

SOCIAL INSECURITY



The devastating human rights impact of
social security system failures in the UK

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Executive summary

The Universal Declaration of Human Rights (UDHR) and two international covenants, the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR), outline a framework for human rights, encompassing civil, political, economic, social and cultural rights. The ICESCR emphasises fulfilling basic needs like food, housing, healthcare, and education, which governments must ensure through laws, policies and public services.¹

The UK ratified the ICESCR in 1976 but, unlike civil and political rights, economic, social, and cultural rights are not legally enforceable in the UK. The Human Rights Act (1998) and the European Convention on Human Rights protect civil and political rights, but there are no similar comprehensive legal safeguards for economic, cultural and social rights.² This lack of enforceability makes it difficult for individuals to seek justice for violations of their economic, social, and cultural rights.

The UN Committee on Economic, Social, and Cultural Rights (CESCR) has repeatedly urged the UK to make these rights justiciable.³ However, the UK government insists that a mix of policy and legislation is sufficient protection of these rights. The devolved governments in Scotland, Wales and Northern Ireland have taken steps to protect these rights, with Scotland working towards passing a Scottish Human Rights Bill to provide legal effect to the ICESCR.⁴

Despite this, the UK government's fragmented approach to policy and legislation fails to recognise the interconnectedness of human rights resulting in harmful consequences, such as those from the social security system, which exacerbate inequality and poverty.

Amnesty International's report *Broken Britain: Voices from the frontline of the fight for everyday rights* documents how marginalised communities in Britain experience clustered violations of their rights due to systemic discrimination and the failure of social security systems to meet human rights standards (for example, social security failures impact on health and access to food).⁵

This report examines this phenomenon. It sets out the international frameworks for the right to social security and examines the compliance of the UK's social security system with them.

1 UN General Assembly Resolution 2200A (XXI), International Covenant on Economic Social and Cultural Rights (1976), <https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-economic-social-and-cultural-rights>

2 UK government, Human Rights Act 1998, <https://www.legislation.gov.uk/ukpga/1998/42/contents/enacted>

3 UN CESCR Concluding observations on the seventh periodic report of the United Kingdom of Great Britain and Northern Ireland (March 2025), para 6, https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=E%2FC.12%2FGBR%2FCO%2F7&Lang=en

4 Amnesty International UK, Press Release: Scotland: Failure to deliver Scottish Human Rights Bill is 'unjustifiable', say Amnesty International, 4 September 2024, <https://www.amnesty.org.uk/press-releases/scotland-failure-deliver-scottish-human-rights-bill-unjustifiable-say-amnesty>

5 Amnesty International, Broken Britain Voices from the Frontline of Everyday Rights, 2024 <https://www.amnesty.org.uk/our-everyday-rights>

It further examines the evidence of clustered violations of economic, cultural, and social rights triggered by violations of the right to social security and where the legal protections of ICESCR rights within the UK are failing to prevent this. The report stresses that social security protections (income protections) are vital for ensuring people's rights to an adequate standard of living, and when these systems fail, it triggers cascading effects that restrict other rights.⁶

Amnesty International makes recommendations to the UK government to address failings in the UK social security system, as well as ICESCR justiciability, and urges it to act so that social security is recognised as a fundamental human right, not merely as a form of charity or 'welfare'.

To assess the UK's compliance with international human rights standards, Amnesty International commissioned a literature review by Dr Koldo Casla and Lyle Barker. This review was supplemented by first-hand accounts from social security claimants and their advisors gathered on behalf of Amnesty International by Society Matters (a community interest company linked to Citizens Advice):

- Online surveys and individual/group interviews were conducted with 782 participants, overseen by Amnesty observers.
- Face-to-face interview: 216 (England: 162, Wales: 34, Scotland: 13, Northern Ireland: 7)
- Online survey: 419 (England: 322, Wales: 27, Scotland: 61, Northern Ireland: 9)
- Advisor online survey: 147 (England: 115, Wales: 11, Scotland: 12, Northern Ireland: 9)

The focus was on working-age claimants (16-64 years old), particularly those on carer's allowance, universal credit, employment and support allowance, and personal independence payment. Amnesty International also engaged with civil society organisations and individuals with lived experience to shape the analysis and recommendations. The sample size from Scotland, Wales and Northern Ireland is limited and may not fully represent the broader population, but the trends observed suggest systemic issues that warrant further investigation.

International human rights obligations and the right to social security

The right to social security is outlined in Article 9 of the International Covenant on Economic, Social and Cultural Rights (ICESCR), ratified by the UK in 1976. It is also recognised in the Universal Declaration of Human Rights (1948) and other treaties, including the Convention on the Rights of the Child (1989) and the International Labour Organisation (ILO) Convention No. 102 (1952).⁷

The UN Committee on Economic, Social and Cultural Rights (CESCR) defines the right to social security as protection from income loss due to sickness, disability,

6 Amnesty International UK, *Broken Britain report: Voices from the frontline of the fight for everyday rights*, 2024, https://www.amnesty.org.uk/files/2024-09/ESCR_Briefing%20FINAL.pdf?VersionId=n7hzU8voMI3kPxI5Yq9V4b5EGxL3uS.u

7 United Nations, International Covenant on Economic, Social and Cultural Rights (ICESCR), 1966, Article 9, <https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-economic-social-and-cultural-rights>

unemployment, and other factors. This right is integral to reducing poverty, promoting social inclusion and ensuring basic needs like healthcare, food, and housing.⁸

Social security systems can be contributory (insurance-based) or non-contributory, and they should be universally accessible. The European Social Charter (1961) also guarantees this right, but the UK has not fully accepted all of its provisions.⁹

The CESCR defines three core elements of the right to social security:

- **Availability**
Protection against social risks.
- **Adequacy**
Social security schemes must ensure an adequate standard of living.
- **Accessibility**
The system must be accessible, transparent and non-discriminatory.¹⁰

States are required to progressively realise this right using available resources. Austerity measures that reduce social security access are considered retrogressive, which is incompatible with the ICESCR.¹¹ Amnesty International has argued that the UK's austerity policies violate these obligations.¹²

The UK's social security system

The UK social security system has evolved through key legislative reforms. The National Insurance Act 1948 established contributory social security, moving away from means-tested Poor Laws, and introduced national insurance contributions for employed people.¹³ The Social Security Contributions and Benefits Act 1992 formalised the current structure, including the state pension and non-contributory schemes like income support.¹⁴ The Welfare Reform Act 2012 introduced universal credit, replacing six means-tested benefits with a single payment.¹⁵ The Welfare Reform and Work Act 2016 added measures like benefit caps and the two-child limit.¹⁶

In March 2025, the UK government published the Pathways to Work Green Paper, which set out proposals to reform with implications for the availability, adequacy and availability of sickness and disability social protections (alongside support into employment). These proposals were affirmed in the government's Spring Statement. While these are proposals, we examine the potential implications of them in the relevant sections.¹⁷

8 CESCR, General Comment No. 19: The Right to Social Security (Article 9), UN Doc. E/C.12/GC/19 (2008), <https://digitallibrary.un.org/record/618890>

9 European Social Charter, 18 October 1961, ETS No. 35, Status of ratification, <https://www.coe.int/en/web/european-social-charter/signatures-ratifications>

10 CESCR, General Comment No. 19: The Right to Social Security (Article 9), UN Doc. E/C.12/GC/19 (2008), <https://digitallibrary.un.org/record/618890>

11 Ibid

12 Amnesty International, UN Report: Bleak conclusions on UK poverty action echo Amnesty warning of 'devastating domino effect', 2025, <https://www.amnesty.org.uk/press-releases/un-report-bleak-conclusions-uk-poverty-action-echo-amnesty-warning-devastating>

13 National Insurance Act 1948, c. 65.

14 Social Security Contributions and Benefits Act 1992, c. 4.

15 Welfare Reform Act 2012, c. 5.

16 Welfare Reform and Work Act 2016, c. 7.

17 Government, Pathways to Work: Reforming Benefits and Support to Get Britain Working Green Paper, 2025, <https://www.gov.uk/government/consultations/pathways-to-work-reforming-benefits-and-support-to-get-britain-working-green-paper> and Spring Statement 2025, <https://www.gov.uk/government/topical-events/spring-statement-2025>

Devolution has led to variations in social security policy across the UK. In Scotland, the Social Security (Scotland) Act 2018 devolved powers to create new social security schemes, including the best start grant and adult disability payment.¹⁸ In Wales, while social security is reserved, the Welsh government runs its own grants, like universal free school meals and the basic income pilot.¹⁹ In Northern Ireland, social security is largely devolved, but it maintains parity with Great Britain's system, with specific mitigation measures in place for welfare reforms.²⁰

The UK social security system includes contributory schemes (eg state pension, employment and support allowance), non-contributory schemes (eg personal independence payment) and means-tested schemes (eg universal credit, child benefit). Local authorities also provide discretionary support for low-income households.

According to the latest DWP data, there are 24 million social security claimants in Great Britain, including:

- 13 million state pension age;
- 9 million working age;
- 750,000 under 16s receiving disability living allowance.²¹

In Northern Ireland, there are around 1.1 million active claims. The UK government's social security spending for 2024-25 is projected at £315.8 billion, with £167.6 billion for pensioners and £138 billion for working-age welfare. Scotland's projected social security spending in 2023-24 is £19.5 billion, increasing to £8.0 billion by 2028-29.²²

Conclusions on the availability of social security in the UK

The UK's social security system faces challenges in aligning with international human rights standards, outlined in CESCR General Comment No. 19 concerning availability.²³ A significant failure to comply lies in the lack of an explicit, transparent cohesive national social security strategy that sets out steps to progressively realise the right to social security.²⁴

The Department for Work and Pensions (DWP) outcome delivery plan has goals such as maximising employment and financial resilience. These are weighted towards employment engagement rather than constituting a strategy focused on adequate and accessible social security to ensure an adequate standard of living.²⁵ Monitoring

18 Scottish parliament, Social Security (Scotland) Act 2018, Section 1, <https://www.legislation.gov.uk/asp/2018/9/section/1>

19 Welsh Affairs Committee, The Benefits System in Wales, 2022, <https://www.gov.uk/government/statistics/dwp-benefits-statistics-february-2025> and [change the date](#)

20 UK government, Northern Ireland Act 1998, Section 87, <https://www.legislation.gov.uk/ukpga/1998/47/contents>

21 Department for Work and Pensions, DWP benefits statistics, February 2025, <https://www.gov.uk/government/statistics/dwp-benefits-statistics-february-2025>

22 Department for Work and Pensions, Guidance and methodology: Benefit expenditure and caseload tables, 2024, <https://www.gov.uk/government/publications/benefit-expenditure-and-caseload-tables-information-and-guidance>

23 CESCR, General Comment No. 19: The Right to Social Security (Article 9), UN Doc. E/C.12/GC/19 (2008), pp.5-7, <https://digitallibrary.un.org/record/618890>

24 CESCR, General Comment No. 19: The Right to Social Security (Article 9), UN Doc. E/C.12/GC/19 (2008), para 47-51, <https://digitallibrary.un.org/record/618890>

25 Department for Work and Pensions, Outcome Delivery Plan: 2021-2022, July 2021, <https://www.gov.uk/government/publications/department-for-work-and-pensions-outcome-delivery-plan/department-for-work-and-pensions-outcome-delivery-plan-2021-to-2022>

and data infrastructure are also inadequate, with limited information on take-up, insufficient disaggregation, and technical barriers to designing and assessing the impact of reforms.²⁶

Potential claimants do not get enough information about their rights and entitlements and limited support to make claims. This in addition to stigma associated with making social security claims, and rigid eligibility criteria that create financial hardship for those near qualifying thresholds. Together, these systemic barriers are manifested in a social security uptake gap meaning that formal availability of social security schemes does not reflect their ‘material’ availability.²⁷

The UK **falls short** of fulfilling the ICESCR requirements for availability due to:

- Significant failures to address the material unavailability of social security because of the impact on the uptake of social security due to limitations in information and advice about eligibility and failure to prevent and address stigma.

The UK **fails to meet** ICESCR’s obligation for strategic planning and transparency due to:

- The absence of a statutory requirement to set a clear, long-term and publicly accessible social security strategy which limits both transparency and the ability to hold the government accountable for ensuring an adequate standard of living.

The UK **does not comply** with the ICESCR call for robust monitoring and data infrastructure due to:

- The failure to collect and analyse data comprehensively, which prevents the government from assessing and improving social security.

Conclusions on the adequacy of social security in the UK

To fulfil the right to social security, governments are directed by the CESCR in General Comment 19 to ensure that social security levels are adequate to enable people to access the right to an adequate standard of living (including food, housing, utilities and so on), healthcare and education. Social security payments should be paid for an appropriate duration to mitigate social risks such as disability, illness or unemployment.²⁸

The method that the government uses to set social security payments at an adequate level should be laid out clearly within legislative frameworks along with regular monitoring to ensure affordability of goods and services. The International Labour Organisation (ILO) calls upon member states to act to establish social protection floors. Its Social Protection Floors Recommendation, 2012 No. 202 defines social protection floors as nationally determined social security guarantees that, at a minimum, should provide access to essential healthcare and basic income security for all in need over the life cycle; ‘basic income security should allow life in dignity’.^{29, 30}

26 House of Commons Work and Pensions Committee, Benefit levels in the UK Second Report of Session 2023–24, March 2024, p 30, <https://committees.parliament.uk/publications/43979/documents/217876/default/>

27 Deven Ghelani, Rachael Walker, Policy in Practice; Missing out 2024: £23 billion of support is unclaimed each year’, 2024, p 5-7, <https://policyinpractice.co.uk/missing-out-2024-23-billion-of-support-is-unclaimed-each-year/>

28 CESCR, General Comment No. 19: The Right to Social Security (Article 9), UN Doc. E/C.12/GC/19, 2008, para 22, <https://digitallibrary.un.org/record/618890>

29 International Labour Organisation, C102 - Social Security (Minimum Standards) Convention, 1952, https://normlex.ilo.org/dyn/nrmlx_en/f?p=NORMLEXPUB:12100:0::NO::P12100_INSTRUMENT_ID:312247

30 ILO, General Recommendation, R202 - Social Protection Floors Recommendation, 2012 (No. 202) para 8, https://normlex.ilo.org/dyn/nrmlx_en/f?p=NORMLEXPUB:12100:0::NO::P12100_INSTRUMENT_ID:3065524

In the UK, the methodology and measures applied are a decision left by statute to the discretion of the secretary of state, leading to change and flux as governments change and both the political choices and public finances evolve. There is no legislatively defined universal social protection floor such as the one recommended by the ILO.³¹ Uprating of social security is not approached in the same way for all schemes available across Great Britain and Northern Ireland.

There are changes proposed by the Pathways to Work Green Paper 2025 that will require new legislation underpinning the uprating methodology. This will allow the secretary of state to implement a proposed freeze and cuts to social security rates for disability and incapacity schemes, removing some of the legislative protections which are in place to protect against political whims.³² If implemented, the extensive reforms proposed in the Pathway to Work Green Paper would further undermine the compliance of the UK social security system with the principle of adequacy, and would be a deliberately discriminatory, disproportionate and retrogressive violation of human rights.

Amnesty International's findings demonstrate that the UK's social security system does not legally guarantee essential social security payments that ensure access to basic needs such as healthcare, housing, food and education. The absence of a legally defined social protection floor (in line with ILO recommendations) leaves social security vulnerable to political discretion allowing for cuts to be made without a legal point of reference.³³ This results in disparities and insufficient support, particularly for groups that are vulnerable to marginalisation and discrimination. Social security's uprating methodology does not account for the actual rising costs of essential goods and services, therefore there is a rising disconnect between social security payments and living costs.³⁴

It is clear that policies like social security freezes, caps, and deductions, removal of the spare room subsidy (bedroom tax) and two-child limit have deepened poverty and disproportionately harmed children, disabled individuals and low-income families. Despite increased social security spending, poverty rates remain unacceptably high, with claimants reporting severe hardships, including reliance on food banks and struggles to afford basic needs like heating and rent.³⁵

Universal credit, disability social security schemes, carer's allowance, and support for asylum seekers remain particularly inadequate, failing to meet minimum thresholds for a dignified standard of living. Without a transparent monitoring mechanism or legal guarantees of social security adequacy, the system remains misaligned with human rights obligations and unable to address the persistent financial distress faced by many households.³⁶

31 Amnesty International, Technical Note to Guarantee our Essentials – Social Security as a Human Right, 2024, <https://www.amnesty.org.uk/essentials-guarantee-campaign-technical-note>

32 Government, Pathways to Work: Green Paper FAQs, 2025, <https://www.gov.uk/government/news/pathways-to-work-green-paper-faq>

33 Work and Pensions Committee, Benefit levels in the UK, 2024, p17, <https://publications.parliament.uk/pa/cm5804/cmselect/cmworpen/142/report.html>

34 Lucy Bannister, Peter Matejic, Iain Porter, Daisy Sands, Katie Schmuecker, Andrew Wenham, Rachel Bull, Leuan Ferrer, Anna Hughes, An Essentials Guarantee report, <https://www.jrf.org.uk/social-security/guarantee-our-essentials-reforming-universal-credit-to-ensure-we-can-all-afford-the>

35 Lalitha Try, 'Catastrophic caps: An analysis of the impact of the two-child limit and the benefit cap', Resolution Foundation, 2024, 1, <https://www.resolutionfoundation.org/publications/catastrophic-caps/>

36 Work and Pensions Committee, Benefit levels in the UK, 2024, p17, <https://publications.parliament.uk/pa/cm5804/cmselect/cmworpen/142/report.html>

The UK **does not comply** with ICESCR obligations on the adequacy of social security due to:

- The lack of a legally defined social protection floor, which means that social security payments may fall below the necessary threshold to meet basic needs;
- Discretionary methodology of uprating and lack of transparency in decision making result in unpredictable social security levels that fail to meet the evolving needs of claimants and are subject to fluctuating political decisions;
- Lack of a transparent and consistent monitoring framework, which has resulted in the government being unable to assess the effectiveness of social security schemes in ensuring their adequacy;
- The real-life impacts of insufficient social security schemes, such as reliance on food banks and financial instability, highlight the inadequacy of social security support;
- The failure through the process of parliamentary scrutiny to identify and mitigate against the disproportionate impact of social security policy measures on groups at risk of discrimination and marginalisation.

Conclusions on the accessibility of the UK's social security system

The international human rights frameworks set out that the accessibility of social security schemes should be fulfilled by states in the coverage of the schemes, through clear, reasonable and transparent eligibility and assessment processes and through the participation of claimants in the decision making about the administration of schemes.³⁷

Amnesty International's findings demonstrate that the UK's social security system presents significant challenges in accessibility, fairness and inclusivity. The digital-by-default application process is a significant barrier, especially for marginalised groups, with limited and inefficient alternative support options.³⁸

Health assessments required for claiming certain social security schemes are plagued by the ineffective assessments of eligibility, which leaves the claimants reliant on lengthy appeals, inconsistent criteria, and unclear explanations for denied claims, causing delays and distress for claimants.^{39, 40}

The UK's sanctions regime exacerbates financial hardship and is harmful to physical and mental health, particularly for groups facing discrimination and marginalisation, with minor infractions resulting in severe financial penalties that fail to achieve meaningful employment outcomes. Marginalised communities, including racialised communities, women and people with a disability, are disproportionately impacted by sanctions, further deepening inequalities.⁴¹

37 CESCR, General Comment No. 19: The Right to Social Security (Article 9), UN Doc. E/C.12/GC/19 (2008) p8, <https://digitallibrary.un.org/record/618890>

38 Rosie Mears and Sophie Howes, 'You reap what you code: Universal credit, digitalisation and the rule of law', Child Poverty Action Group, 2023, 5, <https://cpag.org.uk/sites/default/files/2023-08/You%20reap%20what%20you%20code-%20executive%20summary.pdf>

39 JUSTICE, *Reforming Benefits Decision-Making*, 2021, pp.6, <https://justice.org.uk/our-work/civil-justice-system/current-work-civil-justice-system/reforming-benefits-decision-making/>

40 Ministry of Justice, Tribunal Statistics Quarterly: July to September 2024, 2024, <https://www.gov.uk/government/statistics/tribunals-statistics-quarterly-july-to-september-2024/tribunal-statistics-quarterly-july-to-september-2024#social-security-and-child-support>

41 Andrew Williams, Brian Webb and Richard Gale, 'Racism and the uneven geography of welfare sanctioning in England', *Transactions of the Institute of British Geographers*, 49(4), e12677, https://www.researchgate.net/publication/378342873_Racism_and_the_uneven_geography_of_welfare_sanctioning_in_England

If implemented, the proposed changes contained in the government's Pathways to Work Green Paper would be a departure from the international standards for an accessible social security system, as they would reduce coverage from social risk for a marginalised group in a targeted and discriminatory manner. Furthermore, the suspension of eligibility for the scheme for people with clearly assessed needs for support and assistance for basic daily living cannot be deemed to be reasonable.

Consultation processes on policy reform often lacks meaningful engagement and transparency, undermining efforts to incorporate lived experiences into policymaking. However, some devolved governments, such as Social Security Scotland, have demonstrated improved inclusivity by involving individuals with direct experience.⁴²

Meaningful participation, as outlined in international human rights standards, is not consistently realised, and significant reforms are necessary to ensure compliance. Some positive steps are being taken in devolved governments, but broader systemic changes are essential for improving consultation and policy outcomes across the UK.

It is the view of Amnesty International that the UK social security system **fails to fully comply with CESCR General Comment No.19 on accessibility of social security, particularly in terms of reasonable, proportionate, transparent, and equitable processes due to:**⁴³

- Discriminatory conditions which limit access to social security for marginalised groups, including caps and conditionality regimes;
- Maladministration of and lack of transparency and reasonable application of eligibility criteria for social security schemes and failures to ensure due process where social security eligibility outcomes are challenged and sanctions are applied;
- Lack of meaningful participation of claimants in the design and evaluation of implementation of schemes and lack access to clear information about entitlements;
- Failures to make reasonable adjustments in the processes and methods through which people access social security schemes, such as digital applications and physical buildings.

Conclusion on dignity and respect with the UK's social security system

Dignity is a central concept within the ICESCR as it is within all human rights instruments. The concept that human rights are inherent to human dignity is well established.

According to article 22 of the Universal Declaration of Human Rights, social security is 'indispensable' to the dignity of the individual.⁴⁴

The UK government does not appear to apply the same approach to defining and measuring standards within the social security systems, lacking the rigor of formal regulations and dedicated oversight bodies found in other areas. Although the DWP

42 Disability Rights UK, 'DWP ordered to disclose key documents about "dehumanising" plans to reform Work Capability Assessment', November 2024, <https://www.disabilityrightsuk.org/news/dwp-ordered-disclose-key-documents-about-%E2%80%9Cdehumanising%E2%80%9D-plans-reform-work-capability-assessment>

43 CESCR, General Comment No. 19: The Right to Social Security (Article 9), UN Doc. E/C.12/GC/19 (2008), paras 23-27, <https://digitallibrary.un.org/record/618890>

44 UN, Universal Declaration of Human Rights, <https://www.un.org/en/about-us/universal-declaration-of-human-rights>

does have a light touch ‘customer charter’, which states that staff will ‘be helpful, polite, and treat you fairly and with respect’.⁴⁵

Amnesty International findings demonstrate that these same principles are intended to be central to Scotland’s approach to delivering devolved social security.⁴⁶ The evidence suggests there is a fundamental gap in the way dignity and respect are integrated into the UK’s social security system, particularly in contrast to other government-regulated sectors like health and social care.⁴⁷

From the lack of a clear framework for regulating dignity to reports of hostility and judgment, it is Amnesty International’s view that the social security system falls short of its obligation to treat claimants with humanity and compassion. This imbalance of power not only retraumatises vulnerable individuals but fosters distrust and fear, perpetuating harm. Reform is urgently needed to establish robust independent accountability mechanisms, deliver adequate staff training, and shift the system’s culture toward one that truly upholds the dignity and respect of all individuals. Without such changes, the rights and wellbeing of claimants and DWP staff alike will remain compromised.

It is Amnesty International’s view that the social security system falls short of its obligation to treat claimants with humanity and compassion, and therefore to maintain dignity.

Conclusions on compliance with the duty for non-discrimination

The report sets out, within the context of collation of illustrative data, that there is already compelling evidence that the duty to ensure non-discrimination in the availability, adequacy, and accessibility of social security. The domino effect triggered by the failures in the social security system is disproportionately impacting groups with protected characteristics.

It is the view of Amnesty International that the UK government is failing in its duty to ensure non-discrimination in the right to social security, is directly excluding some groups and has failed to take targeted action to address the indirect discrimination within the system. This disproportionate impact affects these groups’ enjoyment of related rights such as the rights to food and housing.

How violations of the right to social security triggers a domino effect of human rights

The Joint Committee on Human Rights (2003) recommended incorporating ICESCR rights into UK law, emphasising the indivisibility of human rights.⁴⁸ However, debates persist about whether these rights should be made justiciable, with concerns that this

45 Department for Work and Pensions, Guidance, Our customer charter, accessed 2025, <https://www.gov.uk/government/publications/our-customer-charter/our-customer-charter>

46 Equality and Human Rights Commission, Social security systems based on dignity and respect, August 2017, <https://www.equalityhumanrights.com/our-work/our-work-scotland/social-security-systems-based-dignity-and-respect>

47 Jagna Olejniczak and Kate Harrison, ‘Found anything yet? Exploring the relationship between universal credit claimants and their work coaches’, Citizens Advice, January 2025, https://assets.ctfassets.net/mfz4nbgura3g/5BsJ7M44r5Hpr0ek9VL8Jm/2dcc99f09dd00ff4300ce43b47da0d9f/Found_anything_yet_Exploring_the_relationship_between_Universal_Credit_claimants_and_their_work_coaches.pdf

48 Joint Committee On Human Rights, Twenty-First Report, <https://publications.parliament.uk/pa/jt200304/jtselect/jtrights/183/18305.htm>

could overload the courts. The UN Committee on Economic, Social, and Cultural Rights (CESCR) urged the UK to incorporate ICESCR into domestic law in 2016, but the government has yet to do so.⁴⁹ Amnesty International argues that the UK's reliance on fragmented policies and limited human rights impact assessments fails to uphold these rights, particularly for vulnerable communities.

The Human Rights Impact Assessment (HRIA) process in the UK is inadequate, especially in assessing the full implications of social policies like welfare reforms. The Welfare Reform and Work Act 2016,⁵⁰ including measures like the two-child limit and benefit cap, demonstrates the government's failure to assess the human rights impacts of such policies. The Joint Committee on Human Rights (JCHR) highlighted this omission, while the judicial system has been reluctant to address violations of ESCR, particularly in the context of welfare reforms.⁵¹

The lack of effective human rights monitoring and an action plan for the realisation of ICESCR rights contributes to systemic violations, such as the exacerbation of poverty and inequality through policies that impact vulnerable groups. While some devolved authorities, like Scotland, have implemented human rights action plans, the UK's overall approach remains fragmented, with insufficient safeguards to prevent the negative consequences of policy decisions.

The domino effect of poorly designed policies, such as austerity measures, violates multiple rights simultaneously, leading to increased poverty and inequality. The failure to adequately assess or address these issues highlights the need for a more comprehensive, interconnected approach to policymaking, one that fully incorporates all human rights, including ESCR, into both domestic law and policy processes. It is the view of Amnesty International that there is evidence that the UK government failure to incorporate ESCR into UK law, coupled with insufficient human rights assessments in legislative process, implementation and judicial reluctance to engage with ICESCR rights, has led to significant violations of the right to social security and connected rights, exacerbating inequalities.

Overarching conclusions

Amnesty International has demonstrated through evaluation of the evidence that the social security system in the UK has drifted far from the core principle to mitigate social risks and provide protection for an adequate standard of living. Of course, supporting people into work is vital too, but one right should never overshadow another. Furthermore, the social security system in the UK does not stand up to the international human rights frameworks. The result is a system that, by design, perpetuates the deprivation of living standards for those reliant on it, subjecting them to orchestrated stigma and a systematic erosion of their dignity.

49 UN CESCR Concluding observations on the seventh periodic report of the United Kingdom of Great Britain and Northern Ireland (March 2025), para 6, https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=E%2FC.12%2FGBR%2FCO%2F7&Lang=en

50 Welfare Reform and Work Act 2016, c. 7., <https://www.legislation.gov.uk/ukpga/2016/7/contents>

51 Department for Work and Pensions, 'Memorandum to the Joint Committee on Human Rights: The Welfare Reform and Work Bill 2015', 2015, p16, <https://assets.publishing.service.gov.uk/media/5a80d63fe5274a2e8ab52713/welfare-reform-and-work-bill-2015-human-rights.pdf>

What's needed is a comprehensive, all-encompassing review of the social security system, one that sets a clear, ambitious framework, establishes minimum standards for living, and places the system on a stronger foundation rooted in human rights and principles of availability, adequacy and accessibility.

At the same time, we must address the fundamental flaws in human rights and equality protections within our government systems – flaws that have allowed the erosion of our social security, health, food, and housing rights under policies that claim to be human rights compliant. This erosion is enabled by a failure to recognise and safeguard the interconnectedness and indivisibility of our human rights and the lack of cross-departmental efforts to protect against the knock-on effects of policies that continue to entrench and perpetuate poverty across the UK.

Summary list of recommendations for the UK government

Amnesty International's recommendations summary

Amnesty International UK urges the UK government to take urgent corrective measures and systemic action to reform the social security system and strengthen human rights protections. These actions are necessary to ensure the system upholds dignity and meets the right to an adequate standard of living.

Recommendations to the UK government

1. Establish a Statutory Social Security Commission

A landmark independent commission with statutory powers should be established to lead a comprehensive reform of social security:

- Deliver wide-ranging recommendations covering legislative, regulatory and structural change.
- Engage cross-government departments, civil society and people directly affected.
- Develop a national strategy with clear standards and timelines, ensuring human rights compliance.

2. Fiscal measures to support reform

- Review revenue and borrowing strategies to expand the scope for fulfilling economic, social and cultural rights (ESCR).
- Use a rights-based budgeting approach to assess the social impact of fiscal policy.

3. Human rights and legal framework reform

- Conduct an independent review to develop a roadmap for incorporating ICESCR rights into domestic law.
- Ensure enforceability of these rights through the judiciary.
- Develop indicators and standards to monitor implementation.
- Support legislative efforts in devolved nations to incorporate ICESCR rights.

Recommendations to the Department for Work and Pensions

1. Address harmful policy measures

- Remove the two-child limit and the benefit cap.
- End the five-week wait for initial universal credit payments and provide upfront support as non-repayable grants.
- Halt proposed reductions and limitations to support for disability and sickness social security schemes announced in the March 2025 Spring Statement and Pathways to Work Green Paper.

2. **Ensure meaningful reform through consultation and accountability**
 - Carry out accessible and inclusive consultations on Pathways to Work Green Paper reform plans.
 - Address the level and administration of social security levels, including harmful assessments and withdrawal processes.
 - Conduct full human rights and equality impact assessments before policy implementation.
 - Enhance oversight at all levels through statutory mechanisms.
3. **Create a UK Charter for Social Security Rights**
 - Outline the core purpose of the system to ensure an adequate standard of living, protect from harm and ensure dignity.
 - Set service standards, accountability routes and participatory design principles.
 - Regularly report performance against these standards to parliament.
4. **Embed claimant participation and oversight**
 - Establish local claimant participation groups in every Jobcentre Plus, supported by independent facilitators.
 - Create a national panel to inform strategic direction and accountability.
5. **Reform the legislation and process for setting and uprating social security levels**
 - Reform how social security payment levels are determined, ensuring alignment with real living costs and protecting in legislation a social protection floor (like that suggested as an essential guarantee).
 - Establish an independent and transparent mechanism accountable to parliament.
 - Include additional support needs, especially for disabled people.
6. **End the sanctions regime**
 - Scrap punitive sanctions that compromise people's ability to meet basic needs.
 - Guarantee a minimum level of protection to support a life of dignity.

Recommendations to the UK parliament

1. **Human rights oversight and accountability**
 - The Joint Human Rights Committee should lead an inquiry into the UK government's failure to evaluate policy impacts on economic, social and cultural rights.
 - Identify barriers to effective impact assessments and propose solutions for better integration of ICESCR rights in lawmaking and governance.
 - Clarify the role of national institutions and departments in ongoing rights monitoring and coordination.
2. **Independent inquiry into Jobcentre practices**
 - The Work and Pensions Committee, with the National Audit Office, should review:
 - Accessibility and appropriateness of sickness and disability health assessments.
 - Effectiveness of reconsideration and appeals processes for withdrawal, refusal and sanctions of benefits.
 - Reliance on tribunals and gaps in data monitoring.
 - The potential for independent regulation of sanctions and performance.

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- Thrive Teesside
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Introduction and methodology

Introduction

The Universal Declaration of Human Rights (UDHR) sets out the human rights that every person should enjoy.⁵² These include civil and political rights, such as the right to life and freedom of expression, and economic, social and cultural rights that directly impact daily life, including access to healthcare, housing and employment.

The United Nations (UN) further defined these human rights in two international covenants ratified by states, which commits them to upholding them, namely the International Covenant of Economic Social and Cultural Rights (ICESCR) and the International Covenant on Civil and Political Rights (ICCPR). The monitoring of government performance on these commitments is carried out periodically by the UN and other intergovernmental organisations as well as by civil society and, when possible, courts and other national accountability bodies.

The International Covenant on Economic, Social and Cultural Rights (ICESCR), ratified by the UK in 1976, emphasises the importance of meeting people's basic essential needs, such as food, clothing, housing, education, income and healthcare to improve quality of life from a human rights perspective.⁵³ Governments have a responsibility to ensure these rights are promoted, protected and fulfilled. This may include by legislation making and enforcing laws or policy which provides for direct financial assistance for people, or through the delivery or commissioning of public services.

However, unlike civil and political rights, which are legally protected in the UK under the Human Rights Act (1998) and the European Convention on Human Rights⁵⁴, economic, social and cultural rights lack similar comprehensive legal and procedural safeguards to prevent, and address violations of these rights and freedoms.⁵⁵ This absence makes it difficult for individuals to seek justice through the courts when these rights are violated.

Article 2 (1) of ICESCR calls on states to use 'all appropriate means' to give effect to economic, social and cultural rights. The UN Committee on Economic, Social and Cultural Rights (CESCR) considers that a state doesn't comply with this obligation if it does not provide legal remedies for violations of these rights.

On multiple occasions, the CESCR has urged the UK to make these rights justiciable (enforceable through judicial process), but the UK government persistently states that

52 United Nations, The Universal Declaration of Human Rights, 1948, <https://www.un.org/en/about-us/universal-declaration-of-human-rights>

53 United Nations, International Covenant on Economic, Social and Cultural Rights, 1966, <https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-economic-social-and-cultural-rights>

54 Council of Europe, European Convention on Human Rights, 1950, <https://www.coe.int/en/web/human-rights-convention/home>

55 UK government, Human Rights Act, 1998, <https://www.legislation.gov.uk/ukpga/1998/42>

it relies instead on what it describes as a ‘combination of policy and legislation’.⁵⁶ In practical terms, this means they feel that sufficient rights protections for people in the UK are contained in laws on the statute books through things like housing, education, workers’ rights and social security legislation or through policy decisions taken (for example, budget allocations or statutory guidance).

Through devolved authority, the Scottish government, the Welsh government and the Northern Ireland executive have taken different approaches to respecting, protecting and fulfilling economic, social and cultural rights. For example, the Scottish government intend to pass a Human Rights Bill into Scots law, essentially giving legal effect to the rights outlined in the ICESCR, allowing people to use it to challenge government policies and actions that may infringe on their economic, social and cultural rights.⁵⁷

These attempts are hampered by the UK government’s fragmented, often siloed approach to policy and legislation for rights protections. It fails to recognise the interdependent and indivisible nature of human rights. Without acknowledging and safeguarding all human rights, governments will be unable to address the systemic causes of poverty and inequality. Initiatives introduced by one part of government risk undermining efforts elsewhere – a phenomenon politicians often refer to as ‘unintended consequences’. This report will highlight how failings in the UK social security system have precipitated these unintended consequences, exacerbating inequality and hardship for those in need of support.

As a result of the failure of the UK government to fully acknowledge the interconnected nature of human rights and buffer the cascading impacts, harmful policy measures pass into law and practice, worsening poverty and inequality while leaving individuals without justice and remedy.

Between 2023 and 2024, Amnesty International gathered community perspectives on how marginalised groups experience access to these rights. The report *Broken Britain: Voices from the frontline of the fight for everyday rights* spells out the struggles faced by individuals, families and communities and their views that the issues cannot be treated as isolated problems with discreet solutions.⁵⁸ The issues impacting their rights are multi-layered, interconnected and complex. A single social or economic rights violation can trigger a domino effect, undermining the entire social support infrastructure required for an adequate standard of living.

Access to these rights is also significantly harder for some communities due to systemic discrimination – policies and practices embedded in institutions and society that disproportionately harm certain groups.

Communities stressed to Amnesty International that the right to social security plays a fundamental role in ensuring a decent standard of living. It acts like a lynchpin for their other rights. When the social security system moves away from international human rights standards, the impact is profound and far-reaching. Based on this, Amnesty

56 UK government, ‘The United Kingdom’s Response to the Committee on Economic, Social and Cultural Rights’ List of Issues Report’, August 2024, p6-7, <https://assets.publishing.service.gov.uk/media/66e0063a9210ba34a3ebac03/icescr-response.pdf>

57 Human Rights Commission Scotland, Scottish Human Rights Bill, <https://www.hrcscotland.org/work-bill/>

58 Amnesty International UK, *Broken Britain report: Voices from the frontline of the fight for everyday rights*, 2024, https://www.amnesty.org.uk/files/2024-09/ESCR_Briefing%20FINAL.pdf?VersionId=n7hzU8voMI3kPxI5Yq9V4b5EGxL3u.u

International undertook extensive and comprehensive research into the experiences of the UK social security system to identify where failures create a domino effect on rights.

This report aims to highlight the level of compliance of the UK's social security system against international standards as defined by the UN and other inter-governmental organisations and examine in detail how social security claimants perceive these government failures to compromise the full spectrum of human rights for people in the UK.

A note on language

We are aware that the UK public (particularly young people) and the UK government do not systematically use the framing of social assistance and income protection as 'social security' and are more likely to use language associated with 'benefits' and 'welfare'.⁵⁹ There is an increasing shift towards negative framing of welfare benefits and claimants as a burden on society, resulting in stigma perpetuated by successive governments and the media (explored in more detail below in this report).

Instead, Amnesty International stands behind the international human rights framework principle that social security is a protective measure and a fundamental human right. It is part of a social contract that ensures people have access to financial and other support during times of need. It should not be perceived as charity, as is often implied by the term 'benefits'.

To underline this and encourage those citing these works to do the same, throughout this report we refer to 'social security schemes' (when referring to the plethora of 'benefits' set out in law), 'social security payments' (when referring to the cash transfers made to claimants) and 'social security protections' (when referring to the general principles of income protections).

Research methodology

To evaluate the compliance of the social security system against the international standards set out by the Committee on Economic, Social and Cultural Rights, Amnesty International commissioned an academic desk-based literature review of relevant data, and research from the last five years, with the majority of sources being no more than three years old. The review, authored by Dr Koldo Casla and Lyle Barker, is published separately.⁶⁰ This report contains extracts and summaries of the findings.

To understand the views and experiences of people who have accessed the social security system (within the past 12 months) and people who advise others on their claims (such as from Citizens Advice) we triangulated findings from the research against the realities of social security claimants and their advisors to establish the cascading impact of any areas of lack of compliance with the international human rights standards on social security.

⁵⁹ Heard, *How do young people think about social security?*, 2022, p4, <https://www.childrenssociety.org.uk/sites/default/files/2023-12/How%20do%20Young%20People%20Think%20About%20Social%20Security.pdf>

⁶⁰ Casla, Dr Koldo and Lyle Barker, *Essential to All Other Human Rights: Human Rights Analysis of the UK's Social Safety Net – A report for Amnesty International UK*, 2025, https://www.amnesty.org.uk/files/2025-04/Essential%20to%20All%20Other%20Human%20Rights-%20Human%20Rights%20Analysis%20of%20the%20UK%E2%80%99s%20Social%20Safety%20Net.pdf?VersionId=TkTvRE_1R6kB90ekCS5CYVbIKtmhhPaR

Evidence and testimony were gathered through a combination of online surveys and face-to-face and online individual and group interviews carried out between October 2024 and January 2025 on behalf of Amnesty International. In total, the views of 782 people were captured through this process. Many of these sessions were overseen by Amnesty International observers to verify evidence.

Methodology	Total	ENG	WAL	SCO	NIR
Face-to-face interview	216	162	34	13	7
Online survey	419	322	27	61	9
Advisor online survey	147	115	11	12	9

Full demographic data on the claimants can be found in the Appendix.

This gathered evidence focused mainly on working age social security schemes (between 16 and 64 years old, therefore excluding pensions) and on claimants of carer’s allowance, universal credit, employment and support allowance and personal independence payment.

Participants are referred to as ‘claimant’ or ‘advisor’ where directly quoted to remove all identifiable indicators. As active claimants or advisors, Amnesty International is duty bound to protect them from the risks of sharing their stories. All necessary safeguarding and data protections measures were taken to ensure people were protected. All participants provided their consent for their experiences to be recorded, stored and used anonymously in the report and associated activity. Following analysis of data, we describe common trends in experiences and illustrate these through quotes.

In addition to this, Amnesty International has worked through extensive engagement and consultation with civil society organisations who specialise in the UK social security system or who support people who are dependent upon it, and collectives of people who have lived experience of claiming social security entitlements. Regular meetings enabled the plans, analysis and recommendations to be shaped by their views.

Amnesty International acknowledges that there are limitations to the evidence gathered. Notably, the samples for Scotland, Wales and Northern Ireland, across the plethora of social security schemes, are limited and should not be considered as representative samples. However, the trends established in the lived realities that people shared are indicative of broader system issues and should prompt more in-depth investigation by the government.

The Department for Work and Pensions was provided with a summary of the findings and the recommendations and given the right to reply prior to publication but it declined.

1. The UK's human rights obligations

1.1 The UK's international obligations to respect, protect and fulfil the right to social security

The States Parties to the present Covenant recognise the right of everyone to social security, including social insurance.

International Covenant on Economic, Social and Cultural Rights (ICESCR, Article 9)

The right to social security is proclaimed in Articles 22 and 25 of the 1948 Universal Declaration of Human Rights.⁶¹ It is also recognised in Article 9 of the 1966 International Covenant on Economic, Social and Cultural Rights (ICESCR),⁶² signed and ratified by (at the time of writing) 172 states, including the UK in 1976.⁶³

The right to social security is also contained in other human rights and labour treaties the UK has ratified or accessed, such as the:

- Convention on the Rights of the Child (1989);
- Convention on the Elimination of All Forms of Racial Discrimination (1965);
- Convention on the Elimination of All Forms of Discrimination Against Women (1974);
- Convention on the Rights of Persons with Disabilities (2006);
- International Labour Organisation Convention No. 102 on Social Security Minimum Standards (1952).⁶⁴

As established by the Committee on Economic, Social and Cultural Rights (CESCR) in General Comment No. 19, on the right to social security, this right involves the access and maintenance of social security, in cash or in kind, without discrimination, to secure protection from lack of work-related income caused by sickness, disability, maternity, employment injury, unemployment, old age, death of a family member, and insufficient family support, particularly for children and adult dependents.⁶⁵ The CESCR is a body of independent experts that monitors states' compliance with ICESCR.

General comments are issued by the CESCR and other UN human rights treaty bodies, and they are interpretations of the content and limits of the rights proclaimed in international human rights law.

61 UN General Assembly Resolution 217 A, Universal Declaration of Human Rights (10 December 1948), <https://www.un.org/en/about-us/universal-declaration-of-human-rights>

62 UN General Assembly Resolution 2200A (XXI) International Covenant on Economic, Social and Cultural Rights (1976), <https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-economic-social-and-cultural-rights>

63 UN Treaty Series Vol. 993, p. 3. Status of ratification, https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&cmdsg_no=IV-3&chapter=4&clang=en

64 Status of ratification of UN human rights treaties: status of ratification of ILO treaties, https://normlex.ilo.org/dyn/nrmlx_en/f?p=NORMLEXPUB:11001:0::NO::#U

65 CESCR, General Comment No. 19: The Right to Social Security (Article 9), UN Doc. E/C.12/GC/19 (2008), para 2 and 12-21, <https://digitallibrary.un.org/record/618890>

Social security schemes can be contributory (insurance-based schemes) or non-contributory, tax-funded, and universal or targeted.⁶⁶

The 1961 European Social Charter (ESC), also signed and ratified by the UK, contains the right to social security (Article 12), alongside the right to social and medical assistance (Article 13) and the right to benefit from social welfare services (Article 14).⁶⁷

With social security, the UK has not yet accepted paragraphs two, three and four of Article 12 of the ESC, which respectively refer to International Labour Organisation standards, recognise the principle of progressive realisation, and call for bilateral and multilateral agreements for non-national workers. Under Article 12(1) of the ESC, the European Committee of Social Rights focuses on healthcare, family, and income-replacement social security schemes, in particular in cases of unemployment, old-age and sickness.⁶⁸

As observed by the CESCR, social security has an economic redistributive character and plays an important role in poverty reduction, the promotion of social inclusion, and the prevention of social exclusion.⁶⁹

The right to social security is closely interrelated and interdependent with other human rights, particularly with economic, social and cultural rights, such as the right to protection and assistance to the family (Article 10, ICESCR), the right to an adequate standard of living, including food, clothing, water, sanitation, housing and the continuous improvement of living conditions (Article 11, ICESCR), and the right to health (Article 12, ICESCR).⁷⁰

The CESCR has established that the right to social security needs to be interpreted in light of the International Labour Organisation's Social Protection Floors Recommendation, 2012 (No. 202) which outlines a comprehensive framework for basic social security guarantees, subject to progressive realisation (meaning enjoyment of rights should progressively improve), to cover essential healthcare, income security for children, and income support for older persons and persons with disabilities, fostering social inclusion and poverty reduction.⁷¹

The CESCR reminds states that 'social security should be treated as a social good, and not primarily as a mere instrument of economic or financial policy'.⁷²

66 CESCR, General Comment No. 19: The Right to Social Security (Article 9), UN Doc. E/C.12/GC/19 (2008), para 4, <https://digitallibrary.un.org/record/618890>

67 European Social Charter (18 October 1961), ETS No. 35. Status of ratification, <https://www.coe.int/en/web/european-social-charter/signatures-ratifications>

68 ECSR, Conclusions XXII-2 (2021) United Kingdom (March 2022), p27, <https://rm.coe.int/conclusions-xxii-2-2021-united-kingdom-en/1680a5da33>

69 CESCR, General Comment No. 19: The Right to Social Security (Article 9), UN Doc. E/C.12/GC/19 (2008), para 3, <https://digitallibrary.un.org/record/618890>

70 Ibid.

71 International Labour Organisation, Recommendation No. 202 on Social Protection Floors (14 June 2012), <https://www.ilo.org/resource/news/ilo-social-protection-floors-recommendation-2012-no-202>; CESCR, Statement: Social Protection Floors: An Essential Element of the Right to Social Security and of the Sustainable Development Goals, UN Doc. E/C.12/2015/1 (2015), <https://socialprotection-humanrights.org/wp-content/uploads/2015/06/CESCR-statement-social-protection-floors1.pdf>

72 CESCR, General Comment No. 19: The Right to Social Security (Article 9), UN Doc. E/C.12/GC/19 (2008), para 10, <https://digitallibrary.un.org/record/618890>

For the CESCR, the core elements of the right to social security are:

- **Availability**

Social security schemes are available to manage and mitigate social risks like illness, disability or unemployment.⁷³

- **Adequacy**

The amount of social security provided must be enough to have an adequate standard of living and to maintain right to health.⁷⁴

- **Accessibility**

Everyone⁷⁵ should be covered by the criteria within the system⁷⁶ which should be effectively administered to make sure that access is reasonable, proportionate and transparent.⁷⁷

We use these key elements as benchmarks against which to examine the evidence. The characteristics of these elements are described in detail in the relevant analytical sections in this report.

In relation to all other economic, social and cultural rights (ESC rights), states are required to take effective measures, making use of the maximum of available resources, to advance progressively towards the full realisation of the right to social security, without discrimination of any kind (Article 2, ICESCR).

