

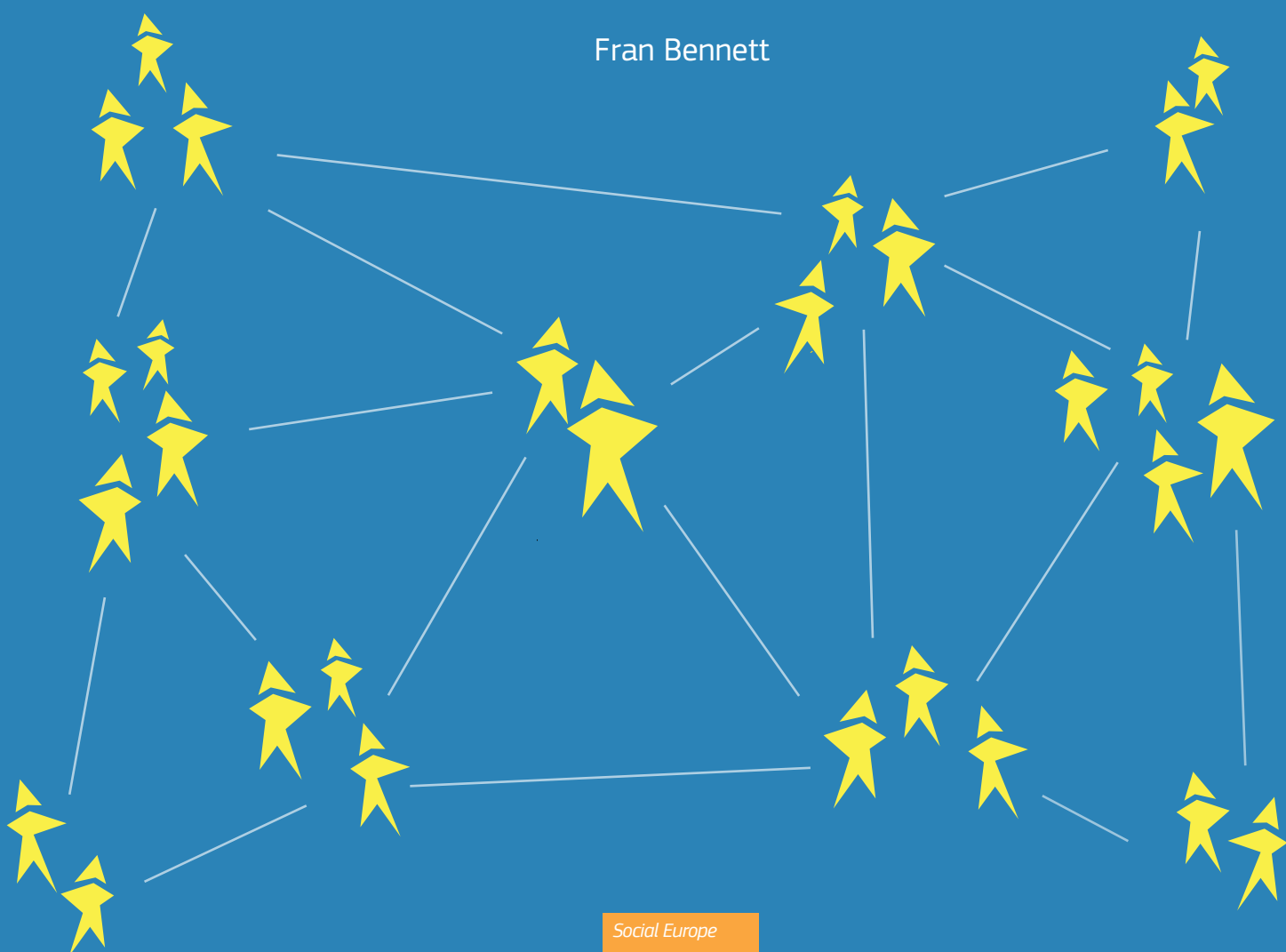


## EUROPEAN SOCIAL POLICY NETWORK (ESPN)

# Making access to social protection for workers and the self-employed more transparent through information and simplification

## United Kingdom

Fran Bennett



**EUROPEAN COMMISSION**

Directorate-General for Employment, Social Affairs and Inclusion  
Directorate D — Social Rights and Inclusion  
Unit D.2 — Social Protection

*Contact:* Flaviana Teodosiu

E-mail: [flaviana.teodosiu@ec.europa.eu](mailto:flaviana.teodosiu@ec.europa.eu)

*European Commission  
B-1049 Brussels*

**European Social Policy Network (ESPN)**

**ESPN Thematic Report on  
Making access to social  
protection for workers and the  
self-employed more  
transparent through  
information and simplification**

**United Kingdom**

**2022**

*Fran Bennett*

The European Social Policy Network (ESPN) was established in July 2014 on the initiative of the European Commission to provide high-quality and timely independent information, advice, analysis and expertise on social policy issues in the European Union and neighbouring countries.

The ESPN brings together into a single network the work that used to be carried out by the European Network of Independent Experts on Social Inclusion, the Network for the Analytical Support on the Socio-Economic Impact of Social Protection Reforms (ASISP) and the MISSOC (Mutual Information Systems on Social Protection) secretariat.

The ESPN is managed by the Luxembourg Institute of Socio-Economic Research (LISER) and APPLICA, together with the European Social Observatory (OSE).

For more information on the ESPN, see:

<http://ec.europa.eusocialmain.jsp?catId=1135&langId=en>

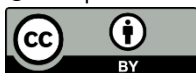
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## Summary

The purpose of this report is to identify and analyse policies put in place by the country to improve transparency in access to social protection, considering both access to information and simplification of access. The report focuses on the six social protection branches covered in the 2019 Council Recommendation on "Access to social protection for workers and the self-employed" (hereafter "2019 Council Recommendation") and covers policies and measures implemented between January 2017 and May 2022.

The main UK administrative body for benefits is the Department for Work and Pensions, responsible for the six branches of social protection covered here, meaning the system is simpler than in some countries, though devolved administrations have responsibility for some benefits. The Department's customer charter includes information and ease of access. Social partners do not have a significant role, but voluntary organisations and independent advice providers are active stakeholders.

Since 2017, and for a few years before, most policy effort has been directed at the phased introduction of Universal Credit, replacing six means-tested benefits with one integrated benefit, with little energy left for awareness-raising or reforms of non-means-tested benefits. Even in the COVID-19 pandemic contributory benefits were neglected. We know of no active push by government to remind people of their rights and obligations in the national insurance system; indeed, contributions are often treated as just a form of tax.

A wide range of information is provided for the public online by the government about different benefits, though voluntary organisations raise concerns about those who either cannot afford digital access or have limited or no digital literacy. Regular claimant surveys ask about information and easy access. But general and specific awareness raising campaigns are few and far between, unless these concern Universal Credit. The government's communications strategy also contains little about social protection benefits, although the Scottish Government is trying to forge a different relationship with claimants.

The main policy with simplification as an objective has been the introduction of Universal Credit, rather than any reforms in the six relevant branches of social protection, although in bereavement support weekly benefits have been replaced with lump sums. Simplification of payment of contributions for the self-employed has resulted in complications for claimants of maternity benefits. In applications, again the policy priority has been Universal Credit, with the government noting that legacy benefits have outdated IT systems. The first attempt to create a single identity portal for government services had to be replaced, and an experiment with pre-populating claim forms failed. There have to our knowledge been no take-up campaigns for non-means-tested benefits - other than for shared parental leave and pay, which continues to have low take-up.

There is a lack of clarity about the National Insurance system, not countered by the government. There is a live debate about whether to merge National Insurance contributions with income tax, which would arguably lead to less transparency about social insurance; but some think tanks now argue for re-emphasising income replacement benefits, at least for unemployment, because of experiences in the COVID-19 pandemic.

Transparency and simplification may be in tension in proposed reforms (e.g. of employer contributions) and the abolition of flat-rate contributions for the self-employed did not proceed. Current reforms include aligning the contributions threshold with the personal tax allowance and proposed changes include making health assessments simpler and cheaper by merging assessments for two different kinds of benefits. Improvements could include moving away from the emphasis on means-tested benefits - inherently limited in terms of transparency and simplification - and towards the focus on risk sharing and stake-holding embodied in social insurance. Third sector organisations have also suggested that claimants should be prompted that they have a right to advice and advocacy on benefits.

# **1 Current policies and practices to ensure information on, and to simplify access to, social protection for workers and the self-employed**

This report considers both workers (standard and non-standard) and the self-employed. Its purpose is to identify and analyse policies to improve transparency in access to social protection, considering both information and simplification. The report focuses on the six social protection branches covered in the 2019 Council Recommendation on “Access to social protection for workers and the self-employed” (hereafter “2019 Council Recommendation”) and covers policies and measures implemented between January 2017 and May 2022. In line with the 2019 Council Recommendation, the report focuses on unemployment benefits; sickness and healthcare benefits; maternity and equivalent paternity benefits; invalidity benefits; old-age benefits and survivors’ benefits; and benefits for accidents at work and occupational diseases.

Most benefits are administered across the UK by the Department for Work and Pensions, although the devolved administrations, in particular the Scottish Government, have some responsibilities. This means that the structure of the administration is already much simpler than in some other countries – although the volume of private provision, especially in the form of pensions, is a counterweight to this and makes the position more complicated. The Department of Health and Social Care is responsible for health benefits; but, as health care is free in the UK, these largely consist of free prescriptions and eye/dental care.

