

The impact of the 26 week sanctioning regime

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Disclaimer

“The views in this report are the authors’ own and do not necessarily reflect those of the Employment Services or the Department for Work and Pensions.”

Table of Contents

Acknowledgements
Abbreviations and Acronyms
Executive Summary

1	Introduction	1
1.1	<i>Description of the New Deal</i>	1
1.2	<i>The New Deal for Young People</i>	1
1.3	<i>New Deal for people aged 25 plus.....</i>	2
1.4	<i>Description of the new Sanctioning Regime.....</i>	2
1.5	<i>Aims and objectives of the study</i>	3
1.6	<i>Report outline.....</i>	4
2	Methodology	5
2.1	<i>The research design</i>	6
2.2	<i>The sample profile</i>	6
2.3	<i>Scope of qualitative methods.....</i>	8
3	The types of people who get sanctioned.....	9
3.1	<i>Typology of 26 week sanctioned clients</i>	9
3.2	<i>Cultural / attitudinal issues.....</i>	10
4	Experiences of New Deal sanctions – what happened before the sanction decision .	13
4.1	<i>Awareness and views of New Deal and Jobcentres.....</i>	13
4.2	<i>Before the Option - Gateway</i>	13
4.3	<i>Client awareness and understanding of their rights and responsibilities.....</i>	14
4.4	<i>Choosing the Option</i>	14
4.5	<i>Failure to start</i>	16
4.6	<i>Taking part in the Option.....</i>	16
4.7	<i>Discussing problems with NDPAs or OPs</i>	19
4.8	<i>Reasons for unauthorised absence from the Option</i>	21
4.9	<i>How jobseeker came to be sanctioned.....</i>	23
4.10	<i>Discussion about sanctions (prior to sanctioning).....</i>	24
5	Experiences of sanctioning	29
5.1	<i>Understanding the sanction</i>	29
5.2	<i>Views about the sanction.....</i>	35

6	The impact of sanctioning.....	37
6.1	<i>Immediate reactions.....</i>	37
6.2	<i>Impact on clients and their relationships.....</i>	40
6.3	<i>Looking for / getting work and type of work.....</i>	41
6.4	<i>Engagement with ‘the system’.....</i>	44
7	Views about the principle of sanctioning.....	50
8	Conclusions.....	53
8.1	<i>Recommendations.....</i>	54

APPENDICES

APPENDIX 1	TOPIC GUIDE – SANCTIONED CLIENTS.....	iv
APPENDIX 2	TOPIC GUIDE – NDPAs, CASE STUDIES.....	vi
APPENDIX 3	TOPIC GUIDE – OPTION PROVIDERS.....	viii
APPENDIX 4	TOPIC GUIDE – NDPAs, GROUP INTERVIEWS.....	x
APPENDIX 5	RESEARCH INVITATION LETTER.....	xii
APPENDIX 6	RESEARCH INVITATION LETTER – 26 WEEK SANCTIONED CLIENTS ONLY.....	xiii
APPENDIX 7	CONDUCT OF THE ANALYSIS.....	xv
APPENDIX 8	CASE MAP.....	xvi

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Abbreviations and Acronyms

DMA	Decision Making and Appeals
ETF	Environmental Task Force Option
FTET	Full time education and training Option
Jobseeker	Person claiming Jobseekers' Allowance
NDYP	New Deal for Young People
ND25 PLUS	New Deal for Over 25s
NDLTU	New Deal for Long Term Unemployed (same as ND25 PLUS)
NDPA	New Deal Personal Adviser (general term covering NDYP Personal Advisers and ND25 Plus Personal Advisers)
NDYP PA	New Deal for Young People Personal Adviser (adviser dealing specifically with NDYP clients)
VS	Voluntary Sector Option

Executive Summary

The Employment Service (ES) commissioned BMRB Qualitative to carry out a qualitative research study into the impact of sanctioning on Jobseekers taking part in the New Deal. Sanctioned clients lose their Jobseekers Allowance for 2, 4 or 26 weeks. At May 2001, 644 NDYP clients (0.2 per cent of people on NDYP) had received a 26 week sanction. The research explored sanctioning (with a particular focus on 26 week sanctions) from a variety of perspectives: Jobseekers on New Deal for Young People (NDYP), Jobseekers on New Deal for Long Term Unemployed (ND25 plus), NDYP personal advisers, and NDYP option providers.

The types of people who are sanctioned

- Those who had been sanctioned for 26 weeks divided into three distinct groups:
 - those who did not want to be on New Deal;
 - those who were motivated to be on New Deal, but on condition that the Option met their perceived needs (both in terms of practical issues, like travel, and suitability to gaining employment); and
 - those who stated that they were prepared to comply with the requirements of New Deal but became sanctioned as a result of a misunderstanding or poor communication.
- Many of the respondents sanctioned for 26 weeks had significant problems which could prevent them from getting work. Examples included learning difficulties, lack of literacy, criminal records and drug / alcohol problems.

The period leading up to sanctions

- Whilst client respondents had little awareness of New Deal prior to joining the programme, many had high hopes that they would obtain a job as a result of participation. However, others were cynical about the New Deal and what it could offer, seeing it as means for lowering the unemployment figures.
- Views of the Gateway period were largely shaped by jobseekers' experiences with their Personal Adviser; many had a good relationship with their Personal Adviser and valued help with jobsearch. However, some wanted more support from their NDPA, and longer appointments. Some people felt that their NDPA was not responding appropriately to their needs.
- Booklets about New Deal and sanctions tended to remain unread.
- Many NDYP respondents were aware that participation in New Deal was mandatory; however, some interpreted 'mandatory' as relating simply to the requirement to be actively looking for work.
- Very few sanctioned respondents felt they had any kind of choice regarding their New Deal Option. NDPAs emphasised that they had discussed various Options during Gateway with jobseekers, but such discussions were not recalled by clients.
- Those sanctioned tended to be mandated to either the ETF or Voluntary Sector Options.
- A few sanctioned respondents failed to start an Option. Generally though, people started but dropped out quickly. The reasons for dropping out largely related to dissatisfaction with the Option and what it could offer them in the long term.
- ETF was often poorly perceived, both by jobseekers and advisers.
- Generally, sanctioned jobseekers had discussed problems they were having with their Option with their NDPA. However, the lack of choice meant that there was little alternative but to attend the Option or be sanctioned. This could be either because the client was not suitable for most of the options available, or that provision was limited in their area. Some NDPAs wanted discretion to extend Gateway where they felt a client could genuinely benefit from further time. NDPAs also expressed some dissatisfaction at the range of Options available on New Deal, often feeling that jobseekers' interests were not met.

Understanding of the sanctioning process

- Reasons for non-attendance fell into four categories: Option-related problems, personal issues, lifestyle issues, and communication issues.
- Awareness of sanctions was high among client respondents, however, their understanding of the sanctions regime for New Deal was very poor. Written information was seldom read, and both jobseekers and advisers felt that face-to-face explanations were more useful. However, in an effort to communicate the message of sanctions, advisers tended to oversimplify what was involved leading to various misunderstandings on the part of jobseekers, including not realising that returning to the Option would lead to the reinstatement of benefits. The misunderstandings were probably compounded by jobseekers not believing that they would be sanctioned until it actually happened.
- Many 26 week sanctioned clients were unaware that they had already been sanctioned for 2 and 4 weeks, possibly because they had several unauthorised absences in quick succession, leading to an overlap in sanctions.
- The lack of understanding about the staggering of the sanctioning regime has important implications for its effectiveness, particularly in helping jobseekers to avoid being sanctioned at all.
- Some clients were unsure why they had been sanctioned. Some asked their NDPA, others decided they wanted nothing more to do with the New Deal and signed off benefits.

Financial and emotional impact of sanctions

- Client reactions to being sanctioned were mixed; some felt they had not co-operated with the New Deal and therefore sanctions were 'fair', others felt aggrieved that their NDPA or Option Provider had not properly addressed their problems by providing alternatives better suited to their needs.
- Generally sanctioned jobseekers contacted the Jobcentre to investigate alternative means of support once sanctioned, however, many avoided their NDPA and concentrated on looking for work by themselves.
- Unless the client had moved directly into a job or onto another benefit, sanctions could have a serious financial impact. NDPAs suspected that those given 26 week sanctions were either already obtaining an income from elsewhere, or perhaps relying on their families and doing some casual work. Sanctioned respondents largely fell into the latter group, with a few eventually obtaining permanent work.
- Both NDPAs and OPs agreed that sanctions did help certain jobseekers to start, or go back onto, their Option. However, it was also felt that once a client had reached the 26 week stage they were unlikely to return to the Option.
- Whilst many of those with children received hardship payments, other sanctioned clients appeared to be unaware of the possibility of being able to get such help. There were also some misunderstandings about eligibility for other benefits, such as Housing Benefit.
- Emotionally, jobseekers found sanctions stressful and depressing. This related to feelings of shame that they were not able to contribute to the household, but were a drain on it. Others talked about losing their confidence in relation to job interviews.
- Where sanctioned respondents were living with family, they talked about the negative effect losing benefits had on their relationships, ranging from 'a few moans and groans' to arguments, alienation, and threats of being thrown out of the house.

Engagement with 'the system'

- Once 26 week sanctioned jobseekers realised that their benefit had been stopped, their level of jobsearch generally increased; for some the sanction was a 'jolt' spurring them into action. Some found work, although this was often short-term and casual; but there also remained a group of individuals who had various barriers preventing them from obtaining employment despite genuinely actively seeking work. It should be noted that some jobseekers had not

previously looked seriously for work, so for them looking for any jobs was an increase in jobsearch activity.

- In general, jobseekers disengaged from 'the system' after being sanctioned, particularly those with 26 week sanctions. Although some maintained good relationships with their NDPAs and still felt positive about the New Deal, many wanted to sign off and have nothing to do with claiming benefits if it meant remaining on New Deal.
- Being sanctioned did not seem to impact greatly upon the relationship between the client and their NDPA; either relations were already poor or they blamed the system rather than the NDPA.
- Concerns were expressed by NDPAs and OPs over sanctioned clients who had serious personal difficulties that really needed intensive help.

The principle of sanctions

- Amongst NDYP clients, there was general support for the principle of sanctioning, although many sanctioned clients were unlikely to feel that they themselves should have been sanctioned.
- There was a feeling amongst jobseekers that stopping all benefits was 'too harsh' and that 26 week sanctions were too long.
- NDPAs supported the use of sanctions, but some expressed concerns over vulnerable clients dropping out of the welfare system with little means of support. NDPAs welcomed the use of 26 week sanctions because they felt clients took them more seriously than 2 and 4 week sanctions.

1 Introduction

The Employment Service (ES) commissioned BMRB Qualitative to carry out a qualitative research study into the impact of sanctioning on Jobseekers taking part in the New Deal, who had been sanctioned. The research explored sanctioning (with a particular focus on 26 week sanctions) from a variety of perspectives: Jobseekers on New Deal for Young People (NDYP), Jobseekers on New Deal for Long Term Unemployed (ND25 plus), NDYP personal advisers, and NDYP option providers.

This report focuses on a specific group of jobseekers; those who have been sanctioned more than once. It is important to place this research within the context of the wider New Deal programme. The respondents for this study represent a tiny proportion of those attending the New Deal.

1.1 Description of the New Deal

The New Deal was introduced as a key part of the Government's Welfare to Work programme, with the aim of helping unemployed people back into work by improving their skills, for example through training courses or work experience. The New Deal began in 1998 and has been focused on the needs of different groups; hence there are also New Deal programmes for lone parents and people with disabilities. For those claiming Jobseekers' Allowance there are three New Deal schemes – one for those aged 18 to 24, one for those aged 25 plus, and one for those aged 50 plus. One of the key features of the New Deal is the provision of a personal adviser for participants. New Deal Personal Advisers (NDPAs) are there to act as a central point for information and advice, both for participants and other New Deal 'partners', such as training providers and employers.

1.2 The New Deal for Young People

The New Deal for Young People offers training and work experience for those aged 18 to 24. Young people who have been claiming JSA for 6 months or more are required to take part in the New Deal. NDYP starts with a meeting with the personal adviser to explore an individual's plans for work and any barriers that may be stopping them from getting work (which may need specialist support, for example, dealing with homelessness). The initial stage of NDYP is known as the 'Gateway' period. Lasting up to four months, this time might involve some training or further education and/or help with job applications. During Gateway, the NDYP Adviser will talk about the next stage in NDYP should an individual not find a job.

Gateway is followed by New Deal Options, of which there are four:

- Subsidised employment that incorporates training to a recognised qualification
- Work experience with the Voluntary Sector
- Work experience with the Environment Task Force
- Full-time education or training

All the Options are designed to include at least one day a week in training. Individuals are expected to start an Option before the end of the four month Gateway period. There is some provision for people to visit the Option to see if it suits them – this can be in the form of a pre-Option meeting with the provider, or by having a 'taster', before committing

themselves. If they cannot decide which Option is best for them then their Personal Adviser will decide which of the available places is most appropriate.

NDYP participants are expected to be on their Option for approximately 6 months (perhaps longer, for example FTET can last up to 12 months), unless they find a job.

1.3 New Deal for people aged 25 plus

The New Deal for 25 plus was modified in April 2001. Prior to that all people aged over 25, who had been unemployed for two years or more were only required to attend advisory interviews with a personal adviser, but were not required to attend any full-time activity equivalent to the NDYP option.

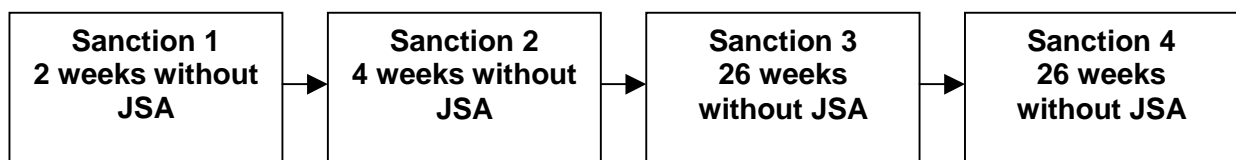
Prior to April 2001 New Deal 25 plus participants had access to Education and Training Opportunities (ETO) which they chose to attend on a voluntary basis. However, once they had agreed to start an ETO course they could be sanctioned for 2 or 4 weeks if they failed to start the Option or left without good cause.

1.4 Description of the new Sanctioning Regime

1.4.1 NDYP

From the 6th March 2000 changes in the JSA regulations introduced a tougher sanctioning regime for people on the New Deal for Young People (NDYP) Programme. This means that people who fail to start or complete New Deal Options can lose their JSA for periods of two, four and 26 weeks (as set out in Diagram 1 below).

Diagram 1
The sanctioning regime: NDYP



The 26 week sanctioning regime works in the following way:

- For a first failure – a New Deal Option sanction of two weeks;
- For a second failure – a second New Deal Option sanction of four weeks;
- For a third failure – a third New Deal Option sanction of 26 weeks, which works as follows:
 - If the person completed the remainder of the Option/IAP (without ‘offending’ again) before the full 26 weeks of the sanction had elapsed, the unspent portion of the sanction would remain in force, but would appear to be ‘lifted’ by virtue of the fact that the individual could apply for full payment of income-based JSA;
- Any subsequent New Deal Option/IAP sanction to be of 26 weeks with no access to claim income-based JSA once the individual had completed his/her Option/IAP. The client would have to approach the Benefits Agency to try and claim hardship payment.

However, a jobseeker who has incurred a sanction on their JSA can access funds at any time during their option period by returning to the option and therefore receiving their New Deal allowance.

If the jobseeker has a good reason for not attending the Option, and they notify the Option Provider, they will not receive a sanction, for example, if the jobseeker has suffered a bereavement. Throughout all stages of NDYP, irrespective of whether a person has been sanctioned, individuals continue to receive support, job search advice and help from their Personal Adviser.