There is a strong presumption that austerity-driven retrogressive measures taken to social security would not be allowed under the ICESCR. Retrogressive measures are policies or legislation introduced by a state which make access to rights worse than it was before.⁷⁸

The burden of proof rests with the state.⁷⁹ Among other things, the minimum core content of the right to social security includes the existence of a scheme that provides a minimum essential level of social security without discrimination which enables everyone to acquire access to housing, water and sanitation, foodstuffs, and – when applicable – at least essential healthcare and basic education.⁸⁰ Amnesty International considers austerity measures taken in the UK to be retrogressive measures that are not compliant with obligations of the ICESCR.

73 CESCR, General Comment No. 19: The Right to Social Security (Article 9), UN Doc. E/C.12/GC/19 (2008), para 11, <https://digitallibrary.un.org/record/618890>

74 CESCR, General Comment No. 19: The Right to Social Security (Article 9), UN Doc. E/C.12/GC/19 (2008), para 22, <https://digitallibrary.un.org/record/618890>

75 CESCR, Statement: Social Protection Floors: An Essential Element of the Right to Social Security and of the Sustainable Development Goals, UN Doc. E/C.12/2015/1 (2015), para 8, <https://socialprotection-humanrights.org/wp-content/uploads/2015/06/CESCR-statement-social-protection-floors1.pdf>

76 CESCR, General Comment No. 19: The Right to Social Security (Article 9), UN Doc. E/C.12/GC/19 (2008), para 23, <https://digitallibrary.un.org/record/618890>

77 CESCR, General Comment No. 19: The Right to Social Security (Article 9), UN Doc. E/C.12/GC/19 (2008), para 24, <https://digitallibrary.un.org/record/618890>

78 CESCR, General Comment No. 19: The Right to Social Security (Article 9), UN Doc. E/C.12/GC/19 (2008), para 42, <https://digitallibrary.un.org/record/618890>

79 CESCR, Statement: An Evaluation of the Obligation to Take Steps to the Maximum Available Resources, UN Doc. E/C.12/2007/1 (2007), para 9, <https://digitallibrary.un.org/record/607726>

80 CESCR, General Comment No. 19: The Right to Social Security (Article 9), UN Doc. E/C.12/GC/19 (2008), para 59, <https://digitallibrary.un.org/record/618890>

2. Social security law and policy framework in the UK

2.1 The history of the UK's social security system

The UK's social security system evolved through landmark legislative reforms over the past century, adapting to changing socio-economic conditions. This section sets out the key legislation in the evolution of the system in place today. Social security systems and processes are described in more detail in sections below as they relate to decision-making at various key points of interaction between people and government.⁸¹

The National Insurance Act 1948 established contributory social security schemes in response to recommendations in the Beveridge report of 1942, moving away from the means-tested Poor Law system of the 19th century. The Act required employed people to make national insurance contributions, creating a fund for social security protections during unemployment, sickness and retirement.⁸²

The Social Security Contributions and Benefits Act 1992 consolidated the system, formalising the structure for social security still in use today, including the state pension, accident insurance, statutory sick pay and maternity pay. It also introduced non-contributory schemes like income support and disability living allowance, ensuring support for those without sufficient contributions.

The Welfare Reform Act 2012 represented a significant overhaul of the social security system, introducing universal credit as its centrepiece.

Universal credit was called to replace six separate means-tested schemes with a single monthly payment: Income-based jobseeker's allowance, income-related employment and support allowance, income support, child tax credit, working tax credit, and housing benefit (so-called legacy benefits).

The Welfare Reform and Work Act 2016 introduced measures like a two-child limit, uprating freezes and benefit caps.⁸³

At the time, the Department for Work and Pensions (DWP) describe welfare reform as aiming to simplify a complex web of overlapping schemes so that social security 'rewards work and, backed by the right support and encouragement, helps people lift themselves out of poverty, and stay out of poverty'.⁸⁴

81 UK parliament, Research Briefing, An Introduction to social security in the UK, 2022, <https://commonslibrary.parliament.uk/research-briefings/cbp-9535/>

82 UK parliament, Beveridge Report, 1942, <https://www.parliament.uk/about/living-heritage/transformingsociety/livinglearning/coll-9-health1/coll-9-health/>

83 Mackley, A et al, Parliamentary Research Briefing: Effect of Welfare Reform and Work Act 2016, 2018, <https://commonslibrary.parliament.uk/research-briefings/cdp-2018-0072/>

84 Department for work and Pensions, DWP Reform Agenda Explained (2025; since withdrawn), <https://assets.publishing.service.gov.uk/media/5a808d5ce5274a2e8ab50cc5/dwp-reform-agenda-explained-1-feb-2015.pdf>

In March 2025, the UK government published the Pathways to Work Green Paper,⁸⁵ which set out proposals to reform with implications for the availability, adequacy and availability of sickness and disability social protections (alongside support into employment). These proposals were affirmed in the government's Spring Statement.⁸⁶ We will examine the potential implications of what is proposed in the relevant sections.

2.2 Devolution of state obligations for social security

Despite some differences, social security is largely a reserved matter. This means that the UK government retain overall decision-making powers for social security policy, budgets and implementation, therefore the fundamental characteristics of social security are similar across the devolved nations of the UK. In practice, the relative powers through devolution can lead to specific or incremental adjustments or new social security schemes within a broad framework that remains reserved policy.

Scotland

In the case of Scotland, the social security principles applicable to devolved social security and powers are listed in Section 1 of the Social Security (Scotland) Act 2018.

Social security in Scotland is defined as an 'investment in the people of Scotland', 'a human right essential to the realisation of other human rights', 'a public service', with a core focus on 'respect for the dignity of individuals', at heart, a system to 'contribute to reducing poverty' through a participatory and evidence-based system that aims to continuously improve putting 'the needs of those who require assistance first' to 'advance equality and non-discrimination', all while striving 'to be efficient and deliver value for money'.⁸⁷

The Scotland Act (2016) transferred social security powers to the Scottish parliament, allowing Scottish ministers to develop new policies on social security schemes.⁸⁸

The Social Security (Scotland) Act of 2018 devolved 11 existing social security schemes to the Scottish parliament, allowing them to manage these schemes independently within Scotland.

Under the Social Security (Scotland) Act 2018, social security schemes are not explicitly categorised in the same way as for the other nations of the UK. However, they can be classified into contributory, income-related (or means-tested), and non-income-related (or categorical) schemes.

Income-related social security schemes include the best start grant, best start foods, and Scottish child payment, all aimed at assisting low-income families with the costs of raising children.

85 Department for Work and Pensions, Pathways to Work: Reforming Benefits and Support to Get Britain Working Green Paper, 2025, <https://www.gov.uk/government/consultations/pathways-to-work-reforming-benefits-and-support-to-get-britain-working-green-paper>

86 HM government, Spring Statement 2025, <https://www.gov.uk/government/topical-events/spring-statement-2025>

87 Scottish Parliament, Social Security (Scotland) Act 2018, Section 1, <https://www.legislation.gov.uk/asp/2018/9/section/1>

88 <https://www.legislation.gov.uk/ukpga/2016/11/introduction>

The carer support payment became available across Scotland in November 2024, replacing the carer's allowance.⁸⁹ Since the carer's allowance is linked to an earnings threshold, it can be considered means-tested; therefore, the carer's allowance supplement would also be considered means-tested. The child winter heating payment and the winter heating payment also fall under this category. Other income-related support includes the job start payment, which aids young individuals starting a job after claiming certain social security schemes, and the funeral support payment.

Non-income-related categorical social security schemes, such as the adult disability payment (ADP), are tailored to individual circumstances. In Scotland, the ADP replaced the UK's personal independence payment (PIP), providing similar social security protections but with a simplified assessment process that requires less initial information from applicants and only uses medical assessments when necessary, following the devolution of disability schemes in 2022-23.⁹⁰ Other non-income-related support includes the child disability payment and the young carer grant.⁹¹

Wales

In the case of Wales, social security is a reserved matter, and social security entitlements are administered by the Department for Work and Pensions (DWP). However, the Welsh government run its own programme of grants and allowances, including its means-tested council tax reduction scheme, universal free school meals, a conditional discretionary assistance fund, and a basic income pilot.⁹² The Welsh Benefits Charter aims to create a 'Welsh benefits system that is based upon respect for fundamental human rights and equality'.⁹³

Northern Ireland

Section 87 of the Northern Ireland Act 1998 mandates that the Northern Ireland administration has devolved powers and responsibility for social security in Northern Ireland but allows for the negotiation of a single system across the whole of the UK:

The secretary of state (of Work and Pensions) and Northern Ireland minister responsible for social security shall from time to time consult one another with the view to securing that, to the extent agreed between them, the legislation to which this section applies provides single systems of social security, child support and pensions for the United Kingdom.⁹⁴

This means Northern Ireland can create a more tailored system to address its specific needs, provided it aligns with the broader UK framework. However, in practice, the general principle is that Northern Ireland's social security system maintains parity of rates of social security payments with that of Great Britain (England, Wales and Scotland) while maintaining flexibility to tailor the administration of schemes.⁹⁵

89 Social Security Scotland, 'Carer Support Payment now Scotland-wide', 2024, <https://www.socialsecurity.gov.scot/news-events/news/carers-support-payment-now-scotland-wide>

90 Scottish Government Social Security Directorate, March 2022, Adult Disability Payment: Policy Positions Paper <https://www.gov.scot/publications/adult-disability-payment-policy-position-paper/pages/1/>

91 Social Security Scotland, Information on Benefits, accessed 2025, <https://www.socialsecurity.gov.scot/benefits>

92 Welsh Affairs Committee, The Benefits System in Wales, 2022, <https://publications.parliament.uk/pa/cm5802/cmselect/cmwelaf/337/report.html>

93 Welsh Affairs Committee, Welsh Benefits Charter, 2024, <https://www.gov.wales/sites/default/files/publications/2024-02/welsh-benefits-charter.pdf>

94 UK government, Northern Ireland Act 1998, Section 87, <https://www.legislation.gov.uk/ukpga/1998/47/section/87;>

95 Law Centre NI, Social security parity – a note for the social development assembly committee, 2011, https://www.niassembly.gov.uk/globalassets/Documents/Social-Dev/Urban-Regen/law_centre.pdf

All social security powers are devolved formally to Northern Ireland and managed under the Department of Communities, aside from child benefit, guardian's allowance, working tax credit, and child tax credit, which are reserved.

A so-called mitigation package of measures has been in place since 2016, aiming to reduce the impact of welfare reforms on the most vulnerable individuals, and certain payment flexibilities apply to universal credit – about the frequency of payment or split payments for couples, for example.

2.3 Social security in the UK

The UK's social security system is a large, complex programme that combines contributory, means-tested or income-related, and non-income-related or categorical schemes for certain categories of claimants – for instance, households with children, persons with disabilities and carers.

The UK social security system is primarily the responsibility of the secretary of state for work and pensions. The Department for Work and Pensions (DWP) is staffed by a workforce of 93,540 (as of November 2024)⁹⁶ who, amongst other things, administer social security schemes relating to incapacity to work (due to illness), disability, unemployment, pensions and for unpaid carers who have limitation on access to work due to caring responsibilities. Services are run through 'Jobcentre Plus' offices.

Complementing the DWP, His Majesty's Revenue and Customs (HMRC) administers tax-related social security schemes such as child and working tax credit, child benefit, guardian's allowance, national insurance contributions, and employer-provided, statutory payments such as statutory sick pay (SSP).⁹⁷

Different types of social security schemes

The range of social security schemes, designed to address different needs and circumstances, are categorised into:

Contributory schemes Available to individuals who have made national insurance contributions (NICs) while working. This includes the state pension, which provides financial support to retirees based on their work history, and the contribution-based employment and support allowance (ESA) aimed at those unable to work due to illness or disability. Notably, this is often referred to as 'new style' ESA, as the previous version still exists as a 'legacy benefit', with both forms commonly referred to simply as 'ESA'.

These schemes are rooted in the principle that individuals should receive support commensurate with their contributions to the system, promoting a sense of social insurance. A notable feature of the state pension is the 'triple lock' mechanism, which ensures it goes up each year by either 2.5 per cent inflation or earnings growth – whichever is the highest figure.

Non-contributory schemes Designed to help people with specific needs regardless of their work history. The personal independence payment (PIP) supports individuals with

⁹⁶ Department for Work and Pensions, DWP workforce management information, November 2024, <https://www.gov.uk/government/publications/dwp-workforce-management-information-november-2024>

⁹⁷ Department for Work and Pensions, DWP benefits statistics: August 2024, <https://www.gov.uk/government/statistics/dwp-benefits-statistics-august-2024/dwp-benefits-statistics-august-2024>

long-term disabilities, helping them cover extra costs associated with their condition. The category D state pension is a non-contributory scheme for people aged 80 or over.

Means-tested schemes Targeted at individuals and families whose income falls below a specified threshold, with most coming under the universal credit system.

The carer's allowance (for people with caring responsibilities for someone who receives a qualifying disability benefit) and the child benefit have earnings limits therefore are considered means-tested.

Local authorities provide discretionary support that plays a crucial role in assisting low-income households. This includes funding for discretionary housing payments, which help cover rent shortfalls, and council tax support, designed to reduce the tax burden on those facing financial difficulties.⁹⁸ Furthermore, initiatives like the household support fund (in England), discretionary assistance fund (in Wales), the discretionary support grant (in Northern Ireland), and the Scottish welfare fund (in Scotland) offer targeted assistance for essential needs, such as food and utilities, to help families navigate periods of financial strain.

2.4 UK social security structure

Accounting for the devolution of powers, the responsibility for the UK social security system is intended to be structured as in figure 1 on page 31.

2.5 How many people claim social security in the UK?

According to the latest DWP data, there are 24 million people claiming social security in Great Britain. This figure represents the total number of people claiming, not the number of individual claims. Claimants can access a combination of entitlements simultaneously.⁹⁹

Key points about claimants

- 13 million of state pension age
- 9 million of working age
- 750,000 under 16s (and in receipt of disability living allowance as a child)

The way data is collected in Northern Ireland makes it difficult for it to be easily combined with the rest of the UK data.

Often, the release of universal credit data for Northern Ireland is delayed, resulting in gaps in the overall statistics.

However, the latest data available shows the following active claims:

- 394,340 of state pension age
- 299,110 of working age
- 430,170 for disability or carers benefits¹⁰⁰

Note These figures are numbers of claims, and some people claim more than one scheme.

⁹⁸ UK government, Applying for a discretionary housing payment, accessed on 1 March 2025, <https://www.gov.uk/government/publications/claiming-discretionary-housing-payments/claiming-discretionary-housing-payments>

⁹⁹ Department for Work and Pensions, Benefits statistics, February 2025, <https://www.gov.uk/government/statistics/dwp-benefits-statistics-february-2025>

¹⁰⁰ Northern Ireland Statistics and Research Agency, Northern Ireland Benefits Statistics Summary, November 2025, <https://www.communities-ni.gov.uk/system/files/2025-02/benefits-statistics-summary-nov-2024.pdf>

UK Social Security: Projected structure in 2025

Based on Scottish Government and Department for Work & Pensions forecasts



Figure 1: UK social security projected structure in 2025. Source: House of Commons library

2.6 Resourcing social security

For the fiscal year 2024-25, the UK government was projected to spend £319.1 billion on social security (approximately £10 billion of which corresponds to Northern Ireland), which accounts for approximately 23.8 per cent of total public spending and about 10.8 per cent of the UK's GDP. This significant expenditure highlights the system's role as a central pillar of government responsibility.

Most of this spending is directed toward pensioners and working-age welfare. Specifically, £165.9 billion is earmarked for pensioners, primarily through the state

pension, which alone will account for £137.5 billion of the budget. This reflects the growing demand for retirement support in an aging population.

For working-age individuals, £137.4 billion will be allocated to schemes such as universal credit, employment and support allowance, jobseeker's allowance, and other social security schemes aimed at providing income support and encouraging labour market re-entry.

The UK government plans to spend £90.4 billion on social security to support people with disabilities and £35.1 billion on housing benefits.¹⁰¹

In Scotland, spending on reserved or UK-wide social security is projected to reach £19.5 billion in 2023-24.¹⁰² The Scottish government allocated close to £7 billion for social security spending in 2025-26, making up 14 per cent of their overall budget.¹⁰³ Projections indicate this will reach £8.0 billion by 2028-29, supporting approximately two million people.¹⁰⁴

101 Department for Work and Pensions, Guidance and methodology: Benefit expenditure and caseload tables, 2024, <https://www.gov.uk/government/publications/benefit-expenditure-and-caseload-tables-information-and-guidance>

102 Scottish government, Building a new Scotland, social security in an independent Scotland, 2023, p14, <https://www.gov.scot/publications/social-security-independent-scotland/>

103 Scottish government, Social Security Budget 2025-26 – SPICe Spotlight | Solas air SPICe, <https://spice-spotlight.scot/2024/12/17/social-security-budget-2025-26/>

104 Scottish government, 'Office of the Chief Social Policy Advisor, Examining Outcomes Associated with Social Security Scotland Spending: An Evidence Synthesis', 2024, <https://www.gov.scot/binaries/content/documents/govscot/publications/research-and-analysis/2024/03/examining-outcomes-associated-social-security-scotland-spending-evidence-synthesis/documents/examining-outcomes-associated-social-security-scotland-spending-evidence-synthesis/examining-outcomes-associated-social-security-scotland-spending-evidence-synthesis/govscot%3Adocument/examining-outcomes-associated-social-security-scotland-spending-evidence-synthesis.pdf>

3. Human rights analysis of UK non-contributory social security schemes

In this section, we review evidence and testimony from practitioners, claimants, NGOs and public authorities to understand concerns about the extent to which the UK's non-contributory social security system complies with international standards. We analyse the extent to which UK government reform has addressed them, and where this might indicate that the social security system is compliant or not with the international human rights standards.

The analysis is based on three pillars of the right to social security, as developed by the UN Committee on Economic, Social and Cultural Rights:

- Availability, ensuring a functioning social security system;
- Adequacy, guaranteeing social security sufficient for a decent standard of living;
- Accessibility, ensuring social security is available to all without discrimination.

The standards against which we are analysing compliance are set out in the General Comment 19 of that committee.¹⁰⁵ Violations of the right to social security can be precipitated by acts of omission (ie not acting to remove barriers to the realisation of the right) or through acts of commission (ie direct government actions which directly discriminate or prevent the realisation of the right).

Within the limits of available evidence, where practicable, we refer to the social security systems in England and Wales, Scotland and Northern Ireland to highlight variations across all four nations in the UK and the impact of devolved governance on welfare provision.

Due to the complexity of the UK's social security system, this means we examine schemes awarded universally or for targeted groups of people who fall into categories which place them at social risk, without a requirement for previous financial contributions. Evidence is from claimants focused on their experience of universal credit, employment support allowance, personal independence payments and carer's allowance.

3.1 Availability of the right to social security in the UK

To fulfil the right to social security, governments are required to ensure that social security schemes (including what are referred to in the UK as cash benefits) are available and set out in law. These schemes should protect people against 'social risks' and provide contingencies so that people can still have an adequate standard of living even if they are unable to earn enough income through employment to avoid falling into deprivation.¹⁰⁶

105 CESCR, General Comment No. 19: The Right to Social Security (Article 9), UN Doc. E/C.12/GC/19 (2008), <https://digitallibrary.un.org/record/618890>

106 OHCHR, ILO, Fact Sheet 39, *Right to Social Security*, 2025, <https://www.ohchr.org/sites/default/files/2025-02/OHCHR-ILO-Fact-Sheet-39-Right-to-Social-Security.pdf>

As per General Comment 19 of the CESCR, governments are directed to ensure schemes are in place to manage social risks that cover at least the following:

- **Healthcare** Governments must guarantee accessible health systems for everyone. Private or mixed plans must be affordable.
- **Sickness** Cash benefits must be provided to people unable to work due to illness, covering their loss of income. People experiencing long-term sickness should qualify for disability social protections.
- **Old age** Governments should establish social security schemes to support older individuals. Retirement ages should be set out in law and consider the type of work and national circumstances. Non-contributory schemes should be available to people without other income sources when they reach retirement age.
- **Unemployment** Governments, in addition to promoting full and freely chosen employment, must provide social security for people who lose their jobs or who cannot find suitable employment. Schemes should cover part-time, casual, seasonal, self-employed and informal workers.
- **Employment injury** Workers injured on the job should be covered for healthcare costs and lost earnings. Compensation must also include support for dependents if the worker dies.
- **Family and child support** Social security for families help ensure children and dependents' rights are protected. These schemes should cover essentials like food, housing and sanitation, and must be provided without discrimination.
- **Maternity** Working mothers should receive paid parental support or equivalent social security. All women, including those in non-standard jobs, must receive adequate parental support, medical care, and postnatal support.
- **Disability** Persons with disabilities should receive adequate income support to cover lost earnings or additional expenses. This support should also extend to family members and informal carers.
- **Survivors and orphans** Social security must provide protections to survivors and orphans when a person on who they were dependent dies. These should include funeral costs and protections against discrimination.¹⁰⁷

Ensuring that households in financial hardship can access available social security is vital for preventing or alleviating their hardship. The state must ensure that social security schemes are administered and supervised effectively.¹⁰⁸

The UK has ratified Parts II to V, VII and X of the International Labour Organisation Convention 102 – Social Security (Minimum Standards) Convention, 1952. This treaty includes social protection measures relating to medical care, sickness, unemployment, old age, family support and survivors.¹⁰⁹

This section explores the extent of the ‘availability’ of social security, addressing knowledge gaps, failure to adequately administer and supervise availability leading to barriers to access, including lack of knowledge of entitlements, stigma faced by claimants, and eligibility cliff-edges.

107 CESCR, General Comment No. 19: The Right to Social Security (Article 9), UN Doc. E/C.12/GC/19 (2008), p5-7, <https://digitallibrary.un.org/record/618890>

108 CESCR, General Comment No. 19: The Right to Social Security (Article 9), UN Doc. E/C.12/GC/19 (2008), p4, <https://digitallibrary.un.org/record/618890>

109 International Labour Organisation, C102 - Social Security (Minimum Standards) Convention, 1952, https://normlex.ilo.org/dyn/nrmlx_en/f?p=NORMLEXPUB:12100:0::NO::P12100_INSTRUMENT_ID:312247

3.2 Social security strategy and availability

The CESCR's General Comment No. 19 outlines state obligation to 'fulfil', which includes responsibilities to facilitate, promote, and provide social security.

The obligations regarding the right to social security emphasise that the UK must adopt measures to fully realise this right through the implementation of comprehensive schemes. This includes facilitating access by legally recognising the right, developing national strategies, and ensuring that schemes are available, adequate and accessible. States are also required to promote public awareness about social security, particularly among disadvantaged communities.¹¹⁰

The ILO General Recommendation No. 202 directs states to develop 'social security strategies':

■ Prioritise creating social protection floors, gradually expanding coverage based on national capacities, and addressing gaps through coordinated contributory and non-contributory schemes.

States are meant to set clear objectives, identify gaps, integrate active labour policies (eg vocational training), and specify financial needs and timelines.¹¹¹ They must also monitor progress through national mechanisms with tripartite participation (worker, employers and government) and regularly collect and publish social security data, including gender breakdowns.¹¹²

3.3 Planning for realisation of the right to social security

The Committee on Economic, Social and Cultural Rights (CESCR) urges governments to adopt a national strategy and plan of action to realise the right to social security. The implication is that by developing this strategy and plan of action, the government can demonstrate that a comprehensive social security system is in place that it reviews regularly to ensure that it upholds this human right.

The strategy and action plan should:

- Consider the equal rights of men and women and the most disadvantaged and marginalised groups;
- Be based upon human rights law and principles;
- Cover all aspects of the right to social security;
- Set targets or goals to be achieved and the timeframe for their achievement;
- Have corresponding benchmarks and indicators, against which they should be continuously monitored;
- Use indicators to address the different elements of social security (such as adequacy, coverage of social risks and contingencies, affordability and accessibility);

110 CESCR, General Comment No. 19: The Right to Social Security (Article 9), UN Doc. E/C.12/GC/19 (2008), para 47-51, <https://digitallibrary.un.org/record/618890>

111 International Labour Organisation, Recommendation No. 202 on Social Protection Floors, 2012, <https://www.ilo.org/resource/news/ilo-social-protection-floors-recommendation-2012-no-202>

112 International labour standards are legal instruments drawn up by the ILO's constituents (governments, employers, and workers) and setting out basic principles and rights at work. They are either: Conventions and Protocols, which are legally binding international treaties that may be ratified by member states, or recommendations, which serve as non-binding guidelines. <https://www.ilo.org/international-labour-standards/conventions-protocols-and-recommendations>

- Make data available to be disaggregated on the prohibited grounds of discrimination;
- Set out the mechanisms for obtaining financial and human resources.¹¹³

State parties are obliged to effectively monitor the realisation of the right to social security and should establish the necessary mechanisms or institutions for such a purpose. In monitoring progress towards the realisation of the right to social security, state parties should identify the factors and difficulties affecting the implementation of their obligations.

Successive UK governments have put in place various approaches to planning, with performance indicators, targets, and monitoring mechanisms across departments, including the DWP.

After a 2020 spending review, the previous government introduced ‘outcome delivery plans’ for all UK government departments, including the Department for Work and Pensions.

The latest DWP outcome delivery plan, published in 2021, aims to increase employment rates and improve service quality to ‘deliver a reliable, high-quality welfare and pensions system that customers have confidence in’.¹¹⁴

Despite UK government sources referencing the next iteration of a planning document, the full document is not publicly available. Based on a citation in select committee papers, the DWP have stated their goals from 2023-25 as the following:

- Maximise employment, reduce economic inactivity, and support the progression of those in work.
- Deliver financial support to people who are entitled to it.
- Enable disabled people and people with health conditions to start, stay, and succeed in work and get financial support.
- Support financial resilience in later life.

The DWP state they will work to deliver the strategic outcomes: deliver high-quality services, tackle fraud, and maximise value for money for the taxpayer.¹¹⁵

3.4 The DWP trilemma

At a strategic level, the UK is facing what has been referred to by the Work and Pensions Committee¹¹⁶ in its report on ‘benefit levels in the UK’ as the ‘DWP trilemma’. This is described by the committee as the trade-off made by the department when deciding what to prioritise in reform and delivery across three main purposes:

113 CESCR, General Comment No. 19: The Right to Social Security (Article 9), UN Doc. E/C.12/GC/19, 2008, p12-13, <https://digitallibrary.un.org/record/618890>

114 Department for Work and Pensions, Department for Work and Pensions Outcome Delivery Plan: 2021 to 2022, 2021, <https://www.gov.uk/government/publications/department-for-work-and-pensions-outcome-delivery-plan/department-for-work-and-pensions-outcome-delivery-plan-2021-to-2022#bintroduction>

115 Department for Work and Pensions, Main Estimate 2023-24 Select Committee Memorandum, 2023, <https://committees.parliament.uk/publications/40123/documents/195656/default/>

116 The Work and Pensions Committee is a select committee of the government which had oversight of the policy and spending of the Department for Work and Pensions, <https://committees.parliament.uk/committee/164/work-and-pensions-committee/>

- Increasing employability;
- Ensuring people have an adequate standard of living;
- Managing the cost to the public purse.¹¹⁷

By prioritising the DWP departmental outcomes – centered on both social security and work engagement – rather than creating a dedicated social security strategy aimed at ensuring an adequate standard of living, the government has allowed employability goals to overshadow the core purpose of social security.

As a result, DWP planning documents do not set out universal social protection floors (minimum standards) for the availability, accessibility, or adequacy of social security with targets for progressive realisation or sustainability plans to safeguard the right to social security for future generations. This DWP focus on the engagement in employment that the primary focus of social security for adequate standard of living is evident in the proposals put forward by in 2025 in the Pathways to Work Green paper which is explicitly states that the impetus for reform is not to tackle poverty but to tackle the fact that ‘The result of this broken system is poor employment outcomes’.¹¹⁸

The lack of a social security strategy that is easily and publicly available limits transparency and the ability for the public to participate in its development and hold the government to account.

In contrast, within its devolved powers, the Scottish government has published guiding principles for its social security system. While these principles stop short of an ILO recommended social protection floor, they were developed in collaboration with people who have experience using the social security system.¹¹⁹

3.5 Barriers to material availability of social security

To understand the extent of availability of the right to social security, we need to explore the extent to which the take-up of UK social security schemes correlates to the number of potential claimants.¹²⁰

Unclaimed entitlements arise when claimants’ circumstances change (eg their health or caring responsibility changes making them eligible for other schemes) but, for whatever reason, DWP is not informed about it. Much of this unclaimed support involves personal independence payment (PIP), disability living allowance and universal credit.

In January 2025, the Public Accounts Committee reported that ‘claimants received over £4 billion less than they were entitled to in 2023-24, increasing the risk

117 House of Commons Work and Pensions Committee, *Benefit levels in the UK Second Report of Session 2023–24*, March 2024, p30, <https://committees.parliament.uk/publications/43979/documents/217876/default/>

118 Department of Work and Pensions, 2025, Pathways to Work Green Paper, <https://www.gov.uk/government/consultations/pathways-to-work-reforming-benefits-and-support-to-get-britain-working-green-paper/pathways-to-work-reforming-benefits-and-support-to-get-britain-working-green-paper#executive-summary> para 7

119 JUSTICE and the Administrative Justice Council, *Reforming Benefits Decision-Making*, 2021, p123, <https://files.justice.org.uk/wp-content/uploads/2021/08/17151507/Reforming-Benefits-Decision-Making-FINAL-updated-August-2021.pdf>

120 Department for Work and Pensions, Unfulfilled eligibility in the benefit system financial year ending (FYE) 2024, 2024, <https://www.gov.uk/government/statistics/unfulfilled-eligibility-in-the-benefit-system-financial-year-2023-to-2024-estimates/unfulfilled-eligibility-in-the-benefit-system-financial-year-ending-fye-2024>

of financial hardship for the people losing out'. This represents an increase from 3.5 billion in the preceding year.¹²¹

Based on government data from 2023, while there was an increase in the percentage of pensioners claiming both pension credit¹²² (65 per cent) and housing benefit (83 per cent) compared to 2022,¹²³ no data on universal credit uptake among pensioners has been released as of November 2024, despite increasing claim rates being one of the expected benefits of its introduction.

£23 billion of support is unclaimed each year

Policy in Practice

Despite the lack of official UK-wide data, the *Missing Out 2024* report by think tank Policy in Practice estimates that the total amount of unclaimed income-related entitlements and social tariffs across Great Britain is now £22.7 billion a year. This is a £4 billion increase from the previous year.¹²⁴ In April 2023, Policy in Practice estimated that £7.5 billion in universal credit remained unclaimed by 1.2 million eligible households.

Locally managed social security shows even lower uptake, with council tax support being the most underclaimed, meaning that 2.7 million people would be missing out on £2.8 billion in potential assistance.^{125, 126}

3.6 Why are take-up rates not 100 per cent?

The Scottish government's Seldom Heard Voices research identified three primary barriers to claiming devolved social security in Scotland.

- Stigma associated with claiming social security and lack of trust in institutions administering social security.
- Costs or complexity of access.
- Lack of information or misunderstanding about eligibility and how to apply.

Schemes like child benefit and the state pension have high take-up rates due to their simplicity and clarity. Schemes with the lowest take-up rates, for instance pension credit, have complex criteria and less awareness on eligibility and how to apply.¹²⁷

121 Public Accounts Committee, 'Disability benefits claimants at increased risk of hardship as DWP underpayments rise', January 2025, <https://committees.parliament.uk/committee/127/public-accounts-committee/news/205026/disability-benefits-claimants-at-increased-risk-of-hardship-as-dwp-underpayments-rise/>

122 Pension Credit is an additional scheme which pensioners on a low income can claim, <https://www.gov.uk/pension-credit#:~:text=Pension%2520Credit%2520gives%2520you%2520extra,ground%2520rent%2520or%2520service%2520charges.>

123 Department for Work and Pensions, Income-related benefits: estimates of take-up: financial year ending 2023, 2024, <https://www.gov.uk/government/statistics/income-related-benefits-estimates-of-take-up-financial-year-ending-2023/income-related-benefits-estimates-of-take-up-financial-year-ending-2023>

124 Deven Ghelani, Rachael Walker, Policy in Practice; 'Missing out 2024: £23 billion of support is unclaimed each year', 2024, p5-7, <https://policyinpractice.co.uk/missing-out-2024-23-billion-of-support-is-unclaimed-each-year/>

125 Alex Clegg, Deven Ghelani, Zoe Charlesworth, Tylor-Maria Johnson; Policy in Practice 'Missing Out: £19 billion of support goes unclaimed each year', 2023, p2, <https://policyinpractice.co.uk/new-analysis-missing-out-19-billion-of-support-goes-unclaimed-each-year/>

126 Deven Ghelani, Rachael Walker, Policy in Practice; 'Missing Out 2024: £23 billion of support is unclaimed each year' 2024, p 5-7, <https://policyinpractice.co.uk/missing-out-2024-23-billion-of-support-is-unclaimed-each-year/>

127 Scottish government, Equality and Welfare, *Research into seldom-heard groups within the Scottish Social Security system*, 2024, p15-24, <https://www.gov.scot/binaries/content/documents/govscot/publications/research-and-analysis/2024/05/research-seldom-heard-groups-within-scottish-social-security-system/documents/research-seldom-heard-groups-within-scottish-social-security-system/research-seldom-heard-groups-within-scottish-social-security-system/govscot%3Adocument/research-seldom-heard-groups-within-scottish-social-security-system.pdf>

Neither the DWP, wider UK government or the Northern Irish executive appear to have undertaken a similar assessment to understand barriers to uptake across the UK so there is limited official data that helps us to understand the reasons for it. Therefore, we must turn to other evidence to identify possible reasons for low uptake.

Olivier De Schutter, the UN special rapporteur on extreme poverty and human rights, addresses the reasons for, and impact of, lack of ‘non-take-up’ of social security:

‘Social protection schemes that fail to effectively reach those in need are a huge waste of resources, tantamount to watering plants with a leaking can. When individuals do not claim the social security to which they are entitled, owing to a lack of information, bureaucratic hurdles or the fear of humiliation, it is not a cost that society avoids but a missed opportunity to reduce poverty and inequalities.’¹²⁸

Our claimant and advisor research identified the following barriers to the material availability of social security:

- Lack of understanding of eligibility and entitlement;
- Fear, stigma and mistrust.

The government’s responsibility to promote the right to social security requires them to:

‘Take steps to ensure that there is appropriate education and public awareness concerning access to social security schemes.’¹²⁹

A key theme within our claimant research was the difficulty that people had in accessing information about their eligibility and entitlement. We asked social security advisors across the country to rate claimants access to information about entitlements and processes – and they described how difficult it was. For example, 64 per cent of the 120 advisors who responded rated it ‘very difficult’ or ‘difficult’ to access information on universal credit, and 68 per cent of advisors said the same for PIP and 58 per cent for ESA.

Of the 416 claimants who responded to the question, 52 per cent rated access to social security schemes as ‘difficult’ or ‘very difficult’. In interviews, claimants described difficulties in accessing information about eligibility and entitlements due to not knowing where to look for the information or because the information is primarily only available online. Some claimants said this put people off applying or accessing their full entitlements.

‘It’s even sort of the information being out there. You know, people don’t know... [they] don’t make it easy to know to find out.’

Claimant

128 UNOHCR, A/HRC/50/38: Non-take-up of rights in the context of social protection - Report of the Special Rapporteur on extreme poverty and human rights (2022) p2, <https://docs.un.org/en/A/HRC/50/38>

129 CESCR, General Comment No. 19: The Right to Social Security (Article 9), UN Doc. E/C.12/GC/19 (2008), para p 14, <https://digitallibrary.un.org/record/618890>

‘I know there’s obviously on dot Gov, there’s lots of information, but if you’re not aware of DWP, how do you actually know where it is that you go to get this information? Not even just people that are new to the benefit system. They wouldn’t even know where to start. To be fair. I’d be, OK, well, I don’t know what I can apply for. I don’t know if I’m eligible, so I’m just not going to bother. Yeah. And that’s what I find a lot of people do... and they miss out on getting the support that they need.’

Claimant

‘That’s really the case and not enough information out there. They don’t really support you knowing what else you can apply for.’

Claimant

The Care Act 2014 places a duty on local authorities in England to make provision for the necessary information and advice services relating to care and support for adults and to those with caring responsibilities in their areas.¹³⁰ Information and advice services should ensure people have access to independent financial advice, including advice on eligibility for applying for social security.¹³¹ Implementation is reviewed by the Care Quality Commission as part of their role in assessing the performance of local authorities.¹³² Similar duties are set out for Wales in the Social Services and Wellbeing (Wales) Act 2014.¹³³

Our research underlines the importance of equivalent commissioned provision in overcoming material unavailability of social security. People who had successfully claimed or were in the process of claiming talked about the importance of accessing advice and support services to help them understand their entitlements.

Where support was sought by claimants directly from DWP-employed job coaches, some people explained that they are faced with knowledge gaps or were given conflicting advice. Other people described pressures on charitable independent organisations who provide information and support, leading to lengthy delays before advice is available or where there is no locally accessible advice.

‘When they said that I need to ring welfare rights and Citizens Advice. Yeah, but they only open certain days certain times, and you can’t always get in. I [have] waited nine months before for Citizens Advice.’

Claimant

A review of services across London demonstrates that while 40 per cent of funding for advice services comes from the government, including through competitive tenders, much of this continues to be supplemented by trusts and foundations through short-term funding agreement.¹³⁴

130 UK government, The Care Act, 2014, Section 4, <https://www.legislation.gov.uk/ukpga/2014/23/section/4>

131 Department of Health and Social Care, Statutory guidance: Care and support statutory guidance, 2024, Section 3.24, <https://www.gov.uk/government/publications/care-act-statutory-guidance/care-and-support-statutory-guidance#chapter-3>

132 Care Quality Commission, Assessment framework for local authority assurance, 2024, <https://www.cqc.org.uk/guidance-regulation/local-authorities/assessment-framework/1-working-people/supporting-people>

133 Welsh government, Social Services and Wellbeing (Wales) Act 2014, S.17, <https://www.legislation.gov.uk/anaw/2014/4/section/17>

134 London Funders, *Mapping Funding For Social Welfare Advice In London*, 2024, p14, https://londonfunders.org.uk/sites/default/files/uploads/2024.11.12_Final%20Advice%20Mapping%20report_LF.pdf

Although somewhat dated, a review of advice and information in Wales found similar concerns about the lack of ability for non-profit providers to meet increasing demand in the context of a cost-of-living crisis, reductions in funding and welfare reform.¹³⁵

The Welsh government has an active campaign to raise awareness of entitlements to social security.¹³⁶ A 2023 review of services in Edinburgh found similar precarity and patchy provision.¹³⁷

Evidence gathered by the Public Law Project supports the importance of advice and support services on the basis of relationships with the DWP preventing sanctions and in securing their rights.¹³⁸ Further review of access to appropriate support and information to claim social security entitlements seems necessary since it is clear from the existing but limited evidence available that limited access is a significant barrier to claimants accessing their entitlements the availability and access of social security in the UK. Availability has also been limited by legal aid cuts that have both a direct impact on previously legal aid funded advice and an indirect impact on wider advice sector undermining its sustainability. As of March 2023, 49.8m people (84 per cent of the population) did not have access to a local welfare legal aid provider.¹³⁹

Stigma leads to fear of claiming and lack of uptake

Olivier de Schutter, UN special rapporteur on extreme poverty and human rights, states that to improve rates of ‘non-take up’ of social security:

‘Social protection should be enshrined as a human right, an entitlement rather than a favour or charity. Considering that stigma will be lower where claimants are seen as entitled to their social security schemes, states should ensure that social protection is perceived by administrations and other public institutions as a right that each person is entitled to receive.’¹⁴⁰

CESCR emphasises that social security schemes should be accessible without discrimination of any kind.¹⁴¹ However, individuals seeking assistance confront not only a convoluted bureaucratic process but also prejudice and structural discrimination. The stigmatisation reflects ‘povertyism’.

As defined by Olivier de Schutter, the UN special rapporteur, povertyism highlights the discrimination faced by individuals based on their socio-economic status, perpetuating

135 Welsh government, *Advice Services Review: Final research report*, 2013, https://www.llyw.cymru/sites/default/files/statistics-and-research/2019-08/130515-advice-services-review-en_0.pdf

136 Welsh government, <https://www.gov.wales/claim-whats-yours-campaign>, accessed 4.03.25.

137 Rocket Science, *Review of welfare rights and debt advice in Edinburgh*, 2023, https://echf.org.uk/wp-content/uploads/2023/12/Review_of_welfare_rights_and_debt_advice_in_Edinburgh.pdf

138 Public Law Project, *Benefit Sanctions: A Presumption of Guilt*, 2022, <https://publiclawproject.org.uk/content/uploads/2022/10/Benefit-Sanctions-Research-Report-v0.7.1.pdf>

139 Law Gazette, LASPO turns 10: Legal aid deserts expanding, 2023, [https://www.lawgazette.co.uk/news/laspo-turns-10-legal-aid-deserts-expanding/5115622.article#:~:text=53m%20people%20\(90%25\)%20do,has%20grown%205%25%20since%202019](https://www.lawgazette.co.uk/news/laspo-turns-10-legal-aid-deserts-expanding/5115622.article#:~:text=53m%20people%20(90%25)%20do,has%20grown%205%25%20since%202019)

140 UNOHCR, *A/HRC/50/38: Non-take-up of rights in the context of social protection – Report of the Special Rapporteur on extreme poverty and human rights*, (2022) p14, <https://docs.un.org/en/A/HRC/50/38>

141 CESCR, General Comment No. 19: The Right to Social Security (Article 9), UN Doc. E/C.12/GC/19 (2008), para 2, 4, 29-31, 40, 62, <https://digitallibrary.un.org/record/618890>; CESCR, General Comment No. 20: Non-discrimination in economic, social and cultural rights, UN Doc. E/C.12/GC/20 (2009), para 9, <https://www.ohchr.org/en/documents/general-comments-and-recommendations/general-comment-no-20-2009-non-discrimination>

harmful stereotypes that present claimants as lazy or undeserving, and that UK government rhetoric in the media contributes to shape public opinion.^{142, 143}

Narratives in the UK have portrayed social security claimants as idle scroungers and unwilling to work.¹⁴⁴ Stigma negatively impacts the mental health and self-esteem of people experiencing poverty and can result in shame and secrecy and create barriers to entitlements that lead to lower uptake and deepening experiences of poverty.^{145, 146}

Our research with claimants and advisors shows that stigma, fear and mistrust deter people from claiming social security. Some people told us that they have been discouraged from applying or requesting reviews of their claim (where they believe they would be entitled to more) due to fear that payments will be removed completely or significantly reduced.

‘So, I should probably have another £300-odd a year in my pocket which would pay for a couple of things, right? But I’m too frightened to do that.’

Claimant

It is concerning to see the UK government precipitating misconceptions that large numbers of claimants are ‘gaming the system’, that they are ‘criminals’, ‘unwilling to work’, ‘economically inactive’ or ‘blighting our society’.¹⁴⁷ The UK Labour party refer to themselves as the ‘party of working people’. Stigma was further exacerbated by ministers’ choice of narrative when announcing social security reform proposed by the Pathway to Work Green Paper in 2025, for example, suggesting claimants numbers were rising due to over-diagnosis of mental health conditions.¹⁴⁸

‘You know we’re not scroungers. We’re people that need a bit of help. And that’s what the social security system was there for. It was designed for people needing help. But now we’re scroungers [or guilty of] benefit fraud.’

Claimant

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- 142 UN Special Rapporteur on Extreme Poverty and Human Rights, Banning discrimination on grounds of socioeconomic disadvantage: an essential tool in the fight against poverty, UN Doc. A/77/157 (2022), <https://www.ohchr.org/en/documents/thematic-reports/a77157-banning-discrimination-grounds-socioeconomic-disadvantage>; Koldo Casla and Lyle Barker, ‘Protection and Assistance to the Family: Interpreting and Applying Article 10 ICESCR from Learnt and Lived Experiences’, *Journal of Human Rights Practice*, Vol. 16(2) (2024), at 497-498, <https://academic.oup.com/jhrp/article/16/2/489/7676640>
- 143 UN Special Rapporteur on Extreme Poverty and Human Rights, Visit to the United Kingdom of Great Britain and Northern Ireland Report of the Special Rapporteur on extreme poverty and human rights, UN Doc. A/HRC/41/39/Add.1 (2019), para 55-58, <https://digitallibrary.un.org/record/3806308>
- 144 Ruth Patrick, ‘Living at the sharp end of socio-economic inequality: everyday experiences of poverty and social security receipt’, *Oxford Open Economics*, 3(S_1), 2024, https://academic.oup.com/ooec/article/3/Supplement_1/i1262/7708133
- 145 Amanda Light and Ruth Patrick, ‘A decade on: Walking the sharp edge of the UK’s social security system’, LSE CASE, October 2024, https://sticerd.lse.ac.uk/CASE/_NEW/PUBLICATIONS/abstract/?index=11214
- 146 Scottish Parliamentary Cross Party Group on Poverty, An inquiry into poverty-related stigma in Scotland, (Cross Party Group Poverty 2023), <https://www.povertyalliance.org/cross-party-group-on-poverty-report-of-inquiry-into-poverty-related-stigma-in-scotland/>
- 147 Sir Kier Starmer, Daily Mail, ‘Jobs are about dignity and pride... not just paying the bills’, 23 November 2024, <https://www.dailymail.co.uk/debate/article-14118885/SIR-KEIR-STARMER-Jobs-dignity-pride-not-just-paying-bills.html>
- 148 Rethink, 2025, www.rethink.org/news-and-stories/news-and-views/2025/our-response-to-the-health-secretary-s-claim-that-mental-illnesses-are-being-overdiagnosed/

‘You mention the word benefit and people automatically look down their nose at you. Think they’re better than you because they don’t claim. It’s a stigma that shouldn’t be there. Nobody wants to be on benefits. Nobody wants to live like that. We want to live comfortably. We don’t choose that way of life.’

Claimant

‘The stigma, that’s what you call it, of being on benefits. Oh, you’re a sponger. You what? That’s what you get in the street or outside the jobcentre. It’s not always your fault that you’re on benefits; it’s illness, or it’s something that is out of your control. That you can’t help.’

Claimant

‘People aren’t applying for benefits because it’s free money. People are applying for benefits because it’s a necessity for them... It’s survival. It’s not living. It is survival... You’ve made me feel like a beggar.’

Claimant

‘Deemed as a scrounger because I am on benefits because I’m getting peanuts and I’m the worst person in the world for claiming.’

Claimant

‘I mean, it’s never anyone’s fault, you know? And there shouldn’t be a stigma behind it... But we’re at a point in society where working people have to use food banks... Really, the system should support everyone, so I understand where the stigmas come from. But you shouldn’t ever have to feel like that if you have to use it.’

Claimant

The government’s data directly contradicts the stereotypes fostered within public perception. Far from being ‘inactive’ and ‘blighting society’, many recipients of social security make a critically important, yet unpaid, contribution to society, such as being parents or carers and those who volunteer. As of December 2024, 37 per cent of universal credit recipients were employed, directly countering the rhetoric that reliance on social security equates to a lack of effort to ‘get working’.¹⁴⁹

Of the 16 million people living in poverty in the UK, 4.8 million live in a household where one or more people work but do not earn enough to pay for an adequate standard of living.¹⁵⁰ Rather than introducing austerity measures, the UK government should work with employers to ensure that salaries are commensurate with the work undertaken and enough to afford an adequate standard of living.