Since 1 January 2017, there have been few initiatives to the best of our knowledge to raise awareness about contributory benefits, and simplification of access rules has taken the form of changes in contributions in general rather than measures in the six specific branches. Most policy effort has gone into Universal Credit, which is replacing six existing means-tested benefits over time, but which is a general means-tested benefit and thus not in scope for this report. This has included awareness raising about Universal Credit in general, including via media advertisements, and more recently in relation to voluntary migration by claimants of other means-tested benefits. Universal Credit is intended to simplify access to these benefits by integrating six of them and to simplify access by being predominantly digital. The plan to migrate all such claimants to Universal Credit (between 2013 and currently the end of 2024) has left little policy energy to raise awareness of other benefits. The increase in National Insurance contributions (via a new health and social care levy) from 2022, seen as equivalent to an increase in taxation, also militates against the government drawing attention to the obligations of social insurance contributors. Indeed, there is instead a live debate about integrating income tax and National Insurance contributions, though with the major problem that this would involve a straightforward increase in the income tax rate (which the government is due to reduce in 2024).

## **1.1 Policies and practices to ensure access to information on social protection rights, entitlements and obligations**

### **1.1.1 Policies and practices to ensure access to general and personalised information**

There is a variety of government websites, and information is provided in a range of ways, including Braille.<sup>1</sup> A new tool for checking potential entitlement to benefits was produced

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<sup>1</sup> Available through <https://www.gov.uk/> and in particular <https://www.gov.uk/browse/benefits> (which gives an overview of benefits available for different situations, so that people can see which is applicable to them). It is easier to find information about provision in (12) different languages on the main Northern Ireland website about benefits (which are largely similar to those in the rest of the UK): <https://www.nidirect.gov.uk/information-and-services/help/alternative-languages>

by the government in mid-2022, which will be updated with other information in future.<sup>2</sup> There has been a particular focus on 'easy read' communications about benefits,<sup>3</sup> as part of a commitment to accessible communications.<sup>4</sup> In 2013, the Social Security Advisory Committee published a report about communications, including a chapter on languages other than English.<sup>5</sup> In 2017, a review of the sign language communications by the Department for Work and Pensions (DWP) was published by the union of interpreters.<sup>6</sup> A company was awarded a contract in April 2022 to provide interpretation and translation services for the DWP, including sign language.<sup>7</sup> In Wales, particular efforts are made to provide information about benefits in Welsh as well as English, and a Welsh speaker may be provided.<sup>8</sup> The Scottish Government provides information in alternative languages or formats and interpreters by a service number citizens can call.<sup>9</sup> The UK Government also provides guidance on using chatbots and webchats to improve users' experiences;<sup>10</sup> the DWP is using 'conversational platforms' as part of developing its telephony services;<sup>11</sup> Some queries can be addressed via Whatsapp by using a specific number, and are answered by an automated chatbot.<sup>12</sup>

The government publishes information not only about how to apply for benefits, but also about how to challenge benefit decisions. (This now involves an internal 'mandatory reconsideration' before going through the independent appeals system.)<sup>13</sup> And a website is dedicated to explaining the National Insurance system, which includes information on what liability people have to pay contributions in different situations.<sup>14</sup> This does not explain the reasons for the National Insurance system existing, however; neither does the information provided by the main think tank working on taxation, the Institute for Fiscal Studies.<sup>15</sup>

Local authorities also often see themselves as having a role in relation to benefits (though this varies by level of authority, and often political party control), with the organisation Policy in Practice acting as an advisory body to help them exploit their local data.<sup>16</sup> The UK social partners have no clear governance role within the social protection system, even though National Insurance contributions are paid by employees and employers as well as the self-employed. Although they can and do comment on social security issues, this probably results in less public debate about the social insurance system in the UK compared with some others. Access to social protection for people working as self-employed or on non-standard contracts (less likely to have their interests represented by unions or employers) was discussed in our report of 2017 for the ESPN on that topic, which stated that there is increasing concern about the rights of self-employed and non-standard workers. The self-employed are entitled to the majority of benefits which employees can

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<sup>2</sup> <https://www.gov.uk/check-benefits-financial-support>

<sup>3</sup> <https://accessibility.blog.gov.uk/2019/10/11/how-dwp-used-the-easy-read-format-to-make-its-content-more-accessible/>

<sup>4</sup> <https://www.gov.uk/government/publications/inclusive-communication/accessible-communication-formats>

<sup>5</sup>

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/324006/ssac\\_occasional\\_paper\\_11\\_report.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/324006/ssac_occasional_paper_11_report.pdf) (p62)

<sup>6</sup> <https://www.nubsli.com/nub-posts/dwp-market-review-communication-services/>. In 2011 there was also an equality impact assessment of interpreting services by the government itself.

<sup>7</sup> <https://www.interpreterslive.co.uk/dwp-confirms-new-bsl-supplier/>

<sup>8</sup> <https://www.gov.uk/government/organisations/department-for-work-pensions/about/welsh-language-scheme>

<sup>9</sup> <https://www.socialsecurity.gov.scot/benefits>

<sup>10</sup> <https://www.gov.uk/guidance/using-chatbots-and-webchat-tools>

<sup>11</sup> <https://www.benefitsandwork.co.uk/news/has-your-dwp-call-been-answered-by-a-%E2%80%98human-like%E2%80%99-voice>

<sup>12</sup> <https://wellhouseha.org.uk/benefits-information-available-via-whatsapp>

<sup>13</sup> <https://www.gov.uk/mandatory-reconsideration>

<sup>14</sup> <https://www.gov.uk/national-insurance/how-much-you-pay>

<sup>15</sup> <https://ifs.org.uk/taxlab/taxes-explained/national-insurance-contributions-explained>

<sup>16</sup> <https://policyinpractice.co.uk/local-authority-sector/>



get, except non-means-tested unemployment benefit, and many think that their contributions should be increased, especially as they have gained from new state pensions. Non-standard workers may find their rights to contributory benefits curtailed if they have several low-paid, low hours jobs in which contributions are not cumulated for rights.<sup>17</sup>

The voluntary or third sector is vigorous in the UK, however, and advice organisations are members of a stakeholder community with which the government debates policies and practices regularly (e.g. in the Operational Stakeholders Engagement Forum, with the Department for Work and Pensions). Citizens Advice and Citizens Advice Scotland have the most widespread network of advice centres (and hold a government contract in relation to initial Universal Credit advice).<sup>18</sup> Citizens Advice also provides independent information on challenging benefit decisions.<sup>19</sup> There is concern about the increasing emphasis on digitization of advice services leading to the exclusion of some groups, although many advice organisations continue to offer face-to-face and telephone advice.<sup>20</sup> For self-employed people, two of the main organisations that provide information and advice on the National Insurance system are the Low Incomes Tax Reform Group (part of the Chartered Institute of Taxation)<sup>21</sup> and MoneyHelper.<sup>22</sup>

The Department for Work and Pensions does not give advice on which benefits people should claim (e.g. whether they should migrate voluntarily to Universal Credit), but instead provides information for them to decide for themselves.<sup>23</sup> Its website now signposts potential claimants to benefit calculators on means-tested benefits run by independent organisations (from Turn2Us, Policy in Practice or entitled to, although alternatives are also available) to assess their eligibility and amount of benefit if any.<sup>24</sup> The key source of information on the benefits system is the Child Poverty Action Group's annual *Welfare Benefits and Tax Credits Handbook*.<sup>25</sup> This group and others provide training for welfare rights advisors (often employed by local authorities or NGOs) and others. The major network Rightsnet publishes guidance online about benefit entitlements and rights.<sup>26</sup> Rightsnet is primarily 'second tier', for advisors rather than claimants, but publishes a list of local advice sources.<sup>27</sup> Rightsnet also publicises the consolidated guidance from the Department for Work and Pensions about its approach to 'vulnerability' (including a list of life events and personal circumstances that may suggest such a position) and the targeted additional support it aims to provide for such claimants.<sup>28</sup> Several of the situations in the six branches of social protection are included here.