Evidence has shown that very few participants incur 26 week sanctions (approximately 0.2 per cent of people who started NDYP have incurred a 26 week sanction). Those who do will have received two and four week sanctions prior to their receiving the 26 week sanction.

1.4.1.1 Hardship payments

Hardship payments are available for people felt to be in vulnerable groups, for example those with children or where they, or their partner, are pregnant. Entitlement to hardship payments for those in vulnerable groups starts from the first day of a person's sanction period.

There are some instances where people can get hardship payments for their first (two weeks) and second sanctions (4 weeks), even if they are not in a vulnerable group. However, in these situations a claim for hardship cannot be made until the fifteenth day of the sanction, meaning that (in effect) they can only claim hardship for the final two weeks of their four week sanction.

The sanction rules do not necessarily affect a person's claim for Housing Benefit and/or Council Tax Benefit as a sanctioned individual may continue to receive Housing and Council Tax Benefit even though their JSA has been suspended. To maintain their entitlement and claim to Housing Benefit and Council Tax Benefit the client would need to approach the Local Authority/Council direct.

1.4.2 ND25 plus

Previously, benefit sanctions applied to those on the New Deal for Long Term Unemployed (over 25s) in a more limited fashion (2 and 4 week sanctions). However, from 9 April 2001, the 26 week sanction regime was included within the design of the enhanced New Deal 25 plus.

1.5 Aims and objectives of the study

The study aimed to determine the effect that the 26 week sanctioning regime was having on individuals participating in the NDYP Programme, and to explore the potential effect it might have on those taking part in ND25 plus. Within these aims there were a number of objectives to explore:

- Awareness, understanding and interpretation of the sanctioning regulations;
- The impact of sanctioning on perceptions of the New Deal programme;
- The impact of both the threat and the actuality of the sanctions on labour market behaviour – do people who have been sanctioned re-engage or disengage from the Jobcentre specifically (and the labour market generally?);
- The effect of sanctions on job entry and participation in New Deal Options;
- The impact of sanctions on individuals and their families.

1.6 Report outline

This report is divided into eight sections following this introductory chapter. The next section describes the methodology adopted for the study, and the characteristics of those who took part in the research. The third section sets the scene by relating a typology of people who have been sanctioned for 26 weeks under NDYP. Section four looks at the impact in the period leading up to clients being sanctioned, and then explores the reasons why clients were sanctioned. Following this, section 5 is concerned with the actual experience of being sanctioned, covering clients' reactions to the decision, and their understanding of the process. Section 6 looks at the period when sanctions have been applied, exploring what affect the decision had, both for the person sanctioned and for his or her family. In particular, this section describes the extent to which clients engaged with the Jobcentre after receiving a 26 week sanction, and with work more generally. Having looked in detail at the experience of being sanctioned and the impact this had on respondents, section seven takes a broader view taking a variety of perspectives on the principle of sanctioning, with particular reference to 26 week sanctions. Section 8 briefly draws together some specific issues for clients on ND25 plus. Finally, section 9 concludes the report by bringing together the findings and suggesting recommendations.

2 Methodology

The research was wholly qualitative in nature and utilised a case study approach focusing on those sanctioned for 26 weeks (described below), alongside a series of depth interviews with individuals who had been sanctioned for 4 weeks under NDYP and ND25 plus. Mini group discussions (generally involving three individuals) were also held with personal advisers not involved in referring for sanction those people interviewed for case studies. An emphasis was placed on including NDPAs who had less experience of referring people for sanctioning to see if lessons could be learnt from their experiences with clients.¹

Depth interviews allowed the researchers to explore a (sometimes) complicated sequence of events and to 'reach beneath the surface' to try and make sense of the reasons why people were repeatedly sanctioned. The mini group discussions with NDPAs provided an opportunity to explore sanctioning more broadly with participants drawing on a wide range of examples and perceptions.

The case studies focused on young people who had been sanctioned for 26 weeks for not attending a NDYP Option. For each person sanctioned for 26 weeks, an interview was carried out with their Personal Adviser (or if they were unavailable, then a colleague NDPA who could talk about the case). In six case studies interviews were also conducted with the young person's Option Provider.

Using a case study approach allowed the research team to consider the young person's situation from both a broader perspective, and in the light of documentation available through the Jobcentre. In particular, it allowed BMRB an opportunity to check awareness and understanding of issues known to have been communicated during meetings between NDYP clients and their NDPA.

Depth interviews were also undertaken with Jobseekers who had been sanctioned for 4 weeks under NDYP. Some of these interviews were with individuals who would have gone on to be sanctioned for 26 weeks had they not 'signed off', but also offered an opportunity to explore the experiences and views of those who had returned to their Option under the threat of being sanctioned for 26 weeks.

A series of interviews were also undertaken with people who had been sanctioned for 4 weeks under ND25 plus. These interviews explored the impact sanctioning had on these people to provide an indication of the effect the planned introduction of 26 week sanctions might have on the 25 plus age group.

Where possible the research team ensured that a variety of other criteria were included in the sample:

- a mix of those living at home and living elsewhere
- a mix of 'reasons for sanction'
- a spread of ages across the NDYP and ND25 plus age bands
- a mix of those with and without dependent children
- a mix of genders
- those with disabilities
- those from ethnic minority communities

¹ None of the NDPAs taking part in the mini group discussion had clients who had been sanctioned for 26 weeks, but they did have experience of 2 and/or 4 week sanctioned jobseekers.

It would have been desirable for these criteria to have been purposively sampled into the study. However, the number of clients with 26 week sanctions is very low (At May 2001, 644 NDYP clients or 0.2 per cent had received a 26 week sanction). Furthermore, sanctioned clients were hard to track down, perhaps because they had supplied false addresses to the Jobcentre, or maybe because they were leading chaotic lives with regular changes of address. It is worthwhile to note that those clients with whom contact was made, were willing to take part – that is, refusals were low. Where information was known in advance (for example, gender and ethnicity) the research team sought to ensure that certain people were recruited as a priority, for example women (who form a minority of those sanctioned). The recruitment method ensured that we monitored these criteria for reporting on here.

2.1 The research design

At the time of the research relatively few individuals had been sanctioned for 26 weeks under NDYP. Whilst it would have been desirable for the research to be carried out across the country, it was clear that sanctioning was occurring more in certain areas. To focus the research more effectively, it was decided to concentrate on those regions where sanctioning was occurring most often. Within these areas there were certain Jobcentres who appeared to be applying sanctions more regularly. This may mean that the findings reflect the approach to sanctioning taken by certain Jobcentres, or may relate to the ‘types’ of people living in that area; it is our belief that it is more likely to be the former reason rather than the latter.

The research was conducted in seven areas, mainly in the North of England and the Midlands:

- North Black Country
- South Black Country
- Cheshire
- Bradford & Wakefield
- Grimsby & Scunthorpe
- Cumbria
- Cardiff

Each interview took between one and two hours and followed a topic guide agreed with the Employment Service. Four topic guides were designed for the project – one for clients, one for depth interviews with NDPAs, one for depth interviews with Option Providers, and one for group discussions with NDPAs (copies are included in the appendices to this report). A ‘case map’ (see appendix 8) was also designed to capture information during the NDPA case study interviews on the individuals sanctioned for 26 weeks. The case map helped the researchers to identify factual and perceptual information in a summary form, which proved helpful to explore during the interviews with the clients.

All the interviews were taped and transcribed verbatim for detailed analysis.

2.2 The sample profile

A total of 97 individuals participated in the research. The following tables provide figures on the characteristics of the different types of respondents.

NDYP case studies

	Number of interviews
26 week sanctioned clients	24
NDPAs	23*
Option Providers (mix of ETF, VS and FTET Option Providers)	6

*1 NDYP Adviser had two clients sanctioned for 26 weeks

Characteristics of 26 week sanctioned respondents

<i>NDYP clients sanctioned for 26 weeks</i>		<i>24 depth interviews</i>
<i>Age at time of interview</i>	<i>18-21</i>	<i>11</i>
	<i>22-24</i>	<i>9</i>
	<i>25-26*</i>	<i>4</i>
<i>Living with parents</i>	<i>Yes</i>	<i>14</i>
	<i>No</i>	<i>10</i>
<i>Has dependant children</i>	<i>Yes</i>	<i>8</i>
	<i>No</i>	<i>16</i>
<i>Gender</i>	<i>Males</i>	<i>22</i>
	<i>Females</i>	<i>2</i>
<i>From ethnic minority community</i>	<i>Yes</i>	<i>2</i>
	<i>No</i>	<i>22</i>
<i>Has a disability</i>	<i>Yes</i>	<i>2</i>
	<i>No</i>	<i>22</i>

NDYP 4 week sanctioned clients

Characteristics of NDYP 4 week sanctioned respondents

<i>NDYP clients sanctioned for 4 weeks</i>		<i>14 depth interviews</i>
<i>Age at time of interview</i>	<i>18-21</i>	<i>8</i>
	<i>22-24</i>	<i>6</i>
<i>Living with parents</i>	<i>Yes</i>	<i>10</i>
	<i>No</i>	<i>4</i>
<i>Has dependant children</i>	<i>Yes</i>	<i>3</i>
	<i>No</i>	<i>11</i>
<i>Gender</i>	<i>Males</i>	<i>13</i>
	<i>Females</i>	<i>1</i>
<i>From ethnic minority community</i>	<i>Yes</i>	<i>2</i>
	<i>No</i>	<i>12</i>
<i>Has a disability</i>	<i>Yes</i>	<i>1</i>
	<i>No</i>	<i>13</i>

ND25 plus 4 week sanctioned clients

Characteristics of ND25 plus 4 week sanctioned respondents

<i>NDYP clients sanctioned for 4 weeks</i>		<i>12 depth interviews</i>
<i>Age at time of interview</i>	<i>25-30</i>	<i>7</i>
	<i>31 plus</i>	<i>5</i>
<i>Has dependant children</i>	<i>Yes</i>	<i>3</i>
	<i>No</i>	<i>9</i>
<i>Gender</i>	<i>Males</i>	<i>10</i>
	<i>Females</i>	<i>2</i>
<i>From ethnic minority community</i>	<i>Yes</i>	<i>2</i>
	<i>No</i>	<i>10</i>
<i>Has a disability</i>	<i>Yes</i>	<i>2</i>
	<i>No</i>	<i>10</i>

NDYP personal advisers (single/paired/triple depths) – not case study respondents

<i>NDYP Personal Advisers</i>	<i>18 depth/group interviews</i>
<i>Single depth</i>	<i>13</i>
<i>Paired depth</i>	<i>2</i>
<i>Triple depth</i>	<i>3</i>

2.3 Scope of qualitative methods

This research adopted a qualitative methodology. Qualitative methods, such as in-depth interviews, are ideal for exploring complex issues. Using these techniques *BMRB Qualitative* were able to explore a range of issues and opinions during the interviews and discussions. A detailed understanding of respondent views would not have been so readily accessible using other research methods. This research did not aim to produce statistics, or measure the extent of views and opinions, rather it aimed to identify the range of views and experiences of respondents with regard to the sanctioning process.

3 The types of people who get sanctioned

The following section concentrates on the features and more personal characteristics of the people interviewed for this research who had received 26 week sanctions. The typology outlined here provides a context for the following chapters.

3.1 Typology of 26 week sanctioned clients

The 26 week sanctioned clients divided into three groups in terms of their motivation towards the New Deal and their attitude to work:

- **Do not want to be on New Deal**

These clients would be very unlikely to take part in any Option, no matter what their content. They are not motivated to participate in a scheme or course because they do not see the point of getting qualifications or skills. This can be for two reasons:

- They 'just want a job' and are generally looking for unskilled work, and so they don't feel that attending an Option will help them; indeed, it can be viewed as a hindrance in terms of time available for looking for work.
- They are not looking for work. These are the clients whom the NDPAs and OPs describe as the "hard core" of clients who "just can't be bothered".

- **Conditionally motivated towards New Deal**

These clients feel that they would be willing to do an Option on condition they saw it as suitable for them, and as long as there were no problems in attending, such as travel issues. They are only willing to do an Option which they will enjoy, and which they feel will be useful to them. They are likely to be motivated towards employment, and they recognise the value of gaining skills and qualifications in enabling them to get work.

- **Compliant but do not understand sanctions until it is too late**

These clients are willing to comply with anything requested of them on New Deal in order to continue receiving benefits, whether they perceive it to be useful to them or not. They are not the type of people to refuse to do anything, and they are also motivated to find work. They end up being sanctioned through a misunderstanding of what is required of them under New Deal.

3.1.1 Problems / Issues amongst 26 week sanctioned clients

Being a qualitative study, no conclusions can be drawn about the extent of problems and barriers to work amongst respondents. However, it is notable that sanctioned clients, particularly those receiving 26 week sanctions, appeared to have a high prevalence of problems, described below; that is these people tended to have multiple barriers.

Many of the 26 week sanctioned clients in our sample had significant problems which could prevent them getting work. Using information provided by NDPAs and the clients themselves, these problems fall into the following categories:

- Literacy problems
- Learning difficulties
- Confidence, nerves, psychological problems

- Alcohol and drug addictions
- Criminal records
- Lacking in social skills
- Tendency to violence
- Living in 'vulnerable' housing (for example, temporary accommodation)
- Health problems

3.2 Cultural / attitudinal issues

Emerging from the interviews with NDPAs, OPs and clients were a set of issues around the day to day life and general attitude of some sanctioned clients. These were particularly evident in the group of clients who did not want to be on the New Deal. Three main issues emerged, and are discussed below.

3.2.1 'Benefits Culture'

Both NDPAs and OPs pointed to a culture of benefits dependency amongst the majority of sanctioned clients. They were perceived to be unmotivated to work, and to live within families, and in areas, where very few people worked.

People that have got sort of unemployed family background that you know the parents don't work, perhaps no qualifications ... no work ethic if you like, you know. Can't see any value of getting out of bed in the morning and sort of working for nothing when they can just sign on and get the money.

[NDYP Adviser, Female]

There were indeed such people in our sample, with study respondents living with families in which no-one worked and they were reliant upon benefits. It is also notable that some parents supported the decision of their son or daughter to leave their New Deal Option. One NDYP Adviser expressed surprise at the apparent lack of interest from parents in what was happening to sanctioned clients, despite the impact it could have on the amount of money coming into their household.

As a result of living within a culture which was not work-focused, some of these clients found it very difficult to get into a routine, and therefore to attend their Option regularly. NDPAs and OPs mentioned clients who found it very difficult to get out of bed in the morning. Although this could be dismissed as 'laziness', it could also be attributed to a lack of experience of routine in the past. Clients may have left school before the age of 16, they may have never worked, or only worked for short periods, and they did not necessarily know anyone, friends or family, who followed a routine conducive to work.

3.2.2 Attitude to Authority

Although not always mentioned directly by clients or NDPAs, there was a sense that some clients encountered particular problems with New Deal due to their general attitude to authority. Some of these clients mentioned having been sacked from jobs in the past because they did not get on with either their supervisor or other people there, or for fighting. Others mentioned not liking school, and having been expelled for their behaviour. Some clients mentioned that they just "don't like being told what to do".

This attitude could make it difficult for NDPAs and OPs to build up a rapport with clients, as they were generally uncommunicative. It appeared that such clients saw the NDYP Adviser as an

authority figure, much like a teacher, and were therefore unlikely to open up to them and co-operate. They also seem to have viewed the Option as 'like school', particularly the jobsearch and training aspects.

Some of those who left school early also had limited reading and writing skills, but rather than seek help, they avoided situations in which their literacy could be a problem.

