Liaison Officer. This action also reduced the number of people recorded at the Careers Service as waiting for a youth training place for longer than eight weeks.

  'the Careers Office fiddle it basically for their stats They don't ever want to be in the position after eight weeks of that young person being still on their books as not being placed They take them off and put them back on the same day'

  (Uncertificated LO2, 6)

However, it is possible that there were in some cases good reasons, which accorded with official guidance, for removing a young person from the guarantee group and then allowing them to re-enter after only a short time.
That some Careers Services removed young people from the guarantee group for a short period of time was confirmed by the Severe Hardship Claims Unit (see Section 4.7). As the claimants were removed for such a short period of time it was not possible for the Benefits Agency staff to monitor the situation. One of the respondents only discovered that this sometimes happened shortly before we interviewed her. It had come to light as a result of the introduction of Jobseeker’s Allowance.

- the respondent could forget to make the referral, because it was something done so infrequently.

Even when referrals were made, they might not be that useful or helpful for three reasons. First, the information provided by the Guarantee Liaison Officer might not add to what was already known from the Careers Service.

"But all we get back from the Guarantee Liaison Officer — they get the information from the Careers Office and it comes back. Has regularly attended careers, although not always attended careers appointments. Training placement provision still being looked into," and things like that.

(Certificated LO1, 22)

Second, the Guarantee Liaison Officer’s intervention might secure a youth training place, but the young person might then refuse to accept it. This could then lead to action to reduce the amount of the claimant’s benefit.

Finally, referrals did not address those claimants who were ‘playing the system’, as they dropped out of the guarantee group before a referral could be made. Rather, it captured those trying to obtain a youth training placement and for whom there was often a good reason why they were not placed.

Some respondents also criticised how long it could take before they received a reply from the Guarantee Liaison Officer.

Referrals to the Guarantee Liaison Officer were made by grade LO1 and LO2 respondents. However, two of the LO2 respondents thought that a referral to the Guarantee Liaison Officer occurred after 16 weeks continuous receipt of benefit and not after eight weeks. Possibly they were confusing the referral of such cases to the Severe Hardship Claims Unit.

3.8 Liaison arrangements

The administration of Income Support for unemployed 16 and 17 year olds required the specialist staff to liaise with the Careers Service, Employment Service Jobcentres, the Severe Hardship Claims Unit, and other organisations. In this section these linkages are discussed from the respondents' perspective.

3.8.1 Careers Service

The Careers Service were seen by the respondents as playing an important role in the administration of Income Support to 16 and 17 year olds. Relationships with the Careers Service were often described as good even...
Most of the respondents were able to build close working relationship with local Careers Officers and were on first-name terms.

Careers officers were perceived as helpful because they could be knowledgeable about benefit entitlement and could give advice to young people. Frequently, they would also inform the Benefits Agency if a young person was not really interested in youth training. In addition, staff from both Agencies could warn one another if a potentially violent young person was en route.

These links were fostered by visits to one another’s offices and six monthly liaison meetings held to solve problems. The latter could involve the local Employment Service Jobcentres. Two of the respondents mentioned that their local offices had a Service Level Agreement with the Careers Service.

Only three respondents complained about the service provided by the local Careers Service. Two of these mentioned infrequent monitoring of the guarantee group and attributed this to staff shortages in the Careers Service. Another said that the Careers Service did not properly monitor claimants’ attendance at youth training interviews. This respondent had felt it necessary to telephone youth training providers to find out why claimants had left placements.

The respondents saw the Employment Service as having a limited role in the provision of benefit to unemployed young people and as a result they had less contact with Employment Service Jobcentres than with the Careers Service.

The relationship with the Employment Service was usually described as “all right” or “OK.” A quarter of the respondents mentioned a specific problem concerning B2s, that is, the Benefits Agency’s authority to a Jobcentre to pay benefit to a young person. The young person would not because of the internal procedures followed be registered on the Jobcentre’s computer. So the claimant could not receive any benefit, and they were referred to Benefits Agency for a counter payment. Locally, various solutions were developed to minimise this problem. They usually involved the Benefits Agency telephoning the Jobcentre to advise them that a claimant had been awarded Severe Hardship. This problem should not arise with the new Jobseeker’s Allowance computer system.

Certain types of case, for instance where Severe Hardship was likely to be refused, had to be referred to Severe Hardship Claims Unit (see Section 4.1). Contacts with the Unit could be made by an LO1 or LO2 and were usually by telephone, although case details could be fixed and some of the respondents had met members of the Unit. The extent of the respondents’ liaison with the Unit varied: with some having few contacts (for instance,
only once during the last year) to contacts on about ten per cent of the respondents' caseload.

The respondents' contacts with the Severe Hardship Claims Unit were typically seen as 'good':

'... they're absolutely brilliant' *(Certified LO1, 20)*

The Unit was perceived by many respondents as providing a 'safeguard' or 'backup' for the decisions they made. The respondents appreciated that the Unit's staff normally explained their decisions and that the Unit provided an advice service.

However some respondents were clearly not passive in their dealings with the Unit, and said that on occasions they would argue for the decision they were expecting.

A couple of respondents commented adversely on the nature of some of their contacts with particular individuals at the Unit:

'... usually have very good relations with [the Severe Hardship Claims Unit]. There's the odd person who gets a bit snappy down the phone but I think that's true of all offices.' *(Certified LO2, 17)*

Another two respondents said that occasionally the telephone lines were engaged, and getting through could be problematic.

Only one respondent observed that decisions were not always consistent across staff at the Unit.

3.8.4 Other organisations

Some of the respondents had extensive networks with organisations involved with young people. One had contacts with over 30 agencies. The respondents could have links with advice centres, colleges, hostels, special projects for under-18s, and Housing Associations. In addition, most of the respondents had contacts with social workers.

Respondents with these networks were able to refer young people to appropriate agencies for support and accommodation.

3.9 Perceived improvements

With one exception there was general agreement amongst the respondents that the then existing system did not best meet the needs of young people. That claimants had to deal with three Agencies was seen as *ridiculous*, even inefficient.