The idea that the government can address financial insecurity of a ‘bulging benefits bill’ by tackling fraud is misleading and stigmatises claimants.¹⁵¹ The Department for Work and Pensions reports that only 2.8 per cent of total social security expenditure (£7.9 billion) was overpaid due to fraud, demonstrating that most claims are not

149 Department for Work and Pensions, Universal Credit statistics, 29 April 2013 to 9 January 2025, 2025, <https://www.gov.uk/government/statistics/universal-credit-statistics-29-april-2013-to-9-january-2025/universal-credit-statistics-29-april-2013-to-9-january-2025#main-stories>

150 Social Metrics Commission, measuring poverty, 2024, <https://socialmetricscommission.org.uk/wp-content/uploads/2024/11/SMC-2024-Report-Web-Hi-Res.pdf>

151 Sir Keir Starmer, Daily Mail, ‘Jobs are about dignity and pride... not just paying the bills’, 23 November 2024, <https://www.dailymail.co.uk/debate/article-14118885/SIR-KEIR-STARMER-Jobs-dignity-pride-not-just-paying-bills.html>

fraudulent and there is a 0 per cent rate of fraud in PIP.¹⁵² While this is by no means an insignificant figure, it pales in comparison to the estimated £27 billion in unclaimed social security entitlements.¹⁵³

The UK government's rhetoric and the attention that 'tackling benefit fraud' receives on policy platforms about claimants is arguably disproportionate to other forms of fraud or money owed to public authorities, such as tax gaps.¹⁵⁴ The most recent data on tax gaps demonstrates that 2022 to 2023 is estimated to be 4.8 per cent of total theoretical tax liabilities, or £39.8 billion, which is more than five times the amount lost in fraudulent claims.¹⁵⁵

It is encouraging that the UK government has pledged to commence the socio-economic duty (section 1 of the Equality Act) in England, following the lead of Scotland in 2017 and Wales in 2021.¹⁵⁶ The socio-economic duty is intended to protect against discriminatory policy impacts on the basis of income. However, while important, the duty only requires public authorities to have due regard to actions to reduce inequalities.¹⁵⁷ By itself, it is unlikely to put an end to the prejudices and stigmatisation people in poverty face regularly.

3.7 Monitoring the availability of the right to social security

In addition to the lack of a comprehensive strategy with measurable indicators public authorities do not appear to gather and disclose the necessary data to monitor access to and non-take-up of social security schemes.

This hinders the general understanding of the extent to which the DWP's outcome delivery plan's stated outcomes are being delivered. It also means there is a limited understanding of the extent to which the right to social security is preserved in the UK.

In its 2016 concluding observations, the CESCR called for the UK government to provide disaggregated data on the impact of reforms to social security on women, children, persons with disabilities, low-income families and families with two or more children.¹⁵⁸

This information is essential for evaluating the effectiveness of social security schemes and identifying gaps in support and trends in non-uptake. The UK government maintains that this is due to technical reasons linked to the migration of schemes to universal credit:

152 Department for Work and Pensions, Accredited official statistics: Fraud and error in the benefit system, Financial Year Ending (FYE) 2024, <https://www.gov.uk/government/statistics/fraud-and-error-in-the-benefit-system-financial-year-2023-to-2024-estimates/fraud-and-error-in-the-benefit-system-financial-year-ending-fye-2024>

153 Policy in Practice, Missing out 2024: £23 billion of support is unclaimed each year, <https://policyinpractice.co.uk/publication/missing-out-2024/>

154 A tax gap is the difference between what HMRC expect to collect and what is actually collected, https://assets.publishing.service.gov.uk/media/5a748da4ed915d0e8e3991ca/The_tax_gap_and_compliance_yield_what_they_are_and_how_they_relate.pdf

155 HMRC, Tax Gaps Summary, June 2024, <https://www.gov.uk/government/statistics/measuring-tax-gaps/1-tax-gaps-summary>

156 The UK government's response to the CESCR's List of Issues Report, UN Doc. E/C.12/GBR/RQ/7, August 2024, p7, <https://assets.publishing.service.gov.uk/media/66e0063a9210ba34a3ebac03/icescr-response.pdf>

157 Equally Ours, 2015: Public Sector Equality Duty and due regard, <https://www.equallyours.org.uk/wp-content/uploads/2015/06/DueRegardJune2015.pdf>

158 CESCR, Concluding Observations on the Sixth Periodic Report of the United Kingdom of Great Britain and Northern Ireland, UN Doc E/C.12/GBR/CO/6 (2016), 41(d), <https://www.ohchr.org/en/documents/concluding-observations/catcgbrc6-concluding-observations-sixth-periodic-report-united>

‘To develop a methodology that takes account of both universal credit and legacy benefits and credits there are several complex conceptual and methodology issues we are having to work through, for example in defining and calculating the estimate of entitled non-recipients and their entitled amounts, as well as developing our understanding of new datasets for this analysis... This measure to assess universal credit and income-related legacy benefit take-up for the working-age population is currently under development.’

DWP data on universal credit claimants is reliant on voluntarily provided information on a claimant questionnaire. In December 2024, only 75.8 per cent of claimants volunteered their ethnicity data.¹⁵⁹

From the latest statistical release data, there were 7.5 million people on universal credit in January 2025, and 76.2 per cent identified their ethnicity as ‘white’ (compared to 82 per cent of the general population). This indicates that those from racialised communities are disproportionately impacted by inadequacy of social security and the exposure to social risks that necessitate a universal credit claim.¹⁶⁰

Of the 2.7 million claimants of universal credit who are ‘in work’, 31 per cent of them self-identified as a racialised ethnicity. Additionally, 58 per cent of claimants were women, and the median age of claimants was 40.¹⁶¹

The implications of these failures to adequately plan for and monitor the availability of social security leads to some people missing out on entitlements and allows barriers to accessing schemes to persist.

This illustrates the urgent need for improved knowledge management and data infrastructure to better understand the demographic disparities created by the barriers to non-uptake to effectively design targeted initiatives to assure availability and access of social security.

3.8 Conclusions on compliance with CESCR General Comment No. 19 on the availability of social security in the UK

The UK’s social security system faces challenges in aligning with international human rights standards outlined by the Committee on Economic, Social and Cultural Rights (CESCR) General Comment No. 19 concerning availability.

A significant failure to comply lies in the lack of explicit, universally recognised minimum social protection floors enshrined in a transparent cohesive national social security strategy which sets out steps to progressively realise the right to social security.

The Department for Work and Pensions outcome delivery plan outlines goals such as maximising employment and increasing financial resilience. These are weighted towards employment engagement rather than constituting a strategy focused on

159 <https://www.gov.uk/government/statistics/universal-credit-statistics-29-april-2013-to-12-december-2024>

160 Department for Work and Pensions, Universal Credit Statistic April 2013 to January 2025, <https://www.gov.uk/government/statistics/universal-credit-statistics-29-april-2013-to-9-january-2025/universal-credit-statistics-29-april-2013-to-9-january-2025#people-on-universal-credit>

161 Ibid.

ensuring adequate and accessible social security to ensure an adequate standard of living. Monitoring and data infrastructure are also inadequate, with limited information on take-up, insufficient disaggregation, and technical barriers to designing and assessing the impact of reforms.

Potential claimants do not get enough information about their rights and entitlements or the practical support to make claims. This, in addition to the stigma around claiming and the rigid eligibility criteria, creates financial hardship for those near qualifying thresholds.

Together, these systemic barriers highlight a gap between the formal availability of social security schemes and their material availability.

3.9 In summary

Despite schemes in place to mitigate social risks and contingencies, the **UK falls short** of fulfilling the ICESCR requirements for availability.

The UK **fails to meet** ICESCR's obligation for strategic planning and transparency. The absence of a statutory requirement to set a clear, long-term and publicly accessible social security strategy limits both transparency and the ability to hold the government accountable for ensuring an adequate standard of living.

The UK **does not comply** with the ICESCR call for robust monitoring and data infrastructure. The failure to collect and analyse data comprehensively prevents the government from assessing and improving social security.

4. The adequacy of social security in the UK

‘Ensure access to a social security scheme that provides a minimum essential level of benefits to all individuals and families that will enable them to acquire at least essential healthcare, basic shelter and housing, water and sanitation, foodstuffs, and the most basic forms of education.’¹⁶²

UN Committee on Economic, Social and Cultural Rights, General Comment No.19

4.1 International standards for adequacy of social security

To fulfil the right to social security, governments are directed by the CESCR in General Comment 19 to ensure social security levels are ‘adequate’, meaning they must enable people to access the right to an adequate standard of living (including food, housing, utilities etc), healthcare and education. Social security payments should be paid for an appropriate duration to mitigate social risks such as disability, illness or unemployment.¹⁶³ They must be accessible to all without discrimination.

The method that the UK government uses to set social security payments at an adequate level should be set out clearly within legislative frameworks along with regular monitoring to ensure affordability of goods and services. The International Labour Organisation (ILO) calls upon member states to act to establish social protection floors. ILO’s Social Protection Floors Recommendation, 2012 No. 202 defines social protection floors as nationally determined social security guarantees that, at a minimum, should provide access to essential healthcare and to basic income security for all in need over the life cycle; ‘Basic income security should allow life in dignity’.^{164, 165}

The ILO general recommendation allows for procedural diversity in the establishment of nationally defined minimum levels of income. They should be based on the real costs of necessary goods and services, national poverty lines, income thresholds for social assistance and other comparable thresholds:

‘The levels of basic social security guarantees should be regularly reviewed through a transparent procedure that is established by national laws, regulations or practice, as appropriate.’¹⁶⁶

Amnesty International does not take a position on the specific cash amounts that social security should be set at within the UK or take a specific view on which measures should apply.

162 CESCR, General Comment No. 19: The Right to Social Security (Article 9), UN Doc. E/C.12/GC/19, 2008, para p35, <https://digitallibrary.un.org/record/618890>

163 CESCR, General Comment No. 19: The Right to Social Security (Article 9), UN Doc. E/C.12/GC/19, 2008, para 22, <https://digitallibrary.un.org/record/618890>

164 International Labour Organisation, C102 - Social Security (Minimum Standards) Convention, 1952, https://normlex.ilo.org/dyn/nrmlx_en/f?p=NORMLEXPUB:12100:0::NO::P12100_INSTRUMENT_ID:312247

165 ILO, General Recommendation, R202 - Social Protection Floors Recommendation, 2012 (No. 202) para 8, https://normlex.ilo.org/dyn/nrmlx_en/f?p=NORMLEXPUB:12100:0::NO::P12100_INSTRUMENT_ID:3065524

166 Ibid.

Our focus is on ensuring that the current process for determining social security levels and the resulting impact on human rights aligns with international human rights standards. Below, we assess whether the methods used by the UK government to set these levels effectively guarantee that social security protections are adequate to meet people's essential needs.

This section reviews evidence from claimants, advisors, government reports and other sources to assess methods used by the UK government to determine social security levels guarantee the rights to an adequate standard of living, health, and education, among others. It also examines how changes to these levels affect the adequacy of social security, including the impact of both short-term individual deductions and broader policies, such as uprating freezes and caps, which apply.

4.2 How are levels of social security currently determined in the UK?

The UK government's secretary of state for Work and Pensions (referred to as the 'secretary of state') is required under section 150(1) of the Social Security Administration Act 1992 (as amended) to conduct an annual review of social security payment levels.¹⁶⁷

'In order to determine whether they have retained their value in relation to the general level of prices obtaining in Great Britain estimated in such manner as the secretary of state thinks fit.'

The methodology and measures applied are a decision left by statute to the discretion of the secretary of state, leading to change and flux as governments change and both the political choices and public finances evolve. There is no legislatively defined universal social protection floor such as the one recommended by the ILO. Social security uprating is not approached in the same way for Great Britain and Northern Ireland.

Social security uprated based on the increase in prices

Some social security payments are uprated in line with increases in prices. The law requires that certain payment rates, including attendance allowance, carer's allowance, disability living allowance, incapacity benefit, industrial injuries benefit, personal independence payment, severe disablement allowance, additional state pension, and guardian's allowance (administered by HMRC) are reviewed annually and must be increased by at least the same percentage as the rise in prices since the last review.¹⁶⁸

There are changes proposed by the Pathways to Work Green Paper 2025 which will require new legislation underpinning the uprating methodology to allow the Secretary of State to implement a proposed freeze and cuts to social security rates for disability and incapacity schemes, removing some of the legislative protections in place to protect against political whims.¹⁶⁹

167 UK government, Social Security Administration Act, 1992, section 150, <https://www.legislation.gov.uk/ukpga/1992/5/section/150/enacted>

168 Harker, R, House of Commons, Benefits uprating 2025/26, November 2024, p5, <https://researchbriefings.files.parliament.uk/documents/CBP-10105/CBP-10105.pdf>

169 Government, Pathways to Work: Green Paper FAQs, 2025, <https://www.gov.uk/government/news/pathways-to-work-green-paper-faq>

Social security uprated based on the increase in average earnings

The secretary of state must review the **annual increase in earnings** to ensure that **pension credit standard minimum guarantee** is increased by at least the same percentage as the rise in earnings.

Earnings growth to the state pension triple lock¹⁷⁰ is measured using the ONS average weekly earnings index. This assesses figures from May to July before a new fiscal year and compares the changes annually.¹⁷¹

Discretionary uprating

For other social security payment rates such as **universal credit, employment and support allowance, jobseeker's allowance** and **income support**, the secretary of state has discretion to review or increase them based on any means and frequency they see fit, considering the national economic situation and other relevant factors.¹⁷²

Accountability to parliament

Following the review by the secretary of state, an annual draft uprating order is presented to the UK parliament outlining the proposed increases in social security rates for the upcoming tax year. This is then debated and subject to parliamentary scrutiny.¹⁷³

The order applies to Great Britain (excluding Northern Ireland), except for attendance allowance, carer's allowance, disability living allowance, industrial injuries benefits, personal independence payments, and severe disablement allowance, which the order will set for England and Wales only.

4.3 Variation through devolved authorities

Scotland

Under the Social Security (Scotland) Act 2018 S.86a, the Scottish government is responsible for uprating the levels of devolved social security schemes, attendance allowance, carer's allowance (called carer support payments), disability living allowance (Scottish disability payments), industrial injuries benefits, personal independence payments and severe disablement allowance in consideration of the impact of inflation.¹⁷⁴

The Scottish government introduced the Scottish child payment in 2021. Initially set at £10 per week per eligible child, the payment was subsequently doubled and further increased to £26.70 per week from April 2024. Early evidence from the Child Poverty Action Group (CPAG) in July 2024 suggests this payment has had a positive impact on reducing child poverty, providing much-needed support to low-income families in Scotland.¹⁷⁵

170 The triple lock is a government commitment to uprate the basic and new state pension every year by the highest of earnings growth, inflation, or 2.5%. State Pension triple lock – House of Commons Library, <https://commonslibrary.parliament.uk/research-briefings/cbp-7812/>

171 Harker, R, House of Commons, *Benefits uprating 2025/26*, November 2024, p10, <https://researchbriefings.files.parliament.uk/documents/CBP-10105/CBP-10105.pdf>

172 Ibid, p5.

173 Ibid, p6.

174 Scottish Parliament, Social Security (Scotland) Act 2018, part 4, <https://www.legislation.gov.uk/asp/2018/9/part/4>

175 Child Poverty Action Group, Briefing: *Strengthening Social Security: Research into the Five Family Payments*, 2024, <https://www.legislation.gov.uk/ukpga/1992/7/contents>

The Scottish government undertook an options appraisal to determine the measure upon which they would rely and decided to use the September consumer price index (CPI) rate (mirroring the approach of the UK government) on the basis that later rate use would leave insufficient time for scrutiny and implementation.¹⁷⁶

Northern Ireland

Social security is fully devolved in Northern Ireland. However, under the Social Security Contributions and Benefits (Northern Ireland) Act 1992,¹⁷⁷ the Department for Communities in Northern Ireland is responsible for making uprating regulations which in principle retains parity with the rates in the DWP order, subject to the agreement of the Northern Ireland Assembly.¹⁷⁸ In practice, this means that uprating is done annually and based on CPI rates.

4.4 Illustrative example of uprated social security schemes

The complexity of the social security system and rates of entitlements and conditions that apply mean it is not useful for us to set out a comprehensive list of current entitlements. A comprehensive list of the proposed rates (pending parliamentary process) for the tax year 2025-2026 are published on the governments website.¹⁷⁹

Using illustrative examples from this data, it is interesting to consider how the different methods of social security uprating has resulted in different uprating real terms increases since the previous fiscal year using the base rate for a single person aged 25 and over.¹⁸⁰

Note The table is not intended to be an indication of an individual's full entitlement. It is to illustrate the different increases achieved through varied uprating methodologies solely based on CPI and the average weekly earnings annual growth to May-July 2024. For 2025 the secretary of state used discretion to apply the consumer price inflation (CPI) rate to universal credit and employment and support allowance.

A 2024 parliamentary briefing comparing social security uprating methodologies for 2025 shows the impact of real value pension payments based on average incomes versus CPI linked employment schemes. It reported:

'Rates for these two benefits tracked against one another from their introduction until the 1970s. After that, the rates diverged as pensions were increased by a greater amount with the introduction of earnings links in the 1970s, and the more recent triple lock. Whereas unemployment benefit rates have shown a decades-long downward trend.'¹⁸¹

176 Scottish government, Up-rating devolved social security assistance: multi criteria decision analysis, January 2024, p5, <https://www.gov.scot/publications/multi-criteria-decision-analysis-approach-up-rating-devolved-social-security-assistance-january-2024/pages/5/>

177 UK Parliament, *Social Security Contributions and Benefits (Northern Ireland) Act 1992*, <https://www.legislation.gov.uk/ukpga/1992/7/contents>

178 Mackley, A, 'Parliamentary Research Briefing: Social Security Powers in the UK', 2020, <https://commonslibrary.parliament.uk/research-briefings/cbp-9048/>

179 DWP, Policy paper Benefit and pension rates 2025 to 2026, updated 21 November 2024, <https://www.gov.uk/government/publications/benefit-and-pension-rates-2025-to-2026/benefit-and-pension-rates-2025-to-2026>

180 Harker, R, House of Commons, 'Benefits uprating 2025/26', November 2024, <https://researchbriefings.files.parliament.uk/documents/CBP-10105/CBP-10105.pdf>

181 Ibid, <https://commonslibrary.parliament.uk/research-briefings/cbp-10105/>

Social security scheme	Requirement for method to uprate	Weekly rate for single person 25+	Weekly rate for single person 25+	Weekly increase	% Increase
		2024/25	2025/26		
Standard rate universal credit	At discretion of secretary of state	£393.45	£400.14	£6.69	1.70%
Personal independence payment Standard daily living component	Annual based on increase in prices (CPI)	£72.65	£73.90	£1.25	1.72%
Employment and support allowance	At discretion of secretary of state	£90.50	£92.05	£1.55	1.71%
Carer's allowance (England and Wales)	Annual based on increase in prices	£81.90	£83.30	£1.40	1.71%
Pensions credit minimum guarantee	Annual at least the same as the rise in earnings	£218.15	£227.10	£8.95	4.10%

Table: How different methodologies result in significantly different outcomes in income available for people to pay for the essentials. Source: Amnesty International UK

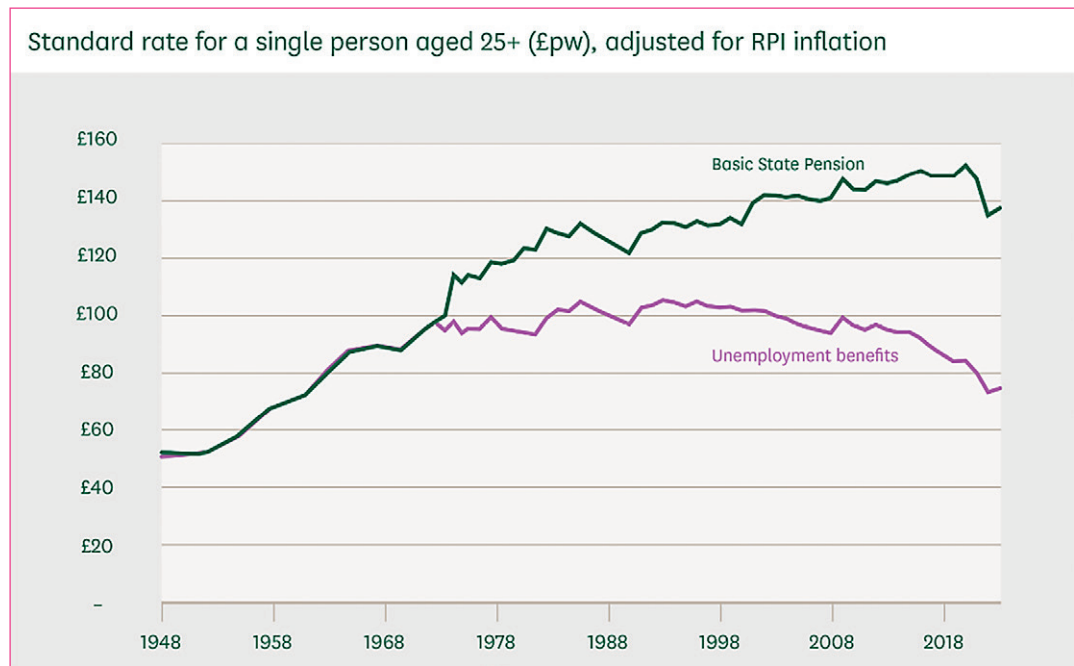


Figure 2: Abstract of DWP benefit rate statistics showing uprating history. Source: House of Commons Library analysis of DWP, Abstract of DWP benefit rate statistics, accessed 18 January 2024; Office for Budget Responsibility, Economic and fiscal outlook – November 2023, accessed 18 January 2025.

A DWP inquiry published in January 2024 shows that since 2013, unemployment social security scheme rates have fallen as a proportion of median earnings from 13.9 per cent to 12.1 per cent in April 2022.¹⁸² It attributed this to:

- Government decisions to under-index or freeze social security rates between 2013 and 2020;
- Uprating payments in line with CPI instead of RPI or Rossi;
- Earnings typically rising faster than prices.

182 Work and Pensions Committee, *Benefit levels in the UK*, 2024, <https://publications.parliament.uk/pa/cm5804/cmselect/cmworpen/142/report.html>

5. Failures of UK government social security rating methodology in establishing adequacy of social security

Since 2019-2020, UK social security spending has increased by £78.6 billion to an expenditure of £307.2 billion in 2023-2024. This was driven by a rise in claimant numbers and operational costs.¹⁸³

The increase has not adequately addressed the fundamental needs of people and families who are living in deprivation, as demonstrated by the continued rise in people facing hardships.

5.1 Statistics

In March 2024, the DWP estimated that 18 per cent of the UK population was in absolute low income (after housing costs) in 2022-23. The number of people experiencing food insecurity also surged to 7.2 million, including 17 per cent of children. This was an increase of 2.5 million people from the previous year. And 1.9 million children were in relative low income and material deprivation, which represents 13 per cent of all children in the UK.¹⁸⁴

Using the Social Metrics Commission (SMC) measure of poverty in the UK, the rate of poverty is now higher than at any point in the 21st century.

- 16 million people in the UK are living in families in poverty.
- 5.2 million are children, 9.2 million are working-age adults and 1.5 million are pension-age adults.
- Nearly one in four people (24 per cent) in the UK are now judged to be in poverty.¹⁸⁵

The UN Committee on Economic, Social and Cultural Rights concluded from their examination of the UK in 2025 that:

Despite measures in the 2024 Autumn budget, the state party's fiscal policy is not effectively addressing income inequality or reducing poverty.

The UN committee stated:

It is also concerned that ongoing fiscal consolidation could further reduce social spending, exacerbating inequalities and hindering the realisation of Covenant rights, particularly for the most disadvantaged groups in society (art. 2(1)).¹⁸⁶

183 Department for Work and Pensions, Benefit expenditure and caseload tables, 2024, <https://www.gov.uk/government/collections/benefit-expenditure-tables>

184 Department for Work and Pensions, Households Below Average Income: An Analysis of the UK Income Distribution, FYE 1995 to FYE 2023, 2024, <https://www.gov.uk/government/statistics/households-below-average-income-for-financial-years-ending-1995-to-2023/households-below-average-income-an-analysis-of-the-uk-income-distribution-fye-1995-to-fye-2023>

185 Social Metrics Commission, Social Metrics Commission 2024 report, 2024, para 22, 40, <https://socialmetricscommission.org.uk/wp-content/uploads/2024/11/SMC-2024-Report-Web-Hi-Res.pdf>

186 UN CESCR Concluding observations on the seventh periodic report of the United Kingdom of Great Britain and Northern Ireland (March 2025), para 22, https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=E%2FC.12%2FGBR%2FCO%2F7&Lang=en

The social protections provided by current social security schemes are not adequate. The failings of the current mechanism of determining social security levels are explored below.

- **Lack of a minimum income standard or social protection floor protected in law.**

The legislative mechanisms to determine levels of social security are not aligned with the ILO Recommendation No.202 (2012) on social protection floors as there is no nationally defined minimum level of income based on the actual costs of goods and services.¹⁸⁷

A Work and Pensions Committee report states that ‘successive UK governments have refused to accept minimum income standards as a basis to inform the setting of benefit rates’. They found this to be due to a perception that there is no objective way to decide what the minimum essentials would be.¹⁸⁸

In their concluding observations of the UK and Northern Ireland compliance with ICESCR (February 2025), it stated:

Measures introduced through the Welfare Reform Act 2012 and the Welfare Reform and Work Act 2016, including benefit cuts and temporary reductions or suspension of benefits, have eroded the rights to social security and to an adequate standard of living, disproportionately affecting persons with disabilities, low-income families, and workers in precarious employment. The Committee expresses concern that these reforms have resulted in severe economic hardship, increased reliance on food banks, homelessness, negative impacts on mental health, and the stigmatisation of benefit claimants (Articles 9 and 11).¹⁸⁹

This failure to protect the minimum standard in law, to leave some scheme uprating to the discretion of the secretary of state, leaves the social security ratings vulnerable to political fluctuations and austerity measures as we have seen in the Welfare Reform Act 2012.

- **The current base level of the social security payment levels is too low to meet an adequate standard of living therefore any uprating in line with price rises can never address inadequacy of payments.**

When a new scheme is introduced, the government set a level of payment. This effectively creates a starting baseline for adequacy for that scheme. If that baseline is already too low to afford an adequate standard of living the uprating of payment levels, even if linked to a pricing index, will only exacerbate the inadequacy year on year.

This illustrative example over five years demonstrates that while the social security increases annually so does the shortfall between the cost of essentials and the payments.

187 ILO, General Recommendation, R202 – Social Protection Floors Recommendation, 2012 (No. 202), para 8, https://normlex.ilo.org/dyn/nrmlx_en/f?p=NORMLEXPUB:12100:0::NO::P12100_INSTRUMENT_ID:3065524

188 Work and Pensions Committee, Benefit levels in the UK, 2024, p7, <https://publications.parliament.uk/pa/cm5804/cmselect/cmworpen/142/report.html>

189 UN CESCR Concluding observations on the seventh periodic report of the United Kingdom of Great Britain and Northern Ireland (March 2025), para 40, https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=E%2FC.12%2FGBR%2FCO%2F7&Lang=en

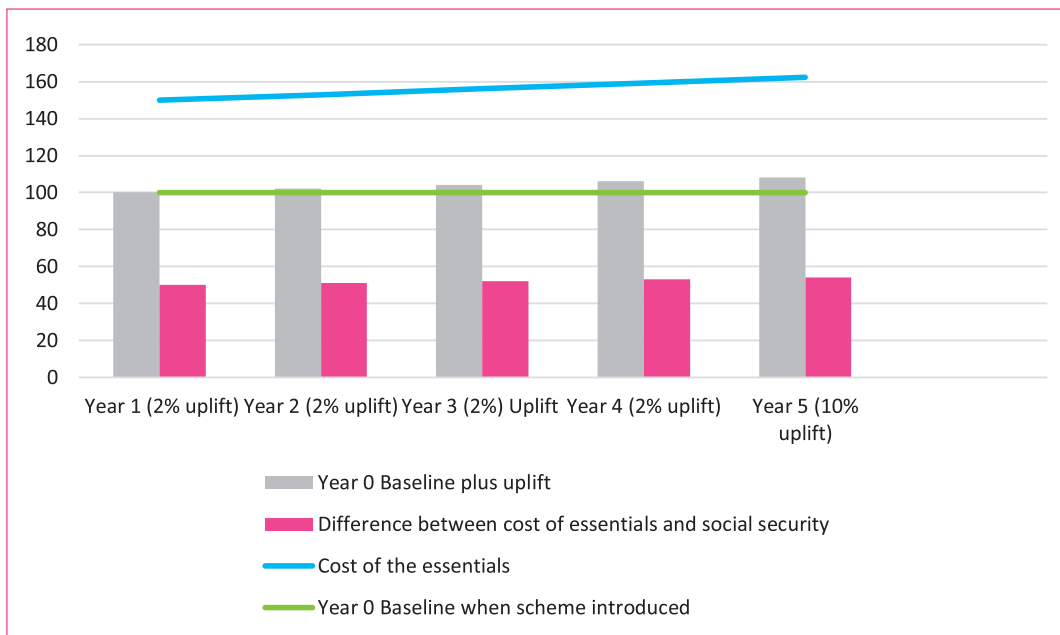


Figure 3: Hypothetical example to show the problem of inadequate social security baseline.

‘Benefit freezes’, such as the one introduced in the 2015 budget, has had an enduring impact on already inadequate support.

In 2019, the Joseph Rowntree Foundation (JRF) reported that people received 6.5 per cent less than it would have been if it had risen with inflation.¹⁹⁰ This was due to a four-year freeze on social security and tax credits that started in 2015.

As the freeze was lifted in 2020, the Resolution Foundation reported:

In fact, the real value of basic out-of-work support in 2019-20 is – at £73 a week (£3,800 a year) – lower than it was in 1991-92, despite GDP per capita having grown by more than 50 per cent since then.¹⁹¹

- **Flaws in the uprating methodology further diminish the ability of people to afford an adequate standard of living.**

In February 2025, the Committee on Economic, Social and Cultural Rights concluded it is:

...concerned that insufficient social spending by the government, particularly in a context of rapidly rising inflation, hampers the progressive realisation of economic, social and cultural rights (Article 2 (1)).¹⁹²

In the UK, social security uprating typically relies on inflation data from September of the previous year rather than the actual costs of a specific ‘basket of essential goods and services’ at the time of uprating in April. This means that claimants are affected

¹⁹⁰ Joseph Rowntree Foundation, End the benefit freeze to stop people being swept into poverty, 2019, accessed on 3/3/25, <https://www.jrf.org.uk/social-security/end-the-benefit-freeze-to-stop-people-being-swept-into-poverty>

¹⁹¹ Resolution Foundation, ‘The benefit freeze has ended but erosion of the social security safety net continues’, 2019, accessed on 3.3.25, <https://www.resolutionfoundation.org/publications/the-benefit-freeze-has-ended-but-erosion-of-the-social-security-safety-net-continues/>

¹⁹² UN CESCR Concluding observations on the seventh periodic report of the United Kingdom of Great Britain and Northern Ireland, March 2025, para 18, https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=E%2FC.12%2FGBR%2FCO%2F7&Lang=en

by price fluctuations that occur between the assessment in September and the benefit increase in April.

Since 2011, the government has used the consumer price index (CPI) to measure inflation and determine the uprating percentage, but this approach leaves claimants vulnerable to price changes that occur between the inflation measurement in September and the uprating in April.^{193, 194}

The problem with this time lag

Household and essential costs in relation to food, energy, and housing, for example, often rise faster and exceed broader inflation rates, and so the uprating will not fully compensate for this, intensifying financial strain and eroding real income further.

Inflation places an additional burden on people of lower incomes because they have a narrow room of manoeuvre with their limited income, most or all of which needs to be spent on unavoidable and essential costs.

Research from the Resolution Foundation in May 2024 reveals that:

■ Inflation has had a mixed impact on UK social security schemes, with adjustments providing some relief but also presenting important limitations.

Schemes like universal credit saw a 6.7 per cent increase in April 2024, equivalent to an additional £300 per year for a single person and £900 for a couple with two children. This adjustment, tied to the previous year's inflation rate, offered partial protection.

However, the one-time cost of living payment, introduced in 2022 to help households manage steep rising costs, ended in 2024. This left overall support £685 lower in real terms for single recipients in 2024-25 than the previous year.¹⁹⁵

Despite adjustments, the lag in uprating and the reduction in temporary support means that many recipients experienced a net decline in real income, underscoring the challenges of maintaining social security values amid sharp inflation increases.¹⁹⁶

The Autumn budget 2024 announced that working-age schemes and additional state pensions would increase by 1.7 per cent in line with the September 2024 inflation rate, while the basic and new state pensions, and the pension credit standard minimum guarantee, would rise by 4.1 per cent in line with the triple lock guarantee.¹⁹⁷

193 Previously, the default indexation benchmarks were: • the Retail Prices Index (RPI) for pensions and other non-means-tested benefits; • the 'Rossi' index (RPI minus housing costs) for means-tested benefits Rod McInnes, House of Commons briefing: Benefits Uprating 2021 p5, <https://researchbriefings.files.parliament.uk/documents/CBP-9131/CBP-9131.pdf>

194 Consumer price inflation basket of goods and services, Office for National Statistics. CPI is a of consumer price inflation produced to international standards and in line with European regulations.

195 Department for Work and Pensions, cost-of-living-payments-evaluation, 2025, <https://www.gov.uk/government/publications/cost-of-living-payments-evaluation/cost-of-living-payments-evaluation>

196 Nye Cominetti, Ian Mulheirn, Cara Pacitti, Simon Pittaway and James Smith, Resolution Foundation briefing, *Paying the price: How the inflation surge has reshaped the British economy*, May 2024, p16-18, <https://www.resolutionfoundation.org/app/uploads/2024/05/Paying-the-price.pdf>

197 Department for Work and Pensions, Budget marks first step in plan to drive up opportunity and drive down poverty, 2024, <https://www.gov.uk/government/news/budget-marks-first-step-in-plan-to-drive-up-opportunity-and-drive-down-poverty#:~:text=Press%20release-,Budget%20marks%20first%20step%200in%20plan%20to%20drive%20up%20opportunity,boost%20work%20and%20tackle%20poverty.>

The consumer price index (CPI) rose by 2.6 per cent in the 12 months to November 2024, up from 1.7 per cent in September.¹⁹⁸ However, the effects of the 2021-22 surge in inflation, which peaked at 11.1 per cent in October 2022, continue to reverberate.

Rising costs for necessities (like food and energy) have disproportionately impacted low-income households, resulting in a surge in demand for food banks and an increase in debt-related inquiries.^{199, 200} Despite some stabilisation in inflation, essential goods remain 20 per cent more expensive in 2024 than in 2022,²⁰¹ further diminishing the purchasing power of low-income families.

The CESCR stressed that:

States must utilise their maximum available resources to ensure access to social security schemes for individuals facing diverse challenges.²⁰²

In 2025, following its review of the UK, the committee recommended that, rather than adopt further austerity measures for social security, the UK address financial shortfalls by adopting:

...a more efficient, progressive, and socially just fiscal policy [and] end the income tax thresholds freeze [introduced since 2022], and review the share of corporate, capital gains, inheritance and property taxes in total state revenue, and broaden the tax base to create fiscal space for realizing economic, social, and cultural rights.²⁰³

Adequate social security is vital for poverty alleviation and the protection of human rights, including the right to an adequate standard of living.²⁰⁴ In this context, the CESCR has acknowledged the negative effects of inflation and rising living costs, urging governments to safeguard social security schemes from inflationary erosion.²⁰⁵

The failure to determine social protection floors, to review the baseline level against the real costs and uprate social security using effective methodology, impacts people

198 Office of National Statistics, Consumer price inflation, UK: November 2024, 2024, [https://www.ons.gov.uk/economy/inflationandpriceindices/bulletins/consumerpriceinflation/november2024#:~:text=a%2520year%2520earlier-,The%2520Consumer%2520Prices%2520Index%2520\(CPI\)%2520rose%2520by%25202.6%2525%2520in,of%25200.2%2525%2520a%2520year%2520earlier](https://www.ons.gov.uk/economy/inflationandpriceindices/bulletins/consumerpriceinflation/november2024#:~:text=a%2520year%2520earlier-,The%2520Consumer%2520Prices%2520Index%2520(CPI)%2520rose%2520by%25202.6%2525%2520in,of%25200.2%2525%2520a%2520year%2520earlier).

199 Trussell Trust, 'End of year food bank stats', 2024, <https://www.trussell.org.uk/news-and-research/latest-stats/end-of-year-stats>; Flourish, Spotlight on our debt data, Flourish, 2024, <https://public.flourish.studio/story/1775092/>; Office of National Statistics, Provisional CPIH and CPI-consistent inflation rate estimates for UK household groups: January to September 2023, 2023, <https://www.ons.gov.uk/economy/inflationandpriceindices/adhocs/1634provisionalcpihandcpiconsistentinflationrateestimatesforukhouseholdgroupsjanuarytoseptember2023>

200 Nye Cominetti, Ian Mulheirn, Cara Pacitti, Simon Pittaway and James Smith, Resolution Foundation briefing, *Paying the price: How the inflation surge has reshaped the British economy*, May 2024, <https://www.resolutionfoundation.org/app/uploads/2024/05/Paying-the-price.pdf>; UK parliament, research briefing, Brigid Francis-Devine, 'High cost of living: Impact on households', December 2024, /9, <https://commonslibrary.parliament.uk/research-briefings/cbp-10100/>

201 Office for National Statistics, Exploring how the average price of individual items has changed in the last year, 2024, <https://www.ons.gov.uk/economy/inflationandpriceindices/articles/exploringhowtheaveragepriceofindividualitemshaschangedinthelastyear/2023-05-03>

202 CESCR, General Comment No. 19: The Right to Social Security (Article 9), UN Doc. E/C.12/GC/19, 2008, para 4, <https://digitallibrary.un.org/record/618890>

203 CESCR Concluding Observations of the 7th Review of the UK, 2025, p4, https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=E%2FC.12%2FGBR%2FCO%2F7&Lang=en

204 CESCR, General Comment No. 19: The Right to Social Security (Article 9), UN Doc. E/C.12/GC/19, 2008, para 1, 3, <https://digitallibrary.un.org/record/618890>

205 CESCR, Concluding observations on the fourth periodic report of Argentina, UN Doc E/C.12/ARG/CO/4, 2018, para 44, <https://www.ohchr.org/en/documents/concluding-observations/concluding-observations-fourth-periodic-report-argentina>

differently across different schemes and, therefore, the social risks that people are exposed to eg disability, caring responsibility, unemployment, old age.

Demonstrating the inadequacy of social security payments, the Joseph Rowntree Foundation annual poverty report in 2024 found that 49 per cent of families dependent on universal credit were living in poverty compared to 35 per cent of families receiving pension credits.²⁰⁶

On average the 400 claimants who responded to our survey rated the adequacy of their social security payment to afford essentials as 4.6 out of 10. There are changes proposed by the Pathways to Work Green Paper 2025 which will require new legislation underpinning the uprating methodology to allow the Secretary of State to implement a proposed freeze and cuts to social security rates for disability and incapacity schemes. This would remove some of the legislative protections in place to protect against political whims.²⁰⁷

In real terms, the proposals set out in order to reduce government spending by £4.8 billion by 2029 will reduce PIP awards to 800,000 claimants and reduce the health-related universal credit for 3 million families by cutting the health element from £97 a week to £50 a week for new claimants and freezing it. They suggest that will be offset by uprating universal credit at £6 a week higher than CPI.²⁰⁸

5.2 Real-life impact

Claimant and advisor perspectives demonstrate the real-life impact of the inadequacy of social security on claimants and their families.

‘I’ve got to pay my bills. I’ve got to pay for my gas and electricity which is sky high, and I’ve got to pay my rent and then, before you know what, I’ve got nothing left. So, I’m scrimping and scraping with my benefit to buy food, and I still come to a foodbank because you’ve got nothing, and this has got to last a month, and I’ve got two freaking kids.’

Claimant

‘You show me how you can make ends meet with what they give you. You’ve got your bills, your food and all your outgoings. After you have been paid, I’m lucky if I’ve got £5 to last me two weeks. How do you live on that?’

Claimant

‘There are times when we would use the daylight... You know, in terms of washing and stuff.’

Claimant

206 Joseph Rowntree Foundation, *The Essential Guide to Understanding Poverty in the UK*, January 2024, <https://www.jrf.org.uk/uk-poverty-2024-the-essential-guide-to-understanding-poverty-in-the-uk>

207 Add the following footnote here: Government, Pathways to Work: Green Paper FAQs, 2025, <https://www.gov.uk/government/news/pathways-to-work-green-paper-faq>

208 Add the following footnote here: OBR, 2025 Economic and Fiscal Outlook: <https://obr.uk/efo/economic-and-fiscal-outlook-march-2025/>

‘When we haven’t got washing powder, yeah we use washing up liquid and if you haven’t got washing up liquid, we use hand wash.’

Claimant

‘If you need a prescription, your money may well have run out, and so you might have to wait until a couple of weeks later.’

Claimant

The impact of inadequate social security is most acutely felt by claimants through the lens of ordinary family lives, particularly for families with children.

‘I don’t have hot water in the house, and my son is three, and I need to bath him and everything and the house is freezing cold.’

Claimant

‘You don’t want your kids to go through stuff like that. You don’t want your kids to know you struggle... You try to protect them from it.’

Claimant

‘My son’s birthday and Christmas is coming up and obviously the children are asking for things... Now I’ve got to choose between, do I buy them presents or do I pay the rent? Do I put the heating on? It’s not something you should have to do... turn around to a child and say, actually I know you want this for Christmas, but I can’t get it for you because if I get [it], you aren’t going to have any dinner.’

Claimant

‘It sounds awful and in some sense of it, it might come across as selfish, but what about kids? They’ve missed out on every single trip we have because we just can’t afford it... We can either send you on the trip or we don’t pay rent.’

Claimant

‘£900 isn’t going to pay for gas, electric, water, TV and phone contracts... food... then my kids say, can I have Roblox? No, I can’t afford a fiver for the minute.’

Claimant

‘We had no light. If I didn’t have candles with my older kids...’

Claimant

The failures of the social security payment rating and uprating methodology leading to inadequacy of social security in the UK also makes this an equality issue.

To demonstrate this, we examine the inadequacy of a variety of social security schemes and the carer’s allowance.

Inadequacy of disability social security schemes

Data from the Department for Work and Pensions (DWP) shows that there were 3.7 million PIP claimants in England and Wales as of January 2025, with an additional

35,000 claimants in Scotland (where claimants are transitioning to adult disability payment).²⁰⁹

From March 2022 to April 2023, Social Security Scotland received 95,555 part 1 applications (living component for support for day-to-day living tasks) and 54,445 part 2 applications (mobility component for support with moving around and transport) for adult disability payment (ADP), totalling £109.7 million in payments issued.²¹⁰ The Scottish government is also reviewing the functioning of the ADP.²¹¹

Life costs more for disabled people

These social security schemes still fail to meet the real needs of disabled individuals. Research by the disability equality organisation Scope found that even with both universal credit and PIP, many disabled people still experience significant financial shortfalls.²¹² Households with a disabled adult or child face additional costs of over £975 per month, and in some cases, this rises to £1,122 per month when adjusted for inflation. Scope states that:

■ A £1,010 financial gap leaves many disabled people vulnerable to debt, food insecurity and mental health challenges.²¹³

The financial hardship that follows means disabled people are more likely to rely on food banks. Data from the Trussell Trust shows that:

■ Nearly 7 in 10 (69%) of people referred to their food banks are disabled.²¹⁴

Criticism

The disability social security system in the UK has faced significant criticism for failing to provide adequate financial support to individuals with disabilities.

The 2023 *Enough to be able to live, not just survive* report by the all-party parliamentary group on poverty emphasised the inadequacy of social security levels not meeting minimum income standards and pushing disabled individuals into poverty.²¹⁵

The Disability Benefits Consortium and Save the Children found that the UK government has made little effort to link disability social security schemes to the actual needs of individuals, and there has not been an official study on social security adequacy since the 1960s.²¹⁶ Furthermore, Disability Rights UK reported that since

209 Department for Work and Pensions, Personal Independence Payment: Official Statistics to January 2025: <https://www.gov.uk/government/statistics/personal-independence-payment-statistics-to-january-2025/personal-independence-payment-official-statistics-to-january-2025>

210 Social Security Scotland, Adult Disability Payment: high level statistics to 30 April 2023, 2023, <https://www.gov.scot/publications/adult-disability-payment-high-level-statistics-to-30-april-2023/>

211 Scottish government, Cabinet Secretary for Social Justice, Adult Disability Payment: Independent Review – interim report, 2024, <https://www.gov.scot/publications/interim-report-independent-review-adult-disability-payment/>

212 Scope, *Disability Price Tag 2024: Living with the extra cost of disability*, September 2024, p15-22, <https://www.scope.org.uk/campaigns/disability-price-tag>

213 Ibid.

214 The Trussell Trust, Emergency food parcel distribution in the UK 1 April 2023 to 31 March 2024, 2024, <https://cms.trussell.org.uk/sites/default/files/wp-assets/EYS-UK-Factsheet-2023-24.pdf>

215 Work and Pensions Committee, Benefit levels in the UK, 2024, p 20-21, <https://publications.parliament.uk/pa/cm5804/cmselect/cmworpen/142/report.html>

216 All-Party Parliamentary Group on Poverty, 'Enough to be able to live, not just survive' report, 2023, 4-5, <https://appgpovertyinequality.org.uk/wp-content/uploads/2023/07/APPG-on-Poverty-Social-Security-Report.pdf>

2010 government spending on disability social security schemes has decreased by nearly £5 billion, worsening the adequacy of support.²¹⁷

A report by the UN called on the UK to take corrective measures to address the impact of inadequate disability social security. The recommendation by the UN's Committee on Economic, Social and Cultural Rights (CESCR) comes in the concluding observations on the UK's progress to implement these rights. The committee urged the UK government to reassess scheme levels and implement changes to ensure they comply with the human rights model of disability and provide adequate living standards for all, particularly those with disabilities.²¹⁸

In 2017, after an inquiry, the UN Committee on the Rights of Persons with Disabilities (CRPD) found that the UK's social security reforms since 2010 led to 'grave or systematic violations' of disabled people's rights. It concluded that there was 'reliable evidence that the threshold of grave or systematic violations of the rights of persons with disabilities has been crossed'.²¹⁹

In its 2024 follow-up report, the CRPD stated that 'no significant progress has been made in the state party concerning the situation of persons with disabilities addressed in the inquiry proceedings... there are also signs of regression in the standards and principles of the Convention'.²²⁰

Rather than take progressive steps to address these concerns, the government has set out proposals in the 2025 Spring Statement to further regress the adequacy of social security. The proposals set out goals to reduce government spending by £4.8 billion by 2029, reduce PIP awards to 800,000 claimants and reduce health-related universal credit for 3 million families by cutting the health element from £97 a week to £50 a week for new claimants and freezing it. They suggest that will be offset by uprating universal credit at £6 a week higher than CPI.²²¹

Claimants told us that the social security schemes they receive do not cover the costs of essentials to meet their needs including the costs of support to live independently and contribute to their community. This is particularly the case for residential care home and domiciliary care charges which are now commonly taken via charges by local authorities as a deduction from social security payments.

Claimants tell us:

'They're actually asking for £400 a month... towards her care, so that's coming out her benefit.'

217 Disability Rights UK, 2018, <https://www.disabilityrightsuk.org/news/2018/september/disability-benefit-spending-reduced-%C2%A35-billion-over-last-decade>

218 UN CESCR Concluding observations on the seventh periodic report of the United Kingdom of Great Britain and Northern Ireland, March 2025, para 41, https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=E%2FC.12%2FGBR%2FCO%2F7&Lang=en

219 CRPD, Inquiry concerning the United Kingdom of Great Britain and Northern Ireland, UN Doc. CRPD/C/15/4 (2017), para 113, <https://digitallibrary.un.org/record/1311200>

220 CRPD, Report on follow-up to the inquiry concerning the UK, UN Doc. CRPD/C/GBR/FUIR/1 (2024), para 88, <https://www.ohchr.org/en/news/2024/03/committee-rights-persons-disabilities-holds-follow-dialogue-inquiry-report-united>

221 OBR, 2025 Economic and Fiscal Outlook, <https://obr.uk/efo/economic-and-fiscal-outlook-march-2025/>

'We are having a battle over a non-residential care charge. They just want to take that back from his adult disability payment and I am adamantly standing against it... That whole thing that you know they are wanting to take back their cuts through claiming the non-residential care charges. I haven't paid it for five years and I've been sent debt collection letters... threatening to send the bailiffs out... He's been assessed that this is the amount of money he needs to live off every week and the local authority are saying, yeah, but we want some of that because we we've got an overspend of £8,000,000.'

Inadequacy of carer's allowance

The carer's allowance in the UK is one of the lowest and most restrictive income replacement social security schemes. People can claim up to £83.30 for 35 hours or more of care. At just over £2 per hour, it falls well below minimum wage standards, and yet people are restricted to 16 hours a week of work, highlighting the systemic undervaluation of unpaid carers work, and limiting their ability to improve their living standards.²²² Claimants are unable to study full time, and claimants who get the state pension are excluded (if their pension is equivalent to or more than the carer's allowance).²²³

This insufficient financial support places carers in precarious financial situations, limiting their ability to work and often trapping them in poverty.