Until I actually started seeing the public I didn't realise how many people haven't got the basic literacy or numeracy skills, just to ... cope day to day, to go into an environment where you need those skills and the easy option's to run away, to dismiss it and not address it.

[NDYP Adviser, Male]

3.2.3 Peer Pressure

Peer pressure was cited by NDPAs and OPs as a factor influencing some clients who became sanctioned.

The sorts of people ... that hang around with their mates on like the rougher estates, sort of peer pressure I'd say with some of them, like with their mates, like you know, [seeing New Deal as] working really for nothing, that sort of thing.

[NDYP PA, Female]

This pressure led to them becoming even less motivated towards doing an Option. Some clients had friends who had been on New Deal, and who were sanctioned.

4 Experiences of New Deal sanctions – what happened before the sanction decision

4.1 Awareness and views of New Deal and Jobcentres

Participants were likely to have little awareness of New Deal prior to their joining the programme and many were unaware that they would be required to participate. The first they appeared to hear about New Deal was whilst at the Jobcentre when signing on. Respondents were advised they would be joining New Deal and would be sent by frontline staff to speak to a New Deal adviser. Few respondents could remember what they had been told in connection with the New Deal at the initial meeting with their adviser. However, whilst in general respondents could not remember much, they could recall receiving booklets about the New Deal. In a few cases respondents had heard of the New Deal from friends, and some of the people in the research sample were on the New Deal for a second time.

Respondents were generally regular users of the Jobcentre as a resource for looking for work. Whilst many felt the Jobcentre was a good means of locating vacancies, others complained that the jobs offered were often out of date and the positions filled.

In some cases respondents had high expectations of New Deal. These respondents thought that they would quickly gain employment through utilising the services available to them through New Deal. The programme was perceived as beneficial; clients felt they would receive help to achieve qualifications, training and employment. Many of those attending NDYP were particularly keen that they would be able to achieve a qualification through the programme.

High expectations were often dashed, with respondents often becoming negative towards New Deal when they failed to gain employment with the speed they desired.

They said they would end up getting me into work, but they didn't. There was no sign of work at all.

[NDYP, Male, 23, 4 week sanction]

In other instances respondents already had a negative perception of New Deal and what it offered. Those that were aware of the Option of attending a work placement felt that this was exploitative – they felt that if companies and organisations had work available for New Deal clients these should be advertised as vacancies rather than use people on New Deal as “*slave labour*”. In a small number of cases respondents had heard from friends that New Deal was “*rubbish*”.

Others were cynical about New Deal and felt the programme was simply a means of lowering the unemployment figures.

4.2 Before the Option - Gateway

Few respondents were aware of the term ‘Gateway’. Participants’ initial views of New Deal during the Gateway period were largely shaped by their relationship with their Personal Adviser. Many respondents felt that they had had a good relationship with their NDPA and were pleased to utilise their services in terms of jobsearch activities. However, others felt that they were not given enough time at appointments. In some cases respondents seemed to expect their advisers to provide them with employment directly, rather than communicate the opportunities available.

Whilst some respondents found their adviser “*helpful*”, others felt that this was not the case. They felt their adviser had exhibited a poor attitude towards them. This was particularly the case amongst those with literacy difficulties. In such cases respondents stated that they had been given leaflets and letters when the adviser was clearly aware that they were unable to read them. Additionally, they had not received the help they needed with forms that were to be filled in for jobs, or for the purposes of New Deal. When issues had not been clearly explained and respondents had asked for clarification, it was reported that their adviser had become annoyed.

4.3 Client awareness and understanding of their rights and responsibilities

Respondents were aware that they had received a booklet in connection with New Deal when joining the programme. However, this had often remained unread, either because respondents were unable to read themselves or they had been uninterested in the content. In terms of the mandatory nature of New Deal many were aware that they had to comply with the requests made of them.

Participants had signed a Jobseekers Agreement and were aware that they were obligated to actively look for work. In some cases respondents were confused about their responsibilities in connection with New Deal and their responsibilities in terms of looking for work as compiled in their Jobseekers Agreement. In these cases respondents felt that in actively looking for work they were fully complying with New Deal.

4.4 Choosing the Option

In some cases NDYP participants recalled being offered a limited choice of Options by their Personal Adviser. Many claimed that they had been told which Option they were to attend. Amongst those that had been given a choice as to which Option they wanted to go on, it was often reported by the client that they had not been interested in any of those offered. In only a few cases were respondents pleased with the New Deal Option which they were to attend. Where jobseekers had not shown interest in the avenues available, advisers were unwilling to assign them to a work placement or college course because it was felt that they had not demonstrated any sense of commitment to New Deal and would not utilise the opportunity if offered. Similarly, some client respondents had expressed interest in doing college courses, but their NDPA had persuaded them to follow another route because they doubted the jobseekers’ ability to complete the course.

Very few respondents reported that they had had the opportunity to meet a staff member from the chosen Option prior to their assignment.

4.4.1 Tasters

The offer to attend a ‘taster’ of the Option was rare. In this respect participants were likely to feel that attending a taster would have been beneficial to them as they would have known what the Option entailed in advance. It was felt that this knowledge would have allowed them to change their Option to one more suited to their needs and interests. There could be a variety of reasons to explain why so few tasters had been offered. It may have been because sanctioned jobseekers were being mandated to Options, therefore tasters had no role in the process. Alternatively, some jobseekers may have just not realised they had attended a taster, or perhaps been unwilling to go on one.

Where respondents had been invited to attend an Option ‘taster’ many had subsequently told their NDPA that they did not want to attend the Option. However, some respondents reported that they had been advised it was not possible to change and they were in effect mandated to attend.

There was a clear disparity between the information given by jobseekers and NDYP advisers on the number and type of Options offered. Advisers often stated that jobseekers had been referred to a number of courses during Gateway but had either shown no interest or had failed to attend. Clients were unlikely to recall these discussions with their adviser and often stated that they had been mandated to attend an Option.

4.4.2 Mandatory referrals to Options

Although some respondents had chosen the ETF Option, where NDYP participants were mandated to an Option it was most likely to be the ETF Option, although occasionally it would be the VS Option. Personal Advisers confirmed that this was the case. If jobseekers had not chosen an Option or shown any inclination in choosing which direction they would like to go, they would be generally mandated on to the ETF or VS Options.

NDYP Advisers stated that in some cases the Option choice available to jobseekers was limited to ETF. This was particularly so where jobseekers had literacy difficulties. Other Options available were not thought as practical. Consequently jobseekers that were deemed to have limited basic skills, which the adviser felt would hamper progress on other Options, were mandated to attend the ETF Option without discussion. In some cases jobseekers were assigned to Basic Skills courses, which ran in tandem with ETF. In the main this was decided in conjunction with the client. However, some jobseekers had failed to attend the course. These respondents were likely to resent the personal nature of questions asked and disliked their advisers interest in their personal problems.

Advisers commented that jobseekers were unlikely to discuss their problems with them which made helping them difficult. This was particularly the case for NDYP jobseekers with literacy difficulties, or drug or alcohol problems. In such circumstances Personal Advisers were likely to feel that people would reject the help which was offered to them.

4.4.3 Mentors

In a very small number of cases respondents had been assigned a mentor. This occurred where advisers thought that the client had problems which would hinder their participation in New Deal. However, where this had been arranged respondents were often displeased with this intervention.

She was crap she was. Gave me a mobile phone number... I can't afford to ring mobile numbers ... Like when she started I got all these big words and all that, like 'categorically' and I'm lost. I said what does that mean? I don't understand.

[NDYP, Male, 25, 26 week sanction]

Advisers believed that the mentoring scheme would be better if it was not linked directly to the Jobcentre. It was commented that jobseekers were not inclined to “open up” and talk about their problems within listening distance of their adviser.

CASE STUDY

'Paul' was 20 years old at the time of interview. He lived with his parents, neither of whom worked. He had only ever worked once, for two weeks. He had no qualifications, and had been expelled from school when he was 15, where he "*didn't like the routine*". He was not interested in qualifications, as he felt they were not necessary for the kind of "*simple job*" he would look for. Paul's PA mentioned his problems with literacy and numeracy, a lack of confidence, and drinking. She was also suspicious that he had a drug problem and felt that the gang she saw him with was a bad influence on him.

Although Paul claimed to be interested in getting work, he did not rate his chances in terms of getting or keeping a job. He admitted that it would be unlikely that he would turn up for work on a regular basis.

Paul's PA, 'Susan', explained that she had tried to help Paul, but he did not seem interested in being helped. She referred him to a literacy and numeracy assessment, an Intensive Motivation Programme, and offered him a mentor. He failed to turn up or refused the help in every case. Although they had built up quite a good rapport, Susan felt that he would not open up to her fully. Paul liked his PA, but described the interviews as "*crap*" and "*nonsense*", because they try to get "*all personal*"; he resented this, and did not feel that it would help him to find work.

4.5 Failure to start

In a small number of cases people had failed to start their Option. The main reason given for this was that they were not interested in the Option to which they had been assigned. Respondents saw no value in attending an Option which did not relate to an area in which they wanted to gain employment. Others had not attended because of domestic difficulties or illness, and in a small number of cases had failed to attend as a result of peer pressure, choosing to go out with their friends instead.

4.6 Taking part in the Option

Sanctioned respondents had encountered a number of problems with their assigned Option, which had affected their participation and led to sanctions.

4.6.1 Content of the Option

Participants were generally dissatisfied with the Option. In some cases respondents claimed they spent much of the day with little to do, they had become "*bored*" and felt that there was little reason to attend. This was most likely to have occurred amongst those attending the ETF Option.

Many respondents were dissatisfied with their assignment to an Option, irrespective of whether they had chosen to attend or had in effect been mandated, because the Option did not encompass the area of employment in which they had worked, or were looking to work.

Dissatisfaction had also arisen amongst some respondents who had been keen to achieve an NVQ as part of their course. Where they perceived that this was not going to be possible, the Option was deemed "*a waste of time*" as no tangible benefits were thought to be attached to their

completion of the Option. In many of these cases they were likely to feel that their time was better spent engaged in looking for employment.

They gave me a placement that I didn't feel that I was suited to like, I could have been doing something better ... I mean there wasn't a lot to do there. They didn't have the proper equipment to do it with.

[NDYP, Male, 20, 4 week sanction]

Some were simply unhappy about the management of the Option.

We got asked to paint this wall and there was dust on the floor and you have to wear a mask, but they didn't provide one ... So I was just like 'keep your job I'd rather get my money stopped'. People were just doing things, they say use common sense but they weren't using nothing. They were leaving things hanging off walls, somebody could have walked into them and done some damage, things like that, I was quite shocked.

[NDYP, Male, 22, 26 week sanction]

Often those people who had attended the Voluntary Sector Option, in particular those that had been assigned to work in a charity shop, were dismissive of their experience. They did not see any value in the placement as they were not perceived to be “proper” shops. Dissatisfaction arose in these instances because jobseekers had expected to gain experience of dealing with the public and handling money yet they had been assigned very different duties (for example, clothes pressing). Rather than feel they were doing something of worth on behalf of a charitable organisation, they were embarrassed at their association with a charity shop and feared they would be laughed at by their friends.

They put me on this Oxfam thing and I just didn't like the sound of Oxfam. I just didn't want to be seen ... I just didn't want to go to Oxfam.

[NDYP, Male, 23, 4 week sanction]

4.6.2 Travel to options

Difficulties in connection with travel were often mentioned. Travel was particularly problematic for jobseekers attending ETF projects, which were often based in rural locations. In other cases, where respondents lived in outlying areas, problems were encountered travelling into the nearest towns. In some cases the location of the Option was difficult to get to and involved long bus journeys and walks. Personal Advisers were sympathetic towards these respondents and mentioned a few individuals who needed to travel for between three and four hours a day in order to attend their Option. In these cases it was felt that whilst some jobseekers were willing to spend an extended period of time travelling, others would not.

The cost of travel was also problematic for some. The additional payment that was available was not felt to adequately cover the money needed to pay for daily return fares (see insert below). Personal Advisers dismissed jobseekers' claims that they could not afford travel expenses as these could be claimed for. There was some difference in view as to whether the total cost of travel could be claimed or a set allowance. However, it is difficult to ascertain how clearly the availability of allowances had been communicated to jobseekers, many of whom complained about the cost of travel.

Fares to Options

Employment Option – paid a wage so no extra for travel.

FTET – provider refunds 100% of travel costs as income is not topped up.

ETF & VS Client pays the first £4 from their additional allowance.

[Employment Service, Oral Communication, 2001]

Amongst a small number of respondents there were psychological issues concerning the distance which they would have to travel to the Option. These respondents often lived in small, sometimes rural communities, and they feared travelling some distance into the town, or into the area in which the Option was located.

4.6.3 Other People on the Option

Amongst those participating on the ETF Option, complaints were received about the other people attending. Although some jobseekers did choose to go on ETF, the high numbers of mandated jobseekers onto this Option led some NDPAs to comment on the negative perceptions jobseekers had of the ETF schemes.

It's referred to as the dumping ground, because that's, if they won't go on anything else, then that's what they will be going on. People do choose to go on it, because there are some good opportunities there. But it does tend to be the sin bin basically of the New Deal, because if they won't go on to one of the Options, they haven't chosen to go on any other Option, they'll get sent on to that one.

[NDYP PA, Male]

Another NDA referred to the role of word of mouth in influencing jobseekers' perceptions of ETF schemes.

It's quite unpopular ... A lot of people are dead set against it because they've had friends and stuff tell them it's rubbish.

[NDYP PA, Male]

Similarly, one of the Option providers considered that the ETF Option was most likely to include jobseekers with literacy problems, drug and alcohol problems, and those with a history of criminal activity. Clearly, this was also felt by the jobseekers themselves and in a small number of cases respondents mentioned the types of people attending the Option as a reason for their non-attendance. In these instances they were either fearful of other jobseekers or found it demeaning to be attending the same Option. ETF was perceived by these jobseekers as a "community service" programme.

They told me to bring a packed lunch and put some old clothes on. In other words I knew what it would be. They said it would be outdoors ... so that is people who are on community service or in prison and things like that ... There's no way in this world I could have joined that Task Force. I would have likely just turned up for a week or two. I wouldn't like that sitting round dopey, smelly people. It's not my scene, honest to God it's not. Sitting on a minibus on the way to whatever they are going. That's not my scene I'm afraid.

[NDYP, Male, 25, 4 week sanction]

Although not referred to by any of the jobseekers in our sample, bullying was mentioned by some NDPAs and Option Providers as a problem on some Options, particularly ETF. In some cases, it was thought that it could lead to people dropping out of their Option.

Young people come in and say, from the environment task force option, I can't work, I can't go there because somebody is sort of bullying me and I'm frightened ... I've had it where there were no alternative arrangements because the young person, if they were anywhere near the option or if this chap knew that he was going to be on the option, that you know, he was just absolutely scared and I'd been working with the lad for quite a bit of time, so I knew that he was a genuine lad, so in that case I sort of pulled him off the Option and he went onto an alternative, we organised to refer him through to the voluntary sector Option and he went onto a different placement with them.

[NDYP PA, Female]

You never see the bullying on site, because a lot of the bullying is done while they are waiting for the pick up, or once they're dropped off, or when they get to job search on Friday ... one bad egg in a team can cause some serious problems.

[Option Provider, Male, ETF]

4.6.4 Other Issues

In some cases respondents were not prepared to participate in an Option because they perceived it to be a full time job for which they received a minimal sum of money in addition to their normal JSA payment. They saw this as financially exploitative. This was a common complaint received by advisers.

You don't really get 'owt for it. An extra £15 on your giro, but you're going out to work three days a week. Like you have to be at this [Option] from half eight or you lose your money, its stupid.