The respondents were asked to suggest remedial changes to the pre-Jobseeker's Allowance system. Their three principle suggestions were:

- abolish the Income Support rules which limit the entitlement of 16 and 17 year olds.
The introduction of Jobseeker's Allowance was perceived by the majority of respondents as an improvement. Under the new regime Benefits Agency staff trained in administering benefit to 16 and 17 year olds are located in Employment Service Jobcentres. Post-Jobseeker's Allowance young people do not have to visit the local Benefits Agency office, and unemployed 16 and 17 year old Social Fund applicants complete an application form and are interviewed at the Jobcentre. The decision on their application is usually made at the local Benefits Agency office but they do not have to attend in person.

A majority of the specialist staff interviewed were not moving across to Employment Service Jobcentres under the new regime. The main reason they gave for not transferring was that in the Jobcentre they would not have any choice over whether a screened or unscreened room was used to interview particular claimants. Other reasons given were a desire to support colleagues by staying at the local Benefits Agency office and a wish to continue with their other duties (cf Table 3.1) Several respondents pointed out that they would still deal with under-18s who were entitled to Income Support under the first of the exempt categories (cf Section 1.1.2).

Some respondents had regretted that they were no longer to be involved with 16 and 17 year olds and that, over time, their technical knowledge of the area would diminish. Others were pleased that the work was going to the Employment Service. Both these groups of respondents had enjoyed their work with under-18s. They were not transferring to a Jobcentre because they disliked the work or had low job satisfaction, on the contrary the majority had found it rewarding.

Whilst the Benefits Agency conducted a major staff training initiative to ensure that Employment Service Jobcentres could process claims from 16 and 17 year olds many respondents were concerned about the loss of expertise and experience.

you've got to build up that knowledge. That only comes over a period of time. And I think for a lot of people they have never dealt with 16 and 17 year olds before They're trying to get to grips with Jobseeker's Allowance. I think this is going to be too much for them to take on at once (Uncertificated LO2, 11)

Not only was technical knowledge about the benefit regime lost but also local knowledge about support services for young people as well as the interpersonal skills needed to deal successfully with 16 and 17 year olds. Most respondents believed that it took 12 to 18 months to acquire the expertise.
necessary to administer benefits to under-18s. A few respondents predicted serious problems at Jobcentres with 16 and 17 year olds, and that eventually the work would be returned to the Benefits Agency.

In summary, most of the respondents distinguished between 'genuine' and 'non-genuine' claimants. How a claimant was classified appears to have been based on their behaviour, in particular the speed with which they found a youth training placement. The respondents' main explanation for the claimants' behaviour was based on a notion of benefit dependency culture with 'second generation' claimants perceived as the problem cases. Half or less of the claimants were reported as 'playing the system'.

Moreover, there was a difference between those respondents who believed they could, at the initial interview, identify those claimants who would 'play the system' and those respondents who said they could not. For some respondents, the claimants' body language was an important guide to whether or not a young person's claim was 'genuine'.

The respondents had a 'good' understanding of the Income Support regime for unemployed 16 and 17 year olds. Nevertheless, there were some accounts of 'bad practice', as well as examples of 'good practice' at the sampled offices.

The specialist officer interviewing a claimant might or might not have taken the decision to award benefit or refer the case to the Severe Hardship Claims Unit for a possible 'nil decision'. In some instances, respondents on grade LO2, some without a Certificate of Authority took the decision.

The respondents differed in the extent to which they were inclined to accept the claimant's or the parent/guardian's version of events and the degree to which they saw the decision making process as discretionary. These two continua (the degrees to which the claimants' stories were accepted and decision making was seen as discretionary) can be used to identify the following fourfold typology.

<table>
<thead>
<tr>
<th>Claimants view point</th>
<th>Parents view point</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>B</td>
</tr>
<tr>
<td>No discretion</td>
<td>Lot of discretion</td>
</tr>
<tr>
<td>C</td>
<td>D</td>
</tr>
</tbody>
</table>

Although each of the respondents could be classified as falling into one of these four types, the categories are not absolutes.

Decision makers falling into categories 'A' and 'B' were prepared to accept the claimants' accounts and to discount the parents' stories. Decision maker
'A was likely to give the claimant the benefit of the doubt, rarely sought to refuse a claim and might be less willing to sanction claimants than the other types of decision maker. Decision makers in category B' tended to accept the claimants' account of their plight but in seeking to avoid making judgements about Severe Hardship emphasised the factual basis of the decision making process. They found exempt category cases straightforward because the entitlement rules were reasonably clear. Establishing estrangement, however, was problematic because the exercise of discretion was inevitable.

Decision makers falling into categories C and D' placed more weight on the parent's/guardian's perspectives of the situation. If a parent or guardian said that a claimant was not estranged, then benefit was unlikely to be awarded. Decision maker 'C' was clear that it was the parent's/guardian's responsibility to support the claimant, and that it was in the claimants' long-term interests that they were placed on youth training schemes.

Decision maker 'D' could perceive little room for manoeuvre and, in effect, simplified decision making by accepting the parent's/guardian's or other third party's version of events.

Irrespective of the type of decision maker, the respondents had good and close links with the Careers Service and less extensive contact with Jobcentres. A few local Careers Services under-reported the number of young people who should have been referred to the Guarantee Liaison Officer by removing them from the guarantee group. The respondents also had good working relationships with the Severe Hardship Claims Unit.
The Severe Hardship Claims Unit has a unique role in the delivery of social security benefits in this country. Originally the Unit was established in London to give decisions on Severe Hardship claims. In 1989, it moved to the Glasgow City District Office. In 1994, when decisions on more straightforward Severe Hardship cases were devolved to local offices, the Unit's and local officers' roles altered.

The study included two group interviews and one in-depth interview with staff working at the Unit. A total of four respondents were interviewed.

In Section 4.1, the work of the Severe Hardship Claims Unit is outlined. The respondents' impressions of the claimants are considered in Section 4.2. The links with local Benefits Agency offices are discussed in Section 4.3. In Section 4.4, the respondents' views on the quality of Severe Hardship decision making are explored, and in Section 4.5 problem areas are discussed. The respondents' opinions on the use of sanctions are briefly considered in Section 4.6. The other work of the Unit, namely, Guarantee Liaison Officer referrals, monitoring local offices' performance, and advisory and training services, are briefly covered in Sections 4.7 to 4.10. The respondents' attitudes towards Jobseekers Allowance are covered in Section 4.11.