One of the strategic longer-term objectives for the Department for Work and Pensions is 'delivering excellent services for citizens and taxpayers'.<sup>29</sup> It has a customer charter, which includes 'keeping you informed' and 'easy access' as key principles, and sets out

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<sup>17</sup> <https://socialprotection.org/discover/publications/espn-thematic-report-access-social-protection-people-working-self-employed-or>

<sup>18</sup> <https://www.citizensadvice.org.uk/> and <https://www.cas.org.uk/>

<sup>19</sup> <https://www.citizensadvice.org.uk/benefits/benefits-introduction/problems-with-benefits-and-tax-credits/challenging-benefit-decisions/challenging-a-decision-by-the-dwp-or-hmrc/appealing-against-a-benefit-decision/>

<sup>20</sup> <https://www.tandfonline.com/doi/abs/10.1080/02673037.2019.1594709>

<sup>21</sup> <https://www.litrq.org.uk/tax-guides/self-employment/working-out-profits-losses-and-capital-allowances/what-business-0>

<sup>22</sup> <https://www.moneyhelper.org.uk/en/work/self-employment/tax-and-national-insurance-when-youre-self-employed>

<sup>23</sup> <https://www.gov.uk/browse/benefits>

<sup>24</sup> <https://www.gov.uk/benefits-calculators>

<sup>25</sup> <https://cpag.org.uk/shop/cpag-titles/welfare-benefits-tax-credits-handbook-202223>

<sup>26</sup> <https://www.rightsnet.org.uk/>

<sup>27</sup> <https://advice.local.uk/find-an-adviser>

<sup>28</sup> [https://www.rightsnet.org.uk/?ACT=39&fid=3&aid=1127\\_9dYjThKR7tVqm8FEYf0V&board\\_id=1](https://www.rightsnet.org.uk/?ACT=39&fid=3&aid=1127_9dYjThKR7tVqm8FEYf0V&board_id=1)

<sup>29</sup> <https://www.nao.org.uk/wp-content/uploads/2021/11/DWP-DO-2021.pdf> (p40)

corresponding duties on claimants (unrelated to paying social security contributions).<sup>30</sup> In addition to information on benefits for claimants, it publishes a guide for DWP decision makers which is easily available online, so it is possible to see the guidance for staff who make decisions on benefits;<sup>31</sup> and anyone interested can sign up for daily updates on Department for Work and Pensions policies and practices, including changes to this guide.<sup>32</sup>

The government carries out regular (quarterly, cross-sectional) surveys of claimant experiences and views 'to monitor claimant satisfaction with the services offered by the Department for Work and Pensions (DWP), and to enable claimant views to inform improvements to the delivery of benefits and services'. The latest of these (published in 2020) covered 2018-19, and was based on claimants who contacted the Department (i.e. not necessarily representative of all claimants). The data, which also compare figures for the three years since 2016/17, include information about the state pension, Employment and Support Allowance and Jobseeker's Allowance, amongst other benefits, and are based on aims included in the DWP's customer charter (see above).<sup>33</sup> Claimant satisfaction with ease of access remained broadly stable in 2018/19 at 71 per cent, compared with 72 per cent in both 2017/18 and 2016/17. More than seven in ten claimants also said that decisions were explained clearly. In terms of individual information about their own claim, the 'keeping you informed' metric improved to 76 per cent in 2018/19, from 73 per cent in 2016/17 and 70 per cent in 2017/18. Over nine in ten participants had digital access, but among these only some four in ten said they had used the internet for government digital services without help in the past three months.

From 2014, governments sent taxpayers an annual summary of how revenues from their direct taxation (including contributions) are spent. From 2020, these have instead been available online, unless specifically requested.<sup>34</sup> These summaries are individualised statements, with more general information in addition on the same website. National insurance contributions are described as a tax, with spending divided into functions.<sup>35</sup> Social protection is called 'welfare' (justified as being more accessible and easier to understand for the public). State pensions are separate, but public sector pensions are included in 'welfare': 'The social protection category follows UN Statistics guidance ... it therefore includes spending on items such as unemployment benefits, tax credits, public sector pensions and various benefits/support covering categories such as 'old age', 'sickness and disability', 'Housing', 'Family/Children' and 'personal social services'.<sup>36</sup>

There is no emphasis on the hypothecation of National Insurance contributions to pay for (or for individuals to qualify for) specific benefits. But there is still a link between contributions and benefits; and in practice (apart from a contribution to the National Health Service) contributions must be spent on national insurance benefits unless otherwise agreed by the government in office.<sup>37</sup>

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[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/292673/customer-charter-dwp.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/292673/customer-charter-dwp.pdf)

<sup>31</sup>

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/1046476/dmq-chapter-01.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1046476/dmq-chapter-01.pdf)

<sup>32</sup> [gov.uk.email@notifications.service.gov.uk](mailto:gov.uk.email@notifications.service.gov.uk) and [govuk-email-support@digital.cabinet-office.gov.uk](mailto:govuk-email-support@digital.cabinet-office.gov.uk)

<sup>33</sup> <https://www.gov.uk/government/publications/dwp-claimant-service-and-experience-survey-2018-to-2019--2>

<sup>34</sup> <https://www.gov.uk/government/publications/how-public-spending-was-calculated-in-your-tax-summary/how-public-spending-was-calculated-in-your-tax-summary>

<sup>35</sup> <https://www.imf.org/external/pubs/ft/qfs/manual/pdf/ch6ann.pdf> and (for 2020/21)

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/1003762/ESA\\_2021\\_CP\\_Chapter\\_5.xlsx](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1003762/ESA_2021_CP_Chapter_5.xlsx)

<sup>36</sup> <https://www.gov.uk/government/publications/how-public-spending-was-calculated-in-your-tax-summary/how-public-spending-was-calculated-in-your-tax-summary> (3).

<sup>37</sup> <https://commonslibrary.parliament.uk/research-briefings/sn04517/>

In January 2022, the government published the latest annual National Insurance Fund Uprating Report, by the Government Actuary's Department (GAD).<sup>38</sup> The latest quinquennial report on the long-term state of the National Insurance Fund (for Great Britain) was also published (based on the situation as at April 2020, with projections to 2085/86) in March 2022.<sup>39</sup>

The House of Commons library research briefings for MPs are now available to the public rather than only MPs – for social insurance contributions and benefits, see one report on how the National Insurance system works,<sup>40</sup> and also several others.<sup>41</sup> There is also a briefing on challenging benefit decisions.<sup>42</sup> Many such research briefings are updated regularly when appropriate. The House of Lords library also produces research briefings.<sup>43</sup>

The Social Security Advisory Committee (SSAC) is an advisory non-departmental public body sponsored by the Department for Work and Pensions that advises government on social security issues, in particular consulting on and scrutinising regulations (apart from those within a year of primary legislation) but also publishing independent reports.<sup>44</sup> For some years, until 2012, it also scrutinised information leaflets about benefits to advise the government, with the aim of improving the accessibility, accuracy and efficiency of services to the public; from then on, it has taken a more strategic advisory role of oversight in this area, unless it thinks new products are high risk:<sup>45</sup> 'Good communication is at the heart of any policy process. Without it, the delivery of public services would inevitably deteriorate. Communication should flow in all directions and not just top down; it is important that the 'voice' of stakeholders, customers and claimants is also heard and understood' (p5). The National Audit Office, which produces regular reports on government departments and activities, also argues that transparency is a crucial characteristic.<sup>46</sup>

Claimant groups and NGOs often raise issues of access to benefits for those on low incomes and with disabilities or lacking digital skills. These organisations include Citizens Advice,<sup>47</sup> the Disability Benefits Consortium<sup>48</sup> and (for those with mental health conditions) MIND.<sup>49</sup> However, these issues may be more likely to be raised in relation to means-tested benefits for those on low incomes. In addition to communicating with the Department for Work and Pensions, the organisations may give evidence to the Work and Pensions Select Committee, respond to consultations organised by the Social Security Advisory Committee and use the media to draw attention to such difficulties. The DWP may suggest that claimants or potential claimants obtain independent advice, and in relation to Universal Credit may mention in particular Citizens Advice and Citizens Advice Scotland, as there is a contract with these two organisations currently to provide help to claimants before their first payment. These and other voluntary organisations guard their independence carefully.

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<sup>38</sup> <https://www.gov.uk/government/case-studies/national-insurance-fund>

<sup>39</sup> <https://www.gov.uk/government/publications/government-actuaries-quinquennial-review-of-the-national-insurance-fund-as-at-april-2020>

<sup>40</sup> <https://commonslibrary.parliament.uk/research-briefings/sn04517/>

<sup>41</sup> <https://commonslibrary.parliament.uk/research-briefings/cbp-7918/>, <https://commonslibrary.parliament.uk/research-briefings/cbp-7919/> and <https://commonslibrary.parliament.uk/topic/economy-business/work-incomes/tax/national-insurance/>

<sup>42</sup> <https://commonslibrary.parliament.uk/challenging-benefits-decisions/>

<sup>43</sup> <https://lordslibrary.parliament.uk/>

<sup>44</sup> <https://www.gov.uk/government/organisations/social-security-advisory-committee/about>

<sup>45</sup>

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/324006/ssac\\_occasional\\_paper\\_11\\_report.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/324006/ssac_occasional_paper_11_report.pdf)

<sup>46</sup> <https://www.nao.org.uk/search/sector/government-efficiency-and-transparency/type/report/>

<sup>47</sup> <https://www.citizensadvice.org.uk/>

<sup>48</sup> <https://disabilitybenefitsconsortium.com/>

<sup>49</sup> <https://www.mind.org.uk/>

### **1.1.1.1 Unemployment benefits**

There are government websites available, structured in relation to specific benefits (in this case contribution-based (now New Style) Jobseeker's Allowance), including advice on how to claim.<sup>50</sup> There is also guidance relating to benefits for specific situations (in this case unemployment).<sup>51</sup> This benefit is a good example of the information the government provides for those who cannot apply online. The website contains a heading: 'If you cannot apply online or need alternative formats', under which it advises: 'Contact Jobcentre Plus if any of the following apply: you're aged 16 to 17; you need help applying; you need communications to be sent to you in an alternative format, such as braille, large print or audio CD'.<sup>52</sup> (There are similar sections in government websites about other benefits; but these will not necessarily signpost claimants to the Jobcentre when this is not relevant.)

Voluntary sector advice organisations are often turned to by claimants and have their own websites.<sup>53</sup>

New Style Jobseeker's Allowance is not available to the self-employed, who can only claim relevant means-tested benefits (now Universal Credit).