[NDYP, Male, 22, 26 week sanction]

The discussion of Basic Skills courses by NDPAs with jobseekers who had literacy problems appeared to be variable. Some received help, others did not. This caused a problem for some people who feared humiliation should their literacy problems be identified.

I can read, but I can't read out loud and sometimes they make you do that ... If someone told me to read something I can't read it ... I didn't like it. It's like being at school again.

[NYDP, Male, 22, 26 week sanction]

In a small number of cases respondents indicated that they had difficulty in getting up in the morning and were unable to commit to the daily attendance of an Option. This was exacerbated where jobseekers were dissatisfied with the Option to which they were assigned. They suggested that their attendance would have been better if the Option had started later in the day. One respondent said he was happier doing night work and had in fact found some temporary work doing late hours in a factory after he was sanctioned.

4.7 Discussing problems with NDPAs or OPs

Overall, respondents were aware that if they experienced problems with their Option they should discuss this with the Option Provider or their Personal Adviser. Generally, where jobseekers had

talked to their NDPA, they asked to be transferred to another Option. In some cases Personal Advisers were said to have been sympathetic, but irrespective of the NDPA's view, jobseekers were told to attend the Option or they would be sanctioned. As a consequence respondents were angry that the issues which they raised in connection with the Option were not acted upon, and this often alienated respondents from both their NDPA and the New Deal.

In other cases respondents had failed to discuss either their problems or dissatisfaction with either their Personal Adviser or Option Provider. This was most often because of apathy, or a feeling that approaching them would make no difference to the situation.

Option Providers felt that jobseekers' capabilities and backgrounds needed to be more carefully assessed prior to the assignment to Options, particularly those with learning difficulties. They had experienced difficulties with jobseekers who they felt were not able to participate in Options without full-time supervision. For example, one provider referred to a client, who had been very problematic for the Option staff, as "*a danger to himself*".

He wasn't capable mentally or physically of doing the job properly, he had to be supervised most of the time.

[Option Provider, Male]

Personal Advisers were likely to feel that they needed discretionary powers when dealing with jobseekers referred to New Deal. They argued that many jobseekers had problems which deterred them from fully participating in the New Deal. Whether these were due to literacy difficulties, drug problems or family background, they felt these problems were often insurmountable for jobseekers. It was suggested that whilst some should not be referred to New Deal others would benefit from an extended Gateway period in order that their needs could be more fully understood and accommodated.

Personal Advisers expressed some dissatisfaction with the restricted range of Options available on New Deal, feeling that jobseekers' interests and needs were often not met. Advisers also wanted to respond more positively to requests to change Option, and felt constrained by only being able to do this in exceptional circumstances.

CASE STUDY

'Sharaz' was 25 years old at the time of interview. He had a wife and three children, and lived with them in his parents' home. He had a degree in a science subject, and a year and a half of work experience as an Assistant Manager in a shop.

Sharaz was highly motivated to work in an area related to his degree. He was not particularly keen to participate in New Deal. New Deal was felt to offer little to graduates such as himself, as he felt that he had the qualifications and experience necessary to do the job he wanted. He also felt that it might prevent him from getting a job, by reducing the time he had to look for work. He nevertheless agreed, somewhat reluctantly, to attend an FTET Option in Accountancy.

Sharaz did not get on with his PA. He described it as a personality clash, and how she acted as though he was hiding things from her, when he felt he was actually motivated to find work. She would complain publicly if he was a minute late, but keep him waiting half an hour the next time; he felt that it was like being back at school. The communication difficulties between them appear to have created problems when it came to sanctions.

Sharaz recalled missing two appointments for interview at the college at which the Option was held. He had forgotten the first appointment, and the second had conflicted with a job interview. He was subsequently sanctioned. He had not realised that this would happen; he said that his PA had just told him that it was between him and the college. Once he found out, he was willing to attend straightaway. However, the college no longer wanted him there. His PA tried to find him another Option, but he said that this took over three weeks.

During this time he received advice from another PA that he would be better off doing a part-time job and claiming Working Families Tax Credit, as this would give him time to look for the job he wanted. Sharaz took this advice and found himself a part-time retail position, and was very pleased with the advice that this PA had given him. He was happy to be off JSA, was enjoying his job, and still looking for work in his chosen field. He remained unaware of his 26 week sanction, as he had moved into work.

4.8 Reasons for unauthorised absence from the Option

As discussed in the previous section respondents experienced a number of problems with their Options. The reasons why respondents had been sanctioned for unauthorised absence from the Option were four-fold and can be categorised as problems related directly to the Option, personal issues, lifestyle problems and communication issues.

4.8.1 Option-related problems

Unauthorised absences were in the main, due to dissatisfaction with the content or location of the Option. In some cases respondents felt that they would be better off spending their time looking for employment rather than attending the Option.

There were also issues over travelling to Options situated some distance from a respondent's home. This was particularly the case for those living in locations with poor transport connections, for example, rural areas.

4.8.2 Personal issues

Many respondents attributed their unauthorised absences to a number of personal factors. These included personal illness, caring for a relative or partner, or a need to visit a Probation Officer.

In some cases respondents had been sanctioned because they had relatives at home for whom they were caring and were torn between these commitments and the need to attend the Option. Although they had discussed this conflict with the Option provider and their Personal Adviser they had been told that they were either to attend the Option or be sanctioned. Respondents were often unhappy with the lack of flexibility granted by the Options and felt that although they had a justifiable reason for being absent from the Option this was not acceptable to the Option providers and NDPAs.

These sorts of personal reasons for not attending an Option can be acceptable under New Deal, or may signify the need to change benefit. It was not clear from the interviews whether the respondents' particular circumstances were not recognised by their NDPAs, or whether it was a misunderstanding on the part of the advisers involved.

4.8.3 Lifestyle issues

Amongst a sizeable group of respondents problems of unauthorised absence were attributable to their lifestyle. In these cases respondents resented that their participation in New Deal was mandatory. They rebelled against this and were unable to make the daily commitment which New Deal required of them.

Many of these respondents had left school before they were 16. Their inability to commit to New Deal was nearly always linked with a sense of apathy about their lives and the future in general. They often had a criminal record and a dysfunctional family background.

In general such jobseekers were perceived as "lazy" by NDPAs and unwilling to help themselves, although some were sympathetic to these problems and felt that jobseekers who had been brought up within a "benefits culture" were in need of additional support.

4.8.4 Communication issues

In some cases problems had arisen because of poor communication. For example, a respondent who was on probation had been visiting their probation officer but had failed to notify either the Option provider or their Personal Adviser. They were subsequently sanctioned for unauthorised attendance.

In another instance a respondent had attended a job interview and was subsequently sanctioned for an unauthorised absence. Again this may have been a misunderstanding on the part of the NDPA as attending a job interview is an acceptable reason for not attending an Option.

ND25 plus respondents were more likely to be compliant with the regulations of New Deal than NDYP clients, and when they received sanctions, it was more often due to miscommunication.

For example, a ND25 plus client had been assigned to a course which he had reservations about. He discussed them with his NDPA, and was advised that there would be no problem if he wished to leave. However, when the respondent did not complete the course they incurred a sanction.

'What happens if I don't get on with the course?' she said nothing will happen to your money because you are on New Deal, it is a training course. So I went on the training course, but it did not work out ... and about a month after that I was told I was being sanctioned for coming off the training course.

[ND25 plus, 40, Male]

4.9 How jobseeker came to be sanctioned

Overall, 26 week sanctions tended to be due to unauthorised absences from an Option, whilst two or four week sanctions were most usually due to failure to attend appointments with an adviser, or for an unauthorised absence from an Option.

ND25 plus respondents had been sanctioned for: failure to attend interviews, or Options which had been arranged for them by their adviser.

Nearly all NDPAs indicated that they referred jobseekers to DMA whenever required to do so. Whenever a client failed to keep an appointment, was late, or paperwork was received from the Option provider in connection with unauthorised attendance, a referral would be made. Some NDPAs remarked that the additional paperwork could become burdensome with the need to refer jobseekers on every occasion a breach had occurred.

Quite often you wonder whether it's worth the like [effort] - when you know something is going to be acceptable you've still got to send it to a decision-maker. It's time consuming and time wasting. If someone doesn't attend something, you have to refer to a decision-maker even if their reason you know is going to be allowed like illness or some kind of family problem or something.

[Personal Adviser, Male]

Although NDPAs had no discretionary powers and were required by the Employment Service to refer jobseekers whenever the need arose, some did practice discretion in their referral procedures and indicated that they did not “strictly enforce” the rules by referring every case to DMA. Discretion was used in cases where the NDPA felt the client had a “genuine” reason for absence, or it was the first time an unauthorised absence had occurred. Where a client was felt to be making a genuine effort to take part in New Deal they would also “turn a blind eye”.

I wouldn't say you've got discretion with sanctioning, but you'll find with other advisers they don't sanction everybody straightaway, as soon as they've failed to do something. There is, you'll probably find people who've been done for six month sanctions, it's not the third time, it'll be the eighth or ninth time they haven't gone to something.

[NYDP PA, Male]

Another NDPA commented:

It [the 26 week sanctioning regime] is not used as much as it could be. It's not as strictly enforced as it could be, but I think that the adviser role as it's been developed for New Deal is a management role. It's a role where people have got a personal relationship with their clients, and their needs to be some discretion. I realise it's an impersonal system and it's very easy for us to

say the system has done this to you. You're not going to get this because you haven't done this and this is how the system works, but if you've then got to work with that person and give them something to their benefit, it's not necessarily a good approach to take. So the fact that it's under used is not necessarily a bad thing ... I find it quite difficult to sanction people personally, unless it's clear to me that they really are not going to do anything just by their own motivation, just for themselves. That's, those are the times when I use the sanctioning process. If it's clear that they're not going to go unless we do something drastic like sanction them.

[NDYP PA, Male]

Option Providers considered that sanctions were the remit of NDPAs and the Employment Service. Whenever an unauthorised absence, or lateness, occurred it would be reported to the Employment Service. However, Option Providers did perceive an ambiguous role with regard to jobseekers who were troublesome or problematic, as reflected on by the following NDPA:

You can keep putting them back to environment task force because the environment task force will take them. They've got the culture to be able to take people in and they don't refuse, well they very rarely refuse, I have had them refused. There's always one, you know, I mean that was a difficult one, I think every option refused that one.

[NDYP PA, Female]

Because we're the managing agent, we have to accept anyone. There's been cases where I've said, that person is going, they've been dismissed and I'm not having them back ... one disruptive individual can cause all sorts of problems for the rest of the team ... We try to give everyone as many chances as we can, because we understand that they are coming from a non working background. Some of them may have worked, a lot of them have never worked in their lives and yet they have no formal qualifications, so they can come to you with a very negative attitude, thinking they are not capable of doing anything.

[Option Provider, Male, ETF]

Option Providers were generally unhappy that the Options operated "a revolving door" policy. Clients would receive a sanction for unauthorised attendance and then, in order to retrieve their benefit, come back to the Option. In one instance a provider finally refused re-entry after the seventh sanction.

4.10 Discussion about sanctions (prior to sanctioning)

4.10.1 Written information received about sanction/s

NDPAs gave out leaflets about the New Deal, and about sanctioning, to jobseekers at the start of the New Deal Option and/or Gateway. However, client recall of the leaflets and their content was generally poor. Some jobseekers had no recollection of receiving any written information about the New Deal or sanctioning.

There were jobseekers who both recalled receiving leaflets and reading them, while others who recalled receiving the leaflets had not bothered to read them. Some jobseekers had difficulties with reading, and either got a member of their family to read them, or threw them away.

I was given hundreds, loads [of leaflets]. I just tore them all up. I didn't read them because I can't read them. No point giving me leaflets because I can't read them.

[NDYP, Male, 25, 26 week sanction]

The response of these jobseekers to written information has implications for how sanctions are communicated to this client group. The overall impression is that sanctioned jobseekers respond better to face-to-face explanation.

They can explain it better can't they, I mean if it's face to face.

[NDYP, Male, 20, 26 week sanction]

Low recall and retention of information received about sanctioning was not confined to those with literacy problems. One graduate told us:

I didn't know nothing about [sanctioning]. My Adviser didn't even clarify that, and she said to me I signed, what do you call it, some kind of form that was, what do you call it, that told me all about it. And she showed me the form, yes I did sign it but it didn't really explain anything. It just said sanctions or whatever, she didn't really tell me about within a certain time that if you didn't go on New Deal that this is what is going to happen.

[NDYP, Male, 25, 26 week sanction]

4.10.2 Face to face explanations

NDPAs said they informed jobseekers face-to-face about the sanctioning regime at various points: as soon as jobseekers joined the New Deal; throughout the Gateway period; and both at the beginning of Gateway and at the end prior to the attendance of the Option.

When they first start they're sent a booklet which is like your responsibilities on the New Deal, which says it all. We go through it all in the main interview and explain that they'll be expected to do a mandatory Option after four months and they are aware of that all the way through the Gateway. I think that anybody that said they didn't understand that their money would be stopped would only be lying.

[Personal Adviser, Male]

In some cases Personal Advisers indicated that they discussed the sanctioning regime with jobseekers to ensure that they understood. This was undertaken because it was recognised that some jobseekers had difficulties with literacy, or would not bother to read the materials given to them. It was also argued that all jobseekers had to be told verbally as the materials did not explain sanctions clearly enough. Advisers also felt that jobseekers were often very aware of sanctions via the informal grapevine: "word gets round".

Although NDPAs emphasised that jobseekers were made fully aware of sanctions from the outset, advisers could feel that jobseekers failed to understand the implications of the regime even when they had been told repeatedly.

Advisers sometimes reported that they did not like talking to jobseekers about sanctions. They felt that sanctions were a negative side of New Deal and therefore tended to focus on the positive aspects. A fear existed that the discussion of sanctions would undermine the relationship between the adviser and his/her jobseekers. Indeed advisers often commented that they specifically told jobseekers that decisions with regards to sanctions were not made by the advisers themselves, as they did not want jobseekers to blame them for the sanction.

I wouldn't have kept mentioning it, I find that too negative. Its more, you don't want what you're doing to be a threat, you want to try and help them before it comes to that.

[Personal Adviser, Female]

Staff were asked how they explained the sanctioning regime to jobseekers. The lack of comfort some NDPAs felt around sanctions affected the way in which sanctions were explained to, and understood by, jobseekers. For example advisers said they told jobseekers:

“their money could be affected”

“if you don’t go, your money will be stopped”.

“Jobseekers allowance could cease to be payable or be payable at a lower rate if you don’t go”

“the tap turns off”

NDPAs struggled to find a clear, short explanation of the sanctioning regime and tended to opt for the short, direct approach. Additionally, the warning and decision letters sent to jobseekers were also brief and open to misinterpretation. Unfortunately, as explained below, this could lead to jobseekers having an incomplete understanding of the implications of being sanctioned.

4.10.3 The Option Provider perspective

Option Providers said that they ensured jobseekers understood the sanctioning regime when beginning the Option, and that there would be reminders throughout the placement. Where jobseekers were absent without notification, providers acted by issuing a verbal warning and followed up where necessary with a written warning.

4.10.4 The client perspective

It was evident from the interviews with NDYP jobseekers that the details of the New Deal sanctioning regime remained unclear prior to the receipt of their first sanction. ND25 plus respondents were often totally unaware of the sanctioning regime prior to sanctioning.