4.1 The work of the Severe Hardship Claims Unit

The main functions of the Severe Hardship Claims Unit were:

- to give decisions on Severe Hardship for those cases that had not been devolved to local offices. The types of cases that must be referred to the Unit are listed in Table 4.1.

The Unit made approximately 1,000 Severe Hardship decisions (including revocations) per week. This represented about a third of all nationally recorded Severe Hardship cases. Of the cases decided by the Unit:

- about 66 to 69 per cent are refusals; the remainder are awards. On the other side, at the local office side they have about a 90 odd per cent acceptance rate and only about a ten per cent refusal rate.

- to give advice to local offices and other organisations on Severe Hardship cases. In addition, the Unit could receive enquiries about Income Support exempt category cases, which they attempted to answer. The Unit received approximately 250 telephone calls per week from officers seeking advice.

1 The in-depth interview respondent was also a member of one of the group interviews.
• to monitor the quality of Severe Hardship decision making in local offices,
• to collect and analyse Severe Hardship statistical returns,
• to provide a training service on Severe Hardship,
• to issue Certificates of Authority to local officers who had completed the training programme,
• to advise Benefits Agency policy makers of issues related to Severe Hardship

The Unit should also have monitored the performance of newly certificated officers, but resources were not available to do this. However this task should have been done locally.

Table 4.1 Types of case referred to the Severe Hardship Claims Unit

<table>
<thead>
<tr>
<th>Condition</th>
<th>Example</th>
</tr>
</thead>
<tbody>
<tr>
<td>When Severe Hardship was likely to be refused – a nil decision</td>
<td></td>
</tr>
<tr>
<td>When an existing Direction was likely to be revoked</td>
<td></td>
</tr>
<tr>
<td>Where a care order was currently in force</td>
<td></td>
</tr>
<tr>
<td>Partner cases</td>
<td></td>
</tr>
<tr>
<td>If payment was not appropriate from the date of claim</td>
<td></td>
</tr>
<tr>
<td>If payment was to be backdated</td>
<td></td>
</tr>
<tr>
<td>If Severe Hardship payments were made for 16 weeks continuously and the young person had remained in the guarantee group throughout that period</td>
<td></td>
</tr>
<tr>
<td>All cases when a certificated officer was unavailable</td>
<td></td>
</tr>
<tr>
<td>If a young person had not registered for youth training after a short-term Direction had expired</td>
<td></td>
</tr>
<tr>
<td>When a young person did not give without good reason permission for a parent to be contacted</td>
<td></td>
</tr>
<tr>
<td>In alleged abuse cases when a referral to Social Services was refused without good reason</td>
<td></td>
</tr>
</tbody>
</table>

Source: Benefits Agency (1994) para 4127

These functions were carried out by an HEO who heads the Unit, 15 LO1 grade staff and a ‘couple of support staff’. Of the LO1s, two deal primarily with the statistical returns and two with training issues.

4.2 Respondents attitudes towards claimants

Staff at the Severe Hardship Claims Unit did not directly speak to claimants rather their contact was with local office staff. Hence the staff’s impressions of young people were only briefly touched on during the research interviews.

The view was expressed that finding work or a training place for all 16 and 17 year olds was important. Failure to do so could result in benefit dependency.

'But we don’t want to see is a young person leaving school at age of 16 and getting to the age of 18 without having ever done a day’s work or youth training in their life. Because we feel that once they have got to 18 they are unemployable in that case.'

(SHCU1)
It followed that the benefit system ought to encourage young people to find a youth training placement because it was in the claimants' long-term interests.

"you're doing them a favour by pushing for them to get a youth training place. They don't think you are but in the long run you are" (SHCU2)

It was acknowledged that a majority of young people did find employment or a youth training placement. Moreover that there were some 'under-achievers' who because of learning difficulties or basic skills problems were not employable. Although both the Careers Service and the Benefits Agency could offer some help and services to such young people.

There was a perception that the majority of the young people who were awarded a Severe Hardship Direction were of low educational attainment.

"Most of them are out of school early, the majority don't have standard grades or if they do, they are never anything to write home about" (SHCU2)

There were however young people who play the system. It was accepted that it was 'human nature' that

"some of them are just lazy, and if they can get away without working they will do it" (SHCU2)

The respondents were not able to give a figure for the proportion of young people they believed were 'playing the system'.

4.3 Severe Hardship Claims Unit's contacts with local offices of the Benefits Agency

The administration of Severe Hardship meant that the Severe Hardship Claims Unit and local offices were mutually dependent upon one another. The Unit required comprehensive and accurate information about cases from local offices whilst local offices needed a prompt and effective service from the Unit. It is not, however, a relationship that was unproblematic. In this and subsequent sections some of these difficulties will be highlighted.

The telephone was the main mode of contact between staff from the Severe Hardship Claims Unit and local offices. A telephone stacking system was used at the Unit, with calls held until a member of staff was free. Although the Unit usually had eight or nine staff answering the telephone, it was aware that sometimes local offices were unable to get through. The respondents attributed this to insufficient staff numbers to cope with 'peaks' in telephone calls. The staff shortages were in turn due to a lack of cover when staff were on holiday or sick leave.

Very occasionally local office staff contacted the Severe Hardship Claims Unit by fax saying that they had been unable to get through on the telephone and would someone from the Unit call them. Normally, faxes were used when a revocation of a Direction was being considered.

55
Occasionally, staff at the Unit met local office staff. This occurred when a local officer was in the area and visited the Unit or at Network meetings (see Section 4.9 below).

Most of the Severe Hardship Claims Unit's contacts were with uncertificated LO2 grade officers. One respondent at the Unit described them as the 'boiler house' of the system.

The respondents at the Unit believed that many of the LO2s had teenage children and so they could establish good relationships with the claimants. The Unit's staff relied on what they said about cases.

Staff from local offices contacted the Unit about a wide range of issues:

'...it can vary from what you think is something so straightforward to something that is quite complicated. It varies throughout the country, and it varies with the experiences of whoever is there. You'll get times when the job holder is not there so then it is: “16/17 year olds – agh, I don't know what to do with them! Help!” And it can be something silly like [the young person is in relevant non-advanced education] We can be giving general advice on Severe Hardship and then we can be giving advice on normal Income Support. You'll also get people phoning in with Child Benefit queries. I mean it varies.' (SHCU3)

For non-Severe Hardship enquiries, the Unit's staff either dealt with the matter or referred the officer to the Central Adjudication Service. Staff at the Unit were able to pass on information because the issue might have arisen in other areas and had been discussed at one of the weekly team meetings.