### **1.1.1.2 Sickness and healthcare benefits**

Many employees off work due to sickness are entitled to Statutory Sick Pay (paid by their employer, and no longer refunded by the government). There is guidance to rights online for claimants,<sup>54</sup> including an overview, and sections on 'what you'll get', 'eligibility' and 'how to claim'.

In addition to websites about specific benefits, the Department for Work and Pensions also has websites aimed at potential claimant groups – for example, in this case those who are temporarily unable to work or who are disabled or have health conditions.<sup>55</sup> See above (1.1.1.1) for advice for those who cannot apply online.

Healthcare benefits are the responsibility of the Department of Health and Social Care.<sup>56</sup> In particular, it issues information on free prescriptions for medicines, which can be obtained by people in a range of categories / with certain conditions and/or on low-income benefits, and the National Health Service (NHS) has a website describing these.<sup>57</sup> The NHS constitution sets out rights for patients, public and staff.<sup>58</sup>

### **1.1.1.3 Maternity and equivalent paternity benefits**

Online information is provided by the government,<sup>59</sup> including on how to claim, and separately by independent organisations such as Citizens Advice.<sup>60</sup> See above (1.1.1.1) for advice for those who cannot apply online.

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<sup>50</sup> <https://www.gov.uk/guidance/new-style-jobseekers-allowance> and <https://www.gov.uk/jobseekers-allowance/apply-new-style-jsa> and in Northern Ireland <https://www.nidirect.gov.uk/services/claim-new-style-jobseekers-allowance>.

<sup>51</sup> <https://www.gov.uk/browse/benefits/looking-for-work>

<sup>52</sup> <https://www.gov.uk/jobseekers-allowance/apply-new-style-jsa>

<sup>53</sup> See e.g. <https://www.turn2us.org.uk/Your-Situation/Looking-for-work> and <https://www.citizensadvice.org.uk/benefits/help-if-on-a-low-income/jobseekers-allowance-jsa/before-you-claim-jsa/check-if-you-can-get-jsa/> for two of the best known

<sup>54</sup> <https://www.gov.uk/statutory-sick-pay> and for employers <https://www.gov.uk/employers-sick-pay>

<sup>55</sup> <https://www.gov.uk/browse/benefits/unable-to-work> or for those who are disabled or have health conditions. <https://www.gov.uk/browse/benefits/disability>

<sup>56</sup> <https://www.gov.uk/government/organisations/department-of-health-and-social-care>

<sup>57</sup> <https://www.nhs.uk/nhs-services/prescriptions-and-pharmacies/who-can-get-free-prescriptions/>

<sup>58</sup> <https://www.gov.uk/government/publications/the-nhs-constitution-for-england>

<sup>59</sup> <https://www.gov.uk/maternity-paternity-pay-leave>

<sup>60</sup> <https://www.citizensadvice.org.uk/work/rights-at-work/parental-rights/parental-rights-at-work/>

#### **1.1.1.4 Invalidity benefits**

On contribution-based (now New Style) Employment and Support Allowance, the government again provides websites with information about this benefit (including about how to claim) and about this situation.<sup>61</sup> It is possible to apply for New Style Employment and Support Allowance online or by telephone.<sup>62</sup> See above (1.1.1.1) for advice for those who cannot apply online.

#### **1.1.1.5 Old-age benefits and survivors' benefits**

It is necessary to claim the state pension, which is not paid automatically; but claimants should receive a letter alerting them to claim, or they can make contact if they are not notified.<sup>63</sup> The quickest way to claim is online; but it is possible to phone for a claim form and post this back. (Claiming processes differ for those in Northern Ireland.)<sup>64</sup> Age UK and other voluntary and welfare rights organisations also provide advice.<sup>65</sup>

The Money and Pensions Service is an arm's-length body sponsored by the Department for Work and Pensions, set up in 2019 by merging other organisations. It gives guidance on pensions specifically, but also more broadly focuses on financial capability and debt advice.<sup>66</sup> It developed the UK Strategy for Financial Wellbeing (2020-2030).<sup>67</sup> This has five aims, but focuses on financial education, dealing with debt and saving, 'making the most of ... money and pensions', as this is described, rather than on social protection per se.

One reason given for the reform of the pension system in 2016, which introduced the new state pension, was to make it more transparent, by substituting a solely flat-rate pension for partly earnings-related provision.<sup>68</sup>

The Department for Work and Pensions has a website dedicated to support for the bereaved.<sup>69</sup> In addition to the range of organisations that give advice on benefits in general (e.g. Citizens Advice),<sup>70</sup> NGOs such as AgeUK also provide specific information, with local branches that may give individual advice.<sup>71</sup>

See above (1.1.1.1) for advice for those who cannot apply online.

#### **1.1.1.6 Benefits in respect of accidents at work and occupational diseases**

The Industrial Injuries Advisory Council advises government on accidents at work and occupational diseases.<sup>72</sup> It publishes guidance on claiming industrial injuries disablement benefit (and other related benefits) on its website.<sup>73</sup> As with other benefits, the website includes sections on 'Overview', 'What you'll get', 'Eligibility', and 'How to claim'; this one also includes 'Report a change in circumstances' and 'Further information'. See above (1.1.1.1) for advice for those who cannot apply online.

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<sup>61</sup>See <https://www.gov.uk/guidance/new-style-employment-and-support-allowance> and <https://www.gov.uk/guidance/new-style-employment-and-support-allowance-detailed-guide> for the benefit and <https://www.gov.uk/financial-help-disabled/disability-and-sickness-benefits> for the situation.

<sup>62</sup> <https://www.apply-new-style-employment-support-allowance.dwp.gov.uk/eligibility-start>

<sup>63</sup> <https://www.gov.uk/new-state-pension/how-to-claim> and <https://www.gov.uk/get-state-pension>

<sup>64</sup> <https://www.nidirect.gov.uk/articles/ways-claim-state-pension>.

<sup>65</sup> <https://www.ageuk.org.uk/information-advice/money-legal/pensions/state-pension/new-state-pension/> and <https://www.turn2us.org.uk/Benefit-guides/New-State-Pension/How-do-I-claim-New-State-Pension>

<sup>66</sup> <https://moneyandpensionservice.org.uk/>

<sup>67</sup> <https://moneyandpensionservice.org.uk/wp-content/uploads/2020/01/UK-Strategy-for-Financial-Wellbeing-2020-2030-Money-and-Pensions-Service.pdf>

<sup>68</sup> <http://www.dwp.gov.uk/docs/state-pension-21st-century.pdf>

<sup>69</sup> <https://www.gov.uk/browse/benefits/bereavement>

<sup>70</sup> <https://www.citizensadvice.org.uk/benefits/claiming-bereavement-support-payment/>

<sup>71</sup> <https://www.ageuk.org.uk/information-advice/money-legal/benefits-entitlements/bereavement-benefits/>

<sup>72</sup> <https://www.gov.uk/government/organisations/industrial-injuries-advisory-council>

<sup>73</sup> <https://www.gov.uk/industrial-injuries-disablement-benefit>

### 1.1.2 General awareness-raising campaigns

The government communications service works across government departments, so is not relevant only to social protection. The government communications plan for 2019/20 listed major 2019/20 campaigns.<sup>74</sup> It listed eight of these for the Department for Work and Pensions, of which four concerned private pensions, and one Universal Credit. These were therefore not in scope for this report. There were none about other state benefits, and the 2019/20 plan had no section on social security, with the 2021/22 plan having no mention of benefits as far as we can see. But 2019 saw the first introduction of 'easy read' guides for benefits and services administered by the Department for Work and Pensions, which are now widespread.<sup>75</sup>

To the best of our knowledge, there have not been any awareness campaigns to promote take-up of National Insurance benefits since 2017. The government focuses on take-up of means-tested benefits instead. It has not produced take-up statistics for Universal Credit to date, however, citing technical difficulties due to the transition, and has just stopped producing take-up estimates for working age means-tested benefits in addition, for similar reasons.<sup>76</sup>

The Scottish Government in 2019 developed a separate claimant charter through participatory panels of service users for those benefits it delivers, which emphasises dignity, fairness and respect as key principles for the benefits system.<sup>77</sup> It describes social security as 'an investment in the people of Scotland'; declares that 'social security is itself a human right and essential to the realisation of other human rights'; and states that the system will be designed with the people of Scotland on the basis of evidence. This means that the benefits system - which is called social security, rather than 'welfare' - has a higher and more positive profile in Scotland, which is likely to lead to greater awareness.