Many respondents remembered receiving the booklet about the New Deal, but not all had read the contents. However, people on NDYP were generally aware of the sanctioning regime, although they had many misconceptions:

- Prior to sanctioning many jobseekers had failed to understand that all their benefit would be stopped if sanctioned. In these cases respondents believed only a certain percentage of the money would be taken from their benefit entitlement. In other cases respondents thought their benefit would be stopped for one or two days.
- Many claimed that they had not been told that the sanctioning regime stepped up with loss of benefits for two, four and 26 week periods with each successive breach of NDYP. Indeed many people who had been sanctioned for 26 weeks were unaware that they had been sanctioned for 2 and 4 weeks prior to the third sanction. There was no clear explanation as to why they were unaware of the first two sanctions (some thought they had been sanctioned for 6 weeks). It is possible that this was related to the speed with which breaches were made and, therefore, sanctions imposed. The lack of awareness might also be linked to the lack of explanation in decision letters and/or a lack of contact with their NDPA.
- In connection with the reinstatement of benefits many said they had not understood that if they continued the Option as prescribed, the sanction would be revoked. One respondent commented that they thought the sanction would be revoked after a three-month period and had decided not to continue with the Option if they were not to receive benefit for three months.

It would appear a small number of respondents assigned to a Voluntary Sector Option had confused the meaning of the word voluntary. They had assumed that this meant the Option itself was voluntary and that they were not mandated to attend.

5 Experiences of sanctioning

The following chapter explores the experience of being sanctioned from the perspective of the client: whether they fully understood what happened and how they could respond to the sanction/s. The views of NDPAs, and the procedures they followed, are also included to further explain client views.

5.1 Understanding the sanction

Experiences of, and views about, applying the sanctioning regime from the point of view of NDPAs and clients, showed a mismatch in perceptions. NDPAs felt that jobseekers had been given a full explanation and should have, therefore, been fully aware of the sanctioning process, while jobseekers appeared to remain unaware of how the regime worked.

This apparent lack of understanding of the sanctioning process is an important issue for the effectiveness of the 26 week sanctioning regime. If sanctions are not fully understood in advance of the sanction being imposed, they will not work effectively as a deterrent.

5.1.1 Expectations of sanctions

Clients may have been warned verbally about the possibility of sanctions a number of times. They should also have received written information, as discussed earlier. Despite this, they did not necessarily believe that their money would be stopped; being sanctioned could come as a shock.

Until it happens and the giro doesn't turn up, they don't understand fully. I think they perhaps still wonder if you really mean it.

[NDYP PA, Female, Cheshire]

They kept telling me it was going to get stopped but I never expected them to stop that money especially with your partner being pregnant as well and already having one child.

[NDYP, Male, 26, 26 week sanction, partner and 2 children]

Hearing about people who had been sanctioned had some impact, but some jobseekers still did not think it would happen to them. Some jobseekers, having received two and four week sanctions, took little notice. Indeed, they seemed to find it difficult to recall these sanctions when being interviewed for this research. It was not until the 26 week sanction was imposed that any impact registered with the client. The experiences of NDPAs bear this out:

They act as though it's come from nowhere, it's come out of the blue, all of a sudden my money's been stopped and I know nothing about it, they'll have been informed the whole way along, you know along the whole process and they take no notice of it ... It's just that they just think it's not going to happen to them.

[NDYP PA, Male]

Whether jobseekers understood, or believed, that their money would be stopped has implications for the effectiveness of sanctions as a deterrent. As more people experience the 26 week sanction, and word gets around, awareness and understanding may well increase.

I'm sure people who have been sanctioned, or know they are going to be sanctioned, probably speak to their friends. ... sometimes when I have a new interview, and I ask, the first thing I ask is if people have heard of New Deal before and some of them will say, "oh my friend was on it before and if you don't do something now, in a certain amount of time, then you're going to stop my money."

[NDYP PA, Male]

This could be positive in that it ensures jobseekers understand what might happen if they do not co-operate. However, the downside is that they may start off with a negative perception of New Deal before they have even started on the programme.

It is also notable that jobseekers did not always appear to understand or believe that all of their money would be stopped.

I weren't expecting that much ... I was expecting about £20 or £30 being knocked off.

[NDYP, Male, 26, 26 week sanction]

Some jobseekers had not expected the sanction to be as long as it was.

They did tell me if I didn't turn up for my course I would lose my money ... I just thought when I was on New Deal, when I didn't turn up for the course, they'd take one or two days money off, because I wasn't actively seeking work. But they never explained at first that I would lose all my money. And I did. But the second time they explained, but I knew anyway because I'd already lost it.

[NDYP, Male, 25, 4 week sanction]

5.1.2 Explanation of the sanction

NDPAs felt, on the whole, that they provided a full explanation to the client of why they were sanctioned and outlined the decision-making process. However, jobseekers did not always recall this explanation.

Some jobseekers felt that they understood fully why they had been sanctioned, while others did not. Of those that did not understand why they had been sanctioned, some took steps to find out, while others did not bother to seek further information. Of this latter group, there was a tendency to reject the New Deal on being sanctioned and to decide to look for a job. This could either be through the Jobcentre or by other means. This is explained further below.

The Decision Making and Appeals (DMA) Process

Introduced in October 1999 to give the client greater access to decision makers.

The explanation and dispute process now falls into four key stages:

1. Basic Explanation – this is given by the Jobcentre or the Benefits Agency.
2. Detailed Explanation – this is given by the sector decision makers or the BA decision makers. The explanations are usually given by the people who made the sanction decisions.
3. Reconsideration – occurs where jobseeker produces fresh evidence. The case is usually assessed by another decision maker.
4. Appeals – a complete re-hearing of the decision by an impartial tribunal.

[Employment Service, Oral Communication, 2001]

5.1.2.1 Finding out about the sanction

Some jobseekers recalled receiving letters saying they were going to be sanctioned, and stating the reasons why. Some of these jobseekers therefore felt that they understood why they did not receive a giro. However, jobseekers could be unaware that they were going to be sanctioned until their giro stopped. This does not necessarily mean that they were not warned; rather, it relates to the lack of belief that sanctions would really be applied. There were two responses to this situation: first, to go into the Jobcentre and ask why it had happened; second, to cease signing on.

5.1.2.2 Asking for an explanation

Some jobseekers asked the Jobcentre to find out why they were not receiving their benefits. They generally recalled receiving a basic explanation along the lines of 'you didn't go to your Option, so your money has been stopped'.

No spontaneous mentions were made of speaking to decision-makers to obtain a detailed explanation, although this was not a major focus of the discussion with jobseekers.

5.1.2.3 Appeals

Very few study respondents mentioned appealing against their sanction decision.

One respondent felt they had been unfairly judged to be unavailable for work. This related to whether he would come home from holiday if he was offered a job. He had ticked both the 'yes' and 'no' boxes because he thought it highly unlikely that he would be offered a job whilst he was away; the appeal was refused.

Another respondent appealed against a six month sanction on the advice of his NDPA. This respondent had not been regularly attending the Option, but claimed the adviser indicated that if he returned onto his Option for the final week of the six months the final sanction could be avoided. However, the sanction was still imposed, and the appeal refused.

Another respondent appealed against one of many sanctions. In this case the respondent had found his own Option placement for New Deal but the NDPA said he had to go to ETF, which the respondent did not want to do.

5.1.2.4 Why explanations and appeals were not used

Although not conclusive, it would appear that there are three possible reasons for the apparent lack of usage of the explanation and appeals process. Firstly, the client may already feel that they fully understand the reasons for their sanction and would not be justified in making an appeal. Secondly, it appears that some jobseekers would not think to do this, even if they were aware of the process. Their response to the sanction is to disengage from the Jobcentre, and it appears, they would not think to pursue things any further in this way.

I knew why [I'd been sanctioned] ... I couldn't [go and talk to anybody about the sanction]. There was no point, the way I saw it. No point in trying to grovel.

[NDYP, Male, 22, 26 week sanction]

Thirdly, and most importantly, some jobseekers did not understand that they could ask for a further explanation, or appeal against the sanctioning decision. Some mentioned that the process should be changed to make this possible.

I wasn't allowed to even write to them [the decision-makers] ... [they should] give you an appointment so they can cross-examine you. ... because they don't know what's going on, none of them know what the other one's doing and if they just listened to people they might get somewhere ... I don't think any information gets passed on, it goes to one person, stays there, it's pretty obvious because I got letters saying why are you this, why that, when I'd already told them. It's like, do they know anything? It's like they don't want to know sometimes.

[NDYP, Male, 21, 4 week sanction]

5.1.2.5 The decision-making and appeals (DMA) process

Understanding of the process of DMA was variable. Some jobseekers were fully aware that they had filled in a form to explain their reason for not attending their Option, and that this had gone to a decision-maker. Others seemed completely unaware of the process that had taken place. This may have implications for whether they would be likely to ask for further explanation, or launch an appeal, if they either did not understand the decision, or felt it to be unfair.

5.1.3 Perception of sanctions received

There was limited awareness among jobseekers regarding the number and length of sanctions they had incurred. It was generally understood that the length of sanctions increased as more were applied, but jobseekers could be unclear on the actual lengths involved (that is, 2, 4, 26 weeks, another 26 weeks). For example, some who had received a two week, four week and 26 week sanction were adamant that they had received only one sanction of six months. Some jobseekers who had received the two and four week sanctions thought that they had one six week sanction only. Other jobseekers were convinced that they had had sanctions of varying lengths, including three and a half weeks, and two months.

The next time my money'll be stopped for 12 months, so that's a full year... that's what [the sanctioning regime] is now – it's from 2 weeks, to 6 months and then 6 months to 12 months.

[NDYP, Male, 20, 26 week sanction]

The timing of sanctions offers an explanation as to the lack of clarity around the process. Sanctions could overlap or run consecutively, thereby making it difficult for people to distinguish them as separate sanctions.

5.1.4 Avoiding the sanction once it has been imposed

5.1.4.1 Knowledge of how to avoid the sanction

On the whole, jobseekers were aware that their benefit could be reinstated by returning to their Option. However, some were under the impression that they would not get their benefits back for a certain period of time.

Whether jobseekers knew that they could get their money back by returning to the Option is one factor affecting whether they had the opportunity to avoid the sanction, as discussed in the next section. Generally, however, it appeared that the jobseekers interviewed for this study would not return to the Option anyway.

5.1.4.2 Opportunity to avoid the sanction

Whether claimants perceived that they had an opportunity to avoid the sanction once it had been applied, related to three main factors. Firstly, the timing of the resumption of benefits if they returned to the Option. For example a respondent thought that they would have to wait three months after returning to the Option before their benefits would be resumed. Therefore they had felt they would not be able to afford the travelling expenses to attend.

Secondly, the response of the NDPA and Option Provider to perceived problems, as discussed earlier in this report. In these cases, the client had spoken to the NDPA or Option Provider about their problems, but had not received what they felt to be a satisfactory response. They felt they had not been given an opportunity to avoid the sanction by going to another Option, if it was appropriate, and there were no problems in attending. This also included cases in which they could no longer go to their original Option, either because it had closed down, or because they had been excluded from it. In one case, the client had been excluded from the FTET for failing to attend two interviews there. He desperately wanted to go onto an Option once he found out he had been sanctioned, in order to get his benefits back. However, it took the NDPA over three weeks to sort out another placement:

I said if I am going to lose my JSA, my Jobseekers Allowance, I mean you have got to give me an opportunity to do that Option really, I don't want to lose my benefit there, you know what I mean. They could have done something I think to get me onto a New Deal [Option] straightaway, but then I had to wait and then they didn't let me do that Option, and then I had to do something else and it was going to take too much time.

[NDYP, Male, 25, 26 week sanction]

Thirdly, the relationship between client and NDPA is a factor in whether they have, or perceive that they have, an opportunity to avoid their sanction. Although jobseekers generally seemed to remember being told to contact either their adviser or the Option Provider if they had a problem, they did not always do so. Some assumed that the NDPA would not help them, particularly if the relationship with the NDPA was not good. For some, it appeared that their reaction to difficulties was to ignore them and not attend the Option, and they did not attempt to resolve the problems until it was too late.

5.1.5 How sanctions were applied

The different ways of applying sanctions described by advisers could lead to some variation between Jobcentres in terms of the types of people who were sanctioned. In addition to this, there was some variance in the length of time it took from a client's non-compliance to the point of them receiving a sanction.

5.1.5.1 Length of time it takes to sanction people

Advisers and Option providers felt that jobseekers who had 26 week sanctions fell into two groups:

- Those who knew how to 'work the system' and, therefore, it could take longer for them to reach the point of being sanctioned;
- Those who fell into a sanction very quickly, progressing to 26 week sanctions without realising it and seeming quite unaware of how the system works.

It almost seems at times that those which are the most vulnerable because they haven't got the savvy shall we say to blab things out and give excuses to reasons why they haven't done anything. They tend to be the one's that get sanctioned first of all. I mean we catch up with everybody eventually but those who sort of like, shall we say, don't really need their giro, know the score. [They] get streetwise and know what to say and when to say it. I think in a way they get away with it for longer than a lot of other people.

[NDYP PA, Male]

Personal Advisers thought those who knew how to 'work the system' were more deserving of sanctions, and yet managed to delay them by utilising the full range of excuses available. They were felt to be more likely to be those who had no intention of attending an Option. Some NDPAs felt frustrated at being unable to ensure such jobseekers received sanctions earlier, when they felt they knew that the client was making up their reasons for not attending the Option. Some said that jobseekers had admitted verbally that they just 'couldn't be bothered to attend', and yet filled in something completely different on their form.

There was a sense, from the interviews with NDPAs and OPs, that those who were unaware of the system perhaps deserved more 'chances' before being sanctioned, as they were more likely to be those who were vulnerable, for example, people with learning difficulties.

5.1.5.2 Staggering of sanctions

From the information provided by NDPAs from their records, it was apparent that multiple sanctions did not always have a distinct gap between them and could also run either consecutively or concurrently (the latter occurring particularly in the case of additional 26 week sanctions). This has implications for the impact of the staggered regime, and client awareness of the sanctions that had been imposed on them. It could also impact on client views of how fairly they had been treated, and thus their feelings about the Employment Service. For example, one client who had received more than one 26 week sanction did not understand why their money had not yet been reinstated. The respondent had understood that their money would be stopped for six months exactly. In fact, the second and third 26 week sanctions overlapped with the first, and they would therefore not be able to claim JSA for a further five weeks. This had left the respondent feeling frustrated and annoyed with the system.

Part of our problem comes in that a lot of the decisions take anything from a month to come back so you'll explain to them at the time you sent it up, [and they say] 'ah yeah fine, yeah I understand that'. And then they come in sort of six weeks later when that decision has been made and they can't remember not attending the course, that's where most of our problems come. If the decisions came back quicker it would be easier for the clients to know yes. It's when you go back over it with them they can see it but obviously it's been a gap.

[NDYP PA, Male]

Some clients were unaware of the full extent of their sanctions because it appeared they had already decided to stop signing on, and so did not realise they could not have received money anyway. For example, one client, who was unaware of his 26 week sanction, had got a part time job and signed off. Another client who was in receipt of a 26 week sanction, and who had learning difficulties, went straight onto Income Support, and was unaware that any sanctions had been issued in this instance.

5.2 Views about the sanction

5.2.1 Was the sanction justified?

Some clients felt that the sanctions they received were fair, because they had not attended their Option.

It's fair enough, I mean if you don't co-operate with them, then what can they do, they won't pay you money for just sitting and doing absolutely nothing, you have got to do something for the money that they pay you for.

[NDYP, Male, 20, 4 week sanction]

Others had felt aggrieved at being sanctioned. They agreed with the principle of sanctioning for those who could not be bothered to attend an Option or look for work. However, they felt that their reasons for not going to the Option were legitimate, and that the NDPA or Option Provider had not listened to them or responded adequately.