To make a determination about Severe Hardship the Unit's staff required particular information from local office staff. Most of the information required was contained in the Severe Hardship claim form. However, depending upon the circumstances of the case, the Unit's staff might ask other questions for example, whether estrangement had been verified. Sometimes, local officers had to go back and ask claimants or other people supplementary questions and then telephone the Severe Hardship Claims Unit again.

'But 99 per cent of the time the answers are there to our questions. Because our system mirrors the form that they use basically, so it should all be there.'

(SHCU3)

For the Unit, the need for ready access to this sort of information raised issues about the storage of records. There could be difficulties with the remote process offices2 because not all of the paperwork relating to a

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2 Remote process offices primarily serve some inner London offices where, due to constraints on office space, staffing, etc. much of the administrative processing is done in offices outside London. There are remote processing offices in Belfast, Glasgow and Manchester.
Claimant was kept in one place. Some might be kept at the local office whilst other papers were located several hundred miles away at the benefit processing office. In other places a claimant’s previous claims might have been stored in a central file, separate from the current claim. Yet the Unit’s staff might require access to all past and current case papers

Whilst most of the specialist officers interviewed during this research greatly appreciated the work of the Unit (see Section 3.8.3) two respondents at the Unit reported that, occasionally, there were local officers who resented the decisions that staff at the Unit gave

‘You can sense the hostility at that decision even though what we are doing is correct.’

(SHCU1)

Problems could arise with local colleagues in relation to either awarding or refusing a Direction when the local officer expected a different decision. In particular, Unit staff noted that there was a tendency for officers to seek a ‘mil decision’ to what were, in fact, legitimate Severe Hardship cases. One respondent described such officers as members of the ‘blue nose brigade’ who

‘will come on and say, ‘I want this person illled,” and we say, “No, you can’t do that.’”

(SHCU4)

Staff at the Unit dealt with these situations by convincing local officers of the merits of the Unit’s decision by giving the reasons for it.

Part of the rationale for a centralised Unit was to ensure consistency and fairness in decision making across the country. However, respondents at the Unit recognised that from their vantage point there was a variation in the quality of the service delivered at local level. Indeed, they could identify ‘good’ and ‘bad’ practice.

We have a lot of good offices, but there is a lot that are not good.’

(SHCU2)

An example of a ‘bad practice’ would be where a young person had been given Severe Hardship Directions for six or nine months, with no checks being made with the Careers Service or any referral to the Guarantee Liaison Officer. Other examples were returning incomplete or incorrect statistical returns (see Section 4.8 below), and, at the extreme, even ‘one or two officers’ who made ‘mil’ decisions without contacting the Unit. Generally, the respondents had concerns about specialist officers who did not contact the Unit very often.

Offices following ‘good practice’ tended to revoke more Directions than other areas. This is because they did all the necessary checks with the Careers Service, and they kept a tight reign on their 16 and 17 year old workload.

According to the respondents there was a marked geographical variation in the quality of the service. Most respondents identified the problems as
occurring in Southern England, although it was acknowledged that there were some good offices down south.

Despite this observed variation, there was a belief that in most areas most of the time the Severe Hardship provisions were working. The reasons given by the respondents for inconsistency in Severe Hardship decision making were:

- inadequate training of staff when Severe Hardship decision making was devolved to local offices

  'They brought out a training package which was trying to train people in local offices how to make their own decisions, but it is like all these things when you try to spread these things among 450 sites then obviously there are going to be different practices going on in each site especially when we are talking about two and a half years down the line.' (SHCU1)

- that in some places current training arrangements were also inadequate, and this led to poor working practices. One respondent knew of an instance where the Unit had granted a Certificate of Authority to an officer because the nominated benefit manager stated that the individual had attended the required training course, only to discover that the only training the officer had received was being given the Benefits Agency’s handbook to read

  'They have not had sufficient training. In time they may build up the experience, but the bad habits are already there.' (SHCU1)

These bad habits could then be passed on to the next incumbent.

Another respondent was concerned about some local officers’ attitudes towards training. There could be a lack of appreciation of the complexity of some cases and hence the importance of proper training.

- that some staff ‘down south’ were less committed to 16/17 year old work (suggested by one respondent)

  'from the Midlands down you can say that there are problems. There is not the same level of commitment, and I think that is very important that a member of staff is committed to the job they are doing.' (SHCU1)

- Severe Hardship decisions being made by inexperienced, even non-certificated, staff. This could happen because a high turnover of staff or a small caseload meant that staff did not have the ‘wealth of experience’ required for deciding Severe Hardship cases.

- newly certificated officers could ‘have a chip on their shoulder’ and seek to revoke Directions when they should not. However, the Unit’s staff were able to explain to these officers why a Direction should not be revoked.
• the devolution of management in the Benefits Agency. This meant that
local managers had the right to deploy resources as they saw fit. This could
lead to a variation in the quality of the service.

The Unit tried to persuade local officers to follow the guidelines outlined in
the handbook. They gave local offices information about the Severe
Hardship provisions (see Section 4.9 below). If the Severe Hardship rules
were being ignored then the Unit could contact the office's area HEO, or
the officer concerned directly.

4.5 Problem cases

Given that the Severe Hardship Claims Unit had staff with considerable
experience of the Severe Hardship provisions, it is not surprising that they
did not consider them to be too complex. One respondent expressed the
view that with time the 'technical knowledge' about Severe Hardship could be
acquired by staff, more important was whether or not an officer could apply
'the common sense rule'. Severe Hardship was seen as a benefit where discretion
was important because rules could not be developed to cover every possible
situation where Severe Hardship might apply. Another respondent estimated
that 90 per cent of cases were 'cut and dry', but

'It is probably just that ten per cent that you could be swayed that way or the
other' (SHCU1)

In applying discretionary judgement

'We always err on the side of the child. I think that is common practice within
the Unit. If in doubt, pay them.' (SHCU2)

Indeed, respondents at the Unit said that in certain situations they would
bend the rules to prevent severe hardship.