Statistics from the Department for Work and Pensions (DWP) show that most people claiming carer's allowance live in lower-income households, with over half earning £20,799 or less annually. Many carers also have long-term health conditions and provide intensive care, often for relatives such as children, spouses or parents. Most carers work in part-time, low-paying jobs that they can fit around their caregiving responsibilities.²²⁴

Research by Carers UK in 2022²²⁵ revealed that nearly half of carers struggled to afford necessities, with many cutting back on essentials like food and heating, and some relying on foodbanks.

The UK government's 2024 Autumn budget²²⁶ included a significant policy change, increasing the earnings limit (the threshold for eligibility for the scheme) for carer's allowance to 16 hours at the national living wage,²²⁷ adding £45 per week starting in April 2025. This change will make more carers eligible for support and help existing claimants balance employment and caregiving.

While this increase is a step forward, it remains insufficient in recognising the full value of carer's contributions. The carer's allowance remains far below minimum wage levels

222 Department for Work and Pensions, Policy paper, Benefit and pension rates 2025 to 2026, November 2024, <https://www.gov.uk/government/publications/benefit-and-pension-rates-2025-to-2026/benefit-and-pension-rates-2025-to-2026>

223 UK government, Carer's Allowance, accessed April 2025, <https://www.gov.uk/carers-allowance/eligibility>

224 Department for Work and Pensions, Experience of Claiming and Receiving Carer's Allowance, 2024, <https://www.gov.uk/government/publications/experience-of-claiming-and-receiving-carers-allowance>

225 Carers UK, *Heading for Crisis: Caught between caring and rising costs* (Carers UK 2022), p6, <https://www.carersuk.org/reports/heading-for-crisis-caught-between-caring-and-rising-costs/>

226 UK government, Autumn budget 2024, October 2024, <https://www.gov.uk/government/publications/autumn-budget-2024>

227 The national minimum wage is a legislatively defined and protected minimum hourly rate which employers are bound to comply with <https://www.gov.uk/national-minimum-wage-rates>.

if recognising the hours worked, and many carers continue to face financial hardship while providing so much.

In November 2024, Scotland introduced the carer support payment,²²⁸ replacing carer's allowance, which includes an additional supplement of £293.50 paid twice annually.

The Carers Support Fund, funded by the Welsh government, exists in Wales, providing grant funding. No supplementary payments are available for carers in England or Northern Ireland.²²⁹

Under pressure, undervalued

The view that the carer's allowance is insufficient is shared by the claimants we spoke to. They felt under pressure to justify their work to support someone they care for and undervalued due to inadequate payments compared to a living wage.

'It's a full-time job. It's peanuts, really, carer's allowance... I could be down [at] my mother's 35 hours a week or 40 hours one week... It's absolutely nothing.'

Claimant

The European Committee of Social Rights recommended that the UK government increase carer's allowance to alleviate poverty levels and ensure carers have access to adequate support, emphasising the need for further reforms to align the allowance with minimum wage standards.²³⁰

Claimants of carers allowance told us about feeling trapped in a labyrinth of claimant conditions (such as to attend training or job interviews) that make them feel they can't meet their basic needs, conditions of employment search or caring responsibilities.

'My daughter put in for a carer's allowance for me looking after my husband, but I had a pension from what I earned. I would have had to give that up to get a carer's allowance, which is not fair. I worked for that pension. All my married life. I worked for it. Why should I give it up?'

Claimant

Inadequacy of universal credit

Universal credit is a complex social security scheme composed of a standard allowance. It has various elements to account for different circumstances (eg children, caring responsibility and housing) and rates of deductions for various reasons (eg paid employment, debts).

Universal credit, aimed at simplifying the system, was introduced by the Welfare Reform Act 2012 to collate and replace a range of existing social security schemes with a single application process and payment.

228 Scottish government, Carer Support Payment now Scotland-wide, November 2024, <https://www.gov.scot/news/carers-support-payment-now-scotland-wide/#:~:text=Carer%2520Support%2520Payment%2520is%2520the,to%2520some%2520carers%2520in%2520education>.

229 All-Party Parliamentary Group on Poverty, *Enough to be able to live, not just survive*, report, 2023, p11.

230 ESCR, Conclusions XXII- 2 (2021), United Kingdom, <https://rm.coe.int/conclusions-xxii-2-2021-united-kingdom-en/1680a5da33>

Since its introduction, there has been a process of migrating people using different social security schemes to universal credit. The migration, however, is not complete. It is a complex process, and there is a need to ensure adequate support for all affected claimants who are moving from one scheme to another.

The DWP plans to complete the transition of all claimants to universal credit by March 2026. This requires approximately 1 million legacy claimants to apply for the migration process after receiving a migration notice.²³¹

Statistics

In January 2025, 7.5 million people (58 per cent women) from 6.2 million households were claiming universal credit. Some 52 per cent of these households were families with children and of those, 2.1 million children were in single-parent households.²³²

Universal credit claimants are subject to conditionality regimes, which include job preparation activities such as training, CV writing, planning and work searching. There are 3.1 million people claiming universal credit who are unemployed and do not have work search-related conditions applied to their eligibility (because they are deemed to be unable to work due to, for instance, sickness, caring responsibility), and 37 per cent of people on universal credit were in work (meaning their low income is being supplemented rather than replaced). The mean monthly household payment is £1,000 per month.²³³ The lowest average payment is for a single person with no children at £720; the highest is for a couple with children at £1270.

Calls for 'Essentials guarantee'

The Joseph Rowntree Foundation (JRF), in partnership with the Trussell Trust, has long been campaigning for reform of universal credit, calling for a legally defined and protected minimum essentials guarantee to ensure that the basic rate is always at least enough for people to afford the essentials. In their May 2024 Poverty Tracker report, despite a 10.1 per cent social security uplift (following a period of 'freeze') and one-off cost of living payments, the JRF found that 86 per cent of low-income families on universal credit went without essentials (such as heating, food, clothing), highlighting the challenges of rising living costs.²³⁴

JRF's own analysis based on a basket of goods methodology for 2023-24 shows the universal credit rate is £35 a week less than the minimum required to cover the cost of these essentials for a single person.²³⁵

The experience of people claiming universal credit corroborates this concern with many telling us that they make difficult choices in their day-to-day lives to make ends meet.

231 House of Commons Library, Managed migration: Completing Universal Credit rollout, 2024, <https://commonslibrary.parliament.uk/research-briefings/cbp-9984/>

232 Department for Work and Pensions, Universal Credit statistics, 29 April 2024 to 9 January 2025, February 2025, <https://www.gov.uk/government/statistics/universal-credit-statistics-29-april-2013-to-9-january-2025/universal-credit-statistics-29-april-2013-to-9-january-2025>

233 Ibid.

234 Joseph Rowntree Foundation, 'The scale of the challenge: JRF's pre-election cost of living tracker', 2024, <https://www.jrf.org.uk/cost-of-living/jrfs-pre-election-cost-of-living-tracker>

235 Joseph Rowntree Foundation, *Guarantee our Essentials: Reforming Universal Credit to ensure we can all afford the essentials in hard times*, 2024, <https://www.jrf.org.uk/social-security/guarantee-our-essentials-reforming-universal-credit-to-ensure-we-can-all-afford-the#:~:text=Our%20research%20shows%20a,a%20proportion%20of%20average%20earnings>

‘But once you’ve paid your bills, once you’ve got your food, you’ve got nothing left. So universal credit – it’s not good. When I was on income support, I used to get paid every two weeks and it was only a little bit of money, but it used to work. It used to get [my] bills [and] shopping. [My] food used to last. Now I’m finding myself coming to a food bank. And then the last thing I’ve got in my cupboards, it’s a tin of soup. You know, it’s not good.’

Claimant

Claimants working but facing in-work poverty, even with universal credit payments topping up low wages, shared how they still struggle to get by.

‘They gave me only £400. Right. And I earn £400 from here so that was only £800. And my rent is about £840. My council tax is £140. And then water bill and electricity. Gas bills and food and clothes. You know, how can we survive one month on £800 with four kids? Most of the time I don’t buy food.’

‘My rent is £550 a month, but I have to try to find that out of my wages, which is included in my bills, but I can’t live. I can’t eat. All I can do is pay my rent because I don’t know if I’m getting universal credit... We’ve worked and I’ve been working 12 years.’

‘I can’t even get cards or little presents for my grandchildren or nothing like that, even though I’m working. Crazy.’

Universal credit introduced a tapering mechanism, meaning that as a claimant’s earned income increases, their payments gradually decrease rather than stop abruptly. It is meant to foster an environment conducive to work without the fear of losing vital financial support. Claimants told us that the taper rate was confusing, and people had the perception that they would face financial hardship during the time of tapering off social security payments. The government’s own website directs people to benefit calculators provided by charities such as Turn2Us.²³⁶ Some people told us that where their working hours fluctuated (eg on zero hours contracts), it was impossible to budget as they didn’t know how much social security payment they would receive from one payment to the next.²³⁷ This is just a few of their responses:

‘It doesn’t pay you to work. It doesn’t. We lose money left, right and centre.’

Claimant

‘I didn’t at first but, whether it’s been a good few years now, I’m getting used to the system. I couldn’t work out how sometimes I was getting more one month and less the next and seeing I was being paid twice in a month. Yeah, I couldn’t work that out. And I’m thinking, well, hang on, I get paid from work the last Friday of every month. That’s once a month for me, but it was their cut off dates to my dates [that] didn’t tally up and that’s how they were saying I was like paid twice.’

Claimant

²³⁶ <https://www.gov.uk/benefits-calculators>

²³⁷ Department for Work and Pensions, Policy paper, 2010 to 2015 government policy: welfare reform, May 2015, <https://www.gov.uk/government/publications/2010-to-2015-government-policy-welfare-reform/2010-to-2015-government-policy-welfare-reform>

‘Did up until last Friday when I found out, I looked at my bank account and nothing had gone in, but last month I had so I couldn’t really tell you when it stopped. It stopped from somewhere like the end of September till last week.’

Claimant

Inadequacy of housing benefits and local housing allowance

Housing benefit and the local housing allowance (LHA) are crucial components of the UK’s social security system, designed to support low-income households to meet their housing costs.

The housing benefit is set and delivered UK-wide by the government, providing support across both private and social rental sectors, while LHA is set and delivered by local authorities and determines the maximum support available specifically to private renters receiving either housing benefit or universal credit. LHA rates are decided by the DWP using information provided by the Valuation Office Agency (part of HMRC). LHA is the mechanism that dictates the amount of housing benefit a private tenant can receive, thereby linking the two systems.

LHA was introduced in 2008 to align housing support with the local rental market by setting rates at the 50th percentile of area rents, thereby covering the median rental cost.²³⁸ However, in 2011, LHA rates were reduced to the 30th percentile,²³⁹ diminishing the support available to claimants. This change, compounded by a freeze on LHA rates between 2020 and April 2024, resulted in a widening gap between rising rental costs and the fixed level of housing support, pushing many claimants into deeper financial distress.²⁴⁰ The rate of the LHA was reinstated at the 30th percentile in April 2024.²⁴¹

In September 2024, the Joseph Rowntree Foundation (JRF) noted that private rental prices rose significantly by 8.4 per cent across the UK between August 2023 and August 2024.

In April 2024, the UK government unfroze and realigned LHA rates to cover the cheapest 30 per cent of local rents, however these rates were based on rental figures from September 2023, not reflecting the current market conditions.

The following year, average rents increased by £92 per month in Great Britain, and by £174 in London, indicating that LHA was already falling behind actual rental costs.²⁴² In 2023, a Citizens Advice report highlighted that discrepancies in rental markets created significant shortfalls between LHA rates and actual rental costs in areas like central London and Greater Manchester, further complicating the issue.²⁴³

238 Welfare Reform Act 2007 (c. 5), section 30, <https://www.legislation.gov.uk/ukpga/2007/5/contents>

239 The Rent Officers (Housing Benefit Functions) Amendment Order 2010, SI 2010/2836, <https://www.legislation.gov.uk/uksi/2010/2836/made>

240 Citizens Advice, ‘The Impact of Freezing Local Housing Allowance’ (Citizens Advice 2023), 3-4, <https://www.citizensadvice.org.uk/policy/publications/the-impact-of-freezing-the-local-housing-allowance/#:~:text=In%2520combination%2520with%2520other%2520reforms,for%2520many%2520of%2520the%2520people>

241 The Rent Officers (Housing Benefit and Universal Credit Functions) (Amendment) Order 2024, SI 2024/11, <https://www.legislation.gov.uk/uksi/2024/11/contents/made>

242 Joseph Rowntree Foundation, ‘Stop the freeze: permanently re-link housing benefits to private rents’, 2024, <https://www.jrf.org.uk/housing/stop-the-freeze-permanently-re-link-housing-benefits-to-private-rents>

243 Citizens Advice, *Local Housing Allowance: The Autumn statement must address the hidden housing tax*, 2023, p7-8, <https://www.citizensadvice.org.uk/policy/publications/the-impact-of-freezing-the-local-housing-allowance/>

Research from Citizens Advice indicates:

■ The average shortfall between LHA and actual rent costs across the UK is £62.13 per month, with many facing deficits exceeding £100.

For universal credit claimants, the average shortfall is even greater, at £145 per month. As rental costs continue to rise, these shortfalls have exacerbated financial hardship, forcing claimants to divert income intended for other essential needs, such as food and heating, towards covering rent.²⁴⁴

The all-party parliamentary group (APPG) on poverty similarly criticised the failure to adjust LHA rates annually in line with rent increases, attributing this to increasing poverty among low-income households. The APPG on poverty and the Work and Pensions Committee recommend the establishment of a legal requirement for annual updates to LHA rates, ensuring they remain aligned with at least the 30th percentile of local market rents.²⁴⁵

Local authorities can sometimes resort to discretionary housing payments (DHPs) to mitigate some of the pressures resulting from insufficient LHA rates. However, DHPs are inherently temporary and discretionary, making them unreliable for households in need of stable and consistent assistance.²⁴⁶

The CESCR in its 2025 concluding obligations, raised their concern about ‘the critical challenges in the availability, affordability, and accessibility of adequate housing, further compounded by inadequate housing benefits, rising rental costs’.²⁴⁷ Similarly, the special rapporteur on extreme poverty and human rights called for the UK government to reverse freezes on social security schemes including the LHA.²⁴⁸

Many claimants shared their concerns, not just about the level of social security paid to cover their rent (requiring them to pay this from their general universal credit award), but also about the implications of withdrawal of social security schemes (if they missed a letter or could not evidence their general claim) on their housing making them vulnerable to eviction or rent arrears.

‘She was sanctioned and lost her home, leaving her and her four children homeless. DWP refused to make adjustments to interview times to accommodate school times. Each time she was sanctioned, her housing claim was cancelled and had to be reapplied for, building rent arrears.’

Claimant

244 Ibid, p6.

245 All Party Parliamentary Group on Poverty and Inequality, ‘*Enough to be able to live, not just survive*’ report, June 2023, p15, p20, <https://appgpovertyinequality.org.uk/home-page/appg-publishes-report-on-inadequacy-of-social-security/>. Work and Pensions Committee, Benefit levels in the UK, 2024, p40, <https://committees.parliament.uk/work/7286/benefit-levels-in-the-uk/>

246 Citizens Advice, The Impact of Freezing Local Housing Allowance, 16-17, <https://www.citizensadvice.org.uk/policy/publications/the-impact-of-freezing-the-local-housing-allowance/>

247 UN CESCR Concluding observations on the seventh periodic report of the United Kingdom of Great Britain and Northern Ireland (March 2025), para 46, https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=E%2FC.12%2FGBR%2FCO%2F7&Lang=en

248 UNHRC, Visit to the United Kingdom of Great Britain and Northern Ireland Report of the Special Rapporteur on extreme poverty and human rights UN Doc A/HRC/41/39/Add.1 (2019), para 96(d), https://www.ohchr.org/sites/default/files/lib-docs/HRBodies/UPR/Documents/Session11/GR/CoE-ECSR_EuropeanCommitteeonSocialRights-eng.pdf

Inadequacy of asylum support

People seeking asylum in the UK receive £49.18 per person per week in cash support while their asylum claim is being considered, but this allowance is reduced to £8.86 if the accommodation provided includes meals.²⁴⁹

People seeking asylum in the UK are not allowed to work. Research by Asylum Matters reveals this low level of support means many people cannot afford essential items such as food, public transport, clothing and toiletries, and regularly rely on foodbanks, all of which has a profound effect on their mental health and wellbeing.²⁵⁰

‘This ongoing struggle forces people to make agonising choices, where one essentials need must be sacrificed for another.’

Asylum Matters

5.3 Embedding inadequacy by other means: cuts, caps, freezes, deductions, taxes

The UK government has created various restrictive and retrogressive legislative measures which limit the extent to which social security schemes enable people to afford the costs of essentials and live a life in dignity.

Many of these measures were introduced under the guise of the austerity measures of the 2010s. As a result, the UK’s social security system has become significantly less adequate in supporting people who face marginalisation and inequality. Restrictive policies, such as the benefit cap introduced in 2013 and the two-child limit introduced in 2017, disproportionately impacted low-income families and those with disabilities.²⁵¹

According to the Resolution Foundation, nearly half a million families were affected by these policies in 2024, with six in ten households impacted by the two-child limit containing at least one working adult.²⁵²

249 UK government, Asylum Support, <https://www.gov.uk/asylum-support>

250 Asylum Matters, *Surviving in poverty: A report documenting life on asylum support*, December 2023, <https://asylummatters.org/2023/12/06/new-report-surviving-in-poverty/>

251 House of Commons Library, Frank Hobson, *The impact of the two-child limit in Universal Credit* research briefing, February 2024, <https://researchbriefings.files.parliament.uk/documents/CBP-9301/CBP-9301.pdf>

252 Resolution Foundation, Lalitha Try, ‘Catastrophic caps: An analysis of the impact of the two-child limit and the benefit cap’, January 2024, p1, <https://www.resolutionfoundation.org/publications/catastrophic-caps/>

Minimum core obligations

Various international human rights bodies have denounced that austerity measures and policies are contrary to the realisation of economic, social and cultural rights, specifically the right to social security.²⁵³

The European Committee of Social Rights, which monitors compliance with the European Social Charter, supports this perspective, asserting:

‘The economic crisis should not lead to a reduction in the protection of the rights recognised by the Charter.’²⁵⁴

The CESCR acknowledges that financial resources are finite resources but urges the prioritisation of social security as a minimum obligation, and states that when individuals cannot afford essential expenses – such as food, housing, and healthcare – it reflects a failure to meet core obligations under Article 2(1) of the ICESCR.²⁵⁵

‘In order for a state party to be able to attribute its failure to meet at least its minimum core obligations to a lack of available resources, it must demonstrate that every effort has been made to use all resources that are at its disposal in an effort to satisfy, as a matter of priority, these minimum obligations.’

Committee on Economic, Social and Cultural Rights, General Comment No. 19

Retrospective measures

While it is not possible within the scope of this report to examine all these measures and the impact on adequacy of social security, we have set out some illustrative evidence that shows, in addition to the problematic uprating approach, additional restrictions on the available income to meet essential needs are contrary to the UK’s human rights obligations.

Deliberately retrospective measures (making things worse) can only be acceptable under the standards of the international covenant if they are:

- Temporary in nature and effect;
- Legitimate, to protect the totality of human rights;
- Reasonable, meaning most suitable and capable of achieving the legitimate aim;

253 CESCR, Concluding Observations on the Sixth Periodic Report of the United Kingdom of Great Britain and Northern Ireland UN Doc E/C.12/GBR/CO/6, 2016, para 18, 19, 40, 41, 42, <https://www.ohchr.org/en/documents/concluding-observations/catcgrco6-concluding-observations-sixth-periodic-report-united>; OHCHR ‘Report on Austerity Measures and Economic and Social Rights’, 2013, UN Doc E/2013/82, <https://www.ohchr.org/en/documents/tools-and-resources/report-austerity-measures-economic-and-social-rights>; Thorbjørn Jagland, ‘Report by the Secretary General for the Ministerial Session in Helsinki, 129th Session of the Committee of Ministers: Ready for future challenges- reinforcing the Council of Europe’, Council of Europe, 2019, 19, https://www.coe.int/en/web/european-social-charter/other-meetings/-/asset_publisher/Kd60TWAeSkbi/content/2016-report-of-the-secretary-general-of-the-council-of-europe-on-the-state-of-human-rights-democracy-and-the-rule-of-law-in-europe

254 ECSR, General introduction to Conclusions XIX-2 (2009), para 15, https://www.ohchr.org/sites/default/files/lib-docs/HRBodies/UPR/Documents/Session11/GR/CoE-ECSR_EuropeanCommitteeonSocialRights-eng.pdf; Collective Complaints Nos 65/2011, 66/2011, 76–80/2011 and 111/2014 against Greece, https://www.coe.int/en/web/european-social-charter/processed-complaints/-/asset_publisher/5GEFkjmH2bYG/content/no-66-2011-general-federation-of-employees-of-the-national-electric-power-corporation-genop-dei-confederation-of-greek-civil-servants-trade-unions-ade

255 ECSR, Mental Disability Advocacy Centre (MDAC) v Bulgaria Collective Complaint No 41/2007, Merits, 3 June 2008, para 39, https://www.coe.int/en/web/european-social-charter/processed-complaints/-/asset_publisher/5GEFkjmH2bYG/content/no-41-2007-mental-disability-advocacy-center-mdac-v-bulgaria; CESCR, General Comment No. 3: The Nature of States Parties’ Obligations UN Doc E/1991/23 (1990), para 9-10, <https://www.ohchr.org/en/resources/educators/human-rights-education-training/general-comment-no-3-nature-states-parties-obligations-article-2-para-1-1990>; CESCR, General Comment No. 19: The right to social security UN Doc E/C.12/GC/19, 2008, para 60, <https://digitallibrary.un.org/record/618890?v=pdf>

- Necessary, making sure that there is no less harmful alternative;
- Proportionate, so the costs do not outweigh the benefits;
- Non-discriminatory, seeking to mitigate inequalities and paying particular attention to marginalised and disadvantaged individuals;
- Protective of the minimum core content of the right to social security;
- Based on transparency and genuine participation of affected groups;
- Subject to meaningful review, accountability and impact assessment.²⁵⁶

The Committee on the Rights of the Child (CRC), which monitors the implementation of the UN Convention on the Rights of the Child, has stressed that states should not allow the existing level of enjoyment of children's rights to deteriorate, and should not take deliberate retrogressive measures in relation to economic, social and cultural rights. The consideration of any regressive measure should be preceded by an assessment of all other viable options. The state should ensure that children are the last to be affected by retrogression, especially children in vulnerable situations in times of economic crisis.

The benefit cap

Where the UK has failed to legally define a minimum social protection floor to prevent income falling below an essentials level, it has legally provided for a cap on the maximum that can be claimed regardless of the size of the household.

The benefit cap, introduced in April 2013,²⁵⁷ sets a maximum limit on the total social security payments that most working-age individuals and families can receive.

The cap affects various social security schemes, such as housing benefit, child benefit, and universal credit, and aims to prevent households from receiving more in payments than the average working household income. However, this cap fails to account for regional variations in the cost of living and individual claimant needs, exacerbating inadequacy of the system.

In May 2024, the DWP reported the cap is set at £22,020 a year (£14,753 for single adults) outside of Greater London, and £25,323 (£16,967 for single adults) in Greater London.

Data shows, that as of May 2024, 123,000 households, containing an estimated 302,000 children, were affected by the cap, a 61 per cent increase (46,000 more households) since February 2024.²⁵⁸

Research from Child Poverty Action Group (CPAG) shows the cap leaves some households with significantly less income:

256 Independent Expert on Foreign Debt and Human Rights, Guiding Principles on Human Rights Impact Assessments of Economic Reforms, UN Doc. A/HRC/40/57, 2018, Principle 10, https://www.ohchr.org/sites/default/files/Documents/Issues/IEDebt/GuidePrinciples_EN.pdf; CESCR, General Comment No. 19: The Right to Social Security (Article 9), UN Doc. E/C.12/GC/19, 2008, para 42, <https://digitallibrary.un.org/record/618890>; European Committee of Social Rights, *Sindacato autonomo Pensionati v. Italy*, Complaint No. 187/2019 (Decision on the Merits, 17 October 2023), para 114-125, <https://www.coe.int/en/web/european-social-charter/-/the-decision-on-the-merits-in-sindacato-autonomo-pensionati-or.s.a.-v.-italy-complaint-no.-187/2019-is-now-public>

257 *Welfare Reform Act 2012* (c. 5), section 96.

258 Department for Work and Pensions, *Benefit Cap: Number of Households Capped to May 2024, 2024*, <https://www.gov.uk/government/statistics/benefit-cap-number-of-households-capped-to-may-2024/benefit-cap-number-of-households-capped-to-may-2024>

‘In London (where the cap is set higher than elsewhere), a lone parent with three children could have just £44 a week left to live on after paying the rent because of the benefit cap. If that family was able to access their full entitlement, they would have £276 per week to live on instead.’²⁵⁹

The Resolution Foundation’s 2024 research projects that by 2029-30, an additional 1.5 million people, including 400,000 children, will be pushed into relative poverty due to ongoing benefit caps and insufficient local housing allowance.²⁶⁰ The New Economics Foundation also argues that abolishing the benefit cap would significantly alleviate poverty and provide substantial economic benefits, including boosting local economies and reducing pressures on public services.²⁶¹

The Scottish government aims to mitigate the impact of the benefit cap by fully funding discretionary housing payments (DHPs) through local authorities, ensuring those affected by these deductions receive support.²⁶²

‘I got a benefit cap because they say I get too much, so I have... my ESA and then I have to pay £130 a fortnight in rent because I get too much money under the benefit cap. You know that leaves you with less than £300 for everything, for your bills, your shopping.’

Claimant

The bedroom tax

Introduced in 2013, the so-called ‘**bedroom tax**’ (formally known as the spare room subsidy) reduces housing benefit for social housing tenants deemed to have more bedrooms than needed, by 14 per cent for one spare bedroom and 25 per cent for two or more.

In 2016, the Supreme Court ruled that applying the bedroom tax to a family with a disabled child, resulting in a reduction of their housing benefit, was ‘manifestly without reason’ and discriminatory, violating their right to private and family life.²⁶³

In 2019, the European Court of Human Rights ruled that the UK failed to take into account the special needs of a survivor of domestic violence living in a ‘sanctuary scheme’ home, which is meant to be adapted to enable women and children at serious risk of domestic violence to live freely.²⁶⁴

259 Child Poverty Action Group, ‘Benefit Cap Forcing Families to Live on £44/week - new research’, July 2023, <https://cpag.org.uk/news/benefit-cap-forcing-families-live-ps44week-new-research>

260 Alex Clegg and Adam Corlett, Living Standards Outlook: Summer Update 2023, Resolution Foundation, 2023, 7, <https://www.resolutionfoundation.org/publications/living-standards-outlook-summer-2023/>

261 Lalitha Try, ‘Catastrophic caps: An analysis of the impact of the two-child limit and the benefit cap’, Resolution Foundation, January 2024, p1, <https://www.resolutionfoundation.org/publications/catastrophic-caps/>

262 Scottish government, Discretionary Housing Payments in Scotland: 1 April 2023 to 31 March 2024, 2024, <https://www.gov.scot/publications/discretionary-housing-payments-in-scotland-1-april-2023-to-31-march-2024/>

263 R (on the application of Carmichael and Rourke) (formerly known as MA and others) (Appellants) v Secretary of State for Work and Pensions (Respondent) [2016] UKSC 58, Judgment of 9 November 2016, <https://www.supremecourt.uk/cases/uksc-2014-0125>

264 European Court of Human Rights, J.D., and A. v. UK (Applications No. 32949/17 and 34614/17), Judgment of 24 October 2019, <https://hudoc.echr.coe.int/fre#%22itemid%22:%22001-196897%22>

The Scottish government fully funds the mitigation of the bedroom tax and expects anyone affected by these deductions to receive a discretionary housing payment through local authorities.²⁶⁵

Two-child limit

The Committee on the Rights of the Child has emphasised that states must ensure that laws and policies support resource mobilisation, budget allocation, and expenditure that fulfil children's rights. The committee underscores foundational principles such as non-discrimination, the best interests of the child, and the right to life, survival, and development. To realise children's rights, resource allocation must align with these principles.²⁶⁶

The UN Convention on the Rights of the Child was incorporated into Scots law in 2024.²⁶⁷ The CESCR emphasises the importance of family social security schemes in fulfilling the rights of children and dependents under the ICESCR.

Such social security protections should be provided without discrimination and must adequately address fundamental needs, including food, clothing, housing, water and sanitation.²⁶⁸ In addition, the European Committee of Social Rights asserts that family social security schemes should serve as a meaningful income supplement, appropriately adjusted to keep pace with inflation to maintain their effectiveness.²⁶⁹

Against this framework, the two-child limit, introduced by the UK government in 2017, restricts additional financial support through universal credit and child tax credit to the first two children in a family, excluding additional support for third or subsequent children born after 6 April 2017.

The policy's underlying assumption was:

'The government believes that those in receipt of tax credits should face the same financial choices about having children as those supporting themselves solely through work.'²⁷⁰

However, it neglects systemic factors contributing to poverty, including low wages, limited access to affordable childcare, and the rising cost of living.

The 2024 report *Things will only get worse: Why the two-child limit must go* by Child Poverty Action Group (CPAG) underscores the severe consequences of this policy.

265 Scottish government, Discretionary Housing Payments in Scotland: 1 April 2023 to 31 March 2024, 2024, <https://www.gov.scot/publications/discretionary-housing-payments-in-scotland-1-april-2023-to-31-march-2024/>

266 CRC, General comment No. 19 (2016) on public budgeting 34 for the realisation of children's rights UN Doc CRC/C/GC/19 (2016), para 19, 21(a), 23, <https://www.ohchr.org/en/documents/general-comments-and-recommendations/general-comment-no-19-2016-public-budgeting>

267 United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Act 2024, <https://www.legislation.gov.uk/asp/2024/1/contents>

268 CESCR, General Comment No. 19: The Right to Social Security (Article 9), UN Doc. E/C.12/GC/19 (2008), para 18, <https://digitallibrary.un.org/record/618890>

269 ECSR, Conclusions 2006, Statement of Interpretation on Article 16; ESCR, Conclusions XVII-1, The Netherlands (Aruba) (2005); ESCR, Conclusions XXII- 2 (2021), United Kingdom, <https://rm.coe.int/168070cac8>

270 HM Treasury, Summer Budget 2015, HC 264, paras 1.141–1.150, <https://www.gov.uk/government/publications/summer-budget-2015>

Key points of the report

- Almost 1.6 million children in 440,000 families are affected by the policy, and these families are missing out on up to £3,455 a year per child.
- The majority of families affected are living in poverty, despite 59 per cent of these families having one or both parents in paid work.
- Parents report that the two-child limit significantly undermines children's well-being, negatively affects their education, mental health, and access to necessities. Many children face hunger, have inadequate clothing, and depend on foodbanks, which further deepens their disadvantage.²⁷¹

The Women's Budget Group asserts that the two-child limit is ineffective, does not remove barriers to work, fails to recognise the impact of domestic abuse, and upholds gender-based and other inequalities.²⁷²

In October 2024, the New Economics Foundation estimated that removing this policy could lift approximately 280,000 children out of poverty and reduce the severity of poverty for nearly one million more.

Furthermore, the New Economics Foundation highlights there would be macroeconomic benefits to such an intervention because abolishing the two-child limit could boost GDP by £1.1 billion in the first year while alleviating pressure on public services, including healthcare and education.²⁷³ The Resolution Foundation estimates that the cost would rise to £3.6 billion by 2024-25 if the two-child limit were fully applied to all families claiming universal credit.²⁷⁴

The UK government missed the opportunity to scrap the two-child limit in the Autumn 2024 budget, instead indicating the question of removing this policy would be left to the new child poverty taskforce.

Unlike universal credit and child tax credit, which are restricted by the two-child limit, there is no cap on the number of children who can receive the Scottish child payment. In December 2024, the Scottish government announced a commitment to mitigate the two-child limit and has set up a consultation on the mechanism for doing so.^{275, 276}

The European Committee of Social Rights has been clear that the two-child limit has resulted in inadequate social protection for families.²⁷⁷ Similarly, the CESCR called for the cuts introduced by the Welfare Reform and Work Act 2016 to be reversed, and this includes the two-child limit,²⁷⁸ while the Committee on the Rights of the Child and

271 Child Poverty Action Group, 'Things Will Only Get Worse: Why the Two-Child Limit Must Go', 2023, https://cpag.org.uk/sites/default/files/2024-07/Things_will_only_get_worse.pdf

272 Women's Budget Group, 'The two-child limit to means tested benefits', July 2023, <https://www.wbg.org.uk/publication/the-two-child-limit-to-means-tested-benefits/>

273 New Economics Foundation, *Capping Ambitions: Recognising the economic benefits of reducing child poverty by scrapping the two-child limit and benefit cap*, October 2024, <https://neweconomics.org/2024/10/capping-ambitions>

274 Lalitha Try, 'Catastrophic caps: An analysis of the impact of the two-child limit and the benefit cap', Resolution Foundation, January 2024, p1, <https://www.resolutionfoundation.org/publications/catastrophic-caps/>

275 Scottish government, 'Scrapping the two-child limit', November 2024, <https://www.gov.scot/news/fm-removing-two-child-limit-will-help-thousands/>

276 Scottish government <https://www.gov.scot/publications/mitigation-two-child-limit/>. 2025.

277 ESCR, Conclusions XXII-4 (2023), United Kingdom, <https://rm.coe.int/conclusions-xxii-4-2023-uk-en-2770-7116-4681-1/1680aedd3f>

278 CESCR, Concluding Observations on the Sixth Periodic Report of the United Kingdom of Great Britain and Northern Ireland UN Doc E/C.12/GBR/CO/6 (2016), para 41(a), <https://digitallibrary.un.org/record/834917?ln=en&v=pdf>

the special rapporteur on extreme poverty and human rights explicitly called for the abolishment of the two-child limit.²⁷⁹

Claimants affected by the two-child limit share the impact on their families:

‘If you’ve got multiple children, the other children lose out because you’re not allowed to claim benefits for them if they were born after 2017. So... you’re pretty much sharing all their money between all the children. If the spending cap was taken off... you could actually give them more and do more with them.’

‘I’m [on] universal credit. I’m a single parent of four children, and, first of all, they’re giving only children’s money for two children. But if we have more than two, then we have to just survive with two children’s money.’

Implications of the proposals in the Pathways to Work Green Paper 2025 on adequacy

There are changes proposed by the Pathways to Work Green Paper 2025 which will require new legislation underpinning the uprating methodology to allow the Secretary of State to implement a proposed freeze and cuts to social security rates for disability and incapacity schemes removing some of the legislative protections which are in place to protect against political whim.²⁸⁰

The governments impact assessment estimates that the impact of this further retrogression from the international human rights standards for the adequacy of social security will be an additional 250,000 people (including 50,000 children) in relative poverty, meaning that if implemented the reform to benefit uprating would further deteriorate the adequacy of social security and the uprating legal protections in place.²⁸¹

These measures are deliberately retrogressive and if we apply the international tests for this form of government action (described above), they are human rights violations through acts of commission which will have lasting, discriminatory effects on the multiple human rights of people with a disability. As such they are not proportionate. It is not clear that the government has demonstrated it has considered less harmful alternatives to raise revenue or reduce spends in other areas.

5.4 Sanctions that undermine adequacy of social security payments

The government’s punitive social security sanction regime enshrined in the Welfare Reform Act 2012, especially sections 26 and 27,²⁸² imposes penalties for claimants

279 CRC, Concluding Observations on the Combined Fifth and Sixth Periodic Reports of the United Kingdom UN Doc. CRC/C/GBR/CO/6-7 (2023), para 40(a), <https://www.ohchr.org/en/documents/concluding-observations/catcgbrc06-concluding-observations-sixth-periodic-report-united>; UNHRC, Visit to the United Kingdom of Great Britain and Northern Ireland Report of the Special Rapporteur on extreme poverty and human rights UN Doc A/HRC/41/39/Add.1 (2019), para 96(d), <https://www.ohchr.org/en/documents/country-reports/ahrc4139add1-visit-united-kingdom-great-britain-and-northern-ireland>

280 <https://www.gov.uk/government/news/pathways-to-work-green-paper-faq>

281 Government, Spring Statement 2025 Health and disability benefit reform impacts, March 2025: <https://assets.publishing.service.gov.uk/media/67e667fe4a226ab6c41b1fe2/spring-statement-2025-health-and-disability-benefit-reforms-impacts.pdf>

282 UK government, Welfare Reform Act, Part 1 Chapter 2, 2012, <https://www.legislation.gov.uk/ukpga/2012/5/part/1/chapter/2/crossheading/reduction-of-benefit>

who fail to meet certain requirements or conditions, including attending Jobcentre Plus appointments or accepting job offers.

The ‘reduction periods’ where reduced payments are allowed are outlined in chapter two of Universal Credit, Personal Independence Payment, Jobseeker’s Allowance and Employment and Support Allowance (Claims and Payments) Regulations 2013.²⁸³ Under Section 111 of the Universal Credit Regulations 2013, most sanctions result in a daily deduction of 100 per cent of the standard allowance. This deduction does not apply to additional elements, such as childcare costs. However, for 16-17-year-olds and individuals in the Planning for Work or No Work Requirements regimes – where the exemption is based on childcare responsibilities, adoption or pregnancy – the sanction is reduced to 40 per cent of the standard allowance. In the case of joint claims, each claimant is assessed individually, meaning the sanction is set at 50 per cent of their joint standard allowance per sanctioned person.

Sanctions, which result in a reduction of payments, are classified into four levels:

High level sanctions for what the DWP deems the most serious failures, such as refusing a job offer, lasting between 91 and 182 days;

Medium level sanctions for failing to participate in work-related activities, lasting 28 days for the first failure and 91 days for subsequent failures;

Low level sanctions for failures related to work preparation or work search requirements until a compliance condition (for example, attending a rescheduled interview) is met followed by a fixed period lasting between seven and 28 days;

Lowest level sanctions apply where individuals are in the Planning for Work conditionality group for the most minor failures, such as missing a mandatory interview or appointment, lasting for seven days. They last until a compliance condition is met.

Where sanctions apply, claimants may be eligible for a hardship payment under Section 28 of the Welfare Reform Act if they are deemed ‘vulnerable’, but these are usually repayable grants once the payment level is restored, further exacerbating debts.^{284, 285}

Sanctions can be applied to reduce social security payments in most cases by 100 per cent of the standard allowance (which might be the entire payment), meaning that availability and adequacy of social security is impeded, sometimes for months at a time. By making claimants fearful of the consequences of missing appointments or deadlines, this conditionality risks eroding the already feeble but indispensable trust between claimants, street-level bureaucrats and the overall social security system.²⁸⁶

283 UK government, The Universal Credit, Personal Independence Payment, Jobseeker’s Allowance and Employment and Support Allowance (Claims and Payments) Regulations 2013, <https://www.legislation.gov.uk/ukxi/2013/380/contents>

284 Kennedy, S et al, House of Commons: Department for Work and Pensions policy on benefit sanctions, 2022, <https://researchbriefings.files.parliament.uk/documents/CDP-2022-0230/CDP-2022-0230.pdf>

285 Regulation 116(1) of the Universal Credit Regulations 2013/376, <https://www.legislation.gov.uk/ukxi/2013/376/regulation/116>

286 Ruth Patrick, ‘Living at the sharp end of socio-economic inequality: everyday experiences of poverty and social security receipt’, Oxford Open Economics, July 2024, https://academic.oup.com/ooec/article/3/Supplement_1/i1262/7708133; Institute for Public Policy Research, The Sanctions Surge: Shining a light on the universal credit sanctions regime, March 2023, <https://www.ippr.org/articles/the-sanctions-surge>; Welfare Conditionality Project, Final findings report, 2013-2018, University of York, 2018, <http://www.welfareconditionality.ac.uk/publications/final-findings-report/>

Deductions that undermine adequacy of social security payments

Deductions from universal credit are amounts taken directly from a claimant's payment to cover debts. The total deduction from universal credit is generally capped at 15 per cent of the standard allowance, although it may be increased to safeguard essential needs like rent or utilities. Deductions are applied for various reasons, including social security advances given while waiting for universal credit payments, recovering overpayments made in error, and debts owed to third parties like rent, council tax, or court fines. Unlike sanctions, which are penalties for failing to meet social security conditions and involve a complete suspension of payments, deductions are partial reductions aimed at managing debt recovery while still providing ongoing financial support.²⁸⁷

In August 2024, the DWP deducted debt repayments directly from the universal credit payments of 2.7 million households (45 per cent of all households receiving universal credit), with the average deduction being £68 per month. These deductions can push claimants deeper into debt and increase the risk of destitution.

In mid-2022, 57 per cent of people referred to a Trussell Trust foodbank while on universal credit had their income reduced by debt deductions, contributing significantly to hardship; 95 per cent of those with deductions went without essentials, compared to 84 per cent without deductions. Most deductions (85 per cent) related to debts owed to the UK government, often stemming from loans taken to cover the five-week wait for the first payment (which is further examined below).²⁸⁸

The UK government's introduction of the fair repayment rate in 2024 reduced the maximum deduction cap from universal credit payments to 15 per cent, down from the previous 25 per cent, but the financial burden on claimants remains considerable.²⁸⁹

Universal credit recipients pay £568 million annually because of overpayment deductions, with £111 million stemming from UK government errors rather than claimant mistakes.

Many claimants receive little explanation from the DWP about the reasons for deductions, particularly in cases of historic overpayments, which often come as a surprise when payments are reduced.²⁹⁰ In relation to the recovery of overpayments, the DWP's default approach is to recover them at the maximum rate without prior consideration of the claimants circumstances. Relief from recovery is dependent on individuals contacting the DWP to request a reduction in the rate of recovery, suspension or waiver. Research by the Public Law Project found that there were a number of barriers to accessing this relief.²⁹¹ Citizens Advice reports that, since 2019,

287 House of Commons Library, Research briefing, Universal Credit deductions, July 2023, 3-5, <https://www.gov.uk/government/statistics/universal-credit-statistics-29-april-2013-to-10-october-2024/universal-credit-statistics-deductions-september-2023-to-august-2024>

288 Lucy Bannister, Peter Matejic, Iain Porter, Daisy Sands, Katie Schmuecker, Andrew Wenham, Rachel Bull, Leuan Ferrer, Anna Hughes, *An Essentials Guarantee report*, Joseph Rowntree Foundation and Trussell Trust 2024, 18-19, <https://www.jrf.org.uk/social-security/guarantee-our-essentials-reforming-universal-credit-to-ensure-we-can-all-afford-the>; Steven Kennedy, Andrew Mackley, Siobhan Wilson, Frank Hobson, Universal credit deductions, House of Commons Library, 2023, 6-9, <https://commonslibrary.parliament.uk/research-briefings/cdp-2023-0166/>

289 Jagna Olejniczak, *From Pillar to Post: Barriers to dealing with deductions from Universal Credit*, Public Law Project, September 2024, p13, p17, <https://publiclawproject.org.uk/resources/from-pillar-to-post-barriers-to-dealing-with-deductions-from-universal-credit/>

290 Citizens Advice, *Designing out deductions: How to address the welfare debt trap*, September 2024, p2-3, <https://www.citizensadvice.org.uk/policy/publications/designing-out-deductions-how-to-address-the-welfare-debt-trap/>

291 Public Law Project, *From Pillar to Post Barriers to dealing with deductions from Universal Credit*, 2024, <https://publiclawproject.org.uk/content/uploads/2024/09/From-Pillar-to-Post.pdf>

the number of people seeking help with deductions rose by 28 per cent.²⁹² In exceptional circumstances new claimants can ask for a one- or three-month delay to deductions for their advance payments if they are unable to afford them. But repayment is required within 12 months.²⁹³

In line with international human rights standards, the Guarantee our Essentials campaign advocates for a guarantee to ensure that deductions (such as debt repayments to the DWP or because of the benefit cap) should never reduce support below the guaranteed essentials level.²⁹⁴

Claimants told us that often they are unsure what the purpose of a deduction is and live with the precarity of fluctuating amounts.

‘It’s so confusing. Yeah, there’s deductions for, like, everything. And then there’s so many pence of the pound that they take off because you’re working. How anyone understands it is beyond me.’

Claimant

5.5 Impact of sanctions and deductions on claimants

Evidence of the impact of deductions and sanctions on people’s ability to afford the essentials set out in the literature is supported by people’s experiences of accessing social security schemes.

Among the 401 claimants who completed our survey:

- 23% had experienced sanctions or a deduction. (This is below the average, so it may be the case that people are not aware of them.)

They reported the following impact of this on their lives:

- 78% say it worsened their mental health.
- 55% reduced the food they ate.
- 35% went without food.
- 47% say it worsened their physical health.
- 44% were forced to borrow money to make ends meet.

In addition, 114 welfare advisors shared concerns about the impact of sanctions and deductions on adequacy.

Claimants we interviewed shared their experience of having deductions from their weekly social security payments and its impact on their ability for them and their families to have an adequate standard of living, to eat, live in safe housing, meet their health needs in the context of their more general struggles to access these.

292 Citizens Advice, Universal credit recipients unfairly paying £111m a year due to government mistakes, 2024, <https://www.citizensadvice.org.uk/about-us/media-centre/press-releases/universal-credit-recipients-unfairly-paying-gbp111m-a-year-due-to-government/>

293 Department for Work and Pensions, Guidance, Universal Credit advances, October 2017, <https://www.gov.uk/guidance/universal-credit-advances>

294 Lucy Bannister, Peter Matejic, Iain Porter, Daisy Sands, Katie Schmuecker, Andrew Wenham, Rachel Bull, Leuan Ferrer, Anna Hughes, *An Essentials Guarantee*, Joseph Rowntree Foundation and Trussell Trust, 2024, <https://jrf-jrht-brand.frontify.com/api/asset/eyJjbGllbnRjZCI6ImNsaWVudC1tenFieWtsc2Z0ZHpoN3V3liwiaWQiOiJUNTEsInRpbWVzdGFtcCI6MTcwMDU3NzY3MCwidmVyc2lvbiI6MTcwMDE0ODQyNX0:joseph-rowntree-foundation:aU8UYRu7bGn6SvhABN8Euq0tovWOjHBMxgllKSAffsg/download>

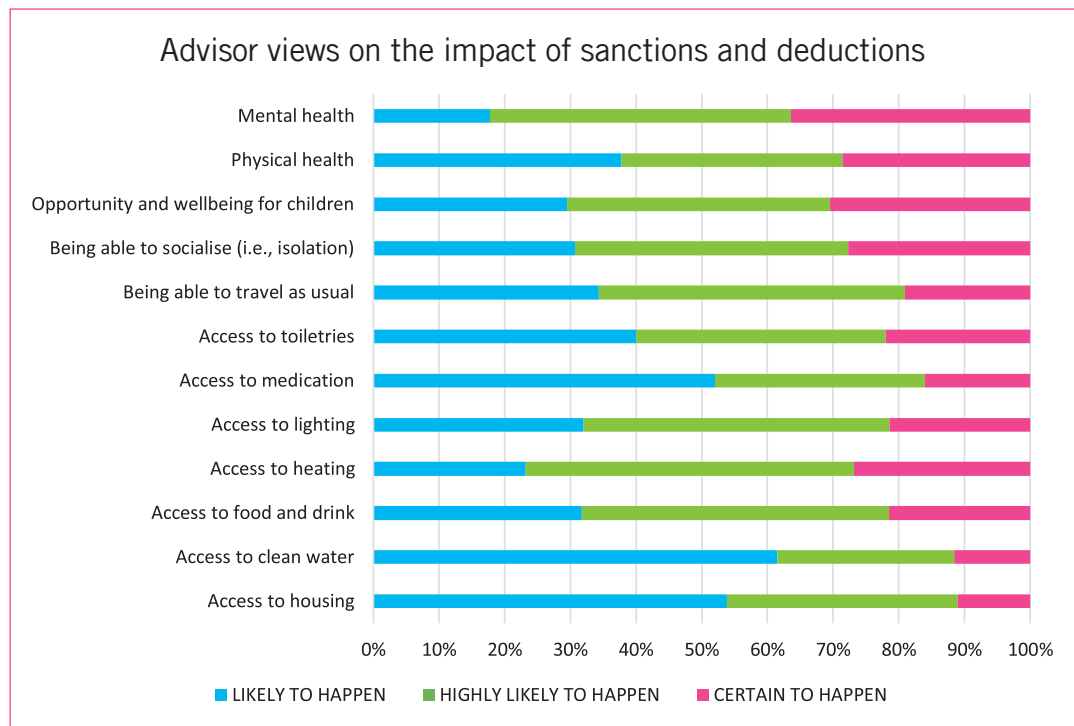


Figure 4: Welfare advisors concerns on the impact of sanctions and deductions on claimants. Source: Amnesty International

‘It does affect you because you aren’t able to eat properly. You’re not able to help the children eat properly.’