I don't think they're very fair at all if you're prepared to do something else but they haven't got it ... they should have more Options for different people with different job needs ... [but] if they're not looking for a job at all, if they fail to comply with the Jobseeker's Agreement and they don't want to do any of the Options and stuff then that's their own fault.

[NDYP, Female, 22, 26 week sanction]

In some cases the client accepted some of the sanctions but not others. For example, one client had been sanctioned twice for non-attendance, which was felt to be fair because they had been told that would happen. However, when sanctioned after turning up late, he did not feel that this was justified, because he had not been told he could be sanctioned for lateness.

I didn't feel too bad like when I couldn't be bothered to go in, but like, when I had a reason, it did get me a bit mad.

[NDYP, Male, 21, 26 week sanction]

The NDPAs generally felt justified in referring jobseekers for sanctioning. They felt they had given them plenty of warning that they could be sanctioned and they could get their benefit reinstated if they went back to their Option.

5.2.2 How NDPAs felt about jobseekers being sanctioned

The feelings of the NDPAs concerning the sanctioning of jobseekers fell into three broad groups:

- No problem with referring jobseekers for sanctions;
- No problem with referring people who 'can't be bothered', but do not like having to refer people who they feel have a genuine reason, or who have major problems (for example, literacy issues);
- Do not like sanctioning, but it is part of the job and a 'necessary evil'.

NDPAs generally preferred to distance themselves from the sanctioning decision, being careful to make it clear that they referred jobseekers for decision-making, rather than sanctioning them.

Some NDPAs emphasised strongly that they do not stop the client's money; rather, jobseekers brought it upon themselves.

I don't stop people's benefits, they stop it themselves. This is what I tell them, if their money is stopped it's stopped because of something they did or didn't do, so its not me stopping their benefit, not the decision maker stopping their benefit, it's them.

[NDYP PA, Male]

They come in and say you've stopped our money and try to blame [us]. Well we haven't stopped your money it's your inaction that has caused the DMA to sanction your benefit ... it's their actions that cause the disallowance, not our actions ... it's their responsibility to actually attend what we ask them to or recommend that they do.

[NDYP PA, Male]

6 The impact of sanctioning

6.1 Immediate reactions

6.1.1 Feelings about being sanctioned

Some jobseekers said that they had not been 'bothered' about the sanctions they received. They felt that they had been warned it would happen and were prepared to accept the consequences, or they were already earning so the sanction did not matter to them. By contrast others were angry and upset about having their benefit stopped. NDPAs mentioned, however, that only a few jobseekers would come into the Jobcentre and "scream and shout"

On closer analysis of the twenty six week sanction case studies, there was a disparity between what the NDPA thought the sanctioned person's reaction to being sanctioned was and how the jobseekers reported their feelings during the research interview. Clients told the researcher they had been "gutted" about the sanction, but had appeared to the NDPA to be unaffected.

Those jobseekers who had subsequently obtained permanent jobs could, in retrospect, be happy that they had been sanctioned, as they were now earning and off benefits. As one NDPA expressed it, some jobseekers had told him it had been "*the kick up the arse*" they needed.

[Now that I have a job, in] two weeks time I'm going down to London which I've never done before. I'm going to be moving at the end of this year. Hopefully I'm getting a car and what have you with my dad's help, so things are actually looking up now, better than they have done ... If you get a twenty six week sanction you've got no money, so the only option you have got is to work. ... I was actually happy that I got the twenty six week sanction ... Twenty-six weeks, you know, I thought get a job, hopefully it will be the right one and I'll not have to go to the Jobcentre every week you know, like ever again.

[NDYP, Male, 23, 26 week sanction]

6.1.2 What jobseekers did next

Clients immediate responses to their benefit being stopped generally revolved around trying to find out what had happened, or attempting to find alternative means of support. These included:

- Speaking to the NDPA to find out why their benefit had been stopped, and/or to get advice about what they should do next;

I walked straight to the Jobcentre as soon as I read it, as soon as I opened the letter. I looked at it, looked at the New Deal and thought 'oh my God!' I went straight to [the NDPA].

[NDYP, Male, 22, 26 week sanction]

- Contacting the DSS regarding hardship provision or a Crisis Loan;
- Going to the doctor's about a problem, for example a problem with their leg, and then going onto Income Support;
- Visiting their New Deal adviser at the college they had been attending as part of their Option, to find out what had happened.

Some respondents did not make any effort to either find out what had happened or to find an alternative means of support within the benefits system. They did not visit their NDPA, preferring to concentrate on looking for work themselves. One extreme reaction is that of the client who ran away and lived on the streets, for three months, with a friend who had also been sanctioned (see Case Study below).

CASE STUDY

'David' was 25 years old at the time of interview. He was living with his mother, sister and brother, where he was sleeping on the sofa. His mother had told him he would have to leave soon if he did not start bringing money into the house. He really wants to get a job, and is actively looking. He feels guilty as the rest of the family work, particularly as he feels he ought to be providing for them because he is the eldest son. He has worked before, but not for the last four years. His ideal job would be to work for the council as a dustman; he loves working outdoors, and his dream is to join the army.

Both David and his PA mentioned that he had multiple barriers to work. David could not read or write, which he said affects his self-esteem and leads him to get very nervous. He left school at thirteen. He was not interested in learning to read and write then, but he would like to now. However, he was too embarrassed to go to night school. He has a criminal record for theft, but has not been to prison. His PA felt that he might be depressed, and that he has difficulty being in a group situation.

During the Gateway period, David's PA referred him to a literacy and numeracy course, but was disappointed when he refused it. David admits that the PA did try to help with this, but that he did not listen. In the end, David was mandated onto ETF to do forestry. David did not attend, so his PA tried mentoring in the hope that they would be able to get him to go. He did go on two visits to the placement, but did not start the course.

David said that he was unwilling to do a placement for the amount of extra money he would receive. He also admitted that he did not want to look stupid in front of the people there. He would not mind if it was something that was purely working outside, but if it rained, they had to work on computers. As he could not read or write, he did not feel able to do this. He stopped seeing the mentor after two sessions because he said she used too many big words.

Once David found out he had been sanctioned for 26 weeks, he ran away. A friend of his had also been sanctioned, and they went to another town. They slept on the streets, took drugs and begged and stole for money. After two or three months, David missed his family so he came back and signed back on. He was no longer taking drugs, apart from Valium for his nerves. David said that he could make money selling drugs, as he had in the past, but he did not want to get back into that way of life.

6.1.3 Financial impact on client and household

Unless the client had moved directly into a job or onto another benefit, the loss of benefits had a significant financial impact. The severity of the impact was dependent on whether they:

- Received timely information about their hardship entitlement;
- Were able to gain employment;
- Lived with parents;
- Had a partner and children.

Some jobseekers ended up getting into significant debt, up to £800. Others were unable to pay off existing debts.

NDPAs did not know for certain how jobseekers who were not signing on were supporting themselves. Some NDPAs were told by jobseekers, or suspected, that they were working on the side, or committing crime to support themselves. In such cases they felt that sanctions would have little financial impact. Some NDPAs felt that sanctioned jobseekers, particularly those with 26 week sanctions, must be doing some sort of work or crime in order to obtain money, or they would be willing to go back on the Option. Others felt that jobseekers were more likely to be supported by their family, or to be doing agency or cash-in-hand work. The latter is borne out through the client interviews with many undertaking temporary casual work, when they could get it, in order to get by. Although it may be that sanctioned jobseekers who were working on the side, or committing crime, were less likely to be taking part in the research and much harder to reach because they had provided false information to ES with regard to their whereabouts. In addition, such people would not necessarily be prepared to admit to having illegal income even if they were interviewed (although there was some limited evidence of this happening).

6.1.4 Knowledge and experience of the hardship fund

Clients did not necessarily hear about the hardship fund from their New Deal adviser (even in a few cases where they were likely to be eligible), and some did not know about it at all.

I explained to my Adviser that I couldn't get any benefit at all and she goes I... will check and whatever, but she said I am going away and whatever. So then I came back a few days later and I had a chat with someone else. They said "obviously you are supposed to get some kind of payment, hardship payment". ... If I knew that, I would have applied for that straightaway, then I wouldn't have had a problem for three, four weeks whereby I wasn't getting a payment. ... I thought 'what the hell is going on here?'. You know, they don't even tell you what's going on, what's the procedures and what kind of options I can get, what other payments.

[NDYP, Male, 25, 26 week sanction, wife and 3 children]

Hardship payments were considered difficult to live on because of the reduced amount of money and hence people were still motivated to find employment.

I had to go to ... Housing Benefit to apply for Hardship. That were a case of you only get 40% of your money so that was struggling on about £140 between me and my partner and this one for 6, 7 month.

[NDYP, Male, 26, 26 week sanction, partner and 2 children]

They had me on a reduction scheme ... hardship provision. ... My payments were reduced by probably about fifteen per cent I think it was. And having three children, I mean I couldn't really cope with that. ... It's the same effects as losing your job or whatever, you do become in hardship

and everything, especially my eighty pounds a week is not enough is it, when you have got a family or whatever, financially it is difficult.

[NDYP, Male, 25, 26 week sanction, wife and 3 children]

6.1.5 Other benefits

Some respondents had moved on to other benefits, such as Income Support. The remainder had not been informed about other benefits, but did not appear to be eligible.

6.1.6 Living with parents or not

Those respondents who were still living at home were supported in the main by their family, either by being lent, or given, money. This had a negative impact on family relationships. Some managed to alleviate this to an extent by finding agency work or doing odd jobs, but this was not usually enough to cover their living costs. Others managed to find longer-term employment and could then support themselves adequately.

Clients who were living alone borrowed from family and friends. They were the hardest hit financially, as they could not claim hardship payments and lost their JSA. Although they can still claim and receive Housing Benefit, it appeared that some were not aware of this. This could lead to arrears in rent; one client claimed to have nearly lost his flat as a result.

6.1.7 Those with / without children

Sanctioned people who had a partner and children generally survived on hardship payments although not all were receiving them due to a lack of information, as outlined above. In one case the client and his family were surviving on his partners' Income Support.

6.2 Impact on clients and their relationships

The financial impact of being sanctioned brought emotional pressure to bear on clients and affected their relationships with others. The severity of this impact varied.

6.2.1 Clients

Emotionally, sanctioned jobseekers generally felt '*fed up*' and '*stressed*' about losing their benefits. Some jobseekers felt that the impact on their mental health had been quite serious; claiming Income Support because of depression, or relying on prescription drugs to cope.

[Being sanctioned has] had an effect on me mentally, really very bad. Drug wise I'm terrible. At one stage I was terrible, honestly, really bad. Taking pills and different things because stress was bad ... I've got to take pills every day just to keep me going. I just want to get a job, earn real money.

[NDYP, Male, 25, 26 week sanction]

Some jobseekers with a partner and children felt very bad about losing their benefits because they felt they were not fulfilling their responsibility to provide for their family. This also applied to some jobseekers who were living with their parents.

My father is not living with us. It's only my mother, my brother and my sisters. They support me more than I support them, yet I'm the oldest and I should be providing for everyone. I should set an example for my other brother. He is 23 and earns more money than I do. He's got a nice job and everything. I should be setting an example.

[NDYP, Male, 25, 26 week sanction]

It was just my confidence. It was just way downhill after it happened... In the first month after that happened, I definitely didn't put myself across well at interviews, because it definitely affected my confidence. It made me feel really down.

[ND25 plus, Male, 40, 4 week sanction]

6.2.2 Clients' relationships

Where jobseekers were living with family or relying on them for support, relationships were adversely affected by the loss of benefits. This ranged from 'a few moans and groans' to threats of being thrown out of the house.

I think I'm on my last chance now with my Mum. She wants me to get a job like. She wanted me to get a job before Christmas like. Now she said she will give me until February to get a job... or I've to go.

[NDYP, Male, 25, 26 week sanction]

Clients mentioned arguments with partners or parents, parents not speaking to them, and how stressful the situation had been for family members.

Despite the tension that had resulted, some jobseekers reported that their parents had supported their decision to leave their Option.

I was going to do [ETF] and I didn't want to do that and I told my dad and he said 'at the end of the day no-one can tell you what to do except yourself and if you don't feel right in doing something that they're telling you to do you don't have to do it.

[NDYP, Male, 20, 26 week sanction, lives with father]

6.3 Looking for / getting work and type of work

This section looks at the extent of jobseekers' engagement with the labour market as a result of sanctions. In the main, receiving a sanction increased the client's orientation towards work and away from benefits. However, as will be shown, the lack of job-readiness amongst some jobseekers could mean that they did not end up in sustainable employment.

6.3.1 Looking for work

Once 26 week sanctioned jobseekers realised that their benefit had been stopped, their level of job search generally increased.

I think they're right in doing it. It's a kick to get you to go and get yourself a job.

[NDYP, Male, 22, 26 week sanction]

Definitely it works, it makes you pull your socks up and like you run around looking like a monkey.

[NDYP, Male, 21, 4 week sanction]

However, the level of jobsearch they engaged in, and the range of jobs they applied for, varied considerably.

Clients might:

- Look more for work and consider more jobs;
- Look for work all the time and consider anything at all, for example a chicken farm which was viewed as “*desperate jobs for desperate people*”;
- Look more, but only considering the same range of jobs, or a specific profession;
- Look for some jobs but give up when they do not get anywhere, and sit out the period of sanction.

It should be noted that some jobseekers had not previously looked seriously for work, so for them looking for any jobs at all was an increase in jobsearch activity brought about as a result of sanctioning.

NDPAs agreed that sanctions generally encouraged jobseekers to look for work, particularly the 26 week sanction; it was a ‘*jolt*’ which spurred them into action. It was felt that those who were working and claiming were encouraged to sign off.

I think that it is a big incentive into finding some alternative way of supporting themselves and I think people either do go into jobs or declare the jobs that they’ve already got.

[NDYP PA, Female]

However, it was felt by some NDPAs that those who were already looking may not be greatly affected as they were seeking work already, and this was the case for some jobseekers.

CASE STUDY

'Mark' is 23 years old and at the time of the interview he was living alone. He worked as a printer for four years after he left school, but left because he was not earning enough to live on. He signed on and did agency jobs when these were available. He had no qualifications other than a City and Guilds in numeracy and literacy, which he obtained after leaving school. His PA described him as having borderline learning difficulties, and as being unable to express himself articulately.

On New Deal Mark was told to go to ETF, although he had wanted to do a computer course. He was also referred to basic skills training. He went to ETF, and found that it mostly involved "sitting around", which he was not happy with. He asked his PA if he could change course, but was told that he could not. He stopped attending regularly, and was sanctioned, which he had been fully aware would happen.

He had continued to look for work whilst on the Option, and finally got a full-time, permanent position as an industrial cleaner three weeks after being sanctioned for 26 weeks. Although he had to travel a long way to get to work, he was in retrospect "happy" that he was sanctioned, as he now had a job, was earning money and did not have to go to the Jobcentre anymore.

6.3.2 Obtaining work

Some jobseekers found work after being sanctioned, and were still in employment at the time of the study. Others had looked for a job, but found only casual and short-term work; employment agencies were a major source of temporary work. Clients also found employment through personal contacts such as friends and family.

It is telling that although some jobseekers had been desperately looking for work, due to their sanction, they still could not find work, or could only obtain very short-term work on a casual basis. This may partly be due to a lack of (usually unskilled) work in the area, but could also be due to the jobseekers themselves, who are characterised by a lack of skills and qualifications, very limited work experience, and for some, a low motivation to work. Other barriers included poor social skills, learning difficulties, prison record, low confidence, and literacy and numeracy problems. These were all mentioned by advisers about various jobseekers who had received 26 week sanctions.