Respondents were asked what were the difficult or problem cases. They
identified three main types of case: estrangement, low income, and care
orders.

The respondents believed that cases involving estrangement were a problem
for local offices, because of the 'fine line' between genuine estrangement and
situations where relationships within the parental home might be strained.
One respondent elucidated the policy and practice of the Unit as follows

'I think that policy is that the best place for a 16/17 year old is at home.
Generally, they are better off with their parents. That is not always the case. I
think we don't try to be hard; we try to be realistic, and if a young person we think
should be at home and would be better cared for, then fine. But a lot of it is
discretion. We would not want to see a youngster made to sleep in the streets or
turn to crime or something simply because we were following rigid rules. We tend
to try and slacken it if there is a genuine case so there are differences.' (SHCU2)
The difficulty with a low income case was defining what was a 'low income'. A respondent suggested that if a young person's parents were in receipt of Family Credit then this was evidence of low income. The same respondent later on suggested a figure of less than £130 per week as defining a low income. Another respondent mentioned the problems which could arise if the parents were in receipt of Income Support. This could be taken as proof of a low income, but any other benefits, such as Incapacity Benefit and any (occupational) pension also had to be taken into account. Sorting out these issues could be time consuming, especially for local office staff. As important was whether or not the young person was at risk of eviction if Severe Hardship was not paid.

Severe Hardship cases where the young person claimed to have been subject to a Local Authority care order could be very difficult to sort out. One respondent described them as a 'nightmare'. Some local offices accepted a claimant's word that they had been in Local Authority care. However, the Severe Hardship Claims Unit insisted that they verify this with Social Services and obtain copies of the care order and the discharge. This was because a Severe Hardship Direction may be awarded if it was a voluntary care order (a S20 care order under the Children Act), but if it was a full care order the Local Authority had legal, moral and financial responsibility for the young person. Unfortunately, some Social Service departments were thought to be 'lenten with the truth'. They were, when asked, maintaining that a young person was subject to a voluntary care order when they were not. This was seen as a growing problem.

There were three main sanctions Benefits Agency staff could impose on young people not adhering to the conditions for receipt of Severe Hardship. These sanctions were:

- a 'voluntary unemployment deduction' of 40% per cent of the Severe Hardship award if a young person refused or did not attend a youth training placement. The deduction was usually suggested by the local Benefits Agency office and was imposed by the Employment Service. The Severe Hardship Claims Unit were aware that the use of this sanction varied throughout the country.

- the revocation of a Severe Hardship Direction if the young person did not regularly attend the Careers Service without good cause. Through non-attendance at the Careers Service, the claimant was deemed to have dropped out of the youth guarantee group. Revocations were the only sanction which had to be referred to the Severe Hardship Claims Unit.

The respondents agreed that the Unit adopted a flexible approach towards revocations. Their use was tailored to local area conditions. They considered that the frequency with which it was reasonable to expect young people to attend the Careers Service depended upon the availability of youth training places. Or if a local office was getting a reputation amongst 16 and 17-year-olds as being 'soft' on attendance at the
Careers Service, it might be appropriate to revoke Directions after one missed session rather than after the more usual two sessions.

- Some local officers used short-term Directions (that is, they awarded Severe Hardship for two weeks rather than for the usual eight weeks) deliberately to police and punish young people who had not been attending the Careers Service. Renewal of the Direction, or the granting of a longer one, was dependent upon the claimant attending the Careers Service. The respondents were divided about the use of short-term Directions in this way. For a couple of the respondents it represented an incorrect use of short-term Directions, which they claimed should be used only whilst verifying estrangement or if the claimant was of no fixed abode. Another respondent, however, felt that it would be "infantile" not to penalise someone who, say, used over-sleeping as an excuse for non-attendance at the Careers Service when other young people were following the rules.

The respondents at the Unit were aware of the alleged 'fiddle' with the statistical returns for referrals to the Guarantee Liaison Officer (cf Section 372). Normally a young person will be given an eight week Direction and provided they remained in the guarantee group most young people should have received at least one offer of a training place (see Section 11). If, however, they did not, then the local officer should have referred the case to the relevant Training and Enterprise Council's or Local Enterprise Company's Guarantee Liaison Officer. This ensured that young people in this vulnerable group obtained support and that action was taken to place them in suitable youth training places as soon as possible. Another eight week Direction could be granted, and if at the end of this now 16 week period the young person did not have a training place then the case was transferred to the Severe Hardship Claims Unit. The Unit referred such cases to the relevant funding body, namely, the Department for Education and Employment, the Welsh Office, Scottish Enterprise, or Highlands and Islands Enterprise for action.

However, the statistical returns to the Unit showed that some local offices did not make any referrals to their respective Guarantee Liaison Officers. In some instances this might be because there was no shortage of youth training places and young people were placed within eight weeks. In other areas it is known that the Careers Service removed young people approaching the end of their eight week Direction for say, half a day. The effect of this was to create a fresh claim so that a 'new' eight week period commenced. As a consequence the claimant never reached the eight (or 16) week thresholds at which action was taken.

According to one of the respondents, some Careers Service offices were removing young people from the guarantee group at the request of their Training and Enterprise Council. In doing so, the statistical returns suggested
that they were more successful in placing young people on training schemes than in reality.

The Severe Hardship Claims Unit monitored the performance of local offices in two main ways. First, it could instigate test checks on cases within a District. This entailed auditing the quality of the decisions taken. It might reveal procedural error(s) which did not affect the outcome of a decision in which case the Unit informed the office about any bad practices. Occasionally, it showed that a decision was wrong and the claimant’s benefit might have to be stopped.

Second, the Unit collected and analysed the local offices' statistical returns. The returns were checked for their accuracy, and trends in different parts of the country were examined. The statistical returns could reveal a lot of things about an office. For example, couple cases that should have been referred to the Unit. An examination of an office’s statistical returns could trigger a test check.