#### 1.1.2.1 Unemployment benefits

How the National Insurance system works has not been the subject of a general awareness-raising campaign in recent years. Indeed, the opposite could be said to be the case. Policy energy has been absorbed almost entirely by Universal Credit, including in relation to communications with the public, and (for example, during the lockdown periods of the COVID-19 pandemic, when many people lost their jobs) the emphasis on what could be claimed in situations of low income or joblessness was on Universal Credit rather than on national insurance benefits, including in this case New Style Jobseeker's Allowance in particular. In addition, the furlough scheme arguably had to be developed because of the neglect and low level of contributory Jobseeker's Allowance; and the temporary pandemic related increase in Universal Credit was not extended to either 'legacy' benefits or contributory benefits such as this: 'of the 850,000 increase in the claimant count, just 100,000 of this increase was accounted for by claiming Jobseeker's Allowance. The rest of the increase in the claimant count was for Universal Credit' ... 'contributory social security benefits appear, to a substantial extent, to have been bypassed'.<sup>78 79</sup>

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<sup>74</sup> <https://communication-plan.gcs.civilservice.gov.uk/wp-content/uploads/2019/04/Government-Communication-Plan-2019.pdf> (pp44-45); and for 2021/22 <https://communication-plan.gcs.civilservice.gov.uk/>

<sup>75</sup> <https://accessibility.blog.gov.uk/2019/10/11/how-dwp-used-the-easy-read-format-to-make-its-content-more-accessible/>

<sup>76</sup> <https://www.gov.uk/government/collections/income-related-benefits-estimates-of-take-up--2>

<sup>77</sup> <https://www.gov.scot/binaries/content/documents/govscot/publications/advice-and-guidance/2019/01/charter/documents/charter-expect-scottish-government-social-security-scotland/charter-expect-scottish-government-social-security-scotland/govscot%3Adocument/00545455.pdf>

<sup>78</sup> <https://blogs.bath.ac.uk/iprblog/2020/05/22/covid-19-and-the-bypassing-of-contributory-social-security-benefits/>; and for an example of this bypassing by stakeholders outside government, see <https://ifs.org.uk/publications/15501>.

<sup>79</sup> See also <https://ec.europa.eu/social/BlobServlet?docId=22626&langId=en> about the measures taken in the COVID-19 pandemic

### 1.1.2.2 Sickness and healthcare benefits

See 1.1.1.2 above for general information. As far as we know, no general awareness-raising campaigns have been undertaken in recent years, although debates about Statutory Sick Pay have become more common during the COVID-19 pandemic.<sup>80</sup>

The main awareness-raising campaign in relation to healthcare benefits was to warn patients not to tick the box claiming that they are entitled to free prescriptions without checking that this is the case in practice ('Check before you tick' in 2018); this was instead more of an anti-fraud measure, therefore.<sup>81</sup>

### 1.1.2.3 Maternity and equivalent paternity benefits

The government launched a 'Share the Joy' campaign in 2018 to promote the take-up of Statutory Shared Parental Leave and Pay - not parental leave, which is a separate provision, but take-up by partners of part of maternity or adoption leave and pay.<sup>82</sup> Other than this, fathers have only two weeks of paternity leave, paid at a low flat rate. This campaign was about the option for parents of transferring leave and pay to each other, however, rather than in itself aiming at increasing awareness of leave and pay themselves. It was aimed at parents who had employers and were entitled to such leave, and was said by the Government to be part of its efforts to raise awareness of employment rights. Self-employed workers cannot get such leave, and non-standard workers are less likely to be entitled; if the mother is not entitled to maternity leave and pay, the father cannot have this transferred to him for part of the time. The campaign was conducted through digital website advertising, social media, and advertisements in train stations and on commuter routes. A new website provided detailed information and guidance. Individual parents shared their experiences of sharing parental leave and pay as part of the campaign.

However, take-up is in many estimates below 5 per cent of eligible partners.<sup>83</sup> The Government does not collect take-up figures itself, although in its campaign it mentioned that take-up could have been as low as 2 per cent and that around half of the general public were unaware that the option exists for parents.<sup>84</sup> It now says that take-up is 'broadly in line with' 2 to 8 per cent of eligible couples, as forecast in 2015, and that it has increased each year.<sup>85</sup> One article in 2020 based on a small poll suggested that 7 per cent of eligible parents might be using it by then.<sup>86</sup> Criticisms made of this scheme by NGOs and others include the low level of pay for partners taking this up. In addition, the Women's Budget Group argued that 'the shared parental leave policy introduced ... in 2015 is based on a transfer of maternity leave to the second parent. Transfer of leave models are known to have very limited impact on fathers' take-up of parental leave. 'Default policy option' models that provide both partners with an equal share of leave, some of which is transferable, have been shown to be more effective at promoting more gender equal caring'.<sup>87</sup>

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<sup>80</sup> <https://ec.europa.eu/social/BlobServlet?docId=22626&langId=en>

<sup>81</sup> <https://www.england.nhs.uk/2018/09/nhs-england-launches-campaign-urging-patients-to-check-before-you-tick-for-free-prescriptions/>

<sup>82</sup> <https://www.gov.uk/government/news/new-share-the-joy-campaign-promotes-shared-parental-leave-rights-for-parents> and [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/742759/SP\\_L\\_Having\\_a\\_baby\\_HMG\\_FV.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/742759/SP_L_Having_a_baby_HMG_FV.pdf)

<sup>83</sup> <https://www.theguardian.com/money/2016/apr/05/shared-parental-leave-slow-take-up-fathers-paternity/>

<sup>84</sup> [https://www.leavenetwork.org/fileadmin/user\\_upload/k\\_leavenetwork/country\\_notes/2021/UK.final.edited\\_pm.22july2021.pdf](https://www.leavenetwork.org/fileadmin/user_upload/k_leavenetwork/country_notes/2021/UK.final.edited_pm.22july2021.pdf)

<sup>85</sup> Parliamentary Under Secretary of State for Business, Energy and Industrial Strategy, in debate in House of Commons (*Hansard*, 22 March 2022, col. 99WH)

<sup>86</sup> <https://www.peoplemanagement.co.uk/article/1742226/can-shared-parental-leave-ever-work>

<sup>87</sup> <https://wbg.org.uk/wp-content/uploads/2021/10/Parental-leave-PBB-Autumn-2021.pdf>

#### 1.1.2.4 Invalidity benefits

The NGO sector is particularly active in relation to benefits for those with disabilities, including those resulting in partial or total incapacity for work. Specialist organisations exist for different conditions; but their engagement with government is often through the Disability Benefits Consortium, which analyses access and information issues amongst others and advocates for changes.<sup>88</sup> In 2021 the government published a Green Paper on the future of health and disability benefits.<sup>89</sup> But the National Disability Strategy was declared unlawful by the High Court because of insufficient consultation with people with disabilities.<sup>90</sup>

The work of the relevant Select Committees can be crucial in ensuring transparency of information about the social security system. In early 2022, for example, the Work and Pensions Select Committee published a research report on the uses of health and disability benefits for additional costs<sup>91</sup> that the government had not published.<sup>92</sup> The report found that the way these benefits were used by people with disabilities was influenced by wider circumstances; some people with restricted financial circumstances were still unable to meet essential living costs; and participants with very limited financial resources in particular said that an increase in benefit payments would improve their overall wellbeing.<sup>93</sup> The government argued that it did not publish the report itself because it needed a space for private policy discussions.

In addition, some of the most controversial issues in this area in invalidity benefits include incidents in which individuals have been unable to access benefits related to incapacity to work, in particular when these may have been stopped and contact has not successfully been made with the claimant, and there has been death or serious harm.<sup>94</sup> Disability organisations have been active on this issue;<sup>95</sup> and the Work and Pensions Select Committee interviewed the Secretary of State about it.<sup>96</sup> In these instances, public awareness spreads via the media, social media, NGOs and Select Committees about how the benefits system is not working well, and this can lead to calls and sometimes campaigns for improvements. It seems important to record this public experience and knowledge alongside any government awareness-raising campaigns.

#### 1.1.2.5 Old-age benefits and survivors' benefits

As far as we know, there have been no awareness-raising campaign to increase take-up of the state pension since 2017, although there is information online about how to claim<sup>97</sup> and how the new state pension (available to those claiming since 2016) is calculated.<sup>98</sup> However, the government has just started a campaign to increase the take-up rate of

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<sup>88</sup> <https://disabilitybenefitsconsortium.com/>

<sup>89</sup> <https://www.gov.uk/government/consultations/shaping-future-support-the-health-and-disability-green-paper/shaping-future-support-the-health-and-disability-green-paper>

<sup>90</sup> <https://www.disabilityrightsuk.org/news/2022/january/national-disability-strategy-declared-unlawful-disability-rights-uk-comment>

<sup>91</sup> <https://committees.parliament.uk/committee/164/work-and-pensions-committee/news/160750/disabled-peoples-experiences-of-the-benefits-system-committee-publishes-government-commissioned-research/>

<sup>92</sup> <https://committees.parliament.uk/publications/8745/documents/88599/default/>

<sup>93</sup> See also response from Disability Benefits Consortium, a coalition of disability organisations: <https://disabilitybenefitsconsortium.com/2022/02/03/dbc-responds-to-the-uses-of-health-and-disability-benefits-repo>

<sup>94</sup> E.g. see <https://www.theguardian.com/society/2020/jan/28/disabled-man-starved-to-death-after-dwp-stopped-his-benefits>

<sup>95</sup> <https://www.disabilityrightsuk.org/news/2021/may/82-benefit-claimants-have-died-after-some-alleged-dwp-activity-such-termination>

<sup>96</sup> <https://committees.parliament.uk/work/426/safeguarding-vulnerable-people-how-dwp-learns-lessons-from-serious-cases/>

<sup>97</sup> <https://www.gov.uk/get-state-pension>

<sup>98</sup> <https://www.gov.uk/new-state-pension/how-to-claim>



Pension Credit (the main means-tested benefit for pensioners).<sup>99</sup> The campaign was directed at people of pension age. Starting in April 2022, the Government planned to advertise Pension Credit in internet search results and on social media, before expanding the campaign to national and regional newspapers. Leaflets are also being distributed in local communities. Businesses can get involved in the campaign by spreading the word to their customers using the digital toolkit and encouraging them to claim.<sup>100</sup> Despite a recent increase in the rate of Pension Credit take-up,<sup>101</sup> there were continuing concerns amongst stakeholders about low take-up,<sup>102</sup> and calls for awards to be automatic.<sup>103</sup>

### **1.1.2.6 Benefits in respect of accidents at work and occupational diseases**

As far as we know, there have not been recent initiatives to raise awareness about benefits in respect of accidents at work and occupational diseases, although the House of Commons library published an overview of them in 2021.<sup>104</sup>

## **1.2 Policies and practices to simplify access to social protection**

### **1.2.1 Simplification objective embedded in reforms of social protection schemes**

As noted above, the major effort to simplify the social protection system via reforms has gone into the phased introduction of Universal Credit since 2013, whatever the implicit irony in trying to simplify benefits via the most complex of processes (means testing). Even if it is complex to calculate entitlement via contribution records, for example, this takes place backstage, rather than involving claimants in complicated processes of evidence collection – although some procedures are similar for both contributory and means-tested benefits, in terms of fulfilling conditions of access such as availability for work or incapacity.