Some NDPAs recognised that their jobseekers were unlikely to find lasting employment unless they addressed some of these barriers. Although the sanctions may have caused the client to look for work, the barriers to lasting employment were still in place; in this sense the sanctions did not 'work'.

Sanctions are needed, but on the whole I don't think it's moving people forward, it's just making them come off benefit and back on. We're seeing the same clients over and over again I feel. Some of these people I've seen two or three times now on New Deal.

[NDYP PA, Female]

6.3.3 Going back on an Option

NDPAs felt that sanctions did help certain groups of jobseekers to start or go back onto their Option, and offered examples of this. Option Providers agreed that the 26 week sanctioning regime had improved attendance at their Options, and welcomed its introduction.

There was recognised to be a ‘hard core’ of jobseekers, however, who would not go to an Option whether they got sanctioned or not. These were felt to be “*basically people who are not interested*”. Once a client reached the 26 week sanction stage, both NDPAs and OPs felt they would be unlikely to return to the Option. If they were going to respond to the sanction by returning to the Option, they would already have done so.

The clients that don't want to go on the Option ... I'd say perhaps, I don't know, say 60%, if they decide they don't want to go and you stop their money, they still won't go. ... Because a lot of people see it like working for nothing ... they don't see it as sort of you know, work experience or something valuable, something they can put down on their CV. They just see it as, you know, 'why should I work full time for nothing?', so they don't see it as any value really. I mean if they've decided they're not going to do it, the fact that you're threatening them with stopping their money, that it still won't make any difference.

[NDYP PA, Female]

Some jobseekers did not even consider returning to the Option, because it just ‘wasn’t for them’. There was no way they were going to go back, and the sanctions were the price to pay for that.

It got to the 26 weeks, it was either doing the Painting & Decorating or the 26 weeks and I was scratching my head ... I really didn't like it. I made my decision.

[NDYP, Male, 22, 26 week sanction]

Other jobseekers did return for a day or so at a time as a response to sanctions, but ended up dropping out again. This occurred particularly where there was perceived to be a problem with getting to the Option, or with the Option itself. For example, if the Option was felt to be too far away, or if the work was “*boring*”. If the reason for their non-attendance had not been addressed, they were likely to drop out again.

Some may not in theory have been opposed to the idea of going to an Option, but rather were unhappy with the one they had been given. They were told by OPs and NDPAs that there was nothing that could be done, and so they did not return.

6.4 Engagement with ‘the system’

Clients were somewhat disengaged from ‘the system’ after sanctioning, particularly those who had 26 week sanctions. However, some jobseekers did maintain contact with the Jobcentre, and good relations with Employment Service staff. A few maintained a fairly positive view of New Deal, as described below.

Personal advisers also reported mixed responses from their jobseekers, with some responding ‘positively’ to sanctions:

We always let them know exactly from day one what the procedure is and what will happen if they don't do it. Some have turned round to me and said that's exactly the kick up the arse I needed, but also others have been sanctioned and finished their Options they just hate the Jobcentre,

they hate New Deal, they do whatever they have to do and sometimes it feels like they will choose not to get a job after completing their Options just to say you haven't won.

[NDYP PA, Male, Cardiff]

6.4.1 Jobcentre

Clients who continued signing on in order to claim hardship payments were by necessity still going to the Jobcentre, and some were still using it to look for jobs.

I still go in there and see my adviser. I still make the effort to get in there twice a week. I am still chasing the same number of vacancies.

[ND25 plus, Male, 40, 4 week sanction]

However, many jobseekers were vehemently opposed to the Jobcentre, and would avoid using it to look for jobs post sanction. In some cases this was due to negative feelings about their money being stopped by the Employment Service (though not necessarily towards their NDPA); others felt that the Jobcentre did not help people to find work, particularly those that felt they had been sent on a scheme which they viewed as being a 'waste of time'.

Forget about Jobseekers and just find a job yourself because I've done it without the Jobcentre and this job that I'm getting at [a supermarket], they could take me on for a few years and like if it does I'll be very proud of myself really because that Jobcentre, I thought that Jobcentre at first... was to help people but really... like my dad said 'if you want a job you've got to get a job yourself' and that's what I've done.

[NDYP, Male, 20, 26 week sanction]

6.4.2 New Deal

Although some jobseekers felt they might go back on the New Deal at some point, a strong theme of disengagement from the programme emerged post sanction. This disengagement often related to jobseekers' original expectations of the New Deal – the higher their expectations the more likely they seemed to be disappointed with the scheme after being sanctioned.

Well, I mean, at the time when it come around, New Deal, there were adverts on television, in the paper; they're going to help you. And I thought well, how can this help? I'm willing to do something and they're not finding anything and they're stopping my money for it. I thought well, if this wasn't around, New Deal, I probably would have never have got my money stopped.

[NDYP, Male, 22, 4 week sanction]

I felt that New Deal was there to help, and in a way it didn't. The way I understood it was, I was going to come off that training course and move on to another training course. That didn't happen. As soon as I was sanctioned, I lost confidence in the New Deal.

[ND25 plus, Male, 40, 4 week sanction]

For those who had not had positive expectations of the New Deal, their experiences had confirmed their negative opinion.

6.4.3 Short-term / long-term

The research explored whether these negative views were perceived as long or short term. Certainly some jobseekers felt they would return to the New Deal, but generally respondents felt they would prefer not to sign on if it meant taking part in the programme. Clients could be determined not to 'put themselves through that again'. They would get a job or sign off in order to avoid New Deal in the future.

I wouldn't get sanctioned again. I wouldn't go through that again. I wouldn't put myself through it... I'd have to get a job wouldn't I? I'd have to get any job, I'd have to. I'm looking for that job that I want. Hopefully I'll get it, then fair enough I don't get it, I'll have to get another job. I'll have to, even if it means working in [supermarket] or something like that. Which I'd hate doing, but I'd have to do something.

[NDYP, Male, 25, 26 week sanction]

6.4.4 Claiming benefits / signing on

NDPAs described a persistent 'hardcore' of jobseekers who were not motivated to work, and seemed content to continue claiming benefit. The experience of receiving sanctions did appear to put people who had received a 26 week sanction off signing on, in order to avoid the "hassle" they were receiving from the Employment Service. Some wanted to get off benefits as soon as possible, due to their sanctioning experience.

The New Deal, that's shown people, shown me, what's the point in not working - just to sign on to get all this crap.

[NDYP, Male, 22, 26 week sanction]

Others, whilst claiming to want a job, were planning to seek work only when their next turn on New Deal was approaching; they would rather receive benefits than work, as long as they could just go in and sign on. This view was echoed by advisers:

Once they get to the six-month sanction period I've had quite a few that have just signed off, they've just disappeared and then they try and reclaim. ... They'll come and try and make a new claim again within a few weeks, find out they're on new deal again and then disappear again. And they keep doing that, you know, sort of coming in, on and off benefits, to try and avoid New Deal.

[NDYP PA, Female, North Black Country]

Sanctions could make jobseekers feel that they could no longer rely on receiving benefits. This occurred particularly where they felt that the sanction was not justified, as they did not know how to ensure that they would not be sanctioned in the future.

I don't trust them [people at the Jobcentre] - I don't feel confident about them at all. I don't think I'd get a fair trial, I don't think I'd get a fair hearing, so I'd best get out because they just messed me about.

[NDYP, Male, 21, 4 week sanction]

ND25 plus respondents appeared more fearful of incurring future sanctions. This was due to not understanding why they had been sanctioned, and could lead them to view sanctions as both arbitrary and unfair. It was perceived that claiming benefit was no longer a reliable source of

income. This was particularly the case where respondents had been sanctioned because of miscommunication.

Sometimes they do mix up down the Jobcentre, I have found that out a few times, they send mail off to another address ... they lose them or misplace them, they don't get information right.

[ND25 plus, Male, 30]

In another example a respondent, who had been on ND25 plus, had been told by his NDPA and the Option Provider that he would not be sanctioned if he did not like the scheme he went on, and agreed to try it on that basis. However, when the Option did not work out he was sanctioned, which left him feeling nervous about agreeing to his NDPA's advice subsequently, including having reservations about applying for jobs in case things impacted negatively on him again.

I was cautious [in] what I was saying, even at [a job] interview. Because I was thinking if I say the wrong thing, will it get back, will it affect me again. Because I was dealing with one adviser and she was setting up the interviews, and I thought if I say the wrong thing here, is he going to get in touch with her, and I'm going to get into even worse bother by saying the wrong thing. So I was very cautious.

[ND25 plus, Male, 40, 4 week sanction]

6.4.4.1 Relations with NDPA

Being sanctioned did not seem to impact greatly upon the relationship the client had with their New Deal adviser. They either:

- already had a poor relationship, which became entrenched with sanctions;
- or,
- had a good relationship with their NDPA, and blamed the system (New Deal) rather than the adviser, who was felt to be 'just doing their job'.

A few jobseekers, however, felt that the sanctioning had impacted negatively upon relations with their adviser, as the trust between them had broken down:

It's not been too good, pretty cold actually. Neither of us know how to look at each other to be honest with you, because I let her down and she let me down, but it will get better. It's just that I've got no trust in her any more, I can't trust any of them, they let us down, they nearly killed us, I was hungry and they weren't listening so I have got no trust in them any more.

[NDYP, Male, 21, 4 week sanction]

6.4.5 The impact of sanctions on disadvantaged and/or vulnerable groups

Some people within the research sample could be defined as being in particularly disadvantaged or vulnerable groups. This was touched upon earlier in the report in terms of the likelihood of certain types of people getting into sustainable employment, even if sanctioning did cause them to look for work. This was borne out by the experiences of the 26 week sanctioned jobseekers who took part in this research. Of those who were defined as having at least one serious issue in terms of finding work, only one had found sustainable employment subsequent to their sanction.

Another was signing on but had started going to college. The rest either signed onto another benefit, or looked for work (to varying degrees). They may have found some short-term temporary work during the period of their sanction, but generally ended up either signing back on, or neither working nor claiming.

Some NDPAs saw this as a problem, with vulnerable people falling into difficulties as a result of losing benefits.

Sanctions, they do work but there's too many people who have got too many problems who shouldn't probably be signing on, they should be elsewhere because they're not capable of working for whatever reason. And unfortunately they are the ones that seem to be disappearing and slipping through the net and put in prison and things like that because the support's not there. Although we do have specialist help for drugs, alcohol, debt ... until the individual decides they've got a problem they're not going to go to it ... there are these people who are slipping through the net. Sometimes you don't always realise that you need help, do you? ... I think we need more flexibility within the gateway to address problems, yeah, its not just about presentation skills to get a job its also getting rid of the problems that prevent them keeping a job ... peer pressure, housing, all that sort of stuff.

[NDYP PA, Male, Cardiff]

An Option Provider also mentioned particular difficulties in relation to drug-users. As with NDPAs, this Option Provider described how it took time to find out what jobseekers' problems were:

Or should we be looking to help them more? ... what we do here is we do a lot of counselling, once we find out - we don't usually find out from the action plan - we usually find out you know by talking to the lads and they'll tell us they've got a problem. We start to try and put, with their permission, things in place - like getting counselling for them.

[Option Provider, Female, ETF]

This Option Provider described how her staff had to work around such underlying problems to get people to attend the Option. For example, by arranging late pick-ups for those who needed to get Methadone prescriptions at the usual time the van came to collect NDYP jobseekers to take them to the ETF site:

If they've got to pick up a prescription, say for Methadone, ... they're only allowed to go to the chemist every morning at 9 o'clock which is when they're supposed to catch the van, so they miss the van. But we do make exceptions you know that we would run them out, one of us in our car, up to the site after they've picked up their prescription. So we do try to work round them and we've been successful in a few cases of helping them off, off the addiction, and into work. So a lot of time and effort is put in, we do try to work round them if they've genuinely got an addiction.

[Option Provider, Female, ETF]

Another Option Provider remarked that jobseekers with serious personal problems did not make it to their Option and would not engage with the New Deal at all.

Their problems are that deep some of them that whether or not their friend has got a sanction doesn't bother them. They don't want to come in they just won't come in because of their personal problems.

[Option Provider, Female, ETF]

CASE STUDY

'Simon' was 22 years old. At the time of interview he was living with his mother and sister, but this was unlikely to last. Whilst participating in New Deal he had been living at a hostel for the homeless. The researcher perceived the respondent to have a drug problem. Since leaving school his longest period of employment had been two weeks at a local industrial plant. Job opportunities were thought to be scarce in the local and surrounding area.

He had been initially positive in connection with New Deal and felt the programme offered "a lot of bonuses", such as the provision of clothes for interviews, and help with jobsearch.

He had enjoyed a good relationship with his PA. Simon had chosen to do a garden-fencing course for his Option. He liked the course and had largely attended. During the three months on the Option he had 'got into a routine of getting up, catching the bus, going into town'. However, the course had subsequently closed due to the small number of participants. He had then been re-assigned to another garden-fencing course but had failed to start and had received a 2 and 4 week sanction. Simon had then started a painting and decorating course but after attending for 3 days, had left and had incurred a 26 week sanction for non-attendance. He had disliked the supervisors attached to the option and had felt that safety issues were being ignored.

After receiving the 26 week sanction he had visited his adviser and asked to be assigned to another course but had been refused. He was not aware that if he had returned to the option his benefit would be reinstated.

He had been very upset in connection with his loss of benefit, and had found work with "cowboy" companies. He had subsequently gone to prison, something he directly related to his receipt of a 26 week sanction.

Simon was due to start the New Deal again in the near future and felt that he would ensure that he was not sanctioned again, but was keen to enter employment in order to avoid the risk of incurring another sanction.

7 Views about the principle of sanctioning

Mixed views were encountered amongst respondents with regards to the principle of sanctioning. In many cases respondents felt that sanctions were a justified means of dealing with those not complying with New Deal. In these cases respondents perceived that sanctions indeed worked because it would force people to find a job if their benefits were withdrawn. However, few of those interviewed had found employment after receiving a sanction. In terms of ensuring jobseekers complied with the need to attend an Option, many of those sanctioned felt the threat of the withdrawal of benefit would make people comply and attend. Even though jobseekers were supportive of the principle of sanctions in general, they were unlikely to feel that they themselves should have been sanctioned.

Respondents were also asked about the sanctioning process. Generally jobseekers felt that stopping all benefit entitlement was 'too harsh' and that only a percentage of money should be withdrawn. Many of those that had received a 26-week sanction felt that this was too lengthy a period of 'punishment'. These respondents commented that the two and four week sanctions were long enough and that money should not be stopped for as long as 26 weeks. However, the threat of a 26-week sanction had not encouraged them to go on their Option or return to New Deal.

Those sanctioned under ND25 plus in this research sample were unlikely to support the principle of sanctions. In particular, they were unhappy about the introduction of 26-week sanctions to the ND25 plus programme. Respondents felt that whilst it was justified in some cases to withdraw a claimant's money for non-compliance, concerns were raised over the children of such people.

In nearly all cases staff supported the principle of sanctions. However, the extent of this support was found to be variable. Whilst some strongly supported sanctions as a needed "*wake up call*", others perceived sanctions to be "*a necessary evil*". In these cases advisers reported a clash between their personal beliefs and those required of them as an employee of the Employment Service. Whilst these advisers perceived a need for sanctions they were fearful of the impact of sanctions on jobseekers and their subsequent disappearance from the welfare system.

In a small number of cases advisers were less supportive of sanctions. They perceived their role within the Employment Service as one of offering support and help to jobseekers and felt that the use of sanctions had a negative impact. These advisers feared for the most vulnerable jobseekers. It was commented that some jobseekers did not have the capacity to comply with the requirements of New Deal, and would be sanctioned and consequently "*fall through the net*". These staff felt that although services were in place to help those that had problems, the onus depended on the advisers' abilities to recognise these problems and on the client themselves to ask for, and want, help.