‘If the stats are a mess the actual decision making has to be bad’ (SHCU2)

4.9 Severe Hardship Claims Unit advice services

Giving advice to local offices about Severe Hardship is an important aspect of the Unit’s work. The Unit provided advice through its

- telephone advice line,
- an occasional newsletter, and
- network meetings

The respondents claimed that there were not many queries they could not resolve. Advice was not only given on severe hardship, but occasionally on the income Support exempt categories and even on Child Benefit. Where they were unable to give advice the officer was referred to the Central Adjudication Service or, if it was a Severe Hardship matter, the case could be passed to policy makers at Benefits Agency headquarters.

The newsletter started in January 1995. One respondent described it as follows:

‘We tell them about the Unit, where mistakes are being made in the local office. We will discuss case orders, youth training places, Guarantee Liaison Officers. We give them all sorts of advice and remind them that there are one or two bad habits that have been slipped into in certain areas [and] would they please correct them?’ (SHCU1)

Network meetings were organised by the Benefits Agency’s Benefit Support Branch in Leeds. The meetings were attended by representatives from Benefit Support Branch, the Severe Hardship Claims Unit and specialist officers from the districts. However, one respondent felt that at these
4.10 Severe Hardship
Claims Unit’s training role

The provision at local level of training on Severe Hardship was seen by the respondents as a problem (cf Section 4.4 above). To assist district office training officers, the Unit ran a training helpline. They also ran training courses for offices, but they had to be funded by the local office.

4.11 Respondents’ attitudes towards Jobseeker’s Allowance

The introduction of Jobseeker’s Allowance raised three main issues for the respondents. First, there was some concern about the future of the Unit post-Jobseeker’s Allowance, especially as the administration of the benefit up to and including awarding Directions is to be gradually taken over by the Employment Service. The official position is that the Unit will continue its work. However, one respondent expressed the staff’s concern as follows:

‘We may be here in the short-term but we don’t know what our future is in the long-term. It is not that that concerns us so much, but the fact that they are destroying what is already there.’

Second, with many 16 and 17 year old Benefits Agency specialist staff electing not to transfer to Employment Service Jobcentres under the Jobseeker’s Allowance regime there was both a considerable loss of expertise and experience, and an influx of inexperienced staff. This loss of staff was seen as serious, because they possessed substantive knowledge of the Severe Hardship provisions and local knowledge about advice services, accommodation/housing, etc., as well as the interpersonal skills needed to deal with young people.

At the time of the research interview, which was before Jobseeker’s Allowance became operational, the lack of experience of some of the new staff was, according to a respondent, already being reflected in the statistical returns from telephone contacts with newly trained staff. It was

‘obvious that they have not carried out the proper checks or are just not aware of the procedures at all’

Finally, and related to the last point, there had been an increase in the number of telephone calls to the Unit and the average length of the advice calls had increased from three to 20 minutes. It is, of course, likely that this is only a short-term difficulty and that, as the new staff gain in experience, there will be fewer and shorter telephone calls to the Unit.

4.12 Overview

The Severe Hardship Unit occupies a unique position in the administration of social security benefits in this country. The Unit dealt with the most difficult Severe Hardship cases, and monitored and supported local officers. Meetings, as with the newsletter, the Unit was probably addressing those who were committed to providing a good service.
in their delivery of Income Support to 16 and 17 year olds. The three most
difficult types of case for the Unit were those involving estrangement, low
income and care orders.

Respondents at the Unit believed that a majority of claimants did find a
youth training placement (or work), that some had basic skill difficulties and
that a few were 'not employable'. It was also recognised that a proportion of
young people 'played the system'.

Part of the rationale for the Unit was to ensure consistency and fairness in
decision making across the country. However respondents at the Unit
recognised that from their vantage point there was a variation in the quality
of service delivered at local level.
5 CONCLUSIONS

This report has considered

- staff perceptions of 16/17 year old claimants' attitudes, knowledge and behaviour
- the officers' own knowledge of the benefit regime, and
- various administrative issues including the claims process and Benefits Agency's liaison arrangements with the Careers Service and Employment Service Jobcentres

These issues have been described from the perspectives of the different actors engaged in the delivery of Income Support to unemployed 16 and 17 year olds, namely, the nominated benefit manager (Chapter 2), the specialist officer (Chapter 3) and staff at the Severe Hardship Claims Unit (Chapter 4). In this chapter, these three outlooks are brought together.

The introduction of Jobseeker's Allowance represents a major challenge for those involved in the delivery of benefits to unemployed 16 and 17 year olds. This research identifies some issues which might be pertinent to the new benefit regime and these are highlighted below.

5.1 Officers' perceptions of claimants' attitudes, knowledge and behaviour

Of the three groups of actors, only the specialist staff in local offices had extensive direct contacts with 16 and 17 year old claimants.

In many respects there was a greater congruence in the views of the specialist staff in the local offices and the Severe Hardship Claims Unit than with those of the nominated benefit manager respondents. The specialist staff both in local offices and in the Severe Hardship Claims Unit believed that a majority of claimants actively sought youth training, although a few local office specialists thought that a half or more of claimants were 'playing the system.' Those not actively seeking youth training were perceived by both locally and centrally based specialist officers to have low educational attainment or a preference for remaining on benefit. In addition, some local office specialist respondents said that there was an insufficient financial incentive for claimants to take up youth training places, and others suggested that some claimants were from families with a long history of benefit receipt and they got little or no parental support to leave benefit.

In contrast, the majority of the nominated benefit managers believed that most young people were 'playing the system.'

The nominated benefit manager respondents saw 16 and 17 year old claimants as a difficult customer group. This view was not shared in full by
the local specialist respondents. The latter acknowledged that some young people could cause difficulties, but that most of them were well behaved. Indeed, in half of the sampled offices, interviews were conducted in unscreened private rooms.

However, a few respondents had experienced difficult situations with young people. It is possible that the nominated benefit manager respondents recalled only these events because they did not have direct experience of the cases where there was no violence or abuse.

5.2 The officers' knowledge of the benefit regime for 16 and 17 year olds

The technical knowledge of the specialist staff at both the sampled local offices and the Severe Hardship Claims Unit was relatively high. The research team identified only a small number of incorrect descriptions of the benefit regime. These were concerned with the use of sanctions and the timing of referrals to the Guarantee Liaison Officer. One respondent (an LO1) denied that any sanctions could be imposed on claimants, and other respondents appeared to be confused about the procedure for imposing a reduction in benefit. Two respondents (both LO2s) believed that Guarantee Liaison Officer referrals were made after 16 weeks' continuous receipt of benefit rather than after eight weeks.