The Scottish Government has introduced a charter for social security claimants (see above), which sets out as one of its principles ‘to make communications, processes and systems as simple and clear as possible by testing them with the people who will use them’. However, benefits in the six branches of social protection that are the focus of this report are reserved to the Westminster government.

#### **1.2.1.1 Unemployment benefits**

See above. During the COVID-19 pandemic, there were times when conditionality no longer applied to unemployed people; these measures were largely introduced for other reasons than simplification, though they may have made processes manageable for staff and made procedures simpler for claimants. (See our 2021 report on COVID-19 measures.)<sup>105</sup>

#### **1.2.1.2 Sickness and healthcare benefits**

The government might argue that its proposal to restrict free prescriptions for the elderly to those who have reached state pension age (which is increasing), rather than at age 60

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<sup>99</sup> <https://www.gov.uk/government/news/eligible-pensioners-urged-to-apply-for-pension-credit-in-new-campaign>; and see <https://www.pensionsage.com/pa/DWP-launches-campaign-on-pension-credit-as-concerns-around-low-take-up-persist.php>

<sup>100</sup> <https://www.gov.uk/government/news/eligible-pensioners-urged-to-apply-for-pension-credit-in-new-campaign>

<sup>101</sup> <https://www.politicshome.com/thehouse/article/the-government-is-boosting-takeup-of-pension-credit-and-our-parliamentary-colleagues-can-help-us>,

<sup>102</sup> <https://www.ageuk.org.uk/discover/2020/06/pension-credit-problem/>

<sup>103</sup> <https://www.thisismoney.co.uk/money/pensions/article-10664609/Pension-credit-automated-needy-older-people.html>

<sup>104</sup> <https://commonslibrary.parliament.uk/industrial-injuries-benefit/>

<sup>105</sup> <https://ec.europa.eu/social/BlobServlet?docId=22626&langId=en>

as at present,<sup>106</sup> will simplify and clarify the conditions for receipt; some older people may disagree, and relevant NGOs have already done so.<sup>107</sup>

### **1.2.1.3 Maternity and equivalent paternity benefits**

Whilst parental leave is not included in this report, it could be argued that the new scheme of statutory shared parental (and adoption) leave and pay from 2015 has complicated rather than simplified the system of maternity benefits, as partners are required to reduce the mother's period of maternity leave and pay in order to take this.<sup>108</sup>

### **1.2.1.4 Invalidity benefits**

As noted above, it has recently become possible for doctors to sign sickness certificates ('fit notes') digitally.<sup>109</sup> Longer-term claimants are more likely to have assessments of their capacity to work (see below, 'Ongoing or planned reforms', about health assessments).

### **1.2.1.5 Old-age benefits and survivors' benefits**

The new state pension was introduced in 2016, before the relevant period for this report.<sup>110</sup> This was described by the then government (in its consultation in 2010) as a simplification.<sup>111</sup> It abolished earnings-related provision entirely from the state pension system.<sup>112</sup> However, seeing this as solely simplification would be to leave out of account private provision as an alternative, including auto enrolment, introduced in 2012.<sup>113</sup> Using an opting out system, this was introduced to try to ensure that most of those in employment (not the self-employed) have access to private pensions via their work – made more necessary as the state moved towards solely flat-rate provision. This system is arguably more complex than the state calculating and awarding earnings-related provision, although the Government could well argue that to pose these as alternatives is unhelpful.

Bereavement payments are contributory but not means tested, and used to comprise a lump sum for those below pension age losing a spouse or civil partner, a taxable weekly benefit for bereaved parents and a temporary taxable weekly allowance for those without children. In 2017 the government reformed benefits for bereavement, to introduce the Bereavement Support Payment. This removes bereavement benefits from taxation and from means tests but gives a series of lump sums over the first year (larger for those with children) rather than continuous benefits for parents.<sup>114</sup> The Social Security Advisory Committee 'welcome[d] most aspects of this change, including the commitment to enhanced simplicity'.<sup>115</sup> (Subsequently an Order has been made to extend the payment to cohabiting couples.)<sup>116</sup>

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<sup>106</sup> <https://www.gov.uk/government/consultations/aligning-the-upper-age-for-nhs-prescription-charge-exemptions-with-the-state-pension-age/aligning-the-upper-age-for-nhs-prescription-charge-exemptions-with-the-state-pension-age> (updated in September 2021)

<sup>107</sup> <https://www.ageuk.org.uk/latest-press/articles/2021/scrapping-free-prescriptions-for-over-60s-a-kick-in-the-teeth-both-for-poorly-older-people-and-the-nhs/>

<sup>108</sup> <https://www.gov.uk/shared-parental-leave-and-pay>

<sup>109</sup> <https://www.gov.uk/government/collections/fit-note/>

<sup>110</sup> <https://www.gov.uk/new-state-pension>

<sup>111</sup> <http://www.dwp.gov.uk/docs/state-pension-21st-century.pdf>

<sup>112</sup> <https://commonslibrary.parliament.uk/research-briefings/sn06525/>

<sup>113</sup> <https://commonslibrary.parliament.uk/research-briefings/sn06417/>

<sup>114</sup> <https://commonslibrary.parliament.uk/research-briefings/cbp-7887/>

<sup>115</sup>

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/473680/bereavement-benefit-reform-ssac-op16-nov-2015.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/473680/bereavement-benefit-reform-ssac-op16-nov-2015.pdf) (foreword)

<sup>116</sup> <https://www.gov.uk/government/publications/bereavement-benefits-proposal-for-implementation-of-the-mclaughlin-2018-and-jackson-2020-judgments/draft-explanatory-memorandum-draft-bereavement-benefits-remedial-order-2021>

### 1.2.1.6 Benefits in respect of accidents at work and occupational diseases

As far as we know, there have not been recent reforms of these benefits with an explicit aim of simplifying the rules of access. See our recent report on social protection for people with disabilities (unpublished at the time of writing).

### 1.2.2 Simplification of the application process for accessing benefits

There is a cross-government digital service.<sup>117</sup> It claims to be led by user needs;<sup>118</sup> and argues that being open and transparent makes things better.<sup>119</sup> The digital strategy of the Department for Work and Pensions was originally published in 2012.<sup>120</sup> The Department now maintains a regular blog on digital services written by staff.<sup>121</sup> Application processes for accessing benefits online have been prioritised for Universal Credit, however, and the government was keen to contrast these with applications for 'legacy' benefits having outdated technology, often seeming to include continuing contributory benefits in this view.<sup>122</sup> The same is said about possibilities of uprating benefits quickly.<sup>123</sup> This is, however, the result of deliberate government policy decisions in recent years to prioritise Universal Credit.

In 2013, a single site called Verify was introduced for proving identity to gain access to government services.<sup>124</sup> In 2018 this was extended for use in accessing online public services in other EU countries; but in 2019 the National Audit Office published a report investigating the system<sup>125</sup> and in 2021 the government announced that it was going to stop using it. Instead there is now a Government Gateway system, another attempt to create a common digital identity system to be used across all online public services. It now has some 16 million users, compared with less than half that number registered with Verify, which the relevant minister described as having an 'over-elaborate expectations trajectory' at significant cost.<sup>126</sup> A government website sets out what Verify now can and cannot be used for; it cannot now be used for state pensions or Universal Credit claims, for example.<sup>127</sup> In 2020, following a report by the National Audit Office,<sup>128</sup> the government published an updated data strategy.<sup>129</sup> It argues that 'individual transactions, from applying for social security benefits to buying a house, are more resilient when personal information can be shared from trusted sources – for example, in the form of a digital identity'.