Generally sanctions were deemed to work as a "*deterrent*" in all but the most "*hardcore*" of cases. Sanctions were perceived by many as beneficial as they got people to focus on looking for employment. Advisers reported that jobseekers were often fearful of sanctions and that towards the end of the Gateway period jobseekers would increase their jobsearch.

The staggered regime was supported by many advisers. However, it was felt that the two and four week sanctions were not stringent enough and the threat of a 26 week sanction was needed because jobseekers took such a long period without benefits more seriously. The NDPAs in our sample felt that their clients could cope with not having money for 2 or 4 weeks, but were very wary of losing benefits for 26 weeks.

Some NDPAs believed that sanctions were implemented too quickly in succession and so lost the staggered effect. Respondents that had received a 26-week sanction were often unaware that they had received 2 or 4 week sanctions prior to this.

Some advisers commented that the regime needed to be further tightened. It was felt that in some cases jobseekers had learnt to avoid New Deal and sanctions by utilising the '13-week rule'. There was a feeling amongst staff that jobseekers had learnt what excuses were found acceptable by ES and DMA and so managed successfully to avoid incurring sanctions. In these cases advisers were unhappy that referrals were often disallowed by DMA and suggested that the number of days sickness and domestic emergencies should be cut down in order that sanctions were faster and more direct.

It takes so long to get through the two sicknesses and four domestic emergencies that you're probably looking at two months before you can say seriously, 'look now if you don't go, this is going to start costing you money'.

[Personal Adviser, Male]

In the case of those with children a small number of advisers felt that the sanctioning regime was not stringent enough. It was felt that where hardship payments could be claimed these lessened the effect of both the threat and impact of sanctions. Others felt that it would be preferable to look at the problems behind long-term unemployment in order to help jobseekers rather than to sanction them.

8 Conclusions

It would be tempting to think of those who receive sanctions, particularly for 26 weeks, as being the difficult 'hard core' of Jobseekers. However, this research suggests a different picture. Clearly there were individuals who rejected the New Deal from the start and would have much preferred to sign on for benefits 'unhindered'. Equally there were many respondents in this study who had gone into the New Deal well motivated towards work and keen to get something out of the programme. There was also a third group – those who might be considered 'vulnerable' or in difficult situations, perhaps because they had learning difficulties or personal problems, and such people were unlikely to cope with a job if they could secure one. Consequently, the impact of sanctions could be quite different depending on the skills of the individual.

Awareness and understanding of the content of New Deal and the 26 week sanctioning regime was generally poor amongst sanctioned jobseekers, despite them having received written and verbal information about it. There appeared to be a communication breakdown regarding the sanctioning process. This might partly be explained by the lack of interest / understanding some individuals had in general, and possibly a lack of belief that sanctions would in fact be applied. However, it also seemed that in an effort to get the message about sanctions across to Jobseekers, NDPAs had oversimplified the regime. Similarly, the warning and decision letters did not appear to go into much detail about the implications of sanctions nor how they could be avoided. By contrast, the leaflet about sanctions could seem overly detailed and complicated to respondents who generally did not bother to read it.

Overall, the choice of Options on New Deal was felt to be limited; some jobseekers felt that they had been offered no choice at all. Certainly NDPAs observed that for some of their clients there was little that they could offer, in some cases because the client had few basic, or social, skills. Some sanctioned respondents in the sample did not start their Option at all, others began but quickly dropped out, and a small number stayed on the Option for a while but encountered difficulties. In general, the officially recorded reason for a client being sanctioned was 'non-attendance' at the Option, but in fact respondents described a multitude of reasons. For some individuals there appeared to be multiple explanations for becoming sanctioned which suggested that there were deeper underlying issues at play, with a general reluctance to take part in the New Deal at the core. However, for many others the reason was specific and possibly avoidable, for example ensuring that they notified their NDPA if they could not attend the Option interview, or the provision of more appropriate Options.

A major difficulty for those sanctioned respondents who were well motivated was the lack of choice afforded in the Options available to them **locally**. When faced with problems, such people were often happy to change Option but this did not seem to be a possibility for them and consequently they were sanctioned. It may have been that various Options had been explored prior to the end of Gateway, but jobseekers had little recollection of such discussions. Contacting the NDPA because there were problems on the Option could, therefore, appear pointless.

NDPAs described how they repeatedly mentioned the possibility of sanctions, although some were concerned that this might affect their relationship with jobseekers. Clients were very well aware of the existence of sanctions, but many did not seem to believe that their money would be stopped. Even so, there was a view that as sanctions were increasingly applied, word would spread that benefits were at risk for non-compliance. Option Providers mentioned that sanctioned individuals attending courses had challenged those who saw sanctions as an 'empty threat'. Having been sanctioned, respondents were then surprised at the length of time for which they lost benefits, partly because NDPAs talked about their money being stopped but the length of time did not seem to be getting across, either verbally or in writing.

One of the key features of the sanctioning regime for NDYP is the stepping up of sanctions for repeated breaches of the rules. This seemed to be poorly understood by sanctioned

respondents, perhaps because sanctions could overlap. However, the lack of understanding that the length of time would increase meant that some people only seemed aware that they had been sanctioned for 26 weeks, with no knowledge of the 2 and 4 weeks sanctions that had already been imposed. Consequently the threat of losing money for an extended period of time seemed lost on them.

The wide variation in the use of sanctions around the country, with three areas being markedly different from elsewhere in the comparatively high level of sanctions being applied to jobseekers, suggests that a level of discretion is being used by NDPAs. Although discretion is not officially recognised, NDPAs participating in this research did mention that they used an element of discretion in keeping with the management grade they held, and this **may** explain the discrepancy in sanctioning figures.

NDPAs noted that some jobseekers took longer to sanction as they knew how to 'work the system'. Some NDPAs wanted the sanctioning regime tightened up for such individuals. By contrast, others fell into sanctions more by ignorance, and NDPAs felt that such people were perhaps the more vulnerable and deserving of alternative help. Some NDPAs were beginning to question the appropriateness of JSA for individuals who were unlikely to secure a job, and felt that they should be on other benefits.

There was general support for the principle of sanctions. However, jobseekers tended to feel that 26 weeks was 'too harsh', whilst NDPAs and OPs thought it was a useful tool that was taken more seriously than 2 and 4 week sanctions. Indeed, some sanctioned jobseekers felt that being sanctioned had given them the 'push' they needed to get a job, whilst others felt that the sanction had been unfair.

Many had found some form of work post sanction, however few had entered employment that was sustainable. Hence, people who were sanctioned found the financial impact on them difficult to cope with and often relied on family for support. This, in turn, could affect their relationships at home, with arguments over money occurring in a way they had not pre-sanctions. Sanctioned respondents also talked about the emotional impact sanctions had on them personally, with depression, shame and stress being referred to. Such negative feelings were often transferred onto the New Deal, and some rejected Jobcentres and signed off, preferring to avoid the 'hassle' of the New Deal. Even so, some sanctioned jobseekers did maintain a good relationship with their Personal Adviser and continued to use the Jobcentre for jobsearch.

The different types of people who become sanctioned, and the variety of reasons behind their 'unauthorised absences' from Options, suggests a need to review how the sanctioning regime is working, and more specifically how it is communicated and applied. Broader than this, the range, quality and type of Options available on the New Deal also seemed to be a significant factor for individuals who became sanctioned. Various suggestions emanating from this research are outlined below.

8.1 Recommendations

The typology of 26 week sanctioned respondents outlined in this report suggest the need for different responses to sanctioned clients. The main group with which there would appear to be some scope for avoiding sanctions, is those who start out well motivated, either towards work or training, to take part in the New Deal, but subsequently become disillusioned.

However, implementing the recommendations should serve to increase understanding and encourage compliance with the New Deal amongst all sanctioned groups.

8.1.1 Communication

Between NDPA and client

- More communication about New Deal, Gateway, and requirements to attend Options
 - This might be better achieved in a group setting (particularly if individuals who have already been sanctioned are present who can confirm that sanctions are implemented)
- Simpler, but more detailed, explanations of the sanctioning process to help people fully understand what will happen, and how they can avoid being sanctioned, perhaps using diagrams and simple leaflets to explain the more complicated aspects
 - Emphasising the stepping up of sanctions
- Considering other methods of communicating information about sanctions to address the needs of people with literacy problems
- Ensuring clients understand the connection between their actions and the sanction as some people are not clear why they have been sanctioned due to the time it can take for a decision to be reached
- NDPAs need to 'sell' Options better, for example, explaining why the Voluntary Sector Option can be useful to clients
- Visits from NDPAs to their clients during Options

Between NDPA and Option Provider

- Tell OPs when people are sanctioned so they can warn people
- Better communication between NDPAs and OPs during Options to discuss the needs of particular clients

8.1.2 Options

- Offer a wider choice of options (perhaps by combining NDYP and ND25 plus participants on the same scheme)
- Better quality provision of Options (with spot checks on how schemes are being run and managed, particularly if they are leading to qualifications)
- More flexibility in changing Option if it does not prove suitable
- Consider free transport to all Options
- Increase the allowance to jobseekers attending the Option (some OPs were introducing this to good success and attendance had improved)
- More basic skills development - reading and writing was a major problem for some sanctioned people

8.1.3 Motivation-related

- Option to extend Gateway period at the discretion of adviser in response to occasions where the client genuinely needs more time to decide their next step and is moving forward, and for those with poor social skills and/or learning difficulties
- Offer incentives to finish Options (for example, an Option Provider offered free driving lessons once jobseekers completed 13 weeks of ETF; these were withdrawn if a client failed to attend)
- Offering jobseekers more meetings with advisers so they can discuss more options and increase their jobsearch
- NDPAs could find it very hard to get through to some jobseekers with severe difficulties, who were resistant to opening up, hence it could be difficult for NDPAs to help them – it may be necessary to consider whether some of these people should be on JSA and whether they are capable of obtaining work.

APPENDICES

APPENDIX 1 TOPIC GUIDE – SANCTIONED CLIENTS

APPENDIX 2 TOPIC GUIDE – NDPAs, CASE STUDIES

APPENDIX 3 TOPIC GUIDE – OPTION PROVIDERS

APPENDIX 4 TOPIC GUIDE – NDPAs, GROUP INTERVIEWS

APPENDIX 5 RESEARCH INVITATION LETTER

13 November 2000

Reference number:

Dear

I am writing to ask for your help with a research project. The Employment Service have recently changed the way in which people are expected to take part in the New Deal. We have asked an independent research organisation, BMRB, to find out what people think of these changes and what happens to people who do not attend New Deal Options. We are interested in your views on the changes, what affect they have on people, and the use of such approaches in the future.

Your name has been selected from our Agency records of people who have recently had a change in their benefits claim whilst taking part in the New Deal. A researcher may ask to interview you at some point in the next eight weeks and we would be grateful if you would take part. BMRB will also be talking to Personal Advisers and looking at the records they keep. The information they gather will remain confidential and the results of the research will be presented so that no-one will be able to identify you.

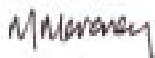
To thank you for taking part we will give you a gift of £25. **This will not affect your claim for benefits.**

This is an important opportunity for you to make your views known. However, if you prefer not to be contacted, please let me know by **Tuesday, 20th February**. You can telephone me, Maureen Moroney, on 0114 259 5471, or write to me at the above address. Please remember to give **your name, address and the reference number** written at the top of the letter.

Whatever you decide, I can assure you that it will not affect any dealings you have with the Employment Service or the Benefits Agency, either now or in the future.

I hope that you agree to take part in this study because your views are very important to the Employment Service. Unfortunately the interviewers will not have time to talk to everyone, so if you have not been contacted by June you will know that you have not been selected for an interview.

Yours sincerely



Maureen Moroney
Senior Research Officer

APPENDIX 6 RESEARCH INVITATION LETTER – 26 WEEK SANCTIONED CLIENTS ONLY

13 November 2000

Reference number:

Dear

I am writing to ask for your help with a research project. The Employment Service have recently changed the way in which people are expected to take part in the New Deal for Young People. We have asked an independent research organisation, BMRB, to find out what people think of these changes and what happens to people who do not attend New Deal Options. We are interested in your views on the changes, what affect they have on people, and the use of such approaches in the future.

Your name has been selected from our Agency records of people who have recently had a change in their benefits claim whilst taking part in the New Deal for Young People. A researcher may ask to interview you at some point in the next eight weeks and we would be grateful if you would take part. BMRB will also be talking to Personal Advisers and looking at the records they keep. The information they gather will remain confidential and the results of the research will be presented so that no-one will be able to identify you.

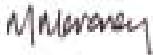
To thank you for taking part we will give you a gift of £25. **This will not affect your claim for benefits.**

This is an important opportunity for you to make your views known. However, if you prefer not to be contacted, please let me know by **Monday, 27th November**. You can telephone me, Maureen Moroney, on 0114 259 5471, or write to me at the above address. Please remember to give **your name, address and the reference number** written at the top of the letter.

Whatever you decide, I can assure you that it will not affect any dealings you have with the Employment Service or the Benefits Agency, either now or in the future.

I hope that you agree to take part in this study because your views are very important to the Employment Service. Unfortunately the interviewers will not have time to talk to everyone, so if you have not been contacted by January next year you will know that you have not been selected for an interview.

Yours sincerely



Maureen Moroney
Senior Research Officer

APPENDIX 7 CONDUCT OF THE ANALYSIS

Material collected through qualitative methods is invariably unstructured and unwieldy. Much of it is text based, consisting of verbatim transcriptions of interviews and discussions. Moreover, the internal content of the material is usually in detailed and micro- form (for example, accounts of experiences, inarticulate explanations, etc.). The primary aim of any analytical method is to provide a means of exploring coherence and structure within a cumbersome data set whilst retaining a hold on the original accounts and observations from which it is derived.

Qualitative analysis is essentially about detection and exploration of the data. Researchers 'make sense' of the data by looking for coherence and structure with the data.

Our analytical procedure works from verbatim transcripts (all interviews and mini-groups are tape-recorded in stereo) and involves a systematic process of sifting, summarising and sorting the material according to key issues and themes. We use a set of content analysis techniques, known as '**Matrix Mapping**', to ensure an optimum synthesis of findings from the verbatim data.

'**Matrix-Mapping**' begins with a **familiarisation stage** and would include both an executive researcher's review of the audio tapes and/or transcripts. Based on the coverage of the topic guide, the researchers' experiences of conducting the fieldwork and their preliminary review of the data, a **thematic framework is constructed**. The analysis then proceeds by **summarising and synthesising the data** according to this thematic framework using a range of techniques such as cognitive mapping and data matrices. When all the data have been sifted according to the core themes the analyst begins to **map the data and identify features within the data**: defining concepts, mapping the range and nature of phenomenon, creating typologies, finding associations, and providing explanations.

The mapping process is similar whichever of the above features are being considered. The analyst reviews the summarised data; compares and contrasts the perceptions, accounts, or experiences; searches for patterns or connections within the data and seeks explanations internally within the data set. Piecing together the overall picture is not simply aggregating patterns, but of weighing up the salience and dynamics of issues, and searching for structures within the data that have explanatory power, rather than simply seeking a multiplicity of evidence.

The key issues, and the features that underpin them, are then used as the basis for constructing an oral presentation and a written report. We use verbatim quotes to illustrate and illuminate the findings.

We have used, and refined, our analytical procedures over many years. They are highly respected by our government clients and are noted for their ability to extract the maximum information from qualitative data. Our methods are very robust and demonstrably able to stand up to public scrutiny. They have been used, for example, in the analysis of difficult and sensitive topics and have provided the analytical structure for many high profile pieces of work.

APPENDIX 8 CASE MAP