Claimant

The longer-term commitment to pay back loans or overpayments through deductions like hardship loans or loans during the five-week wait perpetuates the financial struggles of claimants.

‘It’s only like a little bit of money, aye, but it’s that little bit of money that puts you in a bigger hole. And then once you get paid, you got to pay that all off. And then you paid it and it’s just like a recurring circle. As soon as you miss a little bit of it, it’s just a constant circle. Trying to catch back up.’

Claimant

People shared with us that deductions or sanctions forces them to borrow money elsewhere to make ends meet, driving them into debt, rent and other utility arrears, and desperate acts to survive.

‘I’ve been sanctioned loads of time because I’m working. Borrowed off my sister and mother. Without them, I would probably be dead in the gutter because I couldn’t afford to live.’

Claimant

‘We’ve got our little baby here. [How am] I supposed to feed him? The woman behind the counter just lifts her hands up and says, it’s not my problem... Security comes because she was shouting and screaming and then we were stuck into another office to see someone above her, explained all what was going on. They soon reinstated it [the payment] then.’

Claimant

‘The crime rate would go down... if people didn’t have to go and shoplift... if there was someone else for them to turn to. Like help from the government benefit system. They didn’t want to go out and pinch like two packs of nappies... they didn’t want to do that. They are fearful and scared of going and doing it, but they’ve got no choice because there is nowhere else to turn.’

Claimant

‘Yeah, I’m in. Got a bit of debt with like council tax and stuff like that. I know they’re taking like for like £60 a month off. From my benefits... I’m still having to struggle to pay, obviously more than is coming in... So it just mounts up and mounts up.’

Claimant

‘I got into debt and I don’t like being in debt... and it was very stressful, really stressful... But financially, it took a good, I think, six weeks or so to sort out, you know, so we’re in arrears in rent, which we shouldn’t have been, you know?’

Claimant

‘Well, I went into arrears and now Westminster council is threatening me. Eviction, because I owe them money and I can’t afford to pay it back.’

Claimant

Advisor accounts mirrored this:

‘If someone is in a situation where their rent is not being paid due to a sanction or a miscalculation, this causes a lot more stress as the person’s home is at risk. They may also be classed as being intentionally homeless, which can result in them not being eligible for support. Although this should not happen if it is not their fault, this does happen from time to time.’

Advisor

5.6 Improving adequacy: a case for change

We have established that:

The method for setting and reviewing rates of social security payments is flawed and leads to inadequacy of social security payments limiting access to other economic, social and cultural rights.

The UK government has compounded this inadequacy through the introduction of other limitations and deductions that mean claimants fall further into debt, despair and destitution.

A recent paper by the Institute for Employment Rights²⁹⁵ highlights that in 2016, the Committee of Experts criticised the UK government as it observed ‘a clear intention of the United Kingdom not to comply its obligation to maintain social security schemes at least at the minimum level guaranteed by these international instruments’.

295 K D Ewing Lord Hendy KC Andrew Moretta, Institute of Employment Rights, Submission to the JCHR: Human Rights at Work: The United Kingdom, the ILO and the European Social Charter, 2023, <https://committees.parliament.uk/writtenevidence/119587/pdf/>

It also said:

While such policies were indeed common in Europe in the nineteenth century, in the twenty-first century the international community believes that ‘basic income security should allow life in dignity’ and ‘secure protection aimed at preventing or alleviating poverty’.

The case for change in the UK government’s approach to enable a human rights compliant social security system has been made many times. We have outlined some current thinking on approaches to reform which might address inadequacy of social security below.

Lagged uprating

The UK government’s reliance on inflation metrics like consumer price index (CPI) provides a general level against which to review social security rates, but it fails to acknowledge that the actual inflation burden on low-income households is disproportionately higher.²⁹⁶

There are concerns that the annual use of data based on September CPI to uprate social security payments from the following April leaves claimants to bear the burden of economic fluctuations before they apply.²⁹⁷

The all-party parliamentary group (APPG) on poverty has called for a guaranteed annual uprating of social security payments, ideally with a mid-year adjustment if the CPI inflation exceeds a specified threshold. The group also suggested benchmarking uprating against the Office for National Statistics’ low-income index instead of relying solely on CPI and recommended a ‘double lock’ to ensure keeping pace with both inflation and earnings growth.²⁹⁸

The ECSR supports the use of median income measures to support uprating, reminding the UK government that that income-replacement social security schemes (such as universal credit) should not fall below the poverty threshold – defined as between 40 and 50 per cent of the median equivalised income are deemed inadequate, regardless of any supplementary provisions.^{299, 300}

Guarantee our essentials

The campaign for the ‘essentials guarantee’, spearheaded by the Joseph Rowntree Foundation and Trussell Trust and supported by Amnesty International UK, proposes a reform to universal credit: establishing a minimum support level to ensure beneficiaries

296 UK parliament, research briefing, Brigid Francis-Devine, ‘High cost of living: Impact on households’, December 2024, <https://commonslibrary.parliament.uk/research-briefings/cbp-10100/>

297 All Party Parliamentary Group on Poverty and Inequality, ‘*Enough to be able to live, not just survive*’ report, June 2023, p16, <https://appgpovertyinequality.org.uk/home-page/appg-publishes-report-on-inadequacy-of-social-security/>

298 Ibid.

299 ESCR, Conclusions XXI- 2 (2017), United Kingdom; ESCR, Conclusions 2013, Hungary, <https://rm.coe.int/detailed-report-of-the-governmental-committee-conclusions-xxi-2-2017-/16809232e8>

300 Social Policy Association, ‘Measuring the Adequacy of Social Security – Issues and Challenges’, December 2022, <https://social-policy.org.uk/spa-blog/measuring-the-adequacy-of-social-security-issues-and-challenges-spa-blog/#:~:text=The%20ECSR%20has%20decided%20to%20use%2040%25%25%25-0and,be%20considered%20adequate%20according%20to%20the%20ECSR%25E2%2580%2599s%20interpretation.>

can consistently meet their basic needs. In effect, it would ensure a subsistence minimum by formalising a legal protection against destitution.³⁰¹

The ‘essentials guarantee’ in universal credit would be set through an independent process that regularly calculates the cost of essentials, such as food, utilities, travel, clothing, broadband/phones, childcare and household goods – items that are indispensable for a basic standard of living.

In 2023, the estimated weekly cost of these essentials was £120 for a single adult and £200 for a couple. However:

■ Almost 90 per cent of low-income households on universal credit lack enough support to cover essentials.

75 per cent of these families are in arrears on at least one household bill, leaving them vulnerable to debt and poverty.

This policy would ensure that everyone has a protected minimum amount of support in universal credit (that cannot be reduced through debt repayments and deductions) to afford essentials.

The campaign estimates that this could benefit approximately 8.8 million families – including 3.9 million families with children – increasing their support by an average of £48 per week. The impact could be transformative, lifting an estimated 1.8 million people out of poverty, including 600,000 children and around one million people who live in a household with a disabled person.³⁰²

The call for an ‘essentials guarantee’ aligns with the ILO Social Protection Floors Recommendation, 2012 (No. 202). This recommendation stipulates that social protection floors should provide access to essential healthcare and basic income security for all individuals in need throughout their lives.³⁰³

The adequacy of social security schemes is addressed in the ILO Convention No 102 (Social Security (Minimum Standards) Convention, 1952), of which parts II to V, VII and X have been ratified by the UK. These provisions encompass social security protections for medical care, sickness, unemployment, old age, family support, and survivor support.³⁰⁴ The ILO Committee of Experts has consistently criticised the UK for failing to fulfil its obligations under this and other ILO conventions.³⁰⁵

301 Mark Simpson, Gráinne McKeever and Clara Fitzpatrick, ‘Legal Protection Against Destitution in the UK: The Case for a Right to a Subsistence Minimum’, *Modern Law Review* 86(2), 2023, <https://onlinelibrary.wiley.com/doi/10.1111/1468-2230.12773>

302 Lucy Bannister, Peter Matejic, Iain Porter, Daisy Sands, Katie Schmuecker, Andrew Wenham, Rachel Bull, Leuan Ferrer, Anna Hughes, *An Essentials Guarantee: Technical Report*, Joseph Rowntree Foundation and Trussell Trust, 2024, <https://jrf-jrht-brand.frontify.com/api/asset/eyJjbGllbnRJZCI6ImNsaWVudC1tenFieWtsc2Z0ZHpoN3V3IiwiaWQjOiY0NjYsInRpbWVzdGFtcCI6MTc0MTA4MjE3OCwidmVyc2lvbiI6MTc0MDU5MTQ0Nn0;joseph-rowntree-foundation:LxDXDT-L98mWVwl1poE3lhFMJRiKm4jbUtWblNRD-Wg/download>

303 International Labour Organisation, Recommendation No. 202 on Social Protection Floors, 14 June 2012, https://normlex.ilo.org/dyn/nrmlx_en/f?p=NORMLEXPUB:12100:0::NO::P12100_INSTRUMENT_ID:3065524

304 International Labour Organisation, Convention 102 (Social Security (Minimum Standards) Convention), June 1952, pts II-V, VII, X, https://normlex.ilo.org/dyn/nrmlx_en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C102

305 Keith David Ewing, Lord Hendy KC, Andrew Moretta, Human Rights at Work: The United Kingdom, the ILO and the European Social Charter: Submission on behalf of The Institute of Employment Rights, (Joint Committee of Human Rights 2021), 8, <https://committees.parliament.uk/writtenevidence/119587/pdf/>

The APPG on poverty and the Work and Pensions Committee have called for the establishment of an independent panel to determine social security levels, akin to the Low Pay Commission, an independent body that advises the government.

Their recommendation is to ensure universal credit and legacy social security schemes (until the migration is complete) cover basic essentials like food, utilities and household goods,³⁰⁶ and extend this calculation to disability social security schemes to adequately support those with additional needs.

Organisations including Greater Manchester Poverty Action, the Financial Fairness Trust, the Good Things Foundation and others have been appointed to work on Minimum Income Standards (MIS) developed by the Centre for Research in Social Policy (CRSP) at Loughborough University and funded by the JRF, to inform the determination of a social minimum.³⁰⁷

5.7 Improve accountability and transparency of social security adequacy

The Work and Pensions Committee raised concerns about limitations to democratic oversight of the uprating process.³⁰⁸ Up-rating decisions are finalised by the DWP by late November of each year to allow sufficient time for IT systems to implement changes before the new rates take effect in April. However, parliamentary approval of the uprating order occurs later, typically in February or March, leaving limited opportunity for effective scrutiny.

Any rejection of the uprating order at this stage could prevent timely social security increases. The parliamentary committee has recommended that the UK government provide more opportunities for scrutiny, including giving relevant committees a detailed justification of uprating decisions ahead of parliamentary debate.³⁰⁹

5.8 Conclusions on the adequacy of social security in the UK

The UK's social security system does not legally guarantee essential social security payments that ensure access to basic needs such as healthcare, housing, food and education.

The absence of a legally defined social protection floor leaves social security adequacy vulnerable to political discretion. This results in disparities and insufficient support, particularly for groups that are vulnerable to marginalisation and discrimination.

Social security's uprating methodology does not account for the actual rising costs of essential goods and services, leading to a growing disconnect between payments and living costs. Discretionary and non-transparent uprating further undermines financial security.

306 All Party Parliamentary Group on Poverty and Inequality, 'Enough to be able to live, not just survive' report, June 2023, p6-8, <https://apppovertyinequality.org.uk/wp-content/uploads/2023/07/APPG-on-Poverty-Social-Security-Report.pdf>; Work and Pensions Committee, Benefit Levels in the UK, 2024, 34-35, <https://publications.parliament.uk/pa/cm5804/cmselect/cmworpen/142/report.html#footnote-144>

307 Work and Pensions Committee, Benefit levels in the UK, 2024 (see 160), <https://publications.parliament.uk/pa/cm5804/cmselect/cmworpen/142/report.html#footnote-144>

308 Section 150(1) and (2) of the Social Security Administration Act 1992 (as amended), <https://www.legislation.gov.uk/ukpga/1992/5/section/150>

309 Work and Pensions Committee, Benefit Levels in the UK, 2024, 38-39, <https://publications.parliament.uk/pa/cm5804/cmselect/cmworpen/142/report.html#footnote-144>

Policies like freezes, caps, and deductions, removal of the spare room subsidy (bedroom tax) and two-child limit have deepened poverty and disproportionately harmed children, disabled individuals, and low-income families.

Despite increased social security spending, poverty rates remain unacceptably high, with claimants reporting severe hardships, including reliance on food banks and struggles to afford basic needs like heating and rent.

Universal credit, disability social security schemes, carer's allowance, and support for people seeking asylum remain particularly inadequate, failing to meet minimum thresholds for a dignified standard of living.

Without a transparent monitoring mechanism or legal guarantees of social security adequacy, the system remains misaligned with human rights obligations and unable to address the persistent financial distress faced by many households. If implemented, the extensive reform proposed in the government's Pathway to Work Green Paper (2025) would further undermine the compliance of the UK social security system with the principle of adequacy, and would be a deliberately discriminatory, disproportionate and retrogressive violation of human rights.

The UK **does not comply** with ICESCR obligations on adequacy of social security due to:

- The lack of a legally defined social protection floor means that social security payments may fall below the necessary threshold to meet basic needs.
- Discretionary methodology of uprating and lack of transparency in decision making result in unpredictable social security levels that fail to meet the evolving needs of claimants and are subject to fluctuating political decisions.
- The lack of a transparent and consistent monitoring framework, which has resulted in the government being unable to assess the effectiveness of social security schemes in ensuring adequacy.
- The real-life impacts of insufficient social security schemes, such as reliance on food banks and financial instability, highlighting the inadequacy of the support.
- The failure through the process of parliamentary scrutiny to identify and mitigate against the disproportionate impact of social security policy measures on groups at risk of discrimination and marginalisation.

6. Accessibility of social security in the UK and non-discrimination

6.1 International standards for accessibility of the right to social security

General Comment No. 19 on the right to social security (Article 9 of the CESCR) sets out the following core components of an accessible social security system:

- **Coverage** All individuals, particularly disadvantaged and marginalised groups, should be included in social security systems, ensuring non-discrimination, and requiring non-contributory schemes for universal coverage.
- **Eligibility** Social security eligibility conditions must be clear, reasonable, and transparent, and the suspension or reduction of social security payments must follow due process and be legally justified.
- **Affordability** Contributions to social security schemes must be affordable, not compromising the enjoyment of other rights, and be clearly defined in advance.
- **Participation and information** Beneficiaries should have the right to participate in the administration of the system and access clear, transparent information about their entitlements.
- **Physical access** Social security protections should be provided promptly, and beneficiaries must have physical access to services, especially vulnerable groups like those with disabilities, migrants, or those in remote or conflict-affected areas.³¹⁰

States must ensure that social security systems are inclusive and non-discriminatory, guaranteeing access for all individuals regardless of race, gender, disability, health status, or other prohibited grounds. Special attention should be given to vulnerable groups, such as women, the unemployed, those in informal or precarious employment, and marginalised communities, ensuring they do not face discrimination in social security protections and protection.

This section examines the extent to which people have equitable access to the right to social security. We document evidence of barriers to accessing social protections with a focus on: the coverage of schemes; eligibility (including conditions, assessment, appeals and sanctions, and routes to justice); participation (information is covered in availability); and physical access to social security protections and services.

6.2 Universal coverage of social security schemes

The universal social protection (USP) approach moves away from a narrow targeting based on people's incomes. USP is an integrated set of policies and programmes to provide equitable access for all people, protecting them from poverty and risks to their livelihoods and well-being throughout their lives.

310 CESCR, General Comment No. 19: The right to social security (Article 9), UN <https://digitallibrary.un.org/record/618890?v=pdf>

This includes social security schemes for everyone who need them, including child benefits; support for people of working age in case of maternity/paternity, disability, work injury or for those without jobs; and pensions for all older persons.³¹¹

However, this does not mean that everyone receives the same payment at every point in time. USP allows for the inclusion of eligibility criteria based on age, disability, or unemployment.³¹² USP ensures that people can access particular social security whenever they need it.

While the UK has social protection laws and policies, the requirement for social security schemes to cover all individuals does not apply to those with ‘no recourse to public funds’ (NRPF), who are subject to immigration control, including people seeking asylum, restricting access to specific social security schemes.

A 2023 study from the London School of Economics highlighted that 362,000 households face this restriction in the UK, with 22,000 potentially eligible for universal credit, increasing their risk of deprivation during difficult transitions between migration status, for example when granted asylum status.³¹³

In its 2024 concluding observations on the UK, the Committee on the Elimination of Racial Discrimination (CERD), urged a re-evaluation of the NRPF policy to ensure it does not put migrant households at an increased risk of poverty.³¹⁴

In its 2016 concluding observations on the UK, the CESCR urged the UK government to ensure all migrant workers, including those in domestic roles, receive the same social security protections as other employees, covering wages, protection from unjust termination, rest and leisure, working hour limitations, social security, and maternity leave.³¹⁵

The European Committee on Social Rights has also expressed concerns about the lack of availability of social security schemes for non-nationals:

‘The Committee concludes that the situation in the United Kingdom is not in conformity with Article 16 of the 1961 Charter because: equal treatment of nationals of other States Parties regarding the payment of family social security protection is not ensured due to the excessive length of residence requirement.’³¹⁶

311 World Bank Group and International Labour Organisation, A shared mission for universal social protection: Concept note, p1, https://www.ilo.org/sites/default/files/wcmsp5/groups/public/@dgreports/@dcomm/documents/genericdocument/wcms_378996.pdf

312 USP however, is different from Universal Basic Income (UBI), which is an unconditional cash transfer to all people in a particular jurisdiction. While there have been some pilot projects to test the effectiveness of UBI, there are concerns that models where UBI replaces existing social protection schemes could lead to increasing inequality and poverty. See, for example, Isabel Ortiz and others, Universal Basic Income proposals in light of ILO Standards: Key Issues and Global Costing, 2018, ILO Social Protection Department, ESS – Working Paper No. 62, p3, [ilo.org/wcmsp5/groups/public/---ed_protect/---soc_sec/documents/publication/wcms_648602.pdf](https://www.ilo.org/wcmsp5/groups/public/---ed_protect/---soc_sec/documents/publication/wcms_648602.pdf)

313 Ellie Benton et al, *Social cost benefit analysis of the no recourse to public funds (NRPF) policy in London*, LSE, 2021, <https://sticerd.lse.ac.uk/dps/case/cr/casereport140.pdf>

314 CERD, Concluding observations on the UK, UN Doc. CERD/C/GBR/CO/24-26 (2024), para 48, https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CERD%2FC%2FGBR%2FCO%2F24-26&Lang=en

315 CESCR, Concluding Observations: UK, UN Doc. E/C.12/GBR/CO/6 (2016), para 35(a), <https://www.ohchr.org/en/documents/concluding-observations/catcgbrc06-concluding-observations-sixth-periodic-report-united>

316 European Committee of Social Rights Conclusions XXII-4 (2023) UNITED KINGDOM, <https://rm.coe.int/conclusions-xxii-4-2023-united-kingdom-en-2770-7116-4681-1/1680aedd3f>

The government has proposed through the Pathways to Work Green Paper to change the eligibility criteria for PIP and the health element of universal credit by changing the threshold for eligibility for the daily living element of the scheme to require four points in one or more activity rather than at least eight across all activities. If they do not receive the daily living element of PIP they will no longer get the health element of universal credit.³¹⁷

Using the current scoring method, this means that people who qualify for the scheme now to get support to get in or out of the shower, to dress their lower body or use the toilet, would potentially no longer qualify.³¹⁸

This shifting of the eligibility goalposts will mean 150,000 unpaid carers of those people will also no longer qualify for the carer's allowance, and PIP is a requirement for these schemes.³¹⁹

If implemented, these proposed changes are a departure from the international standards for an accessible social security system, as they reduce coverage from social risk for a marginalised group in a targeted and discriminatory manner. Furthermore, the suspension of eligibility for the scheme for people with clearly assessed needs for support and assistance for basic daily living cannot be deemed to be reasonable.

6.3 Determining access to social security schemes

'Qualifying conditions for benefits must be reasonable, proportionate and transparent.'

General Comment 19 of the Committee on Economic, Social and Cultural Rights (CESCR): The right to social security

6.4 Applying for social security protections

The application process for reserved social security schemes in Great Britain, including universal credit, personal independence payment, jobseeker's allowance, and employment and support allowance, is governed by the Universal Credit, Personal Independence Payment, Jobseeker's Allowance and Employment and Support Allowance (Claims and Payments) Regulations 2013.³²⁰

Similar legislation prescribes the processes linked to the social security schemes under the authority of devolved nations.³²¹

In this report, we examine the regulations and reported experience in practice of application, assessment and appeals for universal credit, including the Limited

317 Department for Work and Pensions, Pathways to Work: Reforming Benefits and Support to Get Britain Working Green Paper, 2025, <https://www.gov.uk/government/consultations/pathways-to-work-reforming-benefits-and-support-to-get-britain-working-green-paper/pathways-to-work-reforming-benefits-and-support-to-get-britain-working-green-paper#chapter-2-reforming-the-structure-of-the-health-and-disability-benefits-system>

318 Personal Independence Payment (PIP) – table of activities, descriptors and points, https://assets.ctfassets.net/vms0u05139aw/pip_descriptors.pdf/93820be60dcc6420191292ed56e2c95ff/pip_descriptors.pdf

319 Carers UK: Pathways to work green paper briefing April 2025, <https://www.carersuk.org/media/cgiftoom/green-paper-policy-briefing-07-04-25.pdf>

320 UK government, The Universal Credit, Personal Independence Payment, Jobseeker's Allowance and Employment and Support Allowance (Claims and Payments) Regulations 2013, <https://www.legislation.gov.uk/uksi/2013/380/contents>

321 Scottish Parliament, Social Security Act (Scotland) 2018, <https://www.legislation.gov.uk/asp/2018/9/contents/enacted>

Capability for Work element, which is similar to Employment Support Allowance (ESA), one of the schemes universal credit is replacing. ESA and PIP to provide an illustrative example of the functioning of the social security system in the UK during the applications, assessment, mandatory reconsideration and appeals processes.

The government website states that universal credit applications must be submitted through electronic communication (in practice an online form) or via a telephone service. The DWP has a month to inform claimants if their claim is not properly completed. If a claim is not completed within the prescribed period of 28 days, the DWP can extend the timescale at their own discretion if certain conditions apply (eg disability, illness). Employment and Support Allowance claims can also be made by telephone.³²² Personal independence payment claims may be made in writing or by telephone.³²³

The application forms are considered by most claimants to be difficult to complete, but this is particularly so for personal independence payment. Of the 119 advisors who completed our survey:

75 per cent rated personal independence payment applications difficult in comparison to 45 per cent for universal credit and 40 per cent for employment and support allowance (ESA).

Of the 416 claimants who responded, 52 per cent rated application for social security protections as difficult. However, if you isolate the scores for PIP applications, the difficult rating rises to 87 per cent. Difficulties included lengthy and complex forms, the potential to make errors which invalidate claims, and the need to provide evidence in multiple formats.

Most advisors report it is difficult for claimants to access accurate information about their claim for PIP (64 per cent), universal credit (68 per cent) and ESA (58 per cent).

Although in principle all social security schemes can be applied for by telephone, most advisors surveyed told us that claimants face difficulties speaking to an official about their claims for PIP (81 per cent), universal credit (76 per cent) and ESA (73 per cent) due to long waiting times on the phone.

The Public Accounts Committee has found that recipients of PIP and ESA experience an unacceptably poor service from the Department for Work and Pensions (DWP). ‘ESA claimants have to wait an average of nearly 30 minutes for DWP to answer their calls (compared to approximately three³²⁴ minutes for universal credit claimants).’³²⁵

Advisors and claimants raised concerns about the complexity of the application forms and how this limits accessibility. The language used is complex and jargon laden, and access to guidance and support from the administering authority (the DWP) is challenging.

322 UK government, Universal Credit: How to claim, accessed April 2025, <https://www.gov.uk/universal-credit/how-to-claim>

323 UK government, Personal Independent Payment, accessed April 2025, <https://www.gov.uk/pip/how-to-claim>

324 Department for Work and Pensions, Telephone Services, 2024, <https://questions-statements.parliament.uk/written-questions/detail/2024-10-31/12208>

325 UK parliament, ‘Disability benefits claimants at increased risk of hardship as DWP underpayments rise’, January 2025, <https://committees.parliament.uk/committee/127/public-accounts-committee/news/205026/disability-benefits-claimants-at-increased-risk-of-hardship-as-dwp-underpayments-rise/>

‘The process was confusing and complicated even for me as a benefit specialist... We had to call both help to claim (run by CA) and the DWP helpline for guidance – neither were much good at all, they clearly just wanted to get us off the phone. In the end we just had to find our own way through the claim with the limited guidance both had provided.’

Advisor

‘[It] should not be based on buzzwords and buzz phrases, because that’s an unfair way to [access] and don’t [get] me wrong, I can imagine that they’ve got a lot of forms to go through. I do totally understand that. However, it shouldn’t be a case of you’re higher priority because you use the right words, you use the words and phrases that they’re looking for.’

Claimant

‘It was horrible, and I didn’t understand. It wasn’t a simple process, and I found it very stressful, to be honest with you.’

Claimant

‘Universal credit looked very, very difficult. [I] couldn’t believe how difficult it was actually, [I was] turned down from it and for a while [I had] basically zero income... and it was difficult as [I was] literally selling off my own personal belongings to exist, to be able to pay for rent.’

Claimant

According to claimants and advisors, the forms ask too many and sometimes very personal questions, which feels invasive.

‘Then you go to the offices having to take time off work, etc. And got to the point where you thought, they want to know what colour underwear you’re wearing. You know, because it was so complicated.’

Claimant

Claimants told us that they were often trying to complete the application process at a time of crisis in their life, and the emotional and cognitive burden of overly complicated forms, and the risk of errors, adds to the stress and pressure they are under.

They criticise the focus of having to prove their needs in a way that highlights perceived deficits, arguing for a more ‘asset-based’ approach that emphasises strengths and capabilities rather than weaknesses.

‘When I was filling in forms and when I’m filling in forms for people, I always encourage them to do something nice for themselves afterwards. Just go and do something you enjoy for you because it’s so harrowing. It’s so bad for your mental health... having to tell people the worst things about yourself that you’re trying to hide from yourself.’

Claimant

‘Clients experience anxiety having to focus on what they can’t do in the claims process where they may prefer, as a coping strategy, to focus generally on their abilities.’

Advisor

Where there are requirements to complete applications online or over the phone, claimants say this limits their ability to articulate their eligibility – they cannot demonstrate physically or explain the nature of their needs – and is an access barrier. Some claimants say face-to-face interactions would more beneficial but feel this is increasingly not an option.

6.5 Electronic communication and phone application

Digital interactions were ostensibly intended to streamline social security administration and improve efficiency. However, the digital-by-default system has exacerbated pre-existing inequalities and created new obstacles for marginalised claimants.

Universal credit is designed to be accessed and managed online, requiring claimants to maintain an online account and journal for communication with the DWP. For individuals without consistent internet access, without a personal computer or smartphone or sufficient mobile data, or who lack digital literacy, this system can be inaccessible and exclusionary.³²⁶

Problems uncovered by Child Poverty Action Group (CPAG) report in 2023 included people missing out on their full entitlements because the digital interface often fails to collect all the information needed to assess a claimant's entitlement accurately due to the limitations of questions.³²⁷

Digital exclusion

The move to a digital application for many social security schemes and especially the use of the electronic journal for universal credit has caused issues for segments of the claimant population who are not IT literate, which particularly affects older claimants, people with disabilities, and individuals living in rural areas where internet access can be unreliable.

In 2024, DWP research revealed that 16 per cent of claimants were offline, with those who were long-term sick or retired being more likely to be offline, and 32 per cent reported reducing internet/mobile data spending to afford other bills.³²⁸ The assumption that all claimants are comfortable using digital technology ignores the reality that many do not have the skills, resources, or support required to use these systems effectively.

In his 2019 report, Philip Alston, the then special rapporteur on extreme poverty and human rights also raised concerns regarding the impact of digitalisation on vulnerable groups in the UK. He stressed that the adoption of digital systems, without adequate safeguards, risks excluding claimants who need support the most, and called for accessible alternatives for individuals who struggle with digital applications, including more in-person support or simplified non-digital claims processes, to ensure that everyone can access their entitlements.³²⁹

326 Good Things Foundation, University of Liverpool, *Digital inclusion: What the main UK datasets tell us*, 2024, file:///Users/kittymelrose/Downloads/GoodThings_DigitalInclusionDatasets_2024-1.pdf

327 Child Poverty Group, *You reap what you code: Universal credit, digitalisation and the rule of law*, June 2023, <https://cpag.org.uk/news/you-reap-what-you-code>

328 Department for Work and Pensions, *Digital Skills, Channel Preferences and Access Needs*, March 2024, <https://assets.publishing.service.gov.uk/media/65eee72a3649a23451ed6335/digital-skills-dwp-customers-10-benefits.pdf>

329 UNHRC, Visit to the United Kingdom of Great Britain and Northern Ireland Report of the Special Rapporteur on extreme poverty and human rights UN Doc A/HRC/41/39/Add.1, 2019, para 59-66, 82, 84, 95, <https://digitallibrary.un.org/record/3806308?ln=en&cv=pdf>

Some claimants told us they rely on their children to help them access and complete digital requirements, which potentially causes the embarrassing disclosure of information to them.

‘I’ve got to do it all online, like fill application forms, and I don’t know how to get online. I don’t know how to fill out application forms, and they’ll tell you once and expect you to just memorise it, but I’ve got memory loss... and I can’t memorise all the things that they say... I don’t think they’re very supportive at the jobcentre.

Claimant

Even people more familiar with online platforms have not necessarily found the system that accessible. Problems and concerns were shared about the necessary skills and access to equipment. The inability to submit information promptly is a reason for suspension of claims, so this issue can be a source of great anxiety for claimants. Some people report that they are not adequately informed about deadlines, leading to the abrupt closure of claims.

‘I have a client who was on universal credit, and they closed his account/claim for the supposed reason that he did not accept a claimant commitment. However, the client was given no advance warning that he needed to log into his account and accept a commitment.’

Advisor

‘It can be frustrating. I’m not saying they try to make it difficult for you, but you go on the Internet, and you type in everything and then for whatever reason, they say, ‘Oh, we’re going to send you a 6-digit code to continue with this’, and send it to your phone. I’m on the computer now anyway. What’s the point of sending me this thing? And this is a true thing that happened last week. My phone was broken. So, what do you do from there? Because of that... I cannot fill this in. If I don’t fill it in, I’m not going to be paid.’

Claimant

‘If you’re not computer savvy, you can’t go into the jobcentre and ask them to help because they’ve got a computer, and they sit at their computer and there’s no one to help you. So, they then end up coming to me because they couldn’t get the help at the jobcentre, and these are people that get paid to do that job. So, yeah, again, I mean, the whole system, the whole application process, even the monitoring. They ask people... “Oh, you need to send us this to your journal.” You’re sending a lot of personal information as well through a computer system. Now, if you’re an elderly person and all you’re hearing about is fraud in this and fraud in that, and you’re asking them to upload documents. You’re sending them to somewhere that they don’t believe in? Yeah. To ask them to send personal documents again, it’s wrong.’

Claimant

The system appears to work on the assumption that claimants will own a smartphone, have access to the internet, and can use it effectively. Claimants told us this is not the case, causing significant issues for claimants, potentially excluding them from social security schemes – especially where face-to-face jobcentre appointments are not available. There are opportunities to make claims via telephone, but, unfortunately, many claimants are not aware of this option.

‘Yes, and I know I’m not online [on my] phone. I’ve got a normal phone.’

Claimant

‘You should be able to see [people] face-to-face and then get your point across. If you can’t read or you can’t write, you’re dyslexic, you can’t spell, how can you use a phone? I know they say there’s spell check... but it’s different strokes for different folks, isn’t it?’

Claimant

Communication barriers significantly affect claimants whose first language is not English, making the universal credit system disproportionately difficult to access for Black, Asian, and racialised communities.

Internal DWP guidance categorises claimants whose first language isn’t English as having complex needs and who require a customer service equivalent in quality to other claimants. However, this is not always realised in practice.³³⁰ Research from CPAG in 2021 indicates that these individuals are frequently denied translation services when contacting the universal credit helpline, resulting in delayed claims and a lack of information about available options. They often wait weeks for follow-up calls with translators, compounding the existing five-week wait for the first universal credit payment and causing additional financial hardship.³³¹

The Equality Act 2010 mandates that public bodies must avoid indirect discrimination based on race or ethnicity, and the failure to provide timely translation services may constitute a breach of these legal obligations. The absence of adequate translation support effectively means that claimants whose first language is not English are treated less favorably compared to English-speaking claimants, which could amount to indirect discrimination.

Additionally, claimants who require translation services are often unaware of the options available during the assessment waiting period, such as advance assessment loans or emergency support schemes. This lack of awareness is compounded by delays in translation services, leaving claimants isolated, financially vulnerable, and susceptible to exploitation. People in a socio-economically vulnerable position can fall prey to loans with predatory repayment terms, further trapping claimants in cycles of debt and poverty.³³²

Challenges of managing claims by phone

In addition, telephone claimants face long wait times when they call an advisor and limited written records of conversation to refer to.

‘Telephone systems are not fit for purpose. Requiring a claimant to wait 40-50 minutes is not acceptable.’

Advisor

330 What Do They Know, Freedom of Information request to Department for Work and Pensions, PIP and Universal Credit – Internal DWP guidance re mental health safeguards, 6 September 2018, https://www.whatdotheyknow.com/request/esa_pip_uc_internal_dwp_guidance

331 Sabine Dubash, Crossing the language barrier of universal credit, CPAG, 2021, <https://askcpag.org.uk/content/207216/crossing-the-language-barrier-of-uc>

332 Ibid. Mandy McAuley and Guy Grandjean, ‘Spotlight: Paramilitary loan sharks targeting food bank users’, *BBC News*, December 2022, <https://www.bbc.co.uk/news/uk-northern-ireland-63950532>

‘The phone lines for PIP, ESA and CA are notorious for having lengthy waiting times to be answered and this is particularly bad when you consider that the people accessing these services often have health issues or are looking after people with health issues which mean they cannot sit and wait that long on the phone. It also makes it very difficult for benefit advisors to support people when you are trying to make contact and resolve an issue within the confines of a 30- or 60-minute appointment.’

Advisor

Other claimants described being reliant on friends and family or local information and advice services to help them to make a claim. However, access to support is not always available at the time that it is needed.

‘It’s a catch-22... because you’ve got to get the form done as soon as possible, but if you go to the agency to help you, sometimes there’s a delay before we can see somebody.’

Claimant

6.6 Assessment and evidence of eligibility

Once an application for a social security payment is submitted, government authorities are required to consider the application, gather and assess evidence to determine eligibility, and then make a decision about awarding the payment and the level of financial assistance.

In England, Wales and Scotland, the assessment periods for reserved social security schemes are defined by regulations which set out eligibility against which people will be assessed during a time limited ‘assessment period’ after which a decision will be taken on the award of social security entitlements.

Regulations we have examined for illustrative understanding include the assessment process for personal independence payments outlined in the Social Security Personal Independence Payment Regulations 2013 and the Universal Credit Regulations 2013.^{333, 334}

To establish eligibility, claimants must ordinarily attend assessments any place directed on the date required, provide requested evidence within a month, and report any changes in circumstances which could affect their claim.

After a five-week assessment period and a successful universal credit award, the initial payment is made within seven days, and subsequent payments are made monthly in arrears. Other social security payments, like PIP, are paid in arrears on a fortnightly basis.

The assessment and reassessment of social security payments in the UK are carried out through a variety of mechanisms.

333 UK government, The Social Security (Personal Independence Payment) Regulations 2013, <https://www.legislation.gov.uk/uksi/2013/377/regulation/9>

334 UK government, The Universal Credit Regulations 2013 No. 376, <https://www.legislation.gov.uk/uksi/2013/376/data.xht?view=snippet&wrap=true>

Here is an illustration of a claimant ‘journey’ for the universal credit health element.

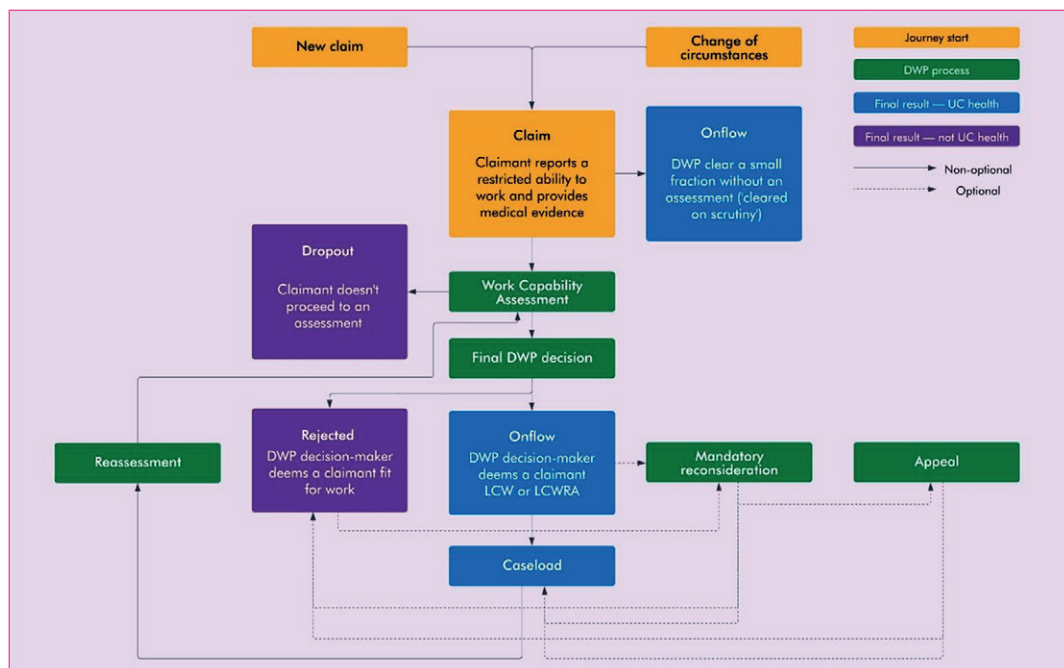


Figure 5: Claimant journey for the universal credit health element set out by the Office for Budget Responsibility.³³⁵ Source: Office for Budget Responsibility

In all cases, someone in the DWP (likely not the person who has handled the claim) acts as a decision maker. Some stages are commissioned out to third-party suppliers. This is particularly the case for health assessments relating to personal independence payment and work capability assessments for the ESA/health element of universal credit. In 2015, Maximus took over the work capability assessment contract after Atos withdrew following an investigation due to concerns about the quality of the assessments.^{336, 337}

In 2024, DWP established a new contract agreement with four providers to conduct health assessments to support decision-making based on a geographic footprint, and in some areas, assessments are also undertaken directly by the DWP.³³⁸

In October 2024, the DWP reported that there were 230,000 new personal independence claims registered and cleared, along with 34,000 changes of circumstance reported and 37,000 cleared, with 48 per cent of new claims being refused.³³⁹

Between 21 March 2022 and 31 July 2024, Social Security Scotland processed 216,960 applications for Scottish adult disability payment, with 50 per cent authorised, 45 per cent denied and five per cent withdrawn.³⁴⁰

335 Office for Budget Responsibility, *Welfare trends report*, October 2024, https://obr.uk/docs/dlm_uploads/Welfare-trends-report-October-2024.pdf

336 Department for Work and Pensions, MAXIMUS appointed to carry out health assessments for the Department for Work and Pensions, 2014, <https://www.gov.uk/government/news/maximus-appointed-to-carry-out-health-assessments-for-the-department-for-work-and-pensions>

337 Hansard, Written ministerial statements, column 57WS, 27 March 2014, <https://publications.parliament.uk/pa/cm201314/cmhansrd/cm140327/wmstext/140327m0002.htm#14032769000011>

338 UK government, Find your health assessment provider, September 2024, <https://www.gov.uk/guidance/find-your-health-assessment-provider>

339 Department for Work and Pensions, Personal Independence Payment: Official Statistics to October 2023, December 2023, <https://www.gov.uk/government/statistics/personal-independence-payment-statistics-to-october-2023/personal-independence-payment-official-statistics-to-october-2023>

340 Social Security Scotland, Adult Disability Payment: High Level Statistics to 31 July 2024, September 2024, <https://www.socialsecurity.gov.scot/reporting/publications/adult-disability-payment-high-level-statistics-to-31-july-2024>

Between September 2023 and March 2024, 29,000 new-style employment and support allowance (ESA) work capability assessments (to assess eligibility for sickness benefits) were completed, a 17 per cent increase, with 63 per cent being initial assessments, and 61 per cent of those initial assessments resulting in a support group award, exempting individuals from work-related activities.³⁴¹

6.7 Efficacy, transparency and accountability of decision-making

‘The welfare system, I feel is very good, however, it is the poor quality of decision-making that is at fault, which causes a lot of distress, with claimants feeling that they are not being believed.’

Advisor

The Justice report *Reforming Benefits Decision-making* highlights that the current system struggles, particularly for those with health conditions or disabilities, and that many claimants are incorrectly denied payments due to confusing processes, inaccessible systems and lack of knowledge about entitlements. The report states:

‘The benefits decision-making system forms a huge part of the administrative justice landscape in the United Kingdom; however, the system is performing poorly. Individuals often lack knowledge as to their possible entitlements; the application process can be inaccessible and confusing; and many are incorrectly denied benefits to which they are entitled or have their benefits stopped or reduced when they are wrongly sanctioned. Challenging incorrectly made decisions is often stressful and lengthy and many individuals give up when faced with a long fight for their entitlement.’³⁴²

Amnesty International’s findings from claimant and advisor research and literature review demonstrate a similar experience of the system today, indicating that improvements are required to overcome barriers to accessibility, particularly for incapacity/sickness and disability social security schemes.

Below we examine a range of evidence in relation to the assessment of eligibility for social security schemes, including the health assessments evidence requirements, and consider the role of automated decision making.

6.8 Health assessment

Guidance on DWP assessments require functional assessments, not medical diagnoses, to be conducted by registered health professionals, including occupational therapists, nurses, physiotherapists, paramedics, doctors and pharmacists.³⁴³

341 Department for Work and Pensions, ESA outcomes of Work Capability Assessments including mandatory reconsiderations and appeals: March 2024, March 2024, <https://www.gov.uk/government/statistics/esa-outcomes-of-work-capability-assessments-including-mandatory-reconsiderations-and-appeals-march-2024>

342 Justice, *Reforming Benefits Decision-Making*, 2021, p6, <https://justice.org.uk/our-work/civil-justice-system/current-work-civil-justice-system/reforming-benefits-decision-making/>

343 Department for Work and Pensions, PIP assessment guide part 3: health professional performance, November 2024, para 3.1.1, <https://www.gov.uk/government/publications/personal-independence-payment-assessment-guide-for-assessment-providers/pip-assessment-guide-part-3-health-professional-performance>

Published evidence demonstrates that being subject to this process is traumatic, and flaws in the assessment system have led to wrongfully denying access to social security schemes, indicating the quality and oversight of health assessments are not being properly administered by the government.

For example, in 2023, a House of Commons debate raised concerns that assessors do not have the necessary medical qualifications or experience in the plethora of conditions that they are required to assess, which undermines the reliability of decisions.

The result is a high volume of incorrect decisions, with initial assessments overturned nearly 80 per cent of the time upon appeal, indicating a significant failure in the initial decision-making process.

High overturn rate

The fact that nearly 80 per cent of initial assessments are overturned on appeal suggest a substantial problem with the accuracy and reliability of the initial decision-making process.

The Public Accounts Committee expressed serious concerns about the handling of personal independence payment claims including processing times, with only half of new PIP claims processed within the prescribed timescales.³⁴⁴ Such a system can leave many claimants feeling disempowered and unable to access the social security schemes they are entitled to, with long delays causing financial hardship.³⁴⁵

Long delays

In 2023, Citizens Advice research estimated that delays in personal independence health assessments were holding up and preventing £24 million every month reaching people's pockets.³⁴⁶

Also, in 2023, a survey of over 3,500 people with multiple sclerosis (MS) by the MS Society revealed that 65 per cent experienced a negative impact on their physical and mental health due to the PIP application process, 61 per cent felt their assessment report didn't accurately reflect their MS and 62 per cent felt their assessor didn't consider their hidden symptoms.³⁴⁷

In Scotland, an interim review of the adult disability payment (ADP) scheme published in 2024, stated:

‘I don't think we can underestimate the trauma experienced by some personal independence payment recipients and how this continues to affect them.’

344 UK parliament, 'Disability benefits claimants at increased risk of hardship as DWP underpayments rise', January 2025, <https://committees.parliament.uk/committee/127/public-accounts-committee/news/205026/disability-benefits-claimants-at-increased-risk-of-hardship-as-dwp-underpayments-rise/>

345 Hansard, Disability benefits: Assessments, debated on 4 September 2023 in the House of Commons, <https://hansard.parliament.uk/commons/2023-09-04/debates/E7E6E6E9-3167-4E47-9CE4-362EBF85C373/DisabilityBenefitsAssessments>

346 Oliver Crunden and Victoria Anns, *Playing catch-up: The impact of delayed health assessments for Personal Independence Payment*, Citizens Advice, August 2023, <https://www.citizensadvice.org.uk/policy/publications/playing-catch-up-the-impact-of-delayed-health-assessments-for-personal-independence-payment/>

347 Charles Gillies and Anastasia Berry, *PIP and MS: A decade of failure*, MS Society, September 2023, <https://www.mssociety.org.uk/sites/default/files/2023-09/MSS%20PIP%20Report%20Final%20Rev%20200923.pdf>

The review acknowledged that, while experiences are reported to be more positive than PIP, improvements are still required to meet the needs of people with learning difficulties. The ADP assessment process appears to experience similar delays to PIP with median average processing times of 61 days.³⁴⁸

Claimants and advisors shared that their experience of health assessments failed to adequately understand their specific health needs and disabilities, leading to inaccurate decisions and negative impacts.

Some reported administrative delays, where a claim requiring a health assessment (also known as a ‘health journey’) was not instigated (via a universal credit 50 form) or is subject to long delays limiting the remaining time for assessment to be complete within prescribed timescales.

‘Purposefully ignoring requests to send out universal credit 50 forms despite health journey having started.’

Advisor

Health assessors have a public sector equality duty (PSED) under the Equality Act 2010 to make reasonable adjustments for people with protected characteristics, ensuring they are not disadvantaged.

Some people told us that, due to the nature of their conditions, telephone assessments were inappropriate to fully assess their needs, and they were not provided with another option.

‘It’s just the PIP assessment; they assess me over the phone when I’m partially blind. I don’t know how you can assess me on the phone, and it says I’m not entitled to it.’

Claimant

‘Client had a PIP claim terminated as they would only offer a telephone appointment, despite them being profoundly deaf.’

Advisor

‘Client lost benefits and home after being turned down for not attending the assessment as he soiled himself on the train to assessment centre and had to go home.’

Advisor

In May 2024, the Equality and Human Rights Commission (EHRC) launched an investigation into the DWP, focusing on whether the DWP complied with its public sector equality duty regarding reasonable adjustments for claimants with disabilities and mental health issues during the health assessment journey.³⁴⁹ The inquiry concluded in August 2024, but the report has yet to be published.³⁵⁰

348 Edel Harris, *Adult Disability Payment: Independent Review – interim report*, Scottish government, November 2024, <https://www.gov.scot/publications/interim-report-independent-review-adult-disability-payment/>

349 Department for Work and Pensions, *Annual report and accounts 2023 to 2024, July 2024*, <https://www.gov.uk/government/publications/dwp-annual-report-and-accounts-2023-to-2024>

350 Equality and Human Rights Commission, *Investigation and assessment into the Secretary of State for Work and Pensions*, June 2024, <https://www.equalityhumanrights.com/our-work/inquiries-and-investigations/investigation-and-assessment-secretary-state-work-and>

People shared their experiences of navigating the system and the administrative burden of gathering extensive evidence, which leads to more requests. Often, this relates to medical opinion, which they feel is disregarded by the health assessors.