The primary (employee) and secondary (employer) thresholds for National Insurance contributions were aligned in 2017, following a recommendation in a report by the Office for Tax Simplification.<sup>130</sup>

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<sup>117</sup> <https://qds.blog.gov.uk/about/>

<sup>118</sup> <https://www.gov.uk/service-manual/user-research/start-by-learning-user-needs>

<sup>119</sup> <https://www.gov.uk/guidance/government-design-principles#tenth>

<sup>120</sup>

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/193901/dwp-digital-strategy.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/193901/dwp-digital-strategy.pdf)

<sup>121</sup> <https://dwpdigital.blog.gov.uk/category/dwp-digital-strategy/> and

<https://dwpdigital.blog.gov.uk/2021/05/10/sharing-our-vision-for-dwp-digital/>

<sup>122</sup> <https://blogs.bath.ac.uk/iprblog/2020/05/22/covid-19-and-the-bypassing-of-contributory-social-security-benefits/>

<sup>123</sup> <https://www.theguardian.com/politics/2022/may/13/rishi-sunak-says-technical-problems-stopped-him-raising-benefits-more>

<sup>124</sup> <https://www.gov.uk/government/publications/introducing-govuk-verify/introducing-govuk-verify>

<sup>125</sup> <https://www.nao.org.uk/report/investigation-into-verify/>

<sup>126</sup> <https://www.computerweekly.com/news/252498143/Government-bids-final-goodbye-to-Govuk-Verify>

<sup>127</sup> <https://www.gov.uk/government/publications/introducing-govuk-verify/introducing-govuk-verify>

<sup>128</sup> <https://www.nao.org.uk/report/challenges-in-using-data-across-government/>

<sup>129</sup> <https://www.gov.uk/government/publications/uk-national-data-strategy/national-data-strategy>

<sup>130</sup> <https://researchbriefings.files.parliament.uk/documents/SN04517/SN04517.pdf> (p68)

### **1.2.2.1 Unemployment benefits**

As noted above, government effort has gone primarily into improving the application process for Universal Credit, rather than National Insurance benefits such as New Style Jobseeker's Allowance.

### **1.2.2.2 Sickness and healthcare benefits**

It has recently become possible for doctors to sign sickness certificates ('fit notes') digitally.<sup>131</sup> There has also been recent government research into the feasibility of widening the groups of people able to certify 'fit notes', which would simplify the process for claimants,<sup>132</sup> and which has now started, from July 2022.<sup>133</sup>

### **1.2.2.3 Maternity and equivalent paternity benefits**

As noted above, government effort has gone primarily into improving the application process for Universal Credit.

### **1.2.2.4 Invalidity benefits**

Arguably for those on Universal Credit applications for New Style Employment and Support Allowance are now harder, as with the COVID-19 pandemic it is no longer possible to apply via a Universal Credit online account; it can be claimed online or by telephone, but now separately from Universal Credit.<sup>134</sup>

When claimants were being transferred on to Employment and Support Allowance, some forms were pre-populated with data. However, this resulted in many claimants being given access to the contributory form of Employment and Support Allowance, but not the means-tested form, thereby leading to legal cases and the need for compensation. This has acted as a deterrent for government to increase its use of pre-populated claim forms.<sup>135</sup>

The Scottish Government set up an advocacy service to help anyone needing support to access their disability benefits, to be provided independently by VoiceAbility.<sup>136</sup>

### **1.2.2.5 Old-age benefits and survivors' benefits**

As far as we know, there have not been initiatives in the last five years to simplify access to the state pension.

Survivors are helped by the introduction of the 'Tell us Once' procedure (starting prior to 2017), whereby information about the death has to be communicated only once, with the communication for other entitlements shared by the relevant department.<sup>137</sup>

### **1.2.2.6 Benefits in respect of accidents at work and occupational diseases**

As far as we know, there have not been initiatives in the last five years to simplify access to benefits in respect of accidents at work and occupational diseases.

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<sup>131</sup> <https://www.gov.uk/government/collections/fit-note/>

<sup>132</sup> <https://www.gov.uk/government/publications/exploring-perceptions-and-attitudes-towards-the-extension-of-fit-note-certification>

<sup>133</sup> <https://www.gov.uk/government/collections/fit-note> and <https://news.dwp.gov.uk/dwplz/lz.aspx?p1=MqTDUxODQ1OFM5NzMOOkYxRkZCQzIOQUMyMEU4M0I0RkQwRUFQOUUxNEUzRTFG-&CC=&p=0>

<sup>134</sup> <https://www.apply-new-style-employment-support-allowance.dwp.gov.uk/eligibility-start>

<sup>135</sup> E.g. see [https://www.ombudsman.org.uk/sites/default/files/HC956\\_An\\_investigation\\_into\\_the\\_Department\\_for\\_Work\\_and\\_Pensions....pdf](https://www.ombudsman.org.uk/sites/default/files/HC956_An_investigation_into_the_Department_for_Work_and_Pensions....pdf)

<sup>136</sup> <https://www.socialsecurity.gov.scot/news-events/news/new-advocacy-service-launches> and [mygov.scot/get-extra-support-applying-for-benefits-in-scotland/](https://mygov.scot/get-extra-support-applying-for-benefits-in-scotland/)

<sup>137</sup> <https://www.gov.uk/after-a-death/organisations-you-need-to-contact-and-tell-us-once>

### **1.2.3 Simplification of the structures within the social protection administration**

The social protection administration, leaving aside special arrangements for war veterans, and industrial injuries benefits for those disabled by accidents at work or occupational diseases, is solely the responsibility of the Department for Work and Pensions. Northern Ireland has responsibility for benefits within its borders;<sup>138</sup> but there has long been a principle of parity, which largely means that the procedures and payments are the same as in the rest of the UK.<sup>139</sup> There is a need for liaison between the Department for Work and Pensions and all the devolved administrations in the smaller nations; but this is limited to areas of policy and practice which are not reserved, which does not apply to the six main branches of social protection listed in these sections. A Joint Ministerial Working Group on Welfare exists, to ensure liaison between the Department for Work and Pensions and the Scottish Government (which has more responsibility than other devolved administrations for certain areas of social security).<sup>140</sup>

#### **1.2.3.1 Unemployment benefits**

See **1.2.3** above.

#### **1.2.3.2 Sickness and healthcare benefits**

See **1.2.3** above.

#### **1.2.3.3 Maternity and equivalent paternity benefits**

See **1.2.3** above.

#### **1.2.3.4 Invalidity benefits**

See **1.2.3** above.

#### **1.2.3.5 Old-age benefits and survivors' benefits**

See **1.2.3** above.

#### **1.2.3.6 Benefits in respect of accidents at work and occupational diseases**

See **1.2.3** above.

## **2 Issues, debates and ongoing or planned reforms to ensure information on, and to simplify access to, social protection for workers and the self-employed**

### **2.1 Issues, debates and reforms related to information**

#### **2.1.1 Issues**

The major issue relating to the six branches of social protection could be said to be the lack of plans for any significant initiatives (to the best of our knowledge) to draw attention to individuals' rights and obligations in the National Insurance system.

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<sup>138</sup> <https://www.nidirect.gov.uk/>

<sup>139</sup> <https://commonslibrary.parliament.uk/research-briefings/cbp-9048/>

<sup>140</sup> <https://www.gov.scot/groups/joint-ministerial-group-welfare/>

### 2.1.2 Debates

The issue of voluntary insurance as part of social insurance is not relevant in the UK context, although people can pay voluntary National Insurance contributions when they are not compelled to do so, and would not be eligible for protection of their rights automatically, in order to maintain their entitlement to certain contributory state benefits.<sup>141</sup> Some think tanks and insurance industry groups have, however, begun to debate the benefits of mutual protection for workers who are not well protected via the traditional state system; but this would be likely to be effected via private insurance companies, who are often keen to enter this potential market.<sup>142</sup> Auto enrolment for workers to pay towards private pensions may be seen as a possible model by such bodies.<sup>143</sup>

### 2.1.3 Ongoing or planned reforms

See **2.1.1** and **2.1.2** above.

## 2.2 Issues, debates and reforms related to simplification

Simplification is primarily seen in the UK as relating to the means-tested benefits system, which is also the focus for concern about non-take-up.

### 2.2.1 Issues

One simplification of the National Insurance contributions system that is discussed is ending the practice of each job being considered separately for the lower earnings limit, at which entitlement to benefits begins to be earned (and primary threshold, at which contributions start to be paid). Currently each job is considered on its own, so that if someone has several jobs each paying below the lower earnings limit they earn no benefits. Fluctuating income and part-year earnings are also complicating factors. Cumulating liability, as with Pay as You Earn income tax, would simplify the system. For employers, a payroll levy could also be simpler than current contributions liability;<sup>144</sup> but this would not necessarily fit well with the idea of social insurance for individual workers. Employers have already been given an employment allowance which reduced their employer contributions rather arbitrarily for the past few years.<sup>145</sup>

Far from there being transparent information about benefits and contributions and the link between them, there is some lack of clarity in public debate, in particular between economists, which is not effectively countered by government information or debate about the system. Indeed, there is a perception that National Insurance contributions are merely another form of tax; and their hypothecation is not generally known, even amongst many informed commentators.<sup>146</sup> This extends to the primary think tank on taxation, the Institute for Fiscal Studies (IFS):<sup>147</sup> "... think about what National Insurance Contributions are not, they are not really a contribution-based system in the sense that there is barely any link now between how much you pay and the benefits you get. And the revenues the government raises are not hypothecated, so they're not earmarked for special causes, you

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<sup>141</sup>

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/300007/wms-state-pension-top-up.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/300007/wms-state-pension-top-up.pdf)

<sup>142</sup> <https://home.kpmg/xx/en/home/insights/2019/05/insuring-the-gig-economy.html>

<sup>143</sup> <https://www.thehrdirector.com/auto-enrolment-for-group/>

<sup>144</sup> <https://researchbriefings.files.parliament.uk/documents/SN04517/SN04517.pdf> (pp66-8)

<sup>145</sup> <https://www.gov.uk/claim-employment-allowance>

<sup>146</sup> See, for example, <https://www.taxresearch.org.uk/Blog/2021/11/26/taxing-the-multi-millionaires-getting-national-insurance-right/comment-page-1/>.