Most of the nominated benefit manager respondents had little technical knowledge about the benefit regime for 16 and 17 year olds. Their main role was to organise the provision of specialist training for staff. The exceptions were the certificated LO1 who had been delegated the nominated benefit manager's duties by the HEO and another respondent who had previously completed the training course but had not applied for a Certificate of Authority.

5.3 Administration

Notwithstanding the technical competence of the specialist staff, the research also revealed some examples of good and bad practice in local offices. The good practices included Service Level Agreements with the Careers Service, appointment systems so that, irrespective of which Agency the young person initially contacted, appointments were made with all three organisations, and referring young people to, for instance, hostels and other bodies for support and accommodation. Less good were the office where when a claim form was submitted no appointment was made until the young person re-contacted the Benefits Agency, the respondent who never imposed any sanctions, the respondent who did not stress the conditions for receipt of benefit at the Severe Hardship interview, and the respondents who did not acknowledge the discretionary aspect of the decision making.

In addition, the Severe Hardship Claims Unit respondents felt they were able to identify 'good' and 'bad' offices largely from the statistical returns made by local offices. Moreover, only a few of the nominated benefit manager respondents appear to have had a direct 'hands on' managerial role.
which involved raising the profile of the service to under-18s or monitoring performance.

This suggests that, even when the level of technical knowledge was relatively high, the quality of service delivered could be undermined by local office practices. Some specialist staff respondents acknowledged that the quality of service was less than it should be, others seemed unaware of their 'bad practice'. Most of the respondents who recognised that the procedures they followed contravened the letter or the spirit of the Benefits Agency's guidelines (Benefits Agency, 1994) justified their actions by their high workloads and/or staff shortages. They wanted to provide a higher standard of service.

5.4 Implications of research for Jobseeker's Allowance

The introduction of Jobseeker's Allowance Severe Hardship will tackle a number of the shortcomings of the old system. In particular, it will simplify the claims process for young unemployed people by reducing the number of separate locations a young person has to visit. Problems with respect to payments arising from the existence of separate Benefits Agency and Employment Service computer systems will be removed as a result of the single system in operation under Jobseeker's Allowance. Under Jobseeker's Allowance, formal processes and guidance on good practice should ensure closer links between the Employment Service and Careers Service. Each organisation should be better informed, and thus better able to monitor the position and carry out its role in relation to individual jobseekers.

The research has, however, highlighted the following points:

Training Officers engaged in interviewing 16 and 17 year olds and/or taking decisions on Severe Hardship require specialist training. The respondents at the Severe Hardship Claims Unit expressed some concern about the level and quality of some local training programmes.

Certification and LO2s. The research shows that officers on grade LO2 have been taking Severe Hardship decisions. Where these officers had received the appropriate training, it was not clear that the quality of the decision making had been adversely affected.

Issuing a Certificate of Authority is important to the extent that it demonstrates that the holder is qualified to grant a Severe Hardship Direction. Consequently, Certificates of Authority should continue to be issued to identify those qualified to both administer the Severe Hardship provisions and interview young people.

Staff recruitment and retention. Some of the difficulties with the operation of the benefit system for 16 and 17 year olds were attributed by respondents to staff shortages and high staff turnover. The work does require skilled and knowledgeable staff.

Management. Although the delivery of benefits to 16 and 17 year olds was seen as a complex and sensitive issue, the level of managerial input from
the nominated benefit managers tended to be low. There is no need to be prescriptive about management structures. District Managers must have the freedom to organise the service and allocate resources. However, there is a need for specific, measurable, achievable, realistic and targetable (SMART) objectives and targets to be set for the service.
REFERENCES


ANNEXES
ANNEX A  RESPONDENT DETAILS

To ensure anonymity only a few details are given about the local office specialist staff respondents and no details are given for the nominated benefit manager and Severe Hardship Claims Unit respondents.

Nominated benefit manager respondents

There were seven nominated benefit manager respondents with identifiers NBM1 to NBM7.

Table A 1  Local office specialist staff respondents

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Severe Hardship Claims Unit respondents

There were four respondents at the Severe Hardship Claims Unit and their identifiers are SHCU1 to SHCU4.
INTRODUCTION

Objectives: To introduce the research project and to select/maintain respondents

1) Explain background to study: Emphasize that study is at the current system not Jobseekers Allowances
2) Who the Centre for Research in Social Policy is
3) Emphasis confidentiality of interview/report
4) Ask permission to tape record interview

RESPONDENT/DISTRICT DETAILS

Objectives: To establish some basic background information about the respondent/District

a) Respondent
   i) Number of months/years at this District/local office Number of months/years with responsibility for 16/17 year olds
   ii) Whether works on 16/17 year olds or covers Range of duties/responsibilities Confirm whether or not a Certificated Officer

b) District
   i) Number of Certificated Officers in District Numbers of full-time/career officers dealing with 16/17 year olds who are not certificated

PERCEPTIONS OF CLAIMANTS

Objectives: To explore the respondent's perceptions of the knowledge, attitudes and behaviour of 16/17 year old claimants

For each of the following explore the different kinds of claimant and levels of understanding/attitudes to training, and the approximate proportions of claimants behaving in certain ways. Also elucidate the effectiveness of the intervention, and what makes it effective

Ask a general question first, follow by unspecified prompts before using the probes

a) 16/17 year olds understanding of the benefits system - both before and after they had contact with the Benefits Agency
   i) Claimants understanding of Income Support/Unemployment Benefit other benefits especially the Child Benefit
   ii) Extension Period and the Social Fund and the Employment Service Bridging Allowance (YTBA)

b) Claimants understanding of the roles of the different Agencies involved
   i) 16/17 year olds understanding of the claiming process/benefit entitlement
   ii) Do claimants use the relevant Agencies in the correct sequence?
   iii) Under what circumstances do they not
   iv) Whether claimants are able to complete their claim forms? What advice/help is available to complete the forms?
   v) Claimants degree of preparation for interviews
   vi) Claimants knowledge of benefit entitlements

2) 16/17 year olds understanding of entitlement decisions
   i) Do claimants understand how their benefit is calculated?
   ii) Do claimants query payments as received?
   iii) Claims/decisions on Income Support and Hardship

3) 16/17 year olds understanding of the conditionality requirements for receiving benefits
   i) Do staff stress the conditionality requirements to claimants?
   ii) The need to register with the 'Citizens Service (Any evidence of attempts to skip this step?)
   iii) Claimant interpretation of actively seeking work/training. Is entitlement to Income Support seen as a right?
   iv) Claimants willingness to consider training?
   v) Is there a big problem of young people leaving training without good cause?
   vi) Are there a big problem of young people turning down offers of training without good cause?
   vii) Are there some young people paid benefit without looking for work/training?