While NHS guidance to trusts and general practices states that medical evidence for social security claims should be provided free of charge where requested by the DWP,³⁵¹ some people we talked to reported medical practitioners are charging claimants substantial fees for letters and paperwork. Some claimants state that the evidence and opinion of the medical practitioners involved in their care is superseded by the opinion of contracted health assessors during assessments.³⁵²

‘So, when I spoke to my doctor, I said, “You’re a doctor. I’m a patient. You tell me, am I capable of working?” And he goes... “We can’t say nothing, it’s up to the jobcentre doctor.”’

Claimant

‘Years ago, a person’s GP was consulted directly, and their opinion was taken to award a benefit as they know the person indepth.’

Advisor

‘Yeah, I basically have been doing their jobs for them, running around, getting medical information from my mum, which they should have anyway. And then when you do send them the information, they want more. This has not satisfied them.’

Claimant

‘Handing a fit note to your case managed at universal credit and being told that this is incorrect – I find this bizarre that someone with no medical expertise is telling people their fit notes are incorrect.’

Advisor

Other people reported that they experienced conflicting opinions from the medical experts responsible for their care and the people who are assessing their needs, leading to frustration and feeling fearful and like they are assumed to be trying to game the system.

‘I had letters from the doctors and hospital. If they’re telling my condition, how are they not giving me PIP? I’m going to lose my sight fully; at some point I could wake up tomorrow and be fully blind. They still don’t want to give me the money. And I feel like there’s other people who lie, lie, and they get money. And I’m not lying. I’ve got evidence. I’m not well. Is the hospital lying?’

Claimant

351 British Medical Association, Fees for benefits certification, 2025, <https://www.bma.org.uk/pay-and-contracts/fees/fees-for-doctors-services/fees-for-benefits-certification>

352 Department for Work and Pensions, Guidance DWP Medical (factual) reports: A guide to completion, December 2024, <https://www.gov.uk/government/publications/dwp-factual-medical-reports-guidance-for-healthcare-professionals/dwp-medical-factual-reports-a-guide-to-completion>

‘I could make you live my life. Be me for 24 hours and then come back and have that conversation with me to say why am I sat there? I’m sat there because... I can’t be bothered? No, I’m not watching TV. I’m sat there because I’m in excruciating pain and it takes a lot to get up and start doing things, but once I get up, I try not to sit down because if I sit down, I can’t get back up again.’

Claimant

Lack of compassion

People voiced their concerns about a lack of compassion within the system and the need for improved emotional support and understanding. Advisors reported unprofessional behaviour and attitudes of health assessors. Some claimants told us their diagnosis was questioned or their account of the facts undermined in a way that places the burden of proof on the individual rather than public services.

‘It was hard in the beginning because you have to prove your disabilities, and you have to go to medicals and have them scrutinise you and get all the documentation. It’s like, “How do you live with this?” It’s like you’re lying. You don’t want to be that sick – they don’t believe you anyway.’

Claimant

‘I had a bit of a problem with them when they would ask me, “What is wrong with [you]? But [you’ve] never been diagnosed with anything.” That’s what I was trying to explain to you. I’ve never been diagnosed, so I don’t really know exactly. I’ve just been told that I have a learning disability. She’s like, “But what is wrong with you?”’

Claimant

‘They turn me down even though I had support workers helping me. They were like, “You’re not disabled enough.”’

Claimant

‘Too often clients report unprofessional and unsympathetic conduct from PIP assessors including... inappropriate conduct/comments on appearance and medication.’

Advisor

In addition to this research, claimants and advisors shared examples with us of assessors using a derogatory and demeaning tone during their interactions, which they perceived implies claimants are mistrusted, lazy or judged as trying to defraud the system.

‘The manner of questioning can be alarming and distressing. There are many instances of claimants being told, “Well, I have that problem, and I am working, so why aren’t you?”’

Advisor

‘PIP questions and tricks at meetings seem especially designed to trip people up, deny them benefits and make them feel foolish for being “caught out”’.

Claimant

The questioning of the validity of their mental health needs appears to be particularly acute and is compounded by long waiting lists and high thresholds for NHS care.

‘I know one client in particular with bipolar and depression who was told at a medical assessment for universal credit, “You don’t look mentally ill, why should I believe you?”’

Advisor

‘I have lost count of the number of people with mental health issues who have been turned down for PIP and other disability benefits because they have no specialist input for their mental health issues when the vast majority of them have been on waiting list for years to be properly diagnosed.’

Advisor

‘I can think of one client whose mental health was so bad they were unable to go through the process of making a claim. Then, when they got a bit better, they were deemed too well to receive support which ultimately pushed them back into a period of being in poor mental health.’

Advisor

Of great concern is the significant number of claimants and advisors who told us health assessments reports submitted to the DWP decision-makers are not accurate reflections of what happened or what was said during the assessments.

This has led to a denial of claims, and a significant impact on their mental health, leaving people feeling powerless.

‘Falsifying assessments to deny claims is so commonplace, it is, in fact, the norm.’

Advisor

‘Client told they can do things and pick up items, client didn’t even have arms.’

Advisor

‘Hideous because the DWP lied through their teeth, cherrypicked and twisted my words, and manipulated what I’d written to conclude something totally incorrect, making me feel like my life wasn’t real and that I was a liar.’

Claimant

‘They lied about everything I said. They literally turned it all around. They put that I was smiling when I was crying. They put that I was dressed well when I was in my pyjamas.’

Claimant

‘They wrote that my mum walked into the room unaided. They did a home visit. I answered the door, and they came to her. My mum didn’t leave the armchair. My mum uses a wheelchair. My mum had to go to the tribunal. But her tribunal got thrown out because, when we got there, the lift wasn’t working, and obviously we couldn’t get her up the stairs. When the judge came down the stairs and [saw] she [was] in the wheelchair, they just sort of laughed it out, and said she was going to get her award.’

Claimant

‘I got this report back in and, when I read it, I actually thought they had sent me someone else’s report.’

Claimant

The impact of this on health is acute. According to a 2023 report from the mental health charity Mind, based on evidence gathered in England and Wales, many claimants described the assessment process as feeling like they were ‘being put on trial’:

People feel mistrusted and judged. As if they were trying to get out of working, despite wishing they were well enough to work.

This sentiment was echoed by almost 7 in 10 people (66%) who said that going through the assessment process made their mental health worse.³⁵³

6.9 Assessment of other forms of evidence

For all social security schemes, in addition to medical assessments, there is a requirement to provide any evidence deemed necessary within a specified timeframe, often a month or another determined period. This evidence can include proof of ID, bank statements and pay slips.

The sheer diversity of evidence and supporting information required can cause difficulties. Claimants shared examples where parents must prove the existence and residency of their children, requiring multiple pieces of evidence from doctors, dentists and schools. Coordinating this requires time and resources that many claimants do not have, especially those already in crisis. This leads to extended periods of destitution for the families and anger at the system.

‘I was getting penalised by the schools, by the council, by the DWP, by HMRC and everybody was on my back because I couldn’t do what they wanted me to do, but they weren’t prepared to help me anyway.’

Claimant

‘I was in tears because they’re on the phone, and they actually said this: “Well, your claim will just stay on hold till you get photograph ID.” I was like, that could take weeks... So I took it on board myself to go to the jobcentre, and I said, look, you can’t expect me [to live like this] for weeks. I started panicking because I’ve been in debt and stuff and I’m just getting a new flat. It was horrible.’

Claimant

Another aspect of this drive for comprehensive evidence is the need to inform multiple local agencies of the move to social security payments. Considering the stigma attached to social security and the personal nature of some of the data sources to prove eligibility (eg from schools and GPs), people told us it can feel demeaning to disclose this, especially if they are new claimants.

353 Mind, *Reassessing assessments: How people with mental health problems can help fix the broken benefits system*, March 2023, p3-5, <https://www.mind.org.uk/media/sjbptudq/reassessing-assessments-report.pdf>

‘[I feel] degraded because I have to beg people [for evidence]. I have to tell everyone I’m on universal credit before I can get it, yes? You have to go around to everyone. I’ve been independent all my life, and now you’re making me go around and tell everybody that I’m claiming. Yeah, even if I work as well. But it doesn’t matter [how] you’re making me look.’

Claimant

‘[They] will ask me for a mountain of paperwork which they don’t want online. And they don’t want screenshots, and they don’t want emails. They want me to dig up paperwork from years ago... I was homeless. I wasn’t carrying those pieces of paper around on my back.’

Claimant

Claimants find they are asked for an unreasonable amount of detail about their personal finances – beyond capital sums or savings which might make them ineligible for social security payments, for example explaining specific transactions. They are being told they will be sanctioned for not complying with this.

‘I need to tell them over the internet all my expenses and all my income for the previous month.’

Claimant

‘They wanted four months’ worth, and then they were asking for extra. So that was like pushing us over the edge. I give them what they wanted, and then they ask for more, which I give them. And then they threatened us with a sanction for not handing them in, and I said I handed them in.’

Claimant

The UK government has announced upcoming social security reforms that could further limit rights. The proposed Public Authorities (Fraud Error and Recovery) Bill would grant the government the power to request information about claimants’ bank data, ostensibly to detect fraud and error, as well as powers to directly recover overpayments from claimant bank accounts.³⁵⁴

Amnesty International, along with other organisations, has raised concerns that as well as potentially unduly infringing their right to privacy it may further stigmatise claimants, for example the proposed bill requires banks to statutorily provide data from claimant’s accounts that the government ordinarily require court orders to access for non-claimants (like relating to recovery of taxes).³⁵⁵

6.10 Digital decision-making

Automated Intelligence (AI) forms part of the process of decision-making of the DWP. Amnesty International’s research into AI and automated decision-making systems in Denmark found they led to mass surveillance, and risk discriminating against people with disabilities, low-income individuals, migrants, refugees, and marginalised racial

354 Liz Kendall, DWP Fraud, Error and Debt Bill, statement made on 8 October 2024, UK parliament, <https://questions-statements.parliament.uk/written-statements/detail/2024-10-08/hcws114>

355 Big Brother Watch, Big Brother Watch Briefing on the Public Authorities (Fraud, Error and Recovery) Bill for the Committee Stage in the House of Commons, February 2025, <https://bigbrotherwatch.org.uk/wp-content/uploads/2025/02/Big-Brother-Watch-Committee-Stage-Briefing-on-PAFER-Bill.pdf>

groups within Denmark.³⁵⁶ Amnesty International is undertaking similar research to be published in the UK later in 2025. Amnesty International is aware of and shares concerns articulated by the Public Law Centre on the use of automation in decisions on social security and agrees that there must be transparent and adequate safeguards in place to prevent automation from acting to the detriment of claimants.³⁵⁷

The National Audit Office has also highlighted the risk that machine learning technologies deployed by the DWP may produce discriminatory outcomes by unfairly targeting groups of claimants, including those with protected characteristics.³⁵⁸ The absence of appropriate safeguards and the failure to publish fairness analyses hinder claimants' ability to understand the basis for decisions made about their claims.

In 2020, Human Rights Watch (HRW) shed light on systemic issues in the design of automated systems used to process universal credit claims. HRW found that the automated processes often failed to accommodate the varied needs of different groups, particularly the most vulnerable. This lack of adaptability in automation has exacerbated exclusion and limited access to procedural rights for claimants.³⁵⁹

The 2023 CPAG report highlights that systemic digital design issues in universal credit prevent claimants from accessing their rights, including backdating applications, which can be done under certain circumstances like disability or system failure. But this is not widely advertised, and the digital form does not have this option, therefore, many people lose out on entitlements.³⁶⁰ The CPAG report asserts that this limitation of rights disproportionately affects certain groups, including those with housing instability or individuals with a precarious immigration status.³⁶¹

The Public Law Project has identified a significant lack of transparency in the DWP's use of automated decision-making systems, particularly concerning the assessment of universal credit applications and fraud detection, raising concerns about potential bias and unfair outcomes.

The DWP has failed to provide information on its use of data analytics and machine learning models to process universal credit applications despite requests under the Freedom of Information Act due to concerns about the misuse of information. So little is known about the extent to which they prevent bias.³⁶²

Despite the DWP's assertion that the results of a fairness analysis indicated no immediate concerns of discrimination, the findings have not been published, hindering meaningful

356 Amnesty International, *Coded Injustice: Surveillance and discrimination in Denmark's automated welfare state*, 2024, <https://www.amnesty.org/en/documents/eur18/8709/2024/en/>

357 Written evidence submitted by Public Law Project, <https://committees.parliament.uk/writtenevidence/131474/pdf/>

358 National Audit Office, Report on Accounts: Department for Work and Pensions, 2023, 46, <https://www.nao.org.uk/wp-content/uploads/2023/07/dwp-report-on-accounts-2022-23.pdf>

359 Human Rights Watch, *Automated Hardship: How the tech-driven overhaul of the UK's social security system worsens poverty*, 2020, <https://www.hrw.org/report/2020/09/29/automated-hardship/how-tech-driven-overhaul-uks-social-security-system-worsens>

360 Child Poverty Group, The Legal Education Foundation, *You Reap What You Code: Universal credit, digitalisation and the rule of law*, June 2023, p39-42, <https://cpag.org.uk/sites/default/files/2023-08/You%20reap%20what%20you%20code.pdf>

361 Ibid, p5.

362 What Do They Know, Freedom of Information response from Department of Work and Pensions, ref no FOI 2024/60480, 2 September 2024, https://www.whatdotheyknow.com/request/ai_strategy_information/response/2748592/attach/3/Response%20FOI2024%2060480%20Reply.pdf?cookie_passthrough=1

public scrutiny.³⁶³ This lack of transparency and oversight raises concerns about due process and fairness, especially for those with protected characteristics under the Equality Act 2010, including those with cognitive disabilities or sensory impairments.

6.11 Appealing a social security award decision

‘Every time someone is assessed inappropriately for benefits, it takes extra time and money for the mistake to be corrected. Most often the claimants suffer, but the taxpayers also suffer owing to the additional administration and resolution costs which need to be met.’

Advisor

If a claimant wants to challenge a decision related to refusal, withdrawal or change to their social security award of a reserved scheme in the UK, there are several layers to the process.³⁶⁴



The process and timelines for the mandatory reconsideration and appeal in the UK are primarily guided by regulations and guidance such as:

- The Social Security (Decisions and Appeals) Regulations 1999;
- The Universal Credit Regulations 2013 (as amended);
- Social Security and Child Support (SSCS) Tribunal and the Tribunals, Courts, and Enforcement Act 2007;
- Welfare Reform Act 2012, which introduced mandatory reconsideration before going to appeal.

Similar appeals processes exist in Scotland and Northern Ireland for devolved social security schemes, which share similarities in the timescales and internal scrutiny alongside tribunals.^{365, 366, 367}

In June 2024, the DWP reported an average of 220 monthly requests for mandatory reconsiderations of ESA/WCA outcomes, with an average of processing time

363 Public Law Project, ‘DWP’s annual report leaves many questions about AI and automation’, 19 August 2024, <https://publiclawproject.org.uk/latest/dwps-annual-report-leaves-many-questions-about-ai-and-automation-unanswered/>

364 UK government, Challenge and appeal a benefit decision: Step by step, accessed April 2025, <https://www.gov.uk/challenge-appeal-benefit-decision>

365 Scottish government, *Social Security (Scotland) Act 2018: progress report 2023 to 2024*, November 2024, p7, <https://www.gov.scot/publications/social-security-scotland-act-2018-progress-report-2023-2024/pages/7/>

366 327 NI Direct, Appeal a benefits decision, accessed April 2025, <https://www.nidirect.gov.uk/appeal-benefits-decision>

367 Scottish government, *Social Security (Scotland) Act 2018: progress report 2023 to 2024*, November 2024, p7, <https://www.gov.scot/publications/social-security-scotland-act-2018-progress-report-2023-2024/pages/7/>

of 24 days.³⁶⁸ The UK government does not provide accurate data on mandatory reconsideration for universal credit.³⁶⁹

In January 2024, the DWP reported receiving 71,000 mandatory reconsideration requests per quarter (over 2,600), with an average processing time of 51 days over the five years from 2019, and a 34 per cent success rate in changing awards.³⁷⁰

According to data from His Majesty's Court and Tribunal Services in September 2024, social security appeal success rates are:

- PIP 68%
- Universal credit 51%
- DLA 57%
- ESA 48%

The high success rate of social security appeal suggests initial eligibility assessments may be inaccurate or unfair, even though claimants are often successful in challenging the outcomes.³⁷¹

In September 2024, the Social Security and Child Support (SSCS) tribunal reached 77,000 open cases. The mean age of cases at 'disposal' (when the court has completed its process) is 30 weeks indicating both the pressure on the system and the extended hardship of claimants awaiting an outcome.

Urgent action is required to ensure that the accuracy of assessments and processes of mandatory reconsideration is reformed to avoid over reliance on a costly tribunal system.³⁷²

Statistics obtained by the Law Centre through a freedom of information request highlighted similarly high success rates for PIP appeals in Northern Ireland.³⁷³

According to the DWP's own statistics, PIP appeals are won by the claimant because the tribunal reached a different conclusion based on the same facts, with new written evidence making a difference in just 1 per cent of cases. Cogent oral evidence was cited in 32 per cent of cases, which suggests that the tribunal asked detailed questions, and the claimant was able to provide detailed, consistent and credible answers. Thus, in 91 per cent

368 Department for Work and Pensions, ESA outcomes of Work Capability Assessments including mandatory reconsiderations and appeals: June 2024, <https://www.gov.uk/government/statistics/esa-outcomes-of-work-capability-assessments-including-mandatory-reconsiderations-and-appeals-june-2024/esa-work-capability-assessments-mandatory-reconsiderations-and-appeals-june-2024>

369 Department for Work and Pensions, Universal Credit sanctions statistics: background and methodology, February 2025, <https://www.gov.uk/government/publications/universal-credit-sanctions-statistics-background-information-and-methodology/a#:~:text=UC%20sanctions,may%20be%20available%20for%20claimants>

370 Department of Work and Pensions, Personal Independence Payment: Official statistics to January 2024, March 2024, <https://www.gov.uk/government/statistics/personal-independence-payment-statistics-to-january-2024/personal-independence-payment-official-statistics-to-january-2024>

371 Ministry of Justice, Tribunal statistics quarterly: July to September 2024, December 2024, <https://www.gov.uk/government/statistics/tribunals-statistics-quarterly-july-to-september-2024/tribunal-statistics-quarterly-july-to-september-2024>

372 Ibid.

373 Law Centre NI, 'Social Security appeal statistics obtained by Law Centre NI reveal how outcomes can be improved', <https://www.lawcentreni.org/news/social-security-appeal-statistics-obtained-by-law-centre-ni-reveal-how-outcomes-can-be-improved/>

of cases, the claimant won without any new evidence being provided, debunking the narrative that claimants often only succeed because of new documentation.³⁷⁴

More importantly, this indicates a significant impact on the access to an adequate standard of living and physical and mental health for people who are waiting for appeals to be heard. We will examine this impact from the perspectives of claimants and advisors below.

Flaws in the appeals process

A 2021 Justice report highlighted several flaws in the appeals process, including the requirement for claimants to undergo a mandatory reconsideration stage before accessing an independent tribunal. This stage adds unnecessary complexity and delays, discouraging many from pursuing their entitlements despite the high success rates of appeals.

Justice proposed abolishing mandatory reconsideration, allowing claimants to appeal directly to the First-tier Tribunal, which would still trigger a mandatory review by the DWP. They also suggest clarifying that appeals can be submitted after the one-month deadline if justified, utilising technology to streamline the process, and piloting tribunal caseworker reviews to prevent delays.³⁷⁵

During parliamentary debate, it has been argued that the appeals process is not only cumbersome but also unfairly weighted against claimants. The delay and procedural hurdles associated with mandatory reconsideration mean that many people are left without crucial financial support during the appeals period. The high rate of successful appeals further supports the argument that the initial assessment decisions are often incorrect, placing an undue burden on claimants to challenge these decisions.³⁷⁶

The Committee on the Rights of Persons with Disabilities (CRPD) has criticised the UK's assessment process for failing to adequately consider the specific needs of persons with disabilities, thereby limiting their access to the social security system.

The CRPD called for the UK to ensure that assessment and appeal procedures are adapted to meet the needs of individuals with disabilities, including providing accessible information and ensuring assessors have appropriate expertise in disability-related issues.³⁷⁷

In 2019, Philip Alston, the then special rapporteur on extreme poverty and human rights, called for reforms to ensure that assessments are conducted fairly, with a focus on providing support rather than penalising claimants and emphasised the importance of accessible and transparent appeals processes to ensure accountability.³⁷⁸

374 Personal Independence Payment Appeals, Question for Department for Work and Pensions by Kim Johnson, and written response, 4 October 2024, <https://questions-statements.parliament.uk/written-questions/detail/2024-10-04/6601>

375 Justice, *Reforming Benefits Decision-Making*, 2021, p3, p70-81, <https://justice.org.uk/our-work/civil-justice-system/current-work-civil-justice-system/reforming-benefits-decision-making/>

376 UK parliament, Benefit Appeals, Volume 615: debated on 17 October 2016, <https://hansard.parliament.uk/commons/2016-11-01/debates/79074207-8DF9-453B-B401-26C3369EE731/BenefitAppeals>

377 CPRD, Concluding observations on the initial report of the United Kingdom of Great Britain and Northern Ireland UN Doc CRPD/C/GBR/CO/1(2017), para 57(c), 59(c), <https://digitallibrary.un.org/record/1310654?v=pdf>

378 UNHRC, Visit to the United Kingdom of Great Britain and Northern Ireland Report of the Special Rapporteur on extreme poverty and human rights UN Doc A/HRC/41/39/Add.1 (2019), para 96(i), <https://digitallibrary.un.org/record/3806308>

In its 2016 Concluding Observations, the CESCR expressed concern over the impact of legal aid reforms on access to justice regarding social security schemes and called for a review of the use of sanctions and the provision of independent and timely dispute resolution mechanisms to protect individuals' rights.³⁷⁹

The legal landscape in England and Wales regarding social security assessments and appeals has been shaped by cuts to legal aid following the Legal Aid, Sentencing and Punishment of Offenders Act 2012, which significantly reduced access to advice.³⁸⁰ Many claimants are unable to navigate the complex legal and bureaucratic processes involved in challenging social security decisions, especially without adequate legal representation. The Reforming Benefits Decision-Making report from Justice recommends reinstating legal aid for early social security advice and providing clear, accessible information throughout the assessment and appeals process.³⁸¹

The House of Commons debate on appeals in 2023 also underscored the difficulties faced by claimants who lack access to legal aid, noting that this disproportionately affects people with disabilities, mental health issues, and limited digital literacy.³⁸² Without adequate support, these individuals are often unable to effectively challenge incorrect social security decisions, further exacerbating the accessibility issues in the system.

Justice highlighted the need for an independent body to oversee the administrative justice system and ensure that claimants are afforded their right to appeal unjust decisions. This oversight is crucial to ensure accountability and promote a fair social security system that is accessible to all.³⁸³

The case for reform is supported by claimants and advisors who shared their experience with Amnesty International. Advisors in particular saw the appeals process as a major barrier to accessing social security schemes and in urgent need of reform.

The appeals and reassessment mechanisms pose significant barriers to claimants, contributing to reduced accessibility to social security schemes. The complexity of this process, combined with inadequate communication, can deter claimants from challenging unjust sanctions.³⁸⁴

'Many clients must go to appeal before getting the benefit... When you know that the majority of cases – 7/10 – succeed at appeal you have to admit that the system is wrong as it has turned them down twice before getting to that stage.'

Advisor

379 CESCR, Concluding Observations on the Sixth Periodic Report of the United Kingdom of Great Britain and Northern Ireland UN Doc E/C.12/GBR/CO/6 (2016), para 20, 41(c), <https://www.ohchr.org/en/documents/concluding-observations/catcgbrc06-concluding-observations-sixth-periodic-report-united>

380 Amnesty International, *Cuts that hurt: The impact of legal aid cuts in England on access to justice*, 2016, <https://www.amnesty.org/en/documents/eur45/4936/2016/en/>

381 Justice, *Reforming Benefits Decision-Making*, 2021, <https://justice.org.uk/our-work/civil-justice-system/current-work-civil-justice-system/reforming-benefits-decision-making/>

382 UK parliament, Disability Benefits: Assessments, Volume 737, debated on 4 September 2023, <https://hansard.parliament.uk/commons/2023-09-04/debates/E7E6E6E9-3167-4E47-9CE4-362EBF85C373/DisabilityBenefitsAssessments>

383 Justice, *Reforming Benefits Decision-Making*, 2021, p4-5, <https://justice.org.uk/our-work/civil-justice-system/current-work-civil-justice-system/reforming-benefits-decision-making/>

384 UK parliament, Benefit Sanctions, Volume 724, debated on 13 December 2022, <https://hansard.parliament.uk/Commons/2022-12-13/debates/7C52ABED-61DB-4BDC-95F5-36565E33516D/BenefitSanctions>

In our survey, of the 412 claimants who responded, 23 per cent reported having a claim refused at some point, and, of those who claimed PIP, the rate was significantly higher (52 per cent). Since a prequalification for our research is having experience of being on social security schemes, this does not reflect the wider refusal rates. However, their experiences of the appeals process are useful to reflect upon.

Out of the 434 claimants who told us they had appealed a negative decision, 74 per cent said it had a negative impact on their physical and mental health.

‘It was extremely disheartening to say the least as at the time of my initial claim I was claiming for primarily mental health reasons. I had recently had to drop out of uni and move back home with my grandparents due to having a mental breakdown and becoming suicidal, isolated and very anxious. The fact my initial claim was rejected made me more actively suicidal. Without help from my then social worker, I may not have ended up successfully appealing and quite possibly ended up not being around to type this today.’

Claimant

‘I have my daughter and the baby, and they said to me, “Who looks after the bairn?” Well, I dressed her, but everybody else looks after her. But that day I turned round and said, well, I look after her. I dressed her, and I got help with her. But because I said I did it, it was like, no. If you’re capable of looking after your child, you’re capable of looking after yourself. So, I ended up with nothing. Like I said, for 15 years.’

Claimant

‘I was diagnosed with cancer... But when I apply for PIP, they ask me all these questions and then everyone’s like, “Oh, yeah, of course you’ll get it. You know, you’re absolutely ill. You can’t work.” I was bedridden for about six to eight months. And then I got a reply to say I didn’t get any single point for my PIP – 0 in all categories.’

Claimant

For people with mental health issues or learning disabilities, being asked to ‘prove’ their disability can be deeply distressing. Many of the participants in this category said they could not have accessed social security schemes without advocacy and independent advice services to communicate for them and advise on the correct way to present their evidence effectively.

‘You have to prove your mental health now and the hoops after that were unbelievable. That was just horrendous. And then I had a phone interview, and I didn’t score enough, but when it came out, the answers were not what I gave. So obviously it was appealed. And then when they actually wrote down the correct answers, it came out that yes, you definitely need it. Why can’t you write down the [correct] answers in the first place? And I waited for something like 18 to 20 months from the review because they were backdated from COVID.’

Claimant

‘My partner’s got severe agoraphobia. He was told that if he didn’t attend the tribunal, he wasn’t going to get it, but because he managed to attend, they said that he didn’t have agoraphobia. But they didn’t see how scared and everything he was in the lead-up to it and the six months of therapy it took afterwards to deal with the fact that he’d had to go.’

Claimant

‘You know, we don’t want this. We never say we want to have a problem, we want to have a sickness. It comes on us. It’s not knocking on our door. It just comes. We’re not asking for it, you know. I mean, I’m very scared. I don’t know what’s going to happen.’

Claimant

‘It made me feel that I was trying to trick the system, and I felt totally humiliated by the panel because they were asking very personal, intimate questions in front of my son of 17. I suffer from severe anxiety and depression and was made to feel disgusting and that just because I am educated and middle class, I couldn’t possibly be suffering like this. It was one of the worst experiences of my life.’

Claimant

‘Stressed and scared. Also, angry that a lifetime condition, which I was born with and will never get better, could be challenged like this.’

Claimant

‘We were lucky to get help from our local council, who then employed an amazing man who helped us. The panel that presided over our appeal appeared very sympathetic to my partner’s issues (he is multiply disabled, with lung, blood circulatory, back, and walking problems). We won on appeal.’

Claimant

Overall, the extent to which being refused social security and appealing decisions has led to suicidal ideation is shocking and tragic.

‘I’ll be honest, the last time I got knocked back, I was very, very, very close to ending my life. That’s how bad it was at that point.’

Claimant

In 2020, the National Audit Office reviewed information held by the DWP on claimants who had died by suicide.³⁸⁵ The report highlighted that there is a lack of information to fully understand the extent to which the social security system has contributed to the deaths of claimants.

Evidence showed coroners issued four Prevention of Future Death notices, two related to suicide, and 69 DWP internal process reviews (IPRs) linked to serious harm or deaths, including suicide, prompting DWP to commit to process improvements.

385 National Audit Office, Information held by the DWP on the deaths by suicide of benefit claimants, 2020, <https://www.nao.org.uk/wp-content/uploads/2020/02/Information-held-by-the-DWP-on-deaths-by-suicide-of-benefit-claimants.pdf>

However, the DWP initially omitted annual data on IPRs from their 2023-24 report, but later published it, revealing 53 IPRs were conducted, with 31 cases involving universal credit claimants, 27 PIP claimants and 15 ESA claimants.³⁸⁶

6.12 Maladministration as a barrier to accessibility of social security

Safeguards exist within the current system to investigate and correct maladministration in decision-making on entitlements. The Department for Work and Pensions (DWP) recognises that maladministration can create barriers to accessing legal entitlements to social security. The initial safeguards are the mandatory reconsideration and appeals processes, as well as the DWP complaints process, which can lead to referral to the Independent Case Examiner or the Parliamentary and Health Services Ombudsman. This efficacy of these routes has been criticised for the length of time it takes to resolve complaints. For example, this was highlighted by the PHSO in the handling of the WASPI complaints.³⁸⁷ Where it has become clear that an error by a government department has deprived a number of people of their legal rights, it occasionally conducts legal entitlements and administrative practices (LEAP) exercises to review cases, assess whether systemic changes are needed, and determine appropriate redress, such as backdated payments.

The overarching principle is that there is a responsibility on the government to ensure that it acts lawfully by fulfilling people's legal entitlements by undertaking a LEAP exercise.³⁸⁸

Examples of LEAP exercises in more recent years include a review of the employment and support allowance payments where claimants were transferred into a new system and were underpaid in error.

The quality and outcome of this LEAP process was called into question by the Parliamentary and Health Service Ombudsman and in a National Audit Office report.³⁸⁹ It said:

The facts of this case are that tens of thousands of people, most of whom have severely limiting disabilities and illnesses, have been underpaid by thousands of pounds each, while the department for several years failed to get a proper grip on the problem. The department has now committed to fixing this error by April 2019, but not everyone will be repaid all the money they have missed out on.³⁹⁰

386 DWP, Internal Process Reviews (IPRs): April 2023 to March 2024, 4 November 2024, <https://www.gov.uk/government/publications/internal-process-reviews-iprs-april-2023-to-march-2024/internal-process-reviews-iprs-april-2023-to-march-2024>

387 Parliamentary and Health Services Ombudsmen, Women's State Pension age and associated issues: investigation summary, <https://www.ombudsman.org.uk/complaints-womens-state-pension-age>

388 Robert Thomas, 'Legal entitlements and administrative practices: Leap exercises and benefits administration', University of Manchester Legal Research Paper Series no. 22/07, March 2022, https://papers.ssrn.com/sol3/papers.cfm?abstract_id=4052616

389 Parliamentary and Health Service Ombudsman, 'Over 118,000 people denied compensation from DWP after benefits error cut payments', January 2022, <https://www.ombudsman.org.uk/dwp-esa>

390 Ibid.

Several LEAP exercises have been undertaken on personal independence payments.³⁹¹ The DWP took the view that the Upper Tribunal had interpreted eligibility more broadly than the department, leading to a high number of claimants being awarded PIP on appeal, and attempted to change the eligibility criteria. This led to a legal challenge where a High Court judge ruled that changes made in March 2017 to the criteria were ‘blatantly discriminatory against those with mental health impairments’ and therefore unlawful.³⁹²

This judgement triggered several LEAP exercises, and though this resulted in some redress, concerns remain.³⁹³ An academic examination of the effectiveness of the LEAP exercises sets out the important reactive role that the NAO, the Work and Pensions Select Committee and ultimately the judiciary have provided in undertaking scrutiny of LEAP exercises. However, there is a lack of independent scrutiny of LEAP processes at a systematic level.³⁹⁴ An example of this is the failure to meaningfully apply the judicial review decision that the government should use its discretion to waive the requirement to repay hardship payment debt for some claimants. Public Law Centre has raised concerns that the DWP did not proactively contact past affected claimants instead opening a refund scheme for seven months, which was not well advertised and then refused all refund requests.³⁹⁵

6.13 Conditionality: decision-making on reduction or suspension of social security payments

The international human rights frameworks such as the ICESCR recognise the right to social security. They also acknowledge that states may need to reduce or suspend social security payments under certain circumstances, emphasising the need for such decisions to be justified and proportionate. They direct governments to ensure that the grounds to do so should be prescribed in law and subject to due process (including the right to appeal).

The withdrawal, reduction or suspension of benefits should be circumscribed, based on grounds that are reasonable, subject to due process, and provided for in national law

CESCR, General Comment No. 19³⁹⁶

As previously described, ‘Deduction from social security payments’, social security schemes, which are the reserved authority within the UK, are often subject to deductions such as repayments of loans, for reasons of sanction based on noncompliance with certain conditions and to repay third party debts during fraud investigations or

391 Robert Thomas, ‘Legal entitlements and administrative practices: Leap exercises and benefits administration’, University of Manchester Legal Research Paper Series no. 22/07, March 2022, https://papers.ssrn.com/sol3/papers.cfm?abstract_id=4052616

392 *RF v Secretary of State for Work and Pensions* [2017] EWHC 3375 (Admin) at [59], <https://www.casemine.com/judgement/uk/5b2897d82c94e06b9e19c311>

393 John Pring, ‘DWP “may have unlawfully deprived tens of thousands of PIP claimants of back-payments”’, Disability News Service, 2021, <https://www.disabilitynewsservice.com/dwp-may-have-unlawfully-deprived-tens-of-thousands-of-pip-claimants-of-back-payments/>

394 Robert Thomas, ‘Legal entitlements and administrative practices: Leap exercises and benefits administration’, University of Manchester Legal Research Paper Series no. 22/07, March 2022, https://papers.ssrn.com/sol3/papers.cfm?abstract_id=4052616

395 Public Law Centre, Written evidence submitted by the Public Law Project, <https://committees.parliament.uk/writtenevidence/123479/pdf/>

396 CESCR, General Comment No. 19: The Right to Social Security (Article 9), UN Doc. E/C.12/GC/19 (2008), <https://digitallibrary.un.org/record/618890>

overpayments. We addressed the impact of such deductions on the adequacy of social security schemes in this section.

Within the scope of this report as an illustrative example, we examine the application of reductions as it relates to sanctions of universal credit. Other types of reductions have already been addressed in the section on adequacy.

The Welfare Reform Act 2012 significantly altered the conditionality regime for social security in the UK, introducing the current process for sanctions related to failures to comply with work-related requirements, including those for universal credit, jobseeker's allowance and employment and support allowance. The details for length duration and decision-making on sanctions are set out in Part 8 (sections 84-119) of the Universal Credit Regulations 2013.³⁹⁷

These regulations state that sanctions, and their duration, are determined by whether claimants meet their work-related obligations outlined in a 'claimant commitment', with sanctions categorised into high, medium, low and lowest levels, and potentially avoided if a 'good reason' for non-compliance is demonstrated.

According to DWP guidance, decisions on whether to sanction a claimant are made by DWP 'decision makers' not Jobcentre Plus work coaches (the day-to-day point of contact for a claimant).

If a work coach believes a claimant has not met a work-related requirement, they raise a 'doubt' and refer the case to a decision maker after first contacting the claimant to understand their reasons for non-compliance. If the claimant does not respond within five days (seven for ESA) or lacks a 'good reason', the case proceeds to the decision maker.³⁹⁸ The decision maker gathers evidence from the claimant and the work coach and makes a decision based on the 'balance of probabilities'. If a sanction is imposed, the claimant is notified in writing.

Sanctions are not applied if the claimant had a 'good reason' for their actions. 'Good reason' is not defined in regulations but is guided by case law and detailed DWP guidance³⁹⁹ and for failure to attend an appointment, includes:⁴⁰⁰

- Temporary period of sickness or medical emergency;
- Attending a funeral;
- Serious illness, death or emergency affecting a relative or close friend;
- Death of someone the claimant is caring for;
- Detained in police custody;
- Court or tribunal attendance;
- Job interview;
- Adverse weather conditions;
- Emergency duties (eg firefighter or lifeboat);
- Work or travel to work;
- Temporary childcare responsibility;

397 UK parliament, The Universal Credit Regulations 2013, Part 8, Chapter 2, <https://www.legislation.gov.uk/uksi/2013/376/part/8/chapter/2>

398 Department for Work and Pensions, ADM Chapter K2: Good reason, accessed April 2025, <https://assets.publishing.service.gov.uk/media/6798c7f94686aac1586063e0/adm-chapter-k2-good-reason.pdf>

399 Ibid.

400 Department for Work and Pensions, Failure to Attend: Good reasons, accessed April 2025, https://data.parliament.uk/DepositedPapers/Files/DEP2024-0673/066_Failure_to_attend_good_reason_V9.0.pdf

- Transport industrial action;
- Recorded mobility issues and transportation problems.

Additional safeguards exist for vulnerable⁴⁰¹ claimants or those with complex needs, and decision makers are asked to consider if a statutory easement should have been applied to limit the conditionality for work-related activity, eg for reasons such as complex needs, homelessness, or domestic violence.⁴⁰²

If a claimant disagrees with a sanction decision, they can challenge it by requesting a mandatory reconsideration from the DWP, and if the DWP maintains its decision, they can appeal to a First-tier Tribunal.⁴⁰³

6.14 Sanctions implementation and compliance

This section focuses on the implementation of sanctions to understand if decisions are reasonable and adhere to due process by examining evidence and experience, considering access to and outcomes of appeals.

The UK government data on sanctions has known limitations due to under-reporting. However, the data shows that in November 2024:

- 28.7 per cent of universal credit claimants could be subject to sanctions (eg because they have work search conditions).
- Of those, 5.5 per cent of claimants were given a sanction, a small reduction of 1.6 per cent from the previous year.
- There were 62,000 sanction decisions in October 2024.
- Failure to attend or participate in mandatory interviews accounts for the vast majority (91.7 per cent) of all adverse sanction decisions.
- Only 4.1 per cent of decisions taken relate to not being available for work.
- 85.3 per cent of sanctions were for up to four weeks.
- 7.3 per cent of sanctions applied were for durations over 26 weeks.⁴⁰⁴

6.15 Quality of decision-making

The experiences of claimants and advisors shared with Amnesty International are illustrative of how some people perceive the extent to which decisions made to apply sanctions are not always in keeping with the principle of acknowledging ‘good reason’ or considering the evidence submitted in support of this.

Advisors and claimants described to Amnesty International that they often don’t know why the sanction has been applied to them (they have to ask), and therefore are given no opportunity to give ‘good reason’ with supporting evidence for any allegation of noncompliance.

401 Vulnerable groups do not appear to be prescriptively defined in the guidance but are left to the decision maker to determine based on the individual circumstance.

402 Sanction Assurance Framework Spotlight, https://www.whatdotheyknow.com/request/sanctions_assurance_framework/response/2598340/attach/4/Sanction%20Assurance%20Framework%20Spotlight.pdf?cookie_passthrough=1

403 Steven Kennedy, Frank Hobson, Andrew Mackley, Esme Kirk-Wade, Anastasia Lewis, *Department for Work and Pensions policy on benefit sanctions*, Debate pack, House of Commons Library, 12 December 2022, No. CDP-0230, <https://researchbriefings.files.parliament.uk/documents/CDP-2022-0230/CDP-2022-0230.pdf>

404 Department for Work and Pensions, Benefit sanctions statistics to November 2024, 18 February 2025, <https://www.gov.uk/government/statistics/benefit-sanctions-statistics-to-november-2024/benefit-sanctions-statistics-to-november-2024>

'I think it would be helpful for more information/reasons to be given to the clients at the first stage about why there is a sanction without having to ask.'

Advisor

'When someone is receiving only under £300 a month to live on, how can you take this money away without giving them a chance to challenge it? Why can people not be notified that they did something sanction-worthy and be given a chance to prove why they did or did not?'

Advisor

'You don't pay a fine if you shouldn't have got the fine and have reasons and proof that you shouldn't have been fined. You can challenge the fine without paying it. But if you are poor and vulnerable, we will fine you for being poor and vulnerable, we don't care that its wrong. Challenge it if you want or if you know you can.'

Advisor

People shared with us reasons why they faced sanctions for failure to attend, with many appearing to meet the criteria for 'good reason'.

'My husband must have missed appointments. He's struggling with his mental health, and I phoned and explained as he can't phone. And they didn't care... I was crying.' (Good reason: Sickness and medical emergency).

Claimant

'I had forgotten an appointment because my mother passed away, and that wasn't a good enough excuse for them. I did what I had to do a few days after, but they didn't care.' (Good reason: Death of a close relative)

Claimant

'They told me to go in for an assessment, and my baby had passed away. Like not even two days before... And they were like, well if you need the money, you will come in. It's not my fault your baby is dead.'

(Good reason: Death of a close relative)

Claimant

'They look down on you when you walk into the jobcentre. I had a panic attack in the jobcentre. I couldn't breathe, and she went, "You better get upstairs now and see your work coach, or we are going to sanction you."'

(Good reason: Sickness)

Claimant

'I've been sanctioned because I missed an appointment because I had an illness... which I thought was unfair because not every day and all the time can people get to the appointments especially when it is only a two second face-to-face appointment.'

(Good reason: Sickness)

Claimant

Other people described sanctions and having claims withdrawn due to failing to take actions on the online journal required to maintain universal credit, lost correspondence or missed telephone calls.

‘The actual interview is on the phone when they talk to you. They only give you one call... If you missed that one call, they sanction that. They should give at least three rings, at least give you a chance.’

Claimant

‘Applicants do not understand how universal credit works and are subjected to sanctions because they do not action journals.’

Advisor

‘Universal credit being stopped after client was unable to access their journal due to health issues.’

Advisor

‘And if the letter was to get lost, you’re screwed. There is no second chance. It’s that’s that. You’re going to get sanctioned.’

Claimant

‘She obviously misses the call, they don’t chase her up, so she doesn’t find out until her next appointment that they stopped her benefits.’

Claimant

There is the sense among claimants that:

Decisions taken by decision makers rely solely on the referral from the work coach, rather than an independent evaluation of the facts, testimony and evidence.

‘How do you argue with an official to say, well, actually no, you didn’t send me that one or I didn’t receive that letter. It is their word against the officer. Who do you think is going to win?’

Claimant

6.16 Disproportionate impact of sanctions

Data released by the DWP in September 2024 showed that universal credit sanctions are disproportionately applied to racialised communities.

In April 2024, 22.5 per cent of universal credit claimants self-identify in racialised ethnic groups.⁴⁰⁵

Mixed ethnic groups are 29 per cent more likely, with financial penalties often running into hundreds of pounds.⁴⁰⁶

Research suggests that in rural England, the risk of being sanctioned for universal credit is significantly higher overall, and particularly so for mixed heritage and Black/Black British claimants, potentially indicating racial disparities in the application of

405 Department for Work and Pensions, People on universal credit, October 2024, <https://www.gov.uk/government/statistics/universal-credit-statistics-29-april-2013-to-11-april-2024/universal-credit-statistics-29-april-2013-to-11-april-2024#people-on-universal-credit>

406 Department for Work and Pensions, Universal Credit statistics, 29 April 2013 to 12 September 2024, October 2024, <https://www.gov.uk/government/statistics/benefit-sanctions-statistics-to-november-2024/benefit-sanctions-statistics-to-november-2024#uc-full-service-sanction-ethnicity-statistics>

sanctions.⁴⁰⁷ While the DWP has published data on the impact of universal credit sanctions related to ethnicity in October 2024,⁴⁰⁸ it has not yet released disaggregated data on other protected characteristics.

These inequitable applications of sanctions compound barriers for marginalised groups, who may already face other challenges, such as language barriers, lack of digital access, closure of job centres, libraries and children and youth centres, or mistrust of governmental institutions.

An internal DWP study, published in 2023, revealed that sanctions do not effectively encourage employment but instead push claimants into precarious, low-paying jobs. The psychological and financial strain caused by sanctions further hinders efforts to achieve financial stability.⁴⁰⁹

6.17 Due process in appealing sanctions

In its July 2022 report *Benefit Sanctions: A Presumption of Guilt*, the Public Law Project highlighted significant barriers to challenging sanctions, including lack of awareness of appeal rights, unclear timescales and difficulties accessing advice and support. Fear of repercussions and mistrust in the system is also cited as a barrier to appeal decisions.⁴¹⁰

CPAG reported concern about the practice of ‘gatekeeping’ by DWP officials who discourage claimants from progressing to mandatory reconsiderations or appeals, effectively persuading them not to apply, denying them access to procedural rights on the basis that they believe the decision to be correct.⁴¹¹ CPAG assert that such practices are ‘contrary to the rule of law’ principles of procedural fairness.

6.18 Participation and accessibility of social security

Beneficiaries of social security schemes must be able to participate in the administration of the social security system. The system should be established under national law and ensure the right of individuals and organisations to seek, receive and impart information on all social security entitlements in a clear and transparent manner.

General Comment 19 of the Committee on Economic, Social and Cultural Rights (CESCR)

Articles 71 and 72 of ILO Convention 102 on Social Security (Minimum Standards)⁴¹² and the CESCR’s General Comment No. 19 above on the right to social security are

407 Andrew Williams, Brian Webb, Richard Gale, ‘Racism and the uneven geography of welfare sanctioning in England’, *Transactions of the Institute of British Geographers*, February 2024, 49(4), e12677, https://www.researchgate.net/publication/378342873_Racism_and_the_uneven_geography_of_welfare_sanctioning_in_England

408 Department for Work and Pensions, Universal Credit ethnicity statistics August 2024 and September 2024, November 2024, <https://www.gov.uk/government/collections/universal-credit-statistics>

409 Department for Work and Pensions, *The Impact of Benefit Sanctions on Employment Outcomes: draft report*, 2023, <https://www.gov.uk/government/publications/the-impact-of-benefit-sanctions-on-employment-outcomes-draft-report>

410 Public Law Project, *Benefit Sanctions: A presumption of guilt*, July 2022, <https://publiclawproject.org.uk/resources/benefit-sanctions-a-presumption-of-guilt/>

411 Child Poverty Group, The Legal Education Foundation, *You Reap What You Code: Universal credit, digitalisation and the rule of law*, June 2023, p7-8, <https://cpag.org.uk/sites/default/files/2023-08/You%20reap%20what%20you%20code.pdf>

412 It is important to note that articles 71 and 72 of ILO Convention 102 have not been ratified by the UK.

clear that beneficiaries of social security schemes must have the right to participate in the administration of the system:

‘The right of individuals and groups to participate in decision-making processes that may affect their exercise of the right to social security should be an integral part of any policy, programme or strategy concerning social security.’⁴¹³

The UN Office of the High Commissioner on Human Rights (OHCHR) asserts effective participation is part of the solution to eroded public trust and failing services, as legitimate involvement ‘makes decision-making more informed and sustainable, and public institutions more effective, accountable and transparent. This in turn enhances the legitimacy of states’ decisions and their ownership by all members of society.’⁴¹⁴

The right to public participation in the development and monitoring of the implementation of law and policy in the UK is not specifically set out in legislation, but the principles for this are guided by the so-called Gunning Principles coined by Stephen Sedley QC in a 1985 court case (*R v London Borough of Brent ex parte Gunning*):⁴¹⁵

- **Proposals must be at a formative stage:** A final decision has not been made yet, and the decision-makers must not have predetermined the outcome.
- **Sufficient information must be provided:** Consultees must be given enough relevant, accessible, and understandable information to make an informed response.
- **Adequate time for consideration:** There should be enough time for consultees to participate in the consultation. The exact duration may vary depending on the issue at hand.
- **Conscientious consideration of responses:** Decision makers must show that they have carefully considered the feedback received from consultees before deciding.