<sup>147</sup> <https://ifs.org.uk/podcast/everything-you-need-to-know-about-national-insurance>

think about them as all being put into the same pot. So, I would think of NICs really as being a second income tax, just one that isn't levied on all forms of income' (Helen Miller, IFS).

Simplification of the National Insurance contributions system for the self-employed made it more complicated for some women to qualify for maternity allowance (not being able to receive statutory maternity pay, as they have no employer to pay this, they need to claim the state benefit). Instead of paying flat-rate contributions every quarter, and only profit-related contributions once a year, since 2015 self-employed people pay flat-rate contributions once a year as well, with their income tax and profit-related contributions. This is simpler for them. However, self-employed women who want to claim maternity allowance during the year may have to pay before the self-assessment deadline.<sup>148</sup>

## 2.2.2 Debates

The lack of understanding of the social insurance system displayed by many economists and other commentators<sup>149</sup> leads to regular proposals not to create more transparency but to reduce it, by merging income tax and National Insurance contributions.<sup>150</sup> It is not clear what reformers proposing this envisage would happen with social security benefits; but the idea of paying in and getting out when you have a need appears clear to the public,<sup>151</sup> even if they do not know the details, and it is not obvious how abandoning this would aid clarity and understanding. Steps have been taken to simplify the system, as suggested by the Office for Tax Simplification in a report published in 2015:<sup>152</sup> 'The report had also raised the much wider question of merging NICs with income tax ... the Minister's letter simply stated that the Government would 'consider' this suggestion, with no further comment'.<sup>153</sup>

But despite a 2016 report also from the Office for Tax Simplification<sup>154</sup> which argued that merging would create a simpler, clear system – though it acknowledged that 'this ... replaces an existing tax and so is not necessarily an obvious simplification' (pp8-9) - no more progress towards integration has been made recently.<sup>155</sup> Indeed, several think tanks have more recently begun to emphasise the importance of insurance for loss of jobs more since the furlough scheme launched during the COVID-19 pandemic, and have started to propose (earnings-related) unemployment benefits in particular.<sup>156</sup> These proposals assume the continuation of a system of contributions, and indeed suggest a tighter relationship between this and the benefits that it entitles people to, which in turn would seem to militate against integration of contributions and income tax.

Moreover, transparency and simplification have sometimes been seen as being in tension in proposed reforms. For example: 'the authors [of the relevant Office for Tax Simplification report] had floated the idea of increasing the transparency around employers' NIC, on the

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<sup>148</sup> <https://www.litrg.org.uk/tax-guides/self-employment/what-national-insurance-do-i-pay-if-i-am-self-employed#how-does-the-payment-of-class-2-nic-affect-entitlement-to-maternity-allowance>

<sup>149</sup> E.g. see <https://www.taxresearch.org.uk/Blog/2021/11/26/taxing-the-multi-millionaires-getting-national-insurance-right/comment-page-1/> and <https://ifs.org.uk/podcast/everything-you-need-to-know-about-national-insurance>

<sup>150</sup> <https://ifs.org.uk/taxlab/key-questions/should-income-tax-and-national-insurance-be-merged>

<sup>151</sup> <https://commonslibrary.parliament.uk/research-briefings/sn04517/> explains the National Insurance system and NGOs and think tanks have conducted deliberative research with the public about it – e.g. see <https://cpag.org.uk/policy-and-campaigns/report/transforming-social-security-how-do-we-provide-secure-futures-children> and <https://fabians.org.uk/about-us/our-projects/social-security-solutions/>

<sup>152</sup> [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/446108/OTS\\_ES\\_follow-up\\_report\\_July\\_2015.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/446108/OTS_ES_follow-up_report_July_2015.pdf)

<sup>153</sup> <https://researchbriefings.files.parliament.uk/documents/SN04517/SN04517.pdf> (p57)

<sup>154</sup> <https://www.gov.uk/government/publications/closer-alignment-of-income-tax-and-national-insurance-contributions>

<sup>155</sup> <https://researchbriefings.files.parliament.uk/documents/SN04517/SN04517.pdf> (4.2)

<sup>156</sup> E.g. the Fabian Society: <https://fabians.org.uk/publication/security-for-everyone/> and <https://fabians.org.uk/publication/going-with-the-grain/>; and the Resolution Foundation: <https://economy2030.resolutionfoundation.org/reports/social-insecurity/>

grounds that this might provoke a better-informed debate on how best to reform the tax. This proved to be one of its recommendations that the Government rejected, arguing that “including employer’s NICs on payslips will decrease simplicity for individuals”.<sup>157</sup>

In 2017 the government suggested increasing profits related contributions for the self-employed whilst abolishing the flat-rate contributions, with a structure of entitlement similar to that for employees. This was claimed as simplification; but the reform did not proceed.<sup>158</sup>

### 2.2.3 Ongoing or planned reforms

From July 2022, the government is raising the primary threshold (the point at which employees begin to pay National Insurance contributions).<sup>159</sup> Earnings between the lower earnings limit and the primary threshold are now in effect a zero rate band, on which no contributions are paid. The major motive of this reform was to offset the increase in contributions resulting from the introduction of the health and social care levy, which raises the rate by 1.25 per cent this year. But the raising of the threshold to the same level as the personal tax allowance could be said to simplify the structure of personal taxes, and will also mean that access to social insurance benefits is possible without paying contributions for more people. In addition, from April 2022 self-employed individuals will enjoy a similar advantage to employees, in that they will not need to pay flat-rate contributions on profits above a small profits threshold but below a lower profits limit, but this band will be zero rated, meaning that they will still qualify for contributory benefits on that band, simplifying the situation for some half a million; the lower profits limit, like the primary threshold for employees, is also being aligned with the personal tax allowance.<sup>160</sup> It could be argued, however, that transparency may be reduced by both these moves, as people may not realise in the absence of payments that they are qualifying for benefits.

Conversely, the health and social care levy - which will be separated from contributions in subsequent years - could be said to complicate the system further, as it will be levied on a slightly different basis in future and will be used for different purposes.<sup>161</sup> Again, it has been discussed primarily as an addition to tax rather than as a hypothecated levy to fund a better social care system in the longer term (the NHS first).

The government is putting effort into improving the procedures for qualifying for disability benefits, building on its own research into claimants’ experiences of the forms that must be completed to qualify for certain disability / invalidity benefits<sup>162</sup> and of health assessments for benefits as well.<sup>163</sup> The objectives of this exercise are not limited to simplification, however; the government says its aims are: to make the system ‘simpler, more user-friendly, easier to navigate and more joined-up for claimants, whilst delivering better value for money for taxpayers’, in part by bringing together different assessments, for income replacement during invalidity with additional benefits to help meet extra costs.<sup>164</sup> The Work and Pensions Select Committee is currently carrying out an investigation into health assessments.<sup>165</sup>

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<sup>157</sup> <https://researchbriefings.files.parliament.uk/documents/SN04517/SN04517.pdf> (p57)

<sup>158</sup> <https://researchbriefings.files.parliament.uk/documents/SN04517/SN04517.pdf> (p74)

<sup>159</sup> <https://ifs.org.uk/publications/15929>

<sup>160</sup>

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/1063315/Personal\\_Tax\\_factsheet\\_FINAL.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1063315/Personal_Tax_factsheet_FINAL.pdf)

<sup>161</sup> <https://www.gov.uk/government/publications/health-and-social-care-levy/health-and-social-care-levy>

<sup>162</sup> <https://www.gov.uk/government/publications/claimant-views-on-ways-to-improve-pip-and-esa-questionnaires>

<sup>163</sup> <https://researchbriefings.files.parliament.uk/documents/CDP-2022-0021/CDP-2022-0021.pdf>

<sup>164</sup> <https://www.gov.uk/government/publications/claimant-experience-of-telephone-based-health-assessments-for-pip-esa-and-uc>

<sup>165</sup> <https://committees.parliament.uk/work/1468/health-assessments-for-benefits/>



### 2.3 Suggestions for improvements

The overwhelming emphasis on means-tested benefits, in particular Universal Credit, should be reversed, in order to give more policy attention to non-means-tested benefits, and with a view to further transparency and simplification. In particular, contributory benefits have been increasingly neglected in recent years. As several think tanks are now suggesting (see above), there is a convincing rationale for risk sharing to provide protection in the event of a loss of work-related income.

However, there is a countervailing tendency amongst economists and commentators on taxation in particular to ignore stake-holding and mutual risk sharing and solely to judge contributory systems against the tenets of progressive income taxation, with no social policy lens. Shifting this mindset is essential to provide sufficient focus on the National Insurance system to persuade governments to reinvest meaningfully in it, including ensuring transparency of entitlements and obligations, as well as simplification of access. The Disability Benefits Consortium has also suggested that benefit claimants should be provided with a prompt when they claim to ensure that they know of their right to advice and advocacy, and given the link to the information about the nearest advice services in different areas.<sup>166</sup>

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<sup>166</sup> Fimister, G. (2022) *Future of assessment services: advice and advocacy – a proposal from the Disability Benefits Consortium*, London: Disability Benefits Consortium; the advice services locator is <https://advicelocal.uk/>

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