4) Steps taken by 16/17 year olds to find work/training places
   i) When job-such is/are sought
   ii) Relative importance/role of parents in assisting claimants
   iii) Do claimants do all they could to find training/employment?

5) 16/17 year olds understanding of the reasons why they might be disqualified/disallowed benefits?
   i) Reasons that claimants might be disqualified/disallowed
   ii) Any information about conditions

6) Impact of the disqualification/disallowance regime on the behaviour of claimants
   i) With respect to claimants who have been disqualified/disallowed
   ii) Effectiveness of sanctions c 1 Guarantee Group membership

7) Any changes in the attitudes/knowledge/behaviour of 16/17 year olds

BENEFIT ENTITLEMENT

Objectives: To explore how decisions are made by claiming group or certain key groups. Also to explain the use of discretion

a) Young People in Relevant Education
Objective: To elicit the respondent’s views on the claiming process, administration and inter-agency liaison

a) Service Delivery
   i) Length of time it takes to process claims for both the young people and Seven Hardship cases
      Probe: Views on the time taken and the effectiveness ofliaison of the process
      Number of contacts per claimant
      Could the process be quicker/involves fewer contacts? How?
   ii) Making a Social Fund Loan claim to help claimant until benefit pay day
      Probe: When
      Length of time/claims case
   iii) Views on the need for 16/17 year claimants having to deal with three Agencies
   iv) Views on Benefits Agency’s service delivery to 16/17 year olds
      Probe: Access to others (both location and opening hours)
      Waiting times
      Information given
      Speed of delivery

d) Liaison arrangements
   i) Liaison arrangements with the Employment Services and the Careers Service
      Nature of the liaison (frequency, issues etc.)
      Who instigates the liaison (Is the Benefits Agency proactive in contacting the Careers Service about ongoing cases)
   ii) Effectiveness of the liaison arrangements with Career Service – for both new claims and ongoing claims
      Probe: Career Service and Seven Hardship claims
      New claim is the Career Service ever reluctant to provide claimant information
      Relevant to Career Service information for determining whether young person would be in Seven Hardship
      Checks made with the Career Service that claimant has remained in the Guarantee Group and is available for work/actively seeking work/training
      Do the Career Service inform the Benefit Agency when the claimant leaves the Guarantee group?
      Contacts with Career Service when Direction are being renewed
      Contacts with Career Service when Directions are being revoked
      General
      Degree of coherence of roles and responsibilities
      Any overlaps/duplication of resources between the Agencies? Have any of the Agencies responsibility for the ‘wrong’ bit of the process?
      Strengths/weaknesses of linkages
      Any barriers to effective communication?
   iii) Effectiveness of the liaison arrangements with the Employment Services – for both new claims and ongoing claims
      Probe: Degree of coherence of roles and responsibilities

b) Child Benefit Extension Period
   i) Who qualifies?
      Probe: Do they sign on?
      At what stage would a young person become eligible for a Severe Hardship Direction
      Are these rules easy to explain to claimants? If no what are the difficulties?
   ii) Pregnancy
      At what stage can a pregnant girl qualify for benefit without signing on?
      Probe: Is entitlement to normal Income Support or Seven Hardship?
      Are these rules easy to explain to claimants? If no what are the difficulties?
   iii) Young People Not Living at Home
      (i) Entitlement of young people who have the subject of a care order or who have left Local Authority accommodaton
         Probe: Is entitlement to normal Income Support or Seven Hardship?
         Are these rules easy to explain to claimants? If no what are the difficulties?
      (ii) When is arrangement from parents considered?
         Probe: Relevant education/Seven Hardship?
         Are these rules easy to explain to claimants? If no what are the difficulties?
   iv) Short Term Directions
      Does respondent make short-term directions when the appropriate What factors are taken into account
   v) Disqualification/Disallowance
      (i) Does respondent ever disqualification/disallow claims? If not why not?
      (ii) Are these rules easy to explain to claimants? If no what are the difficulties?
   vi) The exercise of discretion when disqualification/disallowing claims
      Probe: Degree of discretion available
      Factors taken into account when determining outcome

g) SHCU
   Respondent’s views on/consequences of only SHCU being allowed to make a decision to refuse an Income Support Seven Hardship Direction

5 ADMINISTRATIVE ISSUES
Any overlaps/duplication of resources between the Agencies? Have any of the Agencies responsibility for the wrong bit of the process?
Strengths/weaknesses of linkages
Any barriers to effective communication?
(v) Referrals to Community Liaison Officer (LEL/TEC)

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<th>Number of referrals made per year</th>
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<td>When is a CLO referral made? Procedures followed</td>
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(s) Impact of liaison arrangements upon benefit entitlement decisions?

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<th>Do claimants get benefit when they should not?</th>
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<td>Do some applicants not get benefit when they should?</td>
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(s) Role(s) of other agencies

| Probe | Effectiveness of claimant advocates (for benefits Agency and claimant) |

6 Jobseeker's Allowance

a) Views on Jobseeker's Allowances and 16/17 year olds

THANK RESPONDENT AND RE-EMPHASISE CONFIDENTIALITY
ANNEX C QUALITATIVE RESEARCH AS PART OF THE BASELINE FOR THE EVALUATION OF JOBSEEKER’S ALLOWANCE


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Telephone 0171 962 8557
This report presents findings of research into the arrangements for delivering benefits to eligible unemployed 16 and 17 year olds, before the introduction of JSA (Jobseeker's Allowance) in October 1996. The study was based on interviews with Benefits Agency staff occupying key roles in relation to this group of claimants. The research was carried out by the Centre for Research in Social Policy at Loughborough University.

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