The Cabinet Office also sets out non-statutory ‘consultation principles’⁴¹⁶ as guidance for government departments to help implement the Gunning Principles for conducting fair and effective public consultations.

In the context of social security, the government track record of involving people impacted by social security policy has been the subject of much national and international criticism and judicial scrutiny.

Below we examine some illustrative examples to understand the nature of these concerns.

413 CESCR, General Comment No. 19: The Right to Social Security (Article 9), UN Doc. E/C.12/GC/19 (2008), para 69, <https://digitallibrary.un.org/record/618890>

414 UN Office for the High Commissioner for Human Rights, *Report: Guidelines on the right to participate in public affairs*, 2018, www.ohchr.org/en/calls-for-input/report-guidelines-right-participate-public-affairs

415 Local Government Association, *The Gunning Principles*, accessed April 2025, www.local.gov.uk/sites/default/files/documents/The%20Gunning%20Principles.pdf

416 Cabinet Office, *Consultation principles: guidance*, 2018, <https://www.gov.uk/government/publications/consultation-principles-guidance>

In 2021, the social security advisory committee argued that the DWP's engagement with people with disabilities is often superficial, lacking depth and failing to translate into tangible policy changes.⁴¹⁷

In cases concerning disability rights, courts have established that the principle of active participation generally requires consultations on strategies,⁴¹⁸ and an impact assessment before the consultation.⁴¹⁹

The Equality and Human Rights Commission published a report on the government's progress on implementing recommendations of the UN CRPD.⁴²⁰ They concluded that while the UK government committed to removing barriers to the full and equal participation of people with disabilities in society through its 2021 national disability strategy,^{421, 422} the approach to developing the strategy was criticised by some disabled persons organisations,⁴²³ and a 2022 High Court judgment found that the strategy was unlawful as the UK government failed to properly consult people with disabilities, though this ruling was later overturned on appeal.⁴²⁴

In January 2025, the High Court ruled that the DWP had again acted unlawfully in consultation on changes to disability social security schemes.⁴²⁵ The findings provided an example of where the Gunning Principles were not complied with based on insufficient time and information to give a considered response.

417 Department for Work and Pensions, How DWP involves disabled people when developing or evaluating programmes that affect them: occasional paper 25, 2021, www.gov.uk/government/publications/ssac-occasional-paper-25-how-dwp-involves-disabled-people-when-developing-or-evaluating-programmes-that-affect-them/how-dwp-involves-disabled-people-when-developing-or-evaluating-programmes-that-affect-them-occasional-paper-25

418 R (Eveleigh) v Secretary of State for Work and Pensions, June 2023, EWCA Civ 810, <https://www.judiciary.uk/wp-content/uploads/2023/07/Secretary-of-State-for-Work-and-Pensions-v-Eveleigh-and-others-judgment-110723-1.pdf>

419 Disability Rights UK, 'DWP ordered to disclose key documents about "dehumanising" plans to reform Work Capability Assessment', November 2024, <https://www.disabilityrightsuk.org/news/dwp-ordered-disclose-key-documents-about-“dehumanising”-plans-reform-work-capability-assessment>

420 Equality and Human Rights Commission, Progress on disability rights in the United Kingdom: 2023, August 2023, <https://www.equalityhumanrights.com/our-work/our-human-rights-work/monitoring-and-promoting-un-treaties/crpd/progress-disability-rights?return-url=https%3A%2F%2Fwww.equalityhumanrights.com%2Fsearch%3Fkeys%3Dukim>

421 Disability Unit, A national strategy for disabled people to remove barriers and increase participation, April 2020, accessed April 2025, <https://www.gov.uk/government/news/a-national-strategy-for-disabled-people-to-remove-barriers-and-increase-participation>

422 Department for Work and Pensions, Disability Unit, Equality Hub, National Disability Strategy, 2022, <https://www.gov.uk/government/publications/national-disability-strategy>

423 Disability Rights UK, 'Our Voices – letter to Justin Tomlinson re National Disability Strategy', 2021, <https://www.disabilityrightsuk.org/news/2021/february/our-voices-letter-justin-tomlinson-re-national-disability-strategy>

424 Courts and Tribunals Judiciary, R (Binder & Others) v Secretary of State for Work and Pensions, 28 June 2023, <https://www.judiciary.uk/live-hearings/secretary-of-state-for-work-and-pensions-defendant-appellant-v-binder-and-others-claimants-respondents/>

425 Public Law Project, Clifford V- SSWP Judgement, January 2025, <https://publiclawproject.org.uk/latest/high-court-victory-for-plp-client-over-dwp-consultation-on-disability-benefit-reforms/>

The true or primary motive behind the consultation was to reduce spending on disability benefits, which was not disclosed. The consultation papers had presented the proposals as being about helping people to move into or closer to the labour market, without providing any evidence at all to explain how this purported aim would actually be met.

A consultation that ran for just under eight weeks was too short, given the importance of the proposals and the additional time that deaf and disabled people and their organisations need to engage meaningfully in this context.

Public Law Project⁴²⁶

Amnesty International, along with the Disabled Persons Organisations Forum, has raised concerns that the consultation on the Pathways to Work Green Paper is a violation of the right to participation, as it pre-determines major policy changes

without the opportunity for people impacted to comment. It also fails to provide accessible consultation materials and omits critical impact assessments.⁴²⁷

Devolved authorities

There is, however, evidence that devolved authorities are finding ways to improve social security systems through meaningful involvement of people who have direct experience of claiming. For example, Social Security Scotland incorporates lived experience panels into its policy development and evaluation processes, finding that participatory approaches have a meaningful impact on social security policy, even though improvements are still needed.⁴²⁸

The Poverty Alliance states that involving the lived experience of people living on low incomes in the design of social security policies aimed to impact them is crucial for ensuring equitable, effective systems that reflect real needs. Engaging people with firsthand experience of navigating social security schemes helps to eliminate stigma and fosters an inclusive process of genuine co-design and co-production, ensuring that policies address the lived realities of claimants.⁴²⁹

The Welsh government established the disability rights taskforce in 2021 to improve disability access and equality, though the last update on its activity was published in October 2023.⁴³⁰

426 Public Law Project, 'High Court victory for PLP client over DWP consultation on disability benefit reforms', January 2025, <https://publiclawproject.org.uk/latest/high-court-victory-for-plp-client-over-dwp-consultation-on-disability-benefit-reforms/>

427 Disabled Persons Organisations Forum, 2025, <https://www.disabilityrightsuk.org/news/leading-disability-rights-organisations-demand-answers-secretary-state>

428 Scottish government, *Social Security Experience Panels: legacy report*, 2025, <https://www.gov.scot/publications/social-security-experience-panels-legacy-report/>

429 The Poverty Alliance, *Poverty Alliance submission to the Work and Pensions Committees' inquiry into the cost of living*, June 2022, p10, <https://www.povertyalliance.org/wp-content/uploads/2022/06/Poverty-Alliance-CoL-Evidence-.pdf>

430 Welsh government, Disability Rights Task Force, accessed April 2025, <https://www.gov.wales/disability-rights-taskforce>

6.19 Conclusions on the UK social security system's compliance with CESCR General Comment 19's core principle of accessibility

The UK's social security system faces challenges, particularly regarding accessibility, fairness, and inclusivity.

The digital-by-default application process is a significant barrier, especially for marginalised groups, with limited and inefficient alternative support options.

Health assessments required for claiming certain social security schemes are plagued by the ineffective assessments of eligibility, which leaves the claimants reliant on lengthy appeals, inconsistent criteria, and unclear explanations for denied claims, causing delays and distress for claimants.

The sanctions regime exacerbates financial hardship, particularly for groups facing discrimination and marginalisation, with minor infractions resulting in severe penalties that fail to achieve meaningful employment outcomes.

Marginalised communities, including Black and mixed-ethnicity individuals, are disproportionately impacted by sanctions, further deepening inequalities.

Consultation processes often lack meaningful engagement and transparency, undermining efforts to incorporate lived experiences into policymaking. However, some devolved governments, such as Social Security Scotland, have demonstrated improved inclusivity by involving individuals with direct experience.

It is the view of Amnesty International that the UK social security system **fails to fully comply** with CESCR General Comment No.19, particularly in terms of **reasonable, proportionate, transparent, and equitable** processes.⁴³¹ Meaningful participation, as outlined in international human rights standards, is not consistently realised, and significant reforms are necessary to ensure compliance.

Some positive steps are being taken in devolved governments, but broader systemic changes are essential for improving consultation and policy outcomes across the UK.

431 CESCR, General Comment No. 19: The Right to Social Security (Article 9), UN Doc. E/C.12/GC/19 (2008), para 23-27, <https://digitallibrary.un.org/record/618890>

7. Dignity and humane treatment within the social security system

Dignity is a central concept within the ICESCR as it is within all human rights instruments. The concept that human rights are inherent to human dignity is well established.

According to Article 22 of the Universal Declaration of Human Rights, social security is ‘indispensable’ to the dignity of the individual.

Though there is no definition of dignity within domestic human rights law, the debate on how to incorporate measures or indicators of human dignity has been a central part of discussions about the development of a Human Rights Bill in Scotland and through devolution of responsibilities for social security. In support of that discussion, the EHRC report published in 2016 asserts that it is reasonable to assume that to live a life with dignity a person must be treated with respect. It recommended a statutory charter for social security in Scotland with the protection of dignity and respect at its core.⁴³²

The regulation of dignity and respect within systems and structures of government is further developed in other areas such as in the health and social care system where the Care Quality Commission regulates treatment of dignity and respect.⁴³³

- ‘10(1) Service users must be treated with dignity and respect.’

Guidance goes on to further define this including:

- When people receive care and treatment, all staff must treat them with dignity and respect at all times. This includes staff treating them in a caring and compassionate way.

All communication with people using services must be respectful. This includes using or facilitating the most suitable means of communication and respecting a person’s right to engage or not to engage in communication. Staff must respect people’s personal preferences, lifestyle and care choices.

The UK government’s does not appear to apply the same approach to defining and measuring standards within the social security systems, lacking the rigor of formal regulations and dedicated oversight bodies found in other areas. Although the DWP does have a light touch ‘customer charter’ which states that staff will ‘be helpful, polite, and treat you fairly and with respect’.⁴³⁴

The DWP publishes customer experience data based on a survey with claimants. In the 2023-24 report, overall customer satisfaction with DWP services was 85 per cent. There

432 Equality and Human rights Commission, Social security systems based on dignity and respect, August 2017, <https://www.equalityhumanrights.com/our-work/our-work-scotland/social-security-systems-based-dignity-and-respect>

433 UK parliament, Health and Social Care Act 2008 (Regulated Activities) Regulations 2014: Regulation 10.

434 Department for Work and Pensions, Our customer charter, accessed 18.01.25, <https://www.gov.uk/government/publications/our-customer-charter/our-customer-charter>

were 22,733 complaints handled by DWP in the financial year from 1 April 2023.^{435, 436} The Independent Case Examiner received 5808 complaints in 2023-24, of which 1856 were accepted of which 50.7 per cent were upheld.⁴³⁷

In the financial year 2023-2024, the Parliamentary and Health Service Ombudsman received 840 complaints about the DWP, which was the highest number of complaints against any government department.⁴³⁸

A report published by Citizens Advice in 2025 states the data from their advice cases and conversations with claimants highlighted that claimants are aware of the barriers to positive relationships between staff and claimants that are designed into the system, which adds pressure to job coaches, including the high level of expectation to meet people's needs within short periods. However, they shared experiences where the discretionary actions of job coaches, the use of threats and the environment in the jobcentre are sometimes distressing and undermine their trust.⁴³⁹

We asked advisors the extent to which they agree that the social security system maintains claimant dignity equally. Of the 112 advisors who responded, 73 per cent disagreed. Of the 407 claimants who were asked to rate the extent to which they feel the system treats them with dignity and respect, 55 per cent of claimants rated this at five or below out of 10 (where 10 is totally).

Through our qualitative conversation with social security scheme claimants, there was a significant trend in experiences of lack of compassion and respect across all forms and stages of engagement with DWP staff.

‘Problem is that the jobcentre or the DWP feel that they have the power to cut everything from you, so they don’t treat you with dignity.’

Claimant

‘Not everybody, but there’s an attitude that can develop within workers in these places... It’s a poor attitude and they don’t have the understanding that you’re then left and you’re very vulnerable. You felt, you know, you don’t have any money.’

Claimant

435 Department for Work and Pensions, DWP Customer Experience Survey: Benefit Customers 2023 to 2024, August 2024, <https://assets.publishing.service.gov.uk/media/66c32083d10184fe9b13e372/benefits-annual-report-2023-2024.pdf>

436 Department for Work and Pensions, Complaints about DWP: financial year 2023 to 2024, April 2024, <https://www.gov.uk/government/publications/complaints-about-dwp-financial-year-2023-to-2024/complaints-about-dwp-financial-year-2023-to-2024>

437 Independent Case Examiner, Annual Report 1 April 2023-31 March 2024, <https://assets.publishing.service.gov.uk/media/6769721bcd5e64b69e30a09/ice-dwp-annual-report-apr-2023-mar-2024.pdf>

438 Parliamentary and Health Service Ombudsman, Annual data on complaints made to the Parliamentary and Health Service Ombudsman, 2023 to 2024, July 2024, <https://www.ombudsman.org.uk/publications/annual-data-complaints-made-parliamentary-and-health-service-ombudsman-2023-2024>

439 Jagna Olejniczak and Kate Harrison, Citizens Advice, *Found anything yet? Exploring the relationship between Universal Credit claimants and their work coaches*, January 2025, https://assets.ctfassets.net/mfz4nbgura3g/5BsJ7M44r5Hpr0ek9VL8Jm/2dcc99f09dd00ff4300ce43b47da0d9f/Found_anything_yet_Exploring_the_relationship_between_Universal_Credit_claimants_and_their_work_coaches.pdf

‘I couldn’t get in and out of jobcentres quick enough. Some of the people working there, just how can I put this? Typical civil servants are going to put their day in. They couldn’t care less. Again, civil servants, they, you know. I think a lot of them think you know that there’s a pot of gold and they just give you this paycheck at the end of the month.’

Claimant

‘They speak to you like crap for a start. So then somebody like me that has like mental health conditions, quite serious, they’ll speak down to me. Which isn’t good because it makes me not want to talk to them and I just don’t want the money, I just want to leave. I shake and I stutter and everything.’

Claimant

One example of this is the rules that some DWP offices exert over their premises. In one case, a mother reported she was told to leave her four children outside on the street as they were not allowed into the building and when the claimant stood her ground the staff complained that they were not silent and still. We have heard of people being denied water, denied access to toilet facilities and refused aid when suffering a medical emergency.

‘You’re not allowed in that building until at least five minutes before your appointment, but if you’re one minute late, you’ll have a row. But if you’re, you know, five minutes early, you just wait. You go stand outside and wait. It’s terrible. Even if it’s raining. They don’t care. It is shocking.’

Claimant

‘I was on water retention tablets. They would never let me use the toilet and I was on water medications. I said I’m going to wet myself. They said I can’t. And they were like, “Oh, we don’t believe you”. Luckily one of the women at the jobcentre knew because she’d seen me before. She said I could go but they made me walk to the nearest Tesco, even though I had proof.’

Claimant

‘It was kind of difficult. One thing I do recall is I had to ask for her office chair because I put down that I had scoliosis and that I would need a chair, but that wasn’t accommodated for, and it was like three hours and after an hour my back was just hurting so much.’

Claimant

There is a power imbalance between job coaches and claimants which allows a shift towards a donor, recipient model of service provision. Some people described it as a paternalistic model which infantilises them and leaves them fearful of repercussions if they speak out. In other cases, the lack of compassion and empathy is actively harmful leaving people feeling vulnerable exposed and retraumatised.

'There have been some lovely people at the jobcentre, specifically the ones that have been in my position before and are really fighting to help me out and be empathetic. Unfortunately, there have been others that have made inappropriate comments that made me feel ashamed – one work coach, after I had been signed off job hunting for a month by the doctor for mental health reasons, said “I don't want to see you back here in a few months because you've been signed off again” as if I had chosen to be sick. It made me feel ashamed when I still hadn't found a job in a few months time even though I had been trying my best. He also made comments that I'm not the “usual type” he sees as I have a degree and have worked in marketing careers before and I feel a bit out of place, like there's something wrong with me for not being able to get a new job when I have good experience. I think there's a culture of disdain and classism at the DWP that has made me feel embarrassed to go to the jobcentre at times. The work coaches that are on your side seem to be putting themselves on the line by looking out for your wellbeing.'

Claimant

'I've stabbed myself and cut my wrists and took tablets to kill myself and the assessment person was like, “Have you not got no recent marks on you, like no recent injuries where you've self-harmed? Why isn't their more fresh marks? Why haven't you succeeded?” and stuff like that. And because I was in a really bad domestic violent relationship. I had to show her my scars in the room like this, in an office like this. Can I? Can I see? And I showed her, and she was like, “So have you not got any fresh ones? They look old”.'

Claimant

'I think because they feel like they're helping you, they feel like they can just treat you whichever way they want. So... if you want help off the benefits you've got to take it on the chin, whichever way they treat you, while you get the help. There's nothing you can really say to us, your money gets stopped or... You know what I mean? It's a nightmare.'

Claimant

'She did that to me (looked up and down) I'm assuming because of my weight, and she just had her attitude when I sat down. And she said, “I'm not dealing with you” and security come over saying, “Oh, great.”'

Claimant

People told us that the psychological impact of the threat of sanctions or withdrawal of payments is carried with them in their day-to-day activity leaving them feeling vulnerable. They told us it influences the choices they make in their lives, if they choose to exercise or not, how they spend their money, as they feel they are being constantly watched and made to justify their choices.

'They're sitting you in that room on purpose and they're watching you. So, if you sit there, right, where they've got other people in and all that. That's like you. You can't say that you can't sit in crowded places, or you haven't got mental health anxiety. You know, they do that on purpose to each person, you know.'

Claimant

‘I think the system needs entirely overhauled and the Scottish system, in my opinion, hasn’t been overhauled enough. And they’re still using the same basic guidelines as PIP, so they haven’t changed it enough to be able to actually make the difference that they were professing to want to make.’

Claimant

‘It wasn’t until I tried again with the new Scottish social security one that I managed to claw my way through and that was with the help Social Security Scotland because they know how to tick the boxes and they want people to get those benefits because they know the DWP system is an awful system, but they’ve not got any other system to work by so they’re having to, I think, work loops round it.’

Claimant

Staff wellbeing

Amnesty International understand that failures in the social security system to be fully human rights compliant also have wellbeing impacts on the employees of the DWP and Jobcentre Plus and other public services as they are on the front line of delivery. In 2024, the Public Services and Commercial Union raised concerns based on the testimony of a sample of DWP employees that suggested that they were under undue pressure of workload, understaffing and the emotional toll of seeing claimants in hardship.⁴⁴⁰ The DWP has some of the highest sickness rates in the civil service with an average of 8.9 days lost per year.⁴⁴¹

The DWP committed to a programme of reform which includes embedding trauma informed practice into the systems to identify and acknowledge how past trauma might change the appropriate means of engagement with claimants. This is laudable and to be welcomed but not enough to address the additional trauma precipitated by the system.⁴⁴² To do that requires lock, stock and barrel reform away from a threatening and punitive system that assumes guilt and ill intent towards a wellbeing first model.

7.1 Conclusion on dignity and respect

The evidence suggests there is a **fundamental gap in the way dignity and respect are integrated into the UK’s social security system**, particularly in contrast to other government-regulated sectors like health and social care. The principles of dignity and respect are enshrined in international human rights frameworks.

These same principles are intended to be central to Scotland’s approach to delivering devolved social security. It is clear however that the systemic shortcomings within the Department for Work and Pensions (DWP) are stark. From the lack of a clear framework for regulating dignity, to reports of hostility and judgment, it is Amnesty International’s view that the social security system falls short of its obligation to treat claimants with humanity and compassion. This imbalance of power not only retraumatizes vulnerable individuals but fosters distrust and fear, perpetuating harm.

440 Public and Commercial Services Union, ‘Staffing Crisis in the DWP’, 2024, https://mypcs.my.salesforce.com/sfc/p/#1t000000oksc/a/SI000001RxI0/bhm_vag0ggsL0cvkItbfXZEbpNh7dQ7cNxqPBj.vOA8

441 Cabinet Office, Civil Service sickness absence, 2024: report, January 2025, <https://www.gov.uk/government/publications/civil-service-sickness-absence-2024/civil-service-sickness-absence-2024-report#by-organisation>

442 Department for Work and Pensions, *Additional support for DWP Customers* booklet, 2024, <https://www.gov.uk/government/publications/additional-support-for-dwp-customers-booklet/additional-support-for-dwp-customers-booklet>

Reform is urgently needed to establish robust independent accountability mechanisms, deliver adequate staff training, and shift the system's culture toward one that truly upholds the dignity and respect of all individuals. Without such changes, the rights and wellbeing of claimants and DWP staff alike will remain compromised.

7.2 Claimant calls for change

When we carried out our research, we asked claimants what they would like to see changed in the social security system. Below is a summary of the trends of the things they asked for with illustrative quotes.

• Adequacy of social security

What would you change?

'Benefit payments to go up online with everyday costs around us like food, bills, rent, etc.'

Claimant

Claimants have highlighted the pressing need for adequate financial support. This includes not just ensuring that social security payments are sufficient to meet basic living costs but that the structure of the social security system allows for people to thrive, not just survive. Specifically, they suggested changes to the following:

- **Eliminate the five-week wait loan:** This loan creates an additional burden on claimants by requiring repayment, which exacerbates financial stress in an already challenging time. Streamlining payment processes and providing immediate access to support would alleviate this issue.
- **Sufficient support:** Social security levels need to be reconnected to account for the rising cost of living, ensuring that recipients can afford food, housing, utilities, and other essentials.
- **Reversal of the two-child limit and benefit cap:** These policies limit the financial support available to large families and should be reconsidered to reflect the realities of family structures.

• Accessibility and decision-making

What would you change?

'Cancel sanctions. Stop blackmailing people with threats of starving and going cold.'

Claimant

Claimants felt change is needed to improve accessibility of the social security system and the exercise of discretion by work coaches play a crucial role in claimant satisfaction. The following actions were suggested:

- **Lifelong disability social security schemes:** Many claimants with permanent disabilities would benefit from a streamlined approach where disability social security schemes are awarded once and do not require periodic reassessments.
- **Empowering work coaches:** Work coaches should be granted greater flexibility to tailor support to individual claimant circumstances while maintaining appropriate safeguards to ensure consistent and fair treatment.
- **Stop punitive sanctions:** Sanctions often serve as a punishment for mistakes, sometimes due to circumstances beyond the claimant's control. A shift towards understanding and empathy in these situations would benefit both claimants and the system at large.

• Dignity, respect, and culture shift

What would you change?

‘For them to be a little more “human”. We’ve never lied or tried to fiddle the benefit system, but sometimes you feel like a criminal. If they don’t believe my partner’s various disabilities, to contact his GP.

Claimant

‘Centering the benefits system around human rights would be wonderful. But it requires both a massive culture change in government and departments (DWP, social services, NHS [and so on]) as well as a change in the media discourse.’

Claimant

Claimants placed particular emphasis on the need for claimants to feel respect and compassion throughout their interactions with the system, essential to improving their experience. They suggested the following:

- **Statement of values:** The implementation of a core set of values focused on community, respect, and compassion could reshape the overall approach to social security administration and how performance would be measured.
- **Compassionate communication:** Acknowledging the challenges claimants face and ensuring that interactions are rooted in empathy can help to reduce feelings of alienation and judgment.
- **Work coach workload restructuring:** Reducing caseloads by having more staff, allowing longer appointments, and fostering consistency in claimant-caseworker relationships would ensure that claimants are treated as individuals rather than just cases.
- **Reducing stigma:** Language that perpetuates stigma must be eliminated from the way government talks about social security. This includes terms like ‘undeserving poor’ and ‘scroungers’ that contribute to societal divides.
- **Empathy in interactions:** Claimants need to feel supported and understood, particularly when experiencing personal crises. Encouraging staff to demonstrate empathy can have a profound impact on individuals’ mental well-being.

• Improvements to the application process

What would you change?

‘Speed the process up – spending months in even deeper poverty while the appeals process does nothing is especially harmful to those of us with severe disabilities.’

Claimant

Claimants felt that streamlining and simplifying the application process can significantly reduce the stress and confusion associated with navigating the welfare system:

- **Private and accessible interview environments:** Providing private spaces and friendly environments for interviews ensures that claimants can openly share their circumstances without fear of judgment or embarrassment.
- **Qualified assessors:** The quality of disability assessments can be improved by ensuring that assessors are qualified professionals who communicate effectively with healthcare providers to verify claims.
- **Increased staffing:** Addressing staffing shortages in call centers would reduce wait times, allowing claimants to receive timely assistance and guidance.

- **Simplification of application forms:** Reducing unnecessary repetition in application forms and ensuring they are clear and easy to understand would help claimants complete the process more efficiently. They should make sure they are meeting people's communication needs.
- **Independent review of decisions:** Establishing independent bodies to review key decisions before they are applied could ensure fairness and transparency in the system.
- **Timeliness of decisions and appeals:** The appeals process should be streamlined to ensure faster and more accessible resolution for claimants, especially those in vulnerable situations.

• Support for vulnerable people

What would you change?

'A tailored approach to those affected by domestic abuse, rooted in lived experience of survivors.'

Claimant

Claimants pointed out that people, such as individuals with mental health issues or those with disabilities, often face heightened challenges when navigating the social security system. They suggested improvements in the following areas could significantly enhance their experience:

- **Information, advice and advocacy:** To help people get what they are entitled to and find their way around the system.
- **Enhanced support for mental health:** Training staff to better understand mental health issues and the impact of social security decisions on mental well-being is essential. Offering additional support and flexibility for individuals experiencing mental health crises would mitigate stress and improve outcomes.

• Financial and employment barriers

What would you change?

'Because of carer's allowance, I can't work full time and sometimes cannot work three days as my daughter has numerous appointments. I get penalised by carer's allowance if I work too much but I also get penalised by universal credit for earning carer's allowance in the first place.'

Claimant

Claimants said the social security system should not act as a barrier to employment or financial stability and suggested the following for claimants to regain autonomy:

- **Benefit trap:** Make sure work does not leave claimants financially worse off. Current social security structures are difficult to navigate for people with part-time or low-wage jobs, thereby discouraging employment and perpetuating poverty.

• Holistic system reform

What would you change?

'Give everyone a book with all the legislation and rules so everyone is on the same page because the misinformation given from workers is incredibly high.'

Claimant

Claimants think comprehensive systemic reform is required to address the root causes of inequality. Their suggestions include:

- **Restructuring the entire welfare framework:** Shifting from a punitive, bureaucratic model to a more humane, compassionate one that genuinely seeks to lift people out of poverty.
- **Reducing reliance on digital-only services:** A large portion of the population still struggles with digital access, and people want options to overcome this.
- **Raising public awareness:** Claimants should not feel isolated or stigmatised. Educating the public about the values of Social Security as a human right and an insurance scheme we all need can foster greater understanding and support for change.

8. The domino effect of the social security system on other rights

Social security is the bedrock of economic and social rights; a pivotal right, acting as the foundation upon which multiple other rights such as health, food, housing, education, and family protection are realised. The inability to access adequate social security provisions triggers a domino effect, undermining human dignity and violating other fundamental rights.

Poverty, arising from inadequate social security, forces individuals to make impossible choices between essential needs, affecting their health, housing, and capacity to educate their children. Cascading failures entrench cycles of poverty and exclusion.

The right to social security plays an important role in supporting the realisation of many of the rights in the Covenant, but other measures are necessary to complement the right to social security.

General Comment No. 19 of the Committee on Economic, Social and Cultural Rights (CESCR)⁴⁴³

The CESCR has stated that inadequacies in social security schemes precipitate broad violations of various interdependent rights, including the right to food, housing and health.⁴⁴⁴ The persistent failure to address these inadequacies perpetuates cycles of deprivation and exclusion.

Research by the Institute for Fiscal Studies highlights that, even during economic recovery, those at the lower end of the income spectrum remain unable to improve their living conditions due to systemic inadequacies in social security provision.⁴⁴⁵

Claimants experience these clusters of rights violations triggered by social security. For example, of the 87 claimants who experienced the knock-on effect of deductions and sanctions on their human rights:

- 75% experienced worsening mental health
- 47% reported worsened physical health
- 55% bought less food
- 36% went without food
- 22% were unable to pay their rent
- 43% were unable to heat their homes.

The UK's lack of compliance with its social security obligations triggers a **domino effect**, leading to violations of other connected economic, social, and cultural rights. While this report highlights examples of these impacts throughout, it is useful to illustrate this domino effect through a variety of lens:

443 CESCR, General Comment No. 19: The Right to Social Security (Article 9), UN Doc. E/C.12/GC/19 (2008), para 9, <https://digitallibrary.un.org/record/618890>

444 CESCR, General Comment No. 19: The Right to Social Security (Article 9), UN Doc. E/C.12/GC/19 (2008), para 8, 28, <https://digitallibrary.un.org/record/618890>

445 Jonathan Cribb, Anna Henry, Heidi Karjalainen, Sam Ray-Chaudhuri, Tom Waters, Thomas Wernham, *Living Standards, Poverty and Inequality in the UK: 2024*, Institute for Fiscal Studies, July 2024, p5, <https://ifs.org.uk/sites/default/files/2024-07/Living-standards-poverty-and-inequality-in-the-UK-2024-IFS-Report-R329.pdf>

- a. **Impact on related rights** We outline examples of policies that have directly caused violations of the right to social security and related rights essential to human dignity. These examples provided are not exhaustive but demonstrate the broader consequences of social security policies.
- b. **Disproportionate impact on communities** The domino effect impacts all claimants but those who are from marginalised communities experience a disproportionate impact. We outline examples of this in collaboration with respected partners.

We then examine the safeguards that states are expected to implement to prevent this **domino effect** of rights violations caused by policy and legislation. This analysis considers both the broader UK parliamentary processes and the specific mechanisms within the social security system. Finally, we present a case study of a social security policy change, illustrating how a selective approach to human rights leads to failures that exacerbate poverty and inequality.

8.1 The right to an adequate standard of living including food and housing

Claimant case study

A trained professional, out of work but still volunteering in the community, was forced to use candles to allow her children to do their homework, but now they just use day time hours. The children have to wear dirty clothes, and any washing of clothes is done with washing up liquid or body wash. She walks everywhere rather than use public transport.

Social security schemes are ostensibly intended to guarantee an adequate standard of living, empowering individuals to secure necessities such as food, housing, and essential utilities. However, significant barriers to accessibility leave many individuals and families bereft of this human right, consequently threatening their ability to live with dignity.

In July 2024, the Institute for Fiscal Studies indicated that incomes for the most economically vulnerable have stagnated or even declined as temporary pandemic-related support was withdrawn, underscoring the inability of the social security system to meet basic living needs.⁴⁴⁶

8.2 The right to food

Claimant case study

A participant was accused of having £4,000 undisclosed funds in her account and had her benefits sanctioned. It took four months to resolve the issue, during which time she was forced to use food banks and street kitchens, as well as accruing substantial arrears with her bills and rent. She spent her time in libraries to keep warm. The mistake was on the part of the DWP. She received no apology.

446 Ibid, p4.

There is a direct link between social security and the right to food. The use of food banks has become almost a staple for some people experiencing the inadequacy of social security schemes and even with this in place they still report missing meals. The Trussell Trust and their networks provided 3.1 million food parcels to people in 2024, the most parcels ever distributed in a year.⁴⁴⁷ Rather than stepping in to ensure no one is hungry or malnourished (eg by increasing social security payment levels), the government has largely left the provision of support to civil society organisations who are dependent on the public for donations. This places access to the right to food at risk as the public cope with the rising costs which limits their ability to donate. In 2024, the Independent Food Aid Network reported that nearly 80 per cent of food bank services had seen a significant drop in food donations.⁴⁴⁸

In 2025, the CESCR outlined that the UK continues to have significant barriers to access to food,

‘including increasing food insecurity, malnutrition, poverty and limited access to affordable and nutritious food, which disproportionately affect low-income households, in particular families with children’.⁴⁴⁹

The Scottish government published *Cash-First: Towards Ending the Need for Food Banks in Scotland* strategy in June 2023, outlining a human rights-based approach to tackling food insecurity, aiming to reduce the need for emergency food.⁴⁵⁰

Many claimants told us that they are reliant on food banks as an essential lifeline to make ends meet, especially since the cost of food has gone up so much.

‘We used to get about six to seven shopping bags for £50. Now two shopping bags for £45, it is less.’

Claimant

‘It was a stressful time, but then you know, thankful for the food banks that again by word of mouth, [my] friend told me about it. And I remember the first day I went in, I was trying to hide going in.’

Claimant

Some claimants told us that the food available from food banks didn’t always meet their dietary or cultural needs and as a result they were unable to access adequate food. Some people told us that even with the support of food banks, they still couldn’t access enough food.

‘We had to cut back food wise. I couldn’t even go to the food bank because I can’t have the food from the food bank.’

Claimant

447 Trussell Trust, Latest Stats, 2024, accessed April 2025, <https://www.trussell.org.uk/news-and-research/latest-stats>

448 Independent Food Aid Network, IFAN survey, August 2024, https://www.foodaidnetwork.org.uk/files/ugd/95a515_8bf00bfefae34840bf0c73e9a3d5b326.pdf

449 UNCESCR, Concluding observations on the seventh periodic report of the United Kingdom of Great Britain and Northern Ireland (March 2025), para 48, https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=E%2FC.12%2FGBR%2FCO%2F7&Lang=en

450 Scottish government, Cash-First - towards ending the need for food banks in Scotland: plan, June 2023, <https://www.gov.scot/publications/cash-first-towards-ending-need-food-banks-scotland/>

‘A food bank is once a week. There’s two people in my household. Doesn’t cover two people. So, you’re constantly going without food.’

Claimant

Research by the Food, Farming and Countryside Commission estimates that the UK’s food-related costs of chronic disease including healthcare, social care and welfare support, amount to £91.9 billion annually, and £176.4 billion annually for reduced productivity, life expectancy and overall quality of life. By contrast, it concludes that the incremental cost of providing a healthy diet for everyone would be £57.1 billion.⁴⁵¹

8.3 The right to adequate housing

Claimant case study

An autistic participant was unable to produce the proof that was requested to continue the payments for her housing. She was already in arrears after dealing with a bereavement and is facing a choice between paying £500 a month or losing her home. She did not have the skills to submit the evidence digitally and could not get a support worker appointment within the deadline. Her claim has been closed, and she must reapply, increasing her debt. As a result, she cannot access vets help for her pet or buy her child presents for Christmas, and has to choose between food, heat or rent.

In 2025, the CESCR raised concerns about evidence on limitations to access to the right to housing. It stated their concerns are:

Compounded by inadequate housing benefits, rising rental costs, and inadequate property taxes. It is particularly concerned that these issues have pushed many into precarious living conditions or homelessness, with surging numbers of individuals, particularly single mothers with children living in substandard conditions or inadequate temporary accommodation for extended periods.⁴⁵²

Under the Homelessness Reduction Act 2017, the Department for Work and Pensions (DWP) has a duty to refer anyone they suspect might be homeless or at risk of homelessness in England to the local authority for assistance.

Despite the widespread reporting by claimants of the impact of sanctions, withdrawal or deductions on their housing security, Jobcentre Plus only made 2,580 referrals of households to local authorities in the year 2023-24.⁴⁵³

Of the 146,430 households assessed as being owed a prevention duty, 9,960 households were in this situation due to rent arrears, changes to social security payments or difficulty budgeting. This highlights that many claimants are falling through the gaps.

451 Professor Tim Jackson, *The False Economy of Big Food and the case for a new food economy*, Food, Farming and Countryside Commission, 2024, <https://fcc.co.uk/publications/the-false-economy-of-big-food>

452 UNCESCR, Concluding observations on the seventh periodic report of the United Kingdom of Great Britain and Northern Ireland (March 2025), para 46, https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=E%2FC.12%2FGBR%2FCO%2F7&Lang=en

453 UK government, Statistical data sets: Tables on homelessness, February 2024, accessed April 2025, <https://www.gov.uk/government/statistical-data-sets/live-tables-on-homelessness>

Housing insecurity can increase risk of, and result in, homelessness. It can also harm people's physical and mental health, employment prospects and ability to build social bonds with members of their community.

In Scotland, the Scottish Housing Bill proposes a new homelessness prevention duty for various public bodies, but the current draft does not specifically include Social Security Scotland.⁴⁵⁴

When something happens with their social security payments like suspension, deductions or sanctions, claimants told us it impacts their access to the right to housing. For example, the inadequacy of housing through fuel poverty and inability to adequately heat the house or in the accruals of rent arrears and eventual eviction into homelessness.

'I also built-up rent arrears, bill debts and less money each month to be able to survive off because I had it taken directly from my pittance of a universal credit payment each month to repay the borrowed sum back.'

Claimant

'In order to try to stop my house from being taken, they want me to pay nearly £600 a month in rent and I don't have enough money to pay that amount out in rent.'

Claimant

'They sanctioned me so many times that I ended up losing my home, and me and my four children got put out of our house on the street because my housing benefit got stopped.'

Claimant

8.4 The right to health

Claimant case study

A participant who is functionally blind and with a heart condition was denied PIP after a telephone interview, despite medical evidence. As a result, she is cutting back on food and cannot heat her home, which increases the risk of her heart condition.

The right to the highest attainable standard of health is intrinsically linked to an adequate standard of living, and thus, the accessibility of social security schemes. Economic instability, exacerbated by the deficiencies in the social security system, translates directly into impediments to accessing healthcare, nutritious food, and safe housing conditions.

The NHS continues to fail to deliver against its own standards for timely diagnosis and treatment of health needs. For example, in December 2024, there were more than 1.5 million people waiting for a diagnostic test and of those almost 23 per cent of them had been waiting for more than six weeks (as opposed to the target of 1 per

⁴⁵⁴ Scottish parliament, Housing (Scotland) Bill, <https://www.parliament.scot/bills-and-laws/bills/s6/housing-scotland-bill-session-6>

cent).⁴⁵⁵ The British Medical Association report that there were 6.2 million people on the waiting list for treatment and of these more than three million have been waiting for more than 18 weeks.⁴⁵⁶

In 2025, the CESCRC concluded that the access to adequate healthcare and treatment was unacceptably limited:

‘by inadequate funding for the health sector, long waiting times, shortages in medical staff and equipment, and barriers to access health care for the most disadvantaged and those living in remote areas’.

A report by Gingerbread reveals the deleterious health impacts that arise from financial insecurity, with many single-parent households reporting an inability to afford nutritious food and adequate healthcare, which culminates in poorer health outcomes.⁴⁵⁷ Furthermore, the inadequacy of social security exacerbates health disparities, with economic inequality emerging as a critical social determinant of health.

The DWP has recognised the interconnection with health and social security, setting up the DWP and Department of Health and Social Care co-sponsored work and health unit⁴⁵⁸ and piloting colocation of services.⁴⁵⁹ Claimants shared their experiences of unmet health needs due to the unavailability of healthcare and treatment and feeling like this isn’t adequately acknowledged not by the social security system.

In 2025, DWP research found that 41 per cent of people claiming health or disability social security payment were on an NHS waiting list, and half of those out of work believed their ability to work depended on receiving treatment.⁴⁶⁰

‘Do, you know, I’m on this endless waiting list. It just probably won’t even happen in my lifetime. I’ve kind of got to that point, you know, my health needs are getting more and more, and my health is getting worse. Last week I couldn’t even walk around the house because my hip started to go.’

Claimant

Claimants shared the impact of the current social security system on their physical and mental health, and the result of this on an already overwhelmed health service.

‘We’re deeper and deeper in poverty. It’s affecting our mental health. It’s affecting our physical health and it’s putting strain on the NHS and other resources.’

Claimant

455 NHS England, *Diagnostic Waiting Times and Activity Data*, December 2024, https://www.england.nhs.uk/statistics/wp-content/uploads/sites/2/2025/02/DWTA-December-2024-Report_WBJ074.pdf

456 British Medical Association, ‘NHS backlog data analysis’, March 2025, <https://www.bma.org.uk/advice-and-support/nhs-delivery-and-workforce/pressures/nhs-backlog-data-analysis>

457 Gingerbread, ‘*They Are Sanctioning the Children: The Impact of a punitive Universal Credit regime on single parent families in the UK*’, 2024, p19-21, <https://www.gingerbread.org.uk/wp-content/uploads/2025/03/Gingerbread-Sanctions-Report-2024.pdf>

458 UK government, Work and Health Unit, accessed 18.01.25, <https://www.gov.uk/government/groups/work-and-health-unit>

459 Woodhead C, Khondoker M, Lomas R, Raine R, *Impact of co-located welfare advice in healthcare settings: prospective quasi-experimental controlled study*, Br J Psychiatry, 2017, <https://pmc.ncbi.nlm.nih.gov/articles/PMC5709676/>

460 Department for Work and Pensions, *Work aspirations and support needs of health and disability customers: Interim findings*, February 2025, p3, <https://www.gov.uk/government/publications/work-aspirations-and-support-needs-of-health-and-disability-customers>

Claimants gave us examples of inadequate social security leading to longer term health issues for their families, linked to limited food and housing conditions.

‘Yes, they don’t get enough food or nutrition [or] vitamins. This is going to affect them... it’s not enough vitamins and minerals for the body, your children.’

Claimant

‘My daughter struggles with heart issues. She faints regularly. She developed an eating disorder because she felt guilty to eat because she could see me struggling. So, she lost a massive amount of weight.’

Claimant

In 2020, the National Audit Office reported that the DWP had identified suicides of claimants, with internal process reviews commissioned for 69 such cases since 2014-15. The failure to provide timely and adequate social security support has, in many instances, been linked to extreme stress, deteriorating mental health, and in tragic cases, even the loss of life by suicide.

The DWP’s lack of centralised data on these incidents, alongside inconsistent and insufficient internal investigations, suggests a failure to effectively learn from these incidents to prevent further harm.⁴⁶¹ This highlights a severe shortcoming in fulfilling the obligation to ensure that social security contributes to safeguarding the mental health and well-being of all claimants.⁴⁶²

‘I was hospitalised by the suicide attempt I made during the several months of abject poverty the sanctioning caused while waiting on an abusive appeal process.’

Claimant

According to the Institute for Fiscal Studies, the number of working-age people getting health-related social security schemes in England and Wales has increased from 2.8 million in 2019-20 to 3.9 million in 2023-24.⁴⁶³ The public body Office for Budget Responsibility estimates that disability social security spending will grow from £39.1 billion in Great Britain in 2023-24 to £58.1 billion in 2028-29, representing about 4 per cent of total spending and 2 per cent of GDP.⁴⁶⁴ These trends evince the interdependence between social security and access to work and health outcomes.

In his 2019 report, Philip Alston, the then UN special rapporteur on extreme poverty and human rights highlighted that the imposition of austerity measures since 2010 significantly eroded the social safety net, resulting in an alarming increase in homelessness, restricted access to healthcare, and a decline in life expectancy

461 National Audit Office, *Information held by the Department for Work and Pensions on deaths by suicide of benefit claimants*, 2020, <https://www.nao.org.uk/wp-content/uploads/2020/02/Information-held-by-the-DWP-on-deaths-by-suicide-of-benefit-claimants.pdf>

462 Child Poverty Action Group, *Making Adjustments? The experiences of universal credit claimants with mental health problems*, 2022, <https://cpag.org.uk/news/making-adjustments-experiences-universal-credit-claimants-mental-health-problems>

463 Eduin Latimer, Freddie Pflanz and Tom Waters, *Health-related benefit claims post-pandemic: UK trends and global context*, Institute for Fiscal Studies, 2024, <https://ifs.org.uk/publications/health-related-benefit-claims-post-pandemic-uk-trends-and-global-context>

464 Office for Budget Responsibility, *Welfare spending: disability benefits*, 2024, <https://obr.uk/forecasts-in-depth/tax-by-tax-spend-by-spend/welfare-spending-disability-benefits/>

for marginalised groups.⁴⁶⁵ This regression serves as a powerful testament to the interdependence between social security and health rights, highlighting the need for robust social security policies to safeguard basic health standards.

A significant exacerbating factor within the current social security regime is the punitive nature of sanctions, which profoundly exacerbates health inequalities. A Gingerbread report suggests that single parents – most of them women – are disproportionately affected by sanctions, resulting in reductions or outright cessation of social security payments, which heightens stress and economic instability.⁴⁶⁶ Rather than providing support, the system’s punitive measures further entrench economic vulnerability and undermine psychological well-being, thereby demonstrating how the erosion of economic rights directly translates into compromised health outcomes.

8.5 The right to education

Claimant case study

Participant in Wales was denied PIP while a student because her flat mates could care for her if she had a medical issue. This meant she did not have funds to travel to school placements and had to get up very early to use public transport. This exacerbated her condition, and she developed anxiety and depression. It impacted on her education and her relationships with others, and she lost her job.

The right to education represents a critical mechanism for disrupting cycles of poverty and advancing human dignity. Nevertheless, the inadequacies of social security schemes severely restrict educational opportunities for children in low-income households, hindering social mobility. The financial constraints arising from inadequate social security can prevent many children from accessing even basic educational resources, such as uniform, clothing, school supplies, and the ability to participate in extracurricular activities, which are essential components of a holistic education that facilitate academic success and social integration.⁴⁶⁷ The European Committee of Social Rights has remarked that inadequate social security is a significant barrier to the right to education, reinforcing social inequalities rather than addressing them.⁴⁶⁸ Some schools or local authorities have taken part in initiatives such as ‘Poverty proofing the school day’ and to manage the barrier of the ‘Cost of the school day’.⁴⁶⁹

Claimants told us that their children face stigma from their peers and miss out on extracurricular activities that come with a cost. They told us that the inadequacy of

465 UNHRC, Visit to the United Kingdom of Great Britain and Northern Ireland Report of the Special Rapporteur on extreme poverty and human rights UN Doc A/HRC/41/39/Add.1 (2019), para 23, 47, <https://digitallibrary.un.org/record/3806308?v=pdf>

466 Gingerbread, ‘*They Are Sanctioning the Children: The Impact of a punitive Universal Credit regime on single parent families in the UK*’, 2024, p19-21, <https://www.gingerbread.org.uk/wp-content/uploads/2025/03/Gingerbread-Sanctions-Report-2024.pdf>

467 Kate Schmeucker and Morgan Bestwick, Joseph Rowntree Foundation, 2024, The impact of hardship on primary schools and primary and community healthcare, p9-27, <https://www.jrf.org.uk/deep-poverty-and-destitution/the-impact-of-hardship-on-primary-schools-and-primary-healthcare>

468 European Committee of Social Rights Conclusions XXII- 2 (2021), United Kingdom, March 2022, <https://rm.coe.int/conclusions-xxii-2-2021-united-kingdom-en/1680a5da33>

469 Child Poverty Action Group, Cost of the School Day, accessed March 2025, <https://cpag.org.uk/what-we-do/project-work/cost-school-day>

social security levels impacts the extent to which children can do their homework with reliance on ability to pay for light and internet.

‘With benefits, there’s no chance... I can’t even afford water where I have to pay a lot out for electric and gas and internet for some homework and there’s loads of other bills and it just keeps going on and on and on.’

Claimant

‘I can’t afford for them to go and do after-school activities at the school like learn Spanish, learn French, then primary school they charge.’

Claimant

8.6 The right to protection and assistance to the family

Claimant case study

A female participant was forced to break a court injunction against her violent ex-partner to get proof that they have split up and stopped their joint claim. This resulted in the ex-partner believing that the injunction was now void and initiating contact with the woman.

The right to protection and assistance to the family (Article 10 of the ICESCR) is closely connected with the right to social security and other human rights. The scope of the positive obligations under Article 10 of the ICESCR are wider than those of the right to private and family life of the Human Rights Act and Article 8 of the ECHR. They require the state to assist with antenatal and postnatal care, early childhood education, and social security schemes, including those specifically oriented to housing and family support.⁴⁷⁰

Cuts to public spending through austerity measures, and privatisation of child protection services have all contributed to families being unable to receive the assistance they require, which in turn traps and pulls them further into poverty.⁴⁷¹

The UK government provides support to claimants to access childcare through a variety of schemes.⁴⁷² Universal credit claimants have reported that the ‘claim back’ mechanism requiring them to pay upfront and claim back is leaving them without enough to pay for the essentials.⁴⁷³ Furthermore, children of parents with ‘no recourse to public funds’ are not eligible for childcare support regardless of their citizenship.⁴⁷⁴

Some claimants shared positive experiences of support from social services; others shared less positive experiences where inadequate social security led to social services considering the removal of their children and influencing their return.

470 Koldo Casla and Lyle Barker, ‘Protection and Assistance to the Family: Interpreting and Applying Article 10 ICESCR from Learnt and Lived Experiences’ *Journal of Human Rights Practice*, Vol. 16(2), 2024.

471 Lyle Barker and Koldo Casla, *I Have Walked this Journey Alone; My Soul is Tired: Poverty, Child Protection, and the Right to Protection and Assistance to the Family in England*, University of Essex, 2023, <https://repository.essex.ac.uk/35878/>

472 UK government, Childcare you can get help paying for (‘approved childcare’), accessed March 2025, <https://www.gov.uk/help-with-childcare-costs>

473 Institute for Policy Research, ‘A big, vast, grey area’: *Childcare for parents on Universal Credit*, IPR blog, February 2025, <https://blogs.bath.ac.uk/iprblog/2025/02/18/a-big-vast-grey-area-childcare-for-parents-on-universal-credit/>

474 IPPR, *Every child is equal: Bridging the childcare gap for families with no recourse to public funds (NRPF)*, 2025, <https://www.ippr.org/articles/every-child-is-equal>

‘Well, I was lucky because when I was in Sheffield, I had a social worker and advocate. The advocate sorted out all the benefits of what I should be on.

Claimant

‘I’ve got to fight something and hopefully I get them [my children] back. But right now, it’s not good. Even in the social worker’s eyes, they’re saying, like the money situation, “How are you going to cope with two, if you were to get your children back, how would you cope?”’

Claimant

8.7 The right to work

Article 6 of the International Covenant on Economic, Social and Cultural Rights (ICESCR) sets out the right to work, which includes the right of everyone to have the opportunity to gain an adequate standard of living through full and productive work that is freely chosen.⁴⁷⁵

Claimants of social security schemes are required to search for, plan or prepare for work. If they fail to comply with these conditions, their social security payments may be withdrawn or sanctioned.

Claimants cannot reasonably refuse work or training offered to them and are required to attend job interviews. In work claimants are still subject to conditions that require them to look for work if they earn income below a certain threshold (administrative earning threshold). In 2023, a Citizens Advice report highlighted the disproportionate impact of this on part time workers who have caring responsibilities or disabilities⁴⁷⁶ leading to sanctions and hardship which Unite the Union assert impacts an estimated one million in work claimants.⁴⁷⁷

The Pathways to Work Green Paper proposes changes to eligibility for PIP with the express purpose of encouraging people into engagement with employment. However, the government’s own impact assessment shows that 18 per cent of PIP claimants are in work and the social security payments they receive enable them to get the support they need to stay in work.⁴⁷⁸

Claimants tell us that they are often required to attend interviews for jobs that are not appropriate for their health needs or take jobs that lead to minimal contact with their children.

‘I’m not feeling well and I’m on sick leave, but I had to go for a job appointment... And some other jobs have come up, but I didn’t take them up because they’re too strenuous like the care job. I can’t do that anymore.’

Claimant

475 UN, International Covenant on Economic, Social and Cultural Rights, OHCHR, 1976.

476 431 Citizens Advice, Is in-work conditionality working?, March 2023, https://assets.ctfassets.net/mfz4nbgura3g/4cjvifSbtj3jxor47Lcizl/47a3a66f833ca6b43dd965ed8edb2138/Is_20in-work_20conditionality_20working.pdf

477 Unite the Union, Cut Sanctions Not Incomes, Universal Credit Conditionality Briefing, August 2024, <https://www.unitetheunion.org/media/axugqiy3/conditionality-briefing.pdf>

478 UK government Interim evidence pack, 2025, <https://assets.publishing.service.gov.uk/media/67d8170179f0d993dfb11f5a/interim-evidence-pack-pathways-to-work-green-paper.pdf>

8.8 Cultural engagement and social participation

The rights to cultural engagement and social participation are essential dimensions of human dignity and incorporated in Article 15 of the ICESCR, yet they can often be overlooked.

Economic insecurity, intensified by insufficient social security payments, constrains people's capacity to participate in cultural activities, which can be vital for social inclusion and personal well-being. The Joseph Rowntree Foundation reveals that more than 58 per cent of households in the lowest income bracket reported insufficient funds to meet even basic needs, let alone participate in cultural activities.⁴⁷⁹ The inability to engage in cultural and social activities can result in social isolation and a diminished quality of life.

'I can't really go out like socialising, like to bingo or stuff like that. I've had to put down my smoking and then I'll give up anything that I can't do, anything... I said I can't even get cards or little presents for my grandchildren or anything like that, even though I'm working. Crazy.'

Claimant

8.9 Non-discrimination and the disproportionate domino effect of social security

The UNCESCR outlined that the right to social security should be enjoyed without discrimination on any grounds and there is the expectation that:

Whereas everyone has the right to social security, states parties should give special attention to those individuals and groups who traditionally face difficulties in exercising this right.⁴⁸⁰

In their concluding observations from the 7th report from the UK on the International Covenant on Economic Social and Cultural Rights, the CESCR raised concerns that:

Despite previous recommendations, several provisions of the Equality Act 2010 remain unenforced, and that equality legislation is inconsistently applied across jurisdictions, while socio-economic, racial, and gender inequalities, along with discrimination against disadvantaged groups, persist.

Article 2 (2)⁴⁸¹

Under section 149 of the Equality Act 2010, public authorities like the DWP are required to comply with a 'public sector equality duty' and to carry out equality impact assessments of policies before implementation to identify potential disproportionate impacts on certain communities.⁴⁸²

While public bodies must 'have due regard' to potential equality impacts, this doesn't mean they are obligated to take mitigating action to prevent the impact from

479 Joseph Rowntree Foundation, *UK Poverty 2024*, 2024, 20,

<https://www.jrf.org.uk/uk-poverty-2024-the-essential-guide-to-understanding-poverty-in-the-uk>

480 CESCR, General Comment No. 19: The Right to Social Security (Article 9), UN Doc. E/C.12/GC/19 (2008), para 31, <https://digitallibrary.un.org/record/618890?v=pdf>

481 UNCESCR, Concluding observations on the seventh periodic report of the United Kingdom of Great Britain and Northern Ireland (March 2025), para 24, https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=E%2FC.12%2FGBR%2FCO%2F7&Lang=en

482 UK parliament, Equality Act 2010, <https://www.legislation.gov.uk/ukpga/2010/15/part/11/chapter/1>

happening.⁴⁸³ The Equality and Human Rights Commission set out their concerns about the failure to appropriately implement protections to mitigate the disproportionate experience of poverty for groups of protected characteristics such as children and young people, persons with a disability and older people.⁴⁸⁴

The complexities of the social security schemes system function as an additional impediment successfully claiming essential support. This effect is disproportionately experienced depending on the makeup of the household. Barriers to accessing universal credit – such as complex application processes, inconsistent communication from authorities, and punitive sanctions – exacerbate these struggles. These conditions can lead to heightened levels of stress and anxiety, contributing to a cycle of economic insecurity that affects all aspects of family life, including health and education.⁴⁸⁵ This precarious situation has particularly pronounced effects on single-parent households, generally headed by women, resulting in cascading impacts that undermine not only the right to an adequate standard of living but also other rights, such as health and education.

Evidence gathered by Amnesty International within communities demonstrates this failure of the statutory protections contained within the Equality Act 2010 to mitigate the disproportionate impact of failures to deliver ICESCR commitments on those who have the existing strengthened status of protected characteristics.⁴⁸⁶

In this section, we provide extracts from briefings produced in collaboration with civil society organisations and Amnesty International to highlight how breaches of social security trigger a domino effect on human rights that disproportionately impacts disadvantaged communities.

• **Persons with a disability**

A briefing from Disability Rights UK in partnership with Amnesty International highlights the disproportionate impact of inadequate and inaccessible social security on people with a disability in the UK.

Here is a summary of the key areas where social security failures are evident from their analysis:

- Disabled households face an average additional monthly expense of £1,010 to achieve the same standard of living as non-disabled households.⁴⁸⁷
- For over two decades, disabled individuals have faced a higher risk of poverty due to extra disability-related costs and barriers to employment.⁴⁸⁸

483 Equally Ours, *The Public Sector Equality Duty and 'due regard'*, 2015, <https://www.equallyours.org.uk/wp-content/uploads/2015/06/DueRegardJune2015.pdf>

484 Equality and Human Rights Commission, *Equality and Human Rights Monitor 2023: Executive Summary*, 2023, accessed 18 January 2025 <https://www.equalityhumanrights.com/our-work/equality-and-human-rights-monitor/equality-and-human-rights-monitor-2023-executive-summary>

485 Gingerbread, *'They Are Sanctioning the Children': The Impact of a punitive Universal Credit regime on single parent families in the UK*, 2024, p10-21, <https://www.gingerbread.org.uk/wp-content/uploads/2025/03/Gingerbread-Sanctions-Report-2024.pdf>

486 Amnesty International UK, *Broken Britain: Voices from the frontline of the fight for everyday rights*, 2024, p10, https://www.amnesty.org.uk/files/2024-08/ESCR_BriefingV17%20%281%29.pdf?VersionId=JnTAQrdV9A8ljy2fk4C0WVif010KD7Zm

487 Scope, *The Disability Price Tag 2024: Living with the extra cost of disability*, September 2024, https://www.scope.org.uk/campaigns/disability-price-tag?utm_source=chatgpt.com

488 Joseph Rowntree Foundation, *UK Poverty 2023: The essential guide to understanding poverty in the UK*, January 2023, https://www.jrf.org.uk/uk-poverty-2023-the-essential-guide-to-understanding-poverty-in-the-uk?utm_source=chatgpt.com

- Systemic issues, such as insufficient educational support and a punitive social security system, hinder people with a disability from securing and maintaining employment.
- Work capability assessment (WCA) and PIP evaluations have been criticised for inaccuracies and negative health impacts. For instance, 66 per cent of claimants felt their mental health declined due to the PIP assessment process.
- The transition to universal credit has resulted in the loss of previous disability premiums, leaving some claimants up to £5,300 per year worse off.⁴⁸⁹

• Racialised communities

Racialised communities make up 17 per cent of the UK population, with the largest groups being Asians (9 per cent) and Black Africans/Caribbeans (4 per cent).

Government statistics show that racialised minority groups are more likely to live in the most deprived neighbourhoods, with particularly high concentrations among Pakistani, Bangladeshi, and Black African communities. These groups also experience higher rates of poverty, with Black and racialised families being significantly more likely to be in relative poverty than white British families.⁴⁹⁰

Racialised families are more reliant on social security, with higher rates of claims for schemes like child benefit, disability allowance, and housing benefit to white families. Despite these higher levels of reliance, austerity measures have disproportionately impacted these communities, resulting in substantial drops in living standards.

Additionally, the two-child limit has further affected larger families, particularly among Bangladeshi, Pakistani, and Black African households. Universal credit sanctions also disproportionately affect these groups, exacerbating their vulnerability and highlighting racial disparities in the welfare system.^{491, 492}

Post-2010 austerity policies shrank social security, framing migrants and asylum seekers as ‘undeserving poor’. This racialised exclusion intensified under the hostile environment, with measures such as NHS data-sharing and upfront charges for migrants without status or temporary visas.⁴⁹³

Reports show migrants face major barriers to healthcare, including fear of arrest and denial of care.⁴⁹⁴ The integration of immigration enforcement with welfare has been evident in policies like the ‘Gangs Matrix,’ which disproportionately affected Black youth and led to sanctions.⁴⁹⁵

489 The Pathways to Work Green Paper proposes to abolish work capability assessments to have one process (PIP).

490 Runnymede Trust, *The Colour of Money: How racial inequalities obstruct a fair and resilient economy*, 2020, <https://www.runnymedetrust.org/publications/the-colour-of-money>

491 Women’s Budget Group, *Employment Gaps by Ethnicity: A 2024 analysis of the employment rates of ethnic minorities in Britain*, 2024, <https://wbg.org.uk/wp-content/uploads/2024/02/Women-and-the-Labour-Market-Briefing-Final.pdf>

492 Citizens Advice Bureau, *The Sanctions Spiral*, 2023, p12, <https://www.citizensadvice.org.uk/policy/publications/the-sanctions-spiral-the-unequal-impact-and-hardship-caused-by-sanctions-in-universal-credit/>

493 Arun Kundnani, *The End of Tolerance Racism in 21st Century Britain*, <https://www.jstor.org/stable/j.ctt18fs5xc>

494 Doctors of the World, 2019, *Access to healthcare for people seeking and refused asylum in Great Britain*, p50, <https://www.doctorsoftheworld.org.uk/wp-content/uploads/2018/11/research-report-121-people-seeking-asylum-access-to-healthcare-evidence-review.pdf>

495 Amnesty International UK, *Trapped in the Matrix: Secrecy, stigma and bias in the Met’s Gangs Database*, 2018, <https://www.amnesty.org.uk/files/reports/Trapped%20in%20the%20Matrix%20Amnesty%20report.pdf>

The ‘no recourse to public funds’ (NRPF) condition denies migrants on temporary visas universal credit and child benefit, exacerbating poverty. During COVID-19, NRPF migrants struggled with basic needs, highlighting their vulnerability.⁴⁹⁶ The intertwining of welfare and immigration enforcement has deepened racial inequalities.

• Gypsy, Roma and Traveller communities

A briefing produced in collaboration with Amnesty International by Friends, Families and Travellers (FFT) highlights the barriers Gypsy, Roma and Traveller (GRT) communities face in accessing social security, despite legal protections under UK law, including the Human Rights Act 1998 and the Equality Act 2010.

Romany Gypsies, Irish Travellers, Scottish Travellers, and Roma experience disproportionately high levels of economic exclusion, with 53 per cent of Gypsies and Irish Travellers aged 16-63 economically inactive, compared to 25 per cent of the general population.⁴⁹⁷

Discrimination further compounds these inequalities: 94 per cent of Gypsies, Roma, and Travellers reported experiencing exclusion in accessing essential services such as health and education.⁴⁹⁸ A 2024 Scottish government report found that ‘Gypsy/Traveller’ claimants faced derogatory attitudes from Department for Work and Pensions (DWP) staff, making the claims process stressful and inaccessible.⁴⁹⁹ Additional barriers include low literacy, digital exclusion, and complex social security application processes, all contributing to intergenerational poverty.

Gypsies, Roma, and Travellers communities also face disadvantages from the benefit cap and two-child limit, which disproportionately impact larger families and those with health conditions.⁵⁰⁰ Many experience high energy costs due to reliance on expensive fuel sources and lack of access to competitive electricity rates, particularly on local authority sites, where 97 per cent lack access to mains gas.⁵⁰¹ Postal exclusion further exacerbates hardship, making it difficult to receive important correspondence about benefits.⁵⁰²

• Women

In the UK, women continue to face significant economic disparities with lower employment rates and overrepresentation in part-time, low-paid jobs, contributing to a 29 per cent gender pay gap.

496 UK parliament, *Children in poverty: No recourse to public funds*, Inquiry, 2022, <https://committees.parliament.uk/work/1438/children-in-poverty-no-recourse-to-public-funds/publications/>

497 Office for National Statistics, *Census 2021: Economic inactivity in Gypsy and Irish Traveller populations*, 2023, accessed 5 March 2025, <https://www.ons.gov.uk>

498 Hate: ‘As regular as rain’: *A pilot research project into the psychological effects of hate crime on Gypsy, Traveller and Roma communities*, 2020, University of Salford, <https://gateherts.org.uk/wp-content/uploads/2020/12/Rain-Report-201211.pdf>

499 Scottish government, *Best Start, Bright Futures, Tackling Child Poverty Progress Report 2023-2024*, June 2024, <https://www.gov.scot/publications/best-start-bright-futures-tackling-child-poverty-progress-report-2023-24/>

500 Child Poverty Action Group, *The impact of the benefit cap and two-child limit on low-income families*, 2023, accessed 5 March 2025, <https://cpag.org.uk/news/six-years-two-child-limit>

501 Friends, Families and Travellers, *Access to Energy for Gypsies and Travellers living in caravans*, 2022, <https://www.gypsy-traveller.org/wp-content/uploads/2022/12/Access-to-energy-for-Gypsies-and-Travellers-living-in-caravans.pdf>

502 Citizens Advice, *Postal exclusion and financial hardship in marginalised communities*, 2023, <https://www.citizensadvice.org.uk/policy/publications/failing-to-deliver-how-the-rising-cost-of-living-has-exposed-an-ongoing/>

Women, particularly single mothers, are more likely to live in poverty, making up 58 per cent of universal credit claimants. However, poverty data often underestimates the full extent of women's hardship, as household income is not always equally shared.⁵⁰³

These inequalities are compounded by intersections with disability and ethnicity. Disabled women, who are more likely to rely on social security, face lower employment rates and earnings than their male counterparts.⁵⁰⁴ Racialised women, particularly those from Black, Pakistani, and Bangladeshi backgrounds, also experience higher poverty rates, with Black women overrepresented in single-parent households.⁵⁰⁵

Since 2010, austerity measures have disproportionately impacted women, especially disabled, low-income, and racialised women.

Cuts to social security have violated international human rights standards, including the right to an adequate standard of living and protection from discrimination. Social security reforms have caused a significant loss in income for many women, particularly those in the lowest income decile, further deepening poverty.⁵⁰⁶

Benefit sanctions and the 'no recourse to public funds' status also harms women, especially single mothers and migrant women, who face increased vulnerability due to financial hardship and the inability to access state support.⁵⁰⁷ These measures have exacerbated gender and intersectional inequalities, further violating women's rights to security, protection, and equality.

8.10 Conclusion

There is already compelling evidence that the domino effect triggered by the failures in the social security system is disproportionately impacting groups with protected characteristics.

It is the view of **Amnesty International** that the UK government are failing in their duty to ensure non-discrimination in the right to social security, are directly excluding some group and have failed to take targeted action to address the indirect discrimination within the system. This disproportionate impact affects enjoyment of these groups of related rights such as the right to food and housing.

503 Department for Work and Pensions, Universal Credit Claimants, 2025, <https://www.gov.uk/government/statistics/universal-credit-statistics-29-april-2013-to-9-january-2025/universal-credit-statistics-29-april-2013-to-9-january-2025#people-on-universal-credit>

504 Disability Rights UK, Disability and Employment, 2023, <https://www.disabilityrightsuk.org/employment?srsId=AfmBOoqnTOQB7nIBsAx5N5MB7sdPXz4KWRJvS-M9HFAH4BunQNu69gju>

505 Joseph Rowntree Foundation, The Essential Guide to Understanding Poverty in the UK, 2025, <https://www.jrf.org.uk/uk-poverty-2025-the-essential-guide-to-understanding-poverty-in-the-uk>

506 Women's Budget Group, Impact of Austerity on Women, 2023, Womens Budget Group, Social Security and Gender Briefing for a New government, 2024, <https://www.wbg.org.uk/publication/social-security-and-gender-briefing-for-a-new-government/>

507 Migrant Rights Network, No Recourse to Public Funds and Migrants, accessed 6 March 2025, <https://migrantsrights.org.uk/resources/know-your-rights/no-recourse-to-public-funds/>

9. Consideration of the safeguards for economic, social and cultural rights to prevent the domino effect within the UK

To effectively safeguard human dignity and ensure the realisation of all interconnected and interdependent rights, a comprehensive reform of the social security system is imperative. This reform must adopt a rights-based approach that recognises social security not merely as a financial safety net, but as a critical instrument for ensuring human dignity.

The inadequacies inherent in social security schemes, particularly concerning accessibility, are foundational to a myriad of systemic injustices that infringe upon the rights to health, education, housing, cultural participation, and the overall quality of life. The cost-of-living crisis, in combination with policy deficiencies and punitive welfare measures, once again demonstrate how the denial of one right can undermine the enjoyment of other economic, social and cultural rights.

As recognised in the 1993 UN Vienna Conference on Human Rights, all human rights are universal, indivisible and interdependent and interrelated.⁵⁰⁸ The interconnectedness of human rights implies that, when economic security through social security schemes is compromised, repercussions reverberate across all dimensions of human dignity.

9.1 International human rights frameworks on the interconnection and interdependency of human rights

‘Since human rights and fundamental freedoms are indivisible, the full realisation of civil and political rights without the enjoyment of economic, social and cultural rights, is impossible.’

UN Proclamation of Tehran 1968⁵⁰⁹

‘The enjoyment of civil and political rights and freedoms also requires the realisation of economic, social and cultural rights and that these human rights and fundamental freedoms are closely interconnected and interdependent.’

UN Resolution⁵¹⁰

‘All human rights are universal, indivisible and interdependent and interrelated. The international community must treat human rights globally in a fair and equal manner, on the same footing, and with the same emphasis.’

Vienna Declaration and Programme of Action 1993⁵¹¹

The principle of indivisibility is based on the premise that, far from a dichotomy of rights where importance of one type of rights takes precedence, all human rights civil,

508 United Nations Office for High Commissioner of Human Rights, Vienna Declaration and Programme of Action, 1993, para 5, <https://www.ohchr.org/en/instruments-mechanisms/instruments/vienna-declaration-and-programme-action>

509 United Nations, Final Act of the International Conference on Human Rights Tehran, 1968, p4, https://legal.un.org/avl/pdf/ha/fatchr/final_act_of_tehranconf.pdf

510 Ibid, p17.

511 United Nations Office for High Commissioner of Human Rights, Vienna Declaration and Programme of Action, 1993, <https://www.ohchr.org/en/instruments-mechanisms/instruments/vienna-declaration-and-programme-action>

political, economic, social, and cultural are interconnected and cannot be treated separately. This concept was introduced in the Universal Declaration of Human Rights, and UN Proclamation of Tehran 1968 and has continued to be reflected in UN treaties, resolutions and guidance. Though it has never been formally defined by the UN, there is the expectation that states comply with this principle.

The International Bill of Rights, with its separate covenants on civil and political rights (ICCPR) and economic, social and cultural rights (ICESCR), has influenced how human rights are articulated and applied in regional contexts, as seen in the European Convention on Human Rights (ECHR) and the European Social Charter, which reflect this division.

‘Reaffirming the universality, indivisibility, interdependence and interrelatedness of all human rights and fundamental freedoms and the need for persons with disabilities to be guaranteed their full enjoyment without discrimination.’

Convention on the Rights of Persons with Disabilities

However, more recent international covenants like the Convention on the Rights of Persons with Disabilities,⁵¹² Convention on the Elimination of All Forms of Racial Discrimination,⁵¹³ Convention on the Elimination of All Forms of Discrimination Against Women, and the UN Convention on the Rights of the Child⁵¹⁴ which address the rights of persons with disabilities, the elimination of racial discrimination, the elimination of discrimination against women, and the rights of the child, demonstrate the interconnectedness and indivisibility of civil and political rights.

The best articulation of why rights are indivisible and interdependent is through the lives of ordinary people who need the protections and realisation of all human rights.

9.2 Indivisibility of human rights and protections of economic, social and cultural rights in the UK

The UK’s Human Rights Act of 1998, which came into force in 2000, effectively gave legal effect to the International Covenant on Civil and Political Rights by way of the European Convention on Human Rights.

So far, the Human Rights Act remains in place as an indispensable tool in preventing harmful retrogression and the access to justice for people whose rights have been violated.^{515, 516}

Despite campaigning attempts⁵¹⁷ for legislation to incorporate economic, social and cultural rights into UK law (including a campaign supported by current UK government

512 United Nations, Convention on the Rights of Persons with Disabilities, <https://social.desa.un.org/issues/disability/crpd/convention-on-the-rights-of-persons-with-disabilities-crpd>

513 United Nations International Convention on the Elimination of All Forms of Racial Discrimination, 1965, <https://www.ohchr.org/en/instruments-mechanisms/instruments/international-convention-elimination-all-forms-racial#:~:text=In%20this%20Convention%2C%20the%20term,footing%2C%20of%20human%20rights%20and>

514 United Nations, Convention on the Rights of the Child, 1989, <https://www.unicef.org/uk/what-we-do/un-convention-child-rights/>

515 Amnesty International UK, ‘Reviving the Bill of Rights is dangerous, ill-advised, and damaging for this country’, 2022, <https://www.amnesty.org.uk/blogs/campaigns-blog/reviving-bill-rights-dangerous-ill-advised-and-damaging-country>

516 UK Parliament, Safety of Rwanda (Asylum and Immigration) Bill, 2023, Safety of Rwanda (Asylum and Immigration) Bill, 2023, https://www.amnesty.org.uk/files/2023-12/Safety%20of%20Rwanda%20%28Asylum%20and%20Immigration%29%20Bill_2.pdf?VersionId=BrnmmsE5dvsFSMvnyCUVly_nbx4DQ_wL

517 Just Fair, Home Pager, Our Rights Now campaign, <https://justfair.org.uk/campaigns-2/cost-of-living-crisis-hub/>

cabinet ministers⁵¹⁸) and some limited progress in the devolved nations,⁵¹⁹ these rights have no legal force in the UK because there is no comprehensive legal mechanism that incorporates the ICESCR rights, or acknowledges the interdependency of ICESCR rights, to each other or the rights in the Human Rights Act 1998.

In 2003, the Joint Committee on Human Rights report on consideration of the incorporation of economic, social and cultural rights stated that:

‘In a culture of respect for human rights, the economic, social and cultural rights embodied in the International Covenant should not be regarded as the poor cousins of the civil and political rights incorporated into UK law by the Human Rights Act.’

As we have emphasised repeatedly in this report, the two sets of rights are not distinct and should not be divided.⁵²⁰

The report went on to recommend that the case for incorporation of ICESCR within domestic legislation in a human rights bill ‘merits further attention’ and could with proper safeguards without ‘constitutional impropriety’.⁵²¹

Despite this, the argument that the role of the courts in determining rights should be limited is still pervasive. In 2024 in response to a question in the House of Commons about incorporation of these human rights, the then minister Alex Chalk, for the previous UK government, said:

‘I completely agree on the common interest we share across the United Kingdom in wanting to advance social and economic rights – put another way, ensuring good jobs and good public services. Of course that is right. What is questionable is whether it is sensible to make those rights justiciable, as we would find people pursuing all sorts of actions that clog up the courts, leaving them unable to deal with other matters.’⁵²²

In 2016, the CESCR recommended that the UK ‘fully incorporate the Covenant rights into its domestic legal order and ensure that victims of violations of economic, social and cultural rights have full access to effective legal remedies.’⁵²³

In its response to the CESCR’s list of issues before its 2025 review, the UK government confirm that this has not been achieved, but asserts the UK has ‘strong human rights protections’ and is confident in its compliance with ensuring effective remedies.⁵²⁴

518 Labour Campaign for Human Rights, ‘Supporters of our campaign for social rights’, accessed 18 January 2025, <https://www.lchr.org.uk/socialrightssupporters>

519 Amnesty International UK, ‘Scotland: Failure to deliver Scottish Human Rights Bill is “unjustifiable”, say Amnesty International’, 4 September 2024, <https://www.amnesty.org.uk/press-releases/scotland-failure-deliver-scottish-human-rights-bill-unjustifiable-say-amnesty>

520 Joint Committee on Human Rights, ICESCR: Twenty First Report of Session 2003-2004, 2004, <https://publications.parliament.uk/pa/jt/200304/jtselect/jtrights/183/18305.htm>

521 Ibid.

522 Hansard, Human Rights Legislation Volume 743: debated on Tuesday 9 January 2024, <https://hansard.parliament.uk/Commons/2024-01-09/debates/EFB87E23-6472-48C9-9382-43B82EE5916F/HumanRightsLegislation>

523 UN CESCR, Concluding observations on the sixth periodic report of the United Kingdom of Great Britain and Northern Ireland (2016) para 6, <https://digitallibrary.un.org/record/834917?ln=en&v=pdf>

524 UK government, *The United Kingdom’s Response to the Committee on Economic, Social and Cultural Rights’ List of Issues report*, August 2024, p6-7, <https://assets.publishing.service.gov.uk/media/66e0063a9210ba34a3ebac03/icescr-response.pdf>

It is the view of Amnesty International that these assertions are not reflected in the realities of communities in the UK relating to the treaty obligations of the state for protection under ICESCR.

Rather than using ‘appropriate means’ through which to give effect to ICESCR treaty obligations as mandated by Article 2 (1) ICESCR, the UK broadly relies on what they call a ‘combination of policy and legislation’. This plethora of fragmented, often siloed and incomplete measures fail to acknowledge the interdependent nature of human rights.

9.3 Cracks in the foundations of legislative processes and policy scrutiny in the UK to prevent a domino effect

In its concluding observations on the UK's obligations under ICESCR, the committee on economic, social and cultural rights noted that Covenant rights are not fully incorporated into domestic law, limiting their enforceability in courts and raised concern about the impact on devolved nations.⁵²⁵

Without strong legal protections for ICESCR rights that ensure accountability and prevent a chain reaction of human rights violations caused by siloed policy decisions. To mitigate this, some governments also integrated human rights impact assessment processes covering all human rights treaties into its guide to making legislation.⁵²⁶

Below, we examine evidence on how these systems underpinning our legislative process checks and balances should identify and mitigate the risks of such ‘unintended consequences’ through a form of impact assessment and scrutiny.

The government's guide to making legislation directs that ministers preparing legislation must prepare analysis of compliance with ECHR in explanatory notes or a human rights memorandum to submit to the Public Bill Office.⁵²⁷ It directs that the analysis should also consider implications for the Convention on the Rights of the Child. Once submitted to the Joint Committee on Human Rights (JCHR) they may also ask for consideration to be given to other covenants.⁵²⁸

Human Rights protections contained within the Human Rights Act 1998 (which gives domestic legal order to the ECHR) require under Section 19,⁵²⁹ that ministers introducing a bill to parliament to make a ‘statement of compatibility’. This is the only human rights assessment, which is currently required by statute, the state asserts that a proposed bill is ‘human rights compliant’ based on assessments against articles within the Human Rights Act with a limited cursory reference to other international treaties (such as ICESCR).

The Joint Committee on Human Rights is established as a select committee of the UK government under standing orders to consider ‘matters relating to human rights

525 UK government, The United Kingdom's 7th periodic report under the United Nations Convention on Economic, Social and Cultural Rights (ICESCR), 2022, para 6, <https://assets.publishing.service.gov.uk/media/62861e2ed3bf7f1f46f9b6b2/icescr-uk-7-periodic-report-may-2022.pdf>

526 Finnish government, Guidelines for Impact Assessment in Law Drafting, 2023, https://julkaisut.valtioneuvosto.fi/bitstream/handle/10024/164932/VN_2023_53.pdf?sequence=1&isAllowed=y

527 Cabinet Office, *Guide to Making Legislation*, 2025, https://assets.publishing.service.gov.uk/media/67d96cc269606cdea9e08777/2025_Guide_to_Making_Legislation_-_with_phone_number_change.pdf

528 Ibid.

529 UK government, Human Rights Act (1998), Section 19, <https://www.legislation.gov.uk/ukpga/1998/42/section/19>

in the United Kingdom⁵³⁰ and to consider any remedial orders in place to rectify breaches of the Human Rights Act. In practice they use their role to scrutinise bills compliance with the Human Rights Act and consider compliance with human rights contained in other international obligations of the UK. The JCHR can request that the UK government consider compliance of bills against ICESCR and other human rights treaty obligations and this could be exercised more.⁵³¹

Whilst these provisions are considered to be an imperfect form of human rights impact assessment even for those rights covered by the Human Rights Act, they have provided a mechanism for parliamentary and judicial scrutiny of the human rights compliance of specific legislation and policy.

One of the central issues is the inadequacy of human rights impact assessments (HRIA). The pace of legislative changes, coupled with limited resources for thorough policy development, means that the human rights implications of social security reforms are often not rigorously evaluated.

In its 2003 inquiry, the Joint Committee on Human Rights concluded that simply participating in UN monitoring of ICESCR rights wasn't enough to ensure these rights and carry out diligence on the development of policy and legislation domestically. They recommended that:

‘In the preparation of legislation, government departments should look beyond the range of the Convention rights to the wider international obligations which the UK has accepted in the human rights field. The examination of proposed legislation against these standards should be made explicit in the explanatory notes to bills.’⁵³²

On further examination in 2009, the Joint Human Rights committee reiterated their support for such an approach and were optimistic that an incorporation process could be achieved welcoming, the ‘government’s preparedness to reconsider its position in relation to the inclusion of economic and social rights in any UK Bill of Rights and its recent acknowledgment that there is a continuum of possible positions’.⁵³³

The UK’s failure to apply the principle of indivisibility in human rights protections (such as a thorough human rights impact assessment process) allows policies like austerity to trigger multiple violations of economic, social, and cultural rights. Austerity measures, such as cuts to social security schemes, disproportionately impact groups facing discrimination and marginalisation by placing additional barriers in their access to essential services like healthcare, housing, and education, leading to a range of economic social and cultural rights violations.

These violations are often clustered, meaning one policy can infringe on several rights simultaneously. This systemic failure undermines the protection of human rights and highlights the need for a more comprehensive approach to policymaking that considers the full impact on all human rights.

530 UK parliament, Standing Orders of the House of Commons, 2002, s. 152b, <https://publications.parliament.uk/pa/cm200102/cmstords/27519.htm>

531 Joint Committee on Human Rights, ICESCR: Twenty First Report of Session 2003-2004, 2004, <https://publications.parliament.uk/pa/jt200304/jtselect/jtrights/183/18305.htm>

532 UK parliament, *Joint Committee on Human Rights Twenty-Ninth Report*, 2009, para. 142, <https://publications.parliament.uk/pa/jt200708/jtselect/jtrights/165/16502.htm>

533 Ibid.

10. Monitoring and reporting on the International Covenant on Economic, Social and Cultural Rights in the UK

10.1 Lack of national human rights action plan

The UN direct that states should ensure a comprehensive action plan for the realisation of human rights nationally with the expected benefit of ‘better awareness and implementation of economic, social and cultural rights, leading to an improved quality of life, particularly for vulnerable groups.’⁵³⁴

There are good examples in other countries where more comprehensive human rights impact assessments are undertaken. Governments such as Finland, Ireland, Germany Mexico and Nepal produce a national human rights action plan which aims to monitor and progressively realise rights based on determined minimum level of rights.⁵³⁵

In some cases, these are supplemented by focused, thematic action plans that look at the specific needs of a community or address a specific risk such as business and human rights or violence against women.⁵³⁶

The UK government currently situates responsibility for monitoring ICESCR compliance with the Ministry of Justice. In 2004, when questioned by the UK Joint Human Rights Committee about the need to examine and plan to mitigate the impact of arguably ‘ad hoc, decentralised’ governance of international treaty obligations, the previous UK administration referred to the idea of a centralised human rights accountability frameworks as ‘further administrative clutter’

The minister responsible for human rights stated that, in response to the UN’s reminders to develop a human rights action plan, the position was that ‘to have a further overarching plan is not necessary at the moment’.⁵³⁷

Scotland launched its National Human Rights Action plan (SNAP) in 2013, refreshed in 2023, focusing on ICESCR rights and prioritising the incorporation of human rights covenants and enabling an adequate standard of living.⁵³⁸

The UK government has a thematic action plan on Business and Human Rights, but it does not fully incorporate actions related to ICESCR covenant rights.⁵³⁹

534 UNOCHR, *Handbook on National Human Rights Plans of Action*, 2002, p2, <https://www.ohchr.org/sites/default/files/Documents/Publications/training10en.pdf>

535 Ibid, p24.

536 National Action Plans on Business and Human Rights, *Human rights impact assessment*, [https://www.humanrights.dk/tools/human-rights-impact-assessment-guidance-toolbox#:~:text=Human%20rights%20impact%20assessment%20\(HRIA,discrimination%20into%20the%20assessment%20process](https://www.humanrights.dk/tools/human-rights-impact-assessment-guidance-toolbox#:~:text=Human%20rights%20impact%20assessment%20(HRIA,discrimination%20into%20the%20assessment%20process)

537 UK government, *Joint Human Rights Committee Oral Evidence Session: The UK’s engagement with its international human rights obligations (HC 708)*, 24 April 2024, Qs. 3, 5, 6, <https://committees.parliament.uk/oralevidence/14717/pdf/>

538 Scottish government, ‘Scotland’s second National Human Rights Action Plan’, Snap 2, 2023, www.snaprights.info

539 National Action Plans on Business and Human Rights, United Kingdom – National Action Plans on Business and Human Rights, 2016, accessed 3 March 2025, <https://globalnaps.org/country/united-kingdom/>

10.2 Lack of application of ICESCR in the judicial system

The UK remains bound by its international commitments, even without explicit incorporation into national law, as per the Vienna Convention on the Law of Treaties. Though the principle is established that there is a strong presumption in favour of interpreting and applying domestic law in a way that does not place the UK in breach of its international obligations⁵⁴⁰ the UK courts generally do not enforce unincorporated treaties.⁵⁴¹ In its latest concluding observations, from 2016, the CESCR recalled previous recommendations and urged the UK ‘to fully incorporate the Covenant rights into its domestic legal order and ensure that victims of violations of economic, social and cultural rights have full access to effective legal remedies’.⁵⁴²

Eight years later, in August 2024, the UK government maintained the position they have taken for a very long time, namely, that there is no need to incorporate ICESCR into the domestic legal framework, adding that they are ‘confident that [the UK] is fully compliant with its UN treaty obligations including ensuring that there are effective remedies for any breaches’⁵⁴³ at the local and national level.

Cuts to legal aid under Legal Aid, Sentencing and Punishment of Offenders Act 2012⁵⁴⁴ have severely limited access to justice in the UK. Reduced legal aid creates ‘advice deserts’ affecting justiciability of covenant rights. The position was summarised by Lord Kerr in *R (S G) v Secretary of State for Work and Pensions*:

Two dominant principles have traditionally restricted the use of international treaties in British domestic law. The first is that domestic courts have no jurisdiction to construe or apply treaties which have not been incorporated into national law; that they are effectively non-justiciable. The second is that such treaties, unless incorporated into domestic law, are not part of that law and therefore cannot be given direct effect to create rights and obligations under national or municipal law.

10.3 Domino effect on human rights safeguards within the implementation of the social security system in the UK

In addition to the human rights safeguards embedded in the systems and processes of government in the UK afforded by the Human Rights Act (described below), the DWP sets out their approach to prevention of the domino effect on rights in their annual report⁵⁴⁵ including:

- Meaningful consultation with the public and other interested parties on new and changes to existing policy including impacts on protected and vulnerable groups;

540 House of Lords, Judgments - *R. v. Lyons and others*, UKHL 44, 14 November 2002, para 12 (Lord Bingham), <https://publications.parliament.uk/pa/ld200203/ldjudgmt/jd021114/lyons-1.htm>

541 *R (on the application of SC, CB and 8 children) (Appellants) v Secretary of State for Work and Pensions and others (Respondents)*, UKSC 26, Judgment of 9 July 2021, para 74-96, <https://www.supremecourt.uk/cases/uksc-2019-0135>

542 UN Committee on Economic, Social and Cultural Rights, Concluding Observations: UK E/C.12/GBR/CO/6 (2016), para 6, <https://digitallibrary.un.org/record/834917?v=pdf>

543 UK government, *The United Kingdom’s Response to the Committee on Economic, Social and Cultural Rights’ List of Issues Report*, August 2024, p7, <https://assets.publishing.service.gov.uk/media/66e0063a9210ba34a3ebac03/icescr-response.pdf>

544 Amnesty International UK, *An Obstacle Course: Homelessness assistance and the right to housing in England*, 2022, p67, <https://www.amnesty.org/en/documents/eur03/5343/2022/en/>

545 Department for Work and Pensions, *DWP annual report and accounts 2023-2024*, July 2024, <https://www.gov.uk/government/publications/dwp-annual-report-and-accounts-2023-to-2024>

- Lawyers consider if any potential infringements of human rights are justified and act in case of any challenge or litigation;
- Equality impact assessment to understand the disproportionate impact of policy, services and process on people from protected groups.

All outcome delivery plans had cross-cutting outcomes to acknowledge the cross departmental nature of solutions to some of governments most tricky problems, however it is the view of the Institute for Government that they have not yet delivered the joint planning and improvements in cross departmental working that was hoped for.⁵⁴⁶ We consider below a case study of the application of these safeguards in practice.

10.4 Failures to prevent the domino effect: a case example

Case study: the Welfare Reform and Work Bill 2016

A failure to address human rights implications

Background to the Bill

The Welfare Reform and Work Bill 2015 proposed measures such as the two-child limit and benefit cap. These policies aimed to reduce public spending. These were later enacted in the Welfare Reform and Work Act in 2016.

Human rights impact assessment

A key issue was the failure to conduct a comprehensive human rights impact assessment. This omission created a hierarchy of rights, allowing the UK government to ignore the broader implications of welfare reforms.

The Joint Committee on Human Rights (JCHR) raised concerns, stating the bill lacked adequate consideration of the economic, social, and cultural rights (ESCR) of affected groups, especially children.

The Human Rights Act Section 19 Memorandum asserted simply that the reform proposed by bill would ‘support progressive realisation and improve living standards as promoted by the International Covenant on Economic, Social, and Cultural Rights (ICESCR)’ without further analysis. This is in comparison to 13 pages of analysis dedicated to rights incorporated in the Human Rights Act 1998.⁵⁴⁷ However, in practice, the bill failed to deliver progressive realisation of ICESCR rights. By 2019, the Work and Pensions Select Committee found ‘credible evidence’ that these measures exacerbated child poverty in the UK, leading to ‘unintended consequences that no government should be willing to accept’.⁵⁴⁸

The lack of meaningful impact assessment contributed to significant violations, particularly of the right to social security and the right to an adequate standard of living. For instance, the two-child limit reduced financial support to larger families,

546 Institute for Government, *Outcome and delivery plans: The case for keeping and improving the Government performance framework*, 2022, <https://www.instituteforgovernment.org.uk/sites/default/files/publications/outcome-delivery-plans.pdf>

547 Department for Work and Pensions, ‘Memorandum to the Joint Committee on Human Rights: The Welfare Reform and Work Bill 2015’, 2015, p16, <https://assets.publishing.service.gov.uk/media/5a80d63fe5274a2e8ab52713/welfare-reform-and-work-bill-2015-human-rights.pdf>

548 UK government, Work and Pensions Committee The two-child limit Third Report of Session (2019), pp. 10, 11, 15, <https://publications.parliament.uk/pa/cm201919/cmselect/cmworpen/51/51.pdf>

pushing them into deeper poverty. The UK government failed to assess the cumulative effect of these measures on vulnerable groups, despite the JCHR's warnings.

Failings of the judiciary

The judiciary also played a role in failing to address these human rights violations. Judicial reviews of the two-child limit and benefit cap demonstrated a reluctance to engage with international human rights treaties like the ICESCR.

In 2019, the High Court ruled that the two-child limit did not violate the European Convention on Human Rights (ECHR), particularly the right to family life. Similarly, the Court of Appeal found that the policy did not breach children's rights under the United Nations Convention on the Rights of the Child (UNCRC). While the court acknowledged the policy's potential harm to children in larger families, it ruled that the UK government had the legal discretion to implement such measures. These rulings underscore the judiciary's hesitation to consider ESCR obligations, reinforcing the marginalisation of economic rights.⁵⁴⁹

Failures to report or act on impact

At the international level, the UK government's reporting on the impact of welfare reforms has been inconsistent and inadequate. Despite criticisms from the UN Committee on Economic, Social, and Cultural Rights, the UK government has downplayed the rights violations caused by these policies.

For example, a report submitted to the UN under ICESCR obligations in 2022 (after the conclusions of the work and pensions committee in 2019 and the court acknowledged potential harm) failed to address the significant harm caused by the two-child limit and benefit cap instead stating that it 'ensures fairness between claimants and those who support themselves solely through work'.⁵⁵⁰

This lack of transparency further highlights the failure to fulfil international human rights obligations, and with no domestic legal channels available and the UK not being signatory to the options protocols this leaves affected groups without effective recourse.

10.5 Conclusion

It is the view of Amnesty International that there is evidence that the UK government failure to incorporate ESCR into UK law, coupled with insufficient human rights assessments in legislative process, implementation and judicial reluctance to engage with ICESCR rights has led to significant violations of the right to social security and connected rights and exacerbate inequalities.

⁵⁴⁹ Just Fair, Case Summary the Two Child Limit 2022, <https://justfair.org.uk/case-summary-the-2-child-limit/#:~:text=HELD:%20Appeal%20unanimously%20dismissed.,%2C%20%5B28%5D%2D%5B32%5D>.

⁵⁵⁰ UK government, The United Kingdom's 7th periodic report under the United Nations Convention on Economic, Social and Cultural Rights (ICESCR), 2022, para 81, <https://assets.publishing.service.gov.uk/media/62861e2ed3bf7f1f46f9b6b2/icescr-uk-7-periodic-report-may-2022.pdf>

11. Overarching conclusions

Amnesty International has demonstrated through evaluation of the evidence that the social security system in the UK has drifted far from the core principle to mitigate social risks and provide protection for an adequate standard of living. Of course, supporting people into work is vital too, but one right should never overshadow the other. Furthermore, the social security system in the UK does not stand up to the international human rights frameworks. The result is a system that, by design, perpetuates the deprivation of living standards for those reliant on it, subjecting them to orchestrated stigma and a systematic erosion of their dignity.

What's needed is a comprehensive, all-encompassing review of the social security system, one that sets a clear, ambitious framework, establishes minimum standards for living, and places the system on a stronger foundation rooted in human rights and principles of availability, adequacy and accessibility.

At the same time, we must address the fundamental flaws in human rights and equality protections within our government systems – flaws that have allowed the erosion of our social security, health, food, and housing rights under policies that claim to be human rights-compliant.

This erosion is enabled by a failure to recognise and safeguard the interconnectedness and indivisibility of our human rights and the lack of cross-departmental efforts to protect against the knock-on effects of policies that continue to entrench and perpetuate poverty across the UK.

12. Amnesty International's recommendations

Amnesty International's recommendations cover wholesale reform to the social security system and shorter-term measures to prevent ongoing harm perpetrated by it. We also set out action to address the holes in the architecture of human rights protections in the UK. We are targeting our recommendations at the UK government due to its responsibility for the overarching human rights instruments.

Recommendations to the UK government

To address the systemic issues within our social security system, we need to take a comprehensive, root-and-branch approach to review and reform. For too long there has been tinkering and patching over flaws of a system that is no longer fit for purpose.

We acknowledge that there are social and economic challenges in the global and domestic context, to which governments are minded to respond. However, just like the Beveridge Report stated at the inception of the welfare state, we can consider that 'a revolutionary moment in the world's history is a time for revolutions, not for patching'.⁵⁵¹

1. Therefore, Amnesty International calls on the UK government to establish a Social Security Commission with statutory powers, taking inspiration from the Beveridge Report and past Royal Commissions. It should conduct an independent inquiry into the UK social security system and drive wholesale reform to ensure it is recalibrated to meet people's needs for an adequate standard of living and be sustainable, based on the key principles of dignity and human rights.
 - It should produce comprehensive recommendations to government including structural, legislative and regulatory changes.
 - It would be cross-government departmental and involve civil society and the third sector, as well as the full participation of the people who claim social security, to best design a system based on dignity and rights.
 - This commission should develop an overarching, comprehensive, time-bound national social security strategy and action plan. The plan should set out clear baselines, standards, and targets for ensuring human rights-compliant social security schemes that enable people to have an adequate standard of living.
2. To ensure there is sufficient fiscal space to deliver an adequate level of social security and wider ICESC Rights, the UK government must implement the UN CESCR recommendation to adopt a more efficient, progressive and socially just fiscal policy, including:
 - Review state revenue and borrowing to assess options to broaden the tax base and fiscal space for realising economic, social, and cultural rights. This review should recommend measures that can mitigate inadequacy of social security (such as broadening the tax base through corporation or capital gains tax, address rising costs of goods and services, and closing tax gaps).

551 William Beveridge, (1942) Social Insurance and Allied Services, paras 7-8, <https://www.nationalarchives.gov.uk/education/resources/attlees-britain/beveridge-report/>

- Through a human rights-based budgeting approach, assess the impact of fiscal policy on economic, social and cultural rights.
3. Take action to prevent failures in social security policy triggering a domino effect on other human rights in keeping with the UN CESCR 2025 recommendation 41(a)⁵⁵² The UK government must commission an independent review of the legal and policy framework for economic, social and cultural rights in the UK with the following aims:
- To set out an action plan and timescale for the incorporation of ICESCR rights to prevent regressive policy exacerbating human rights violations.
 - To recommend action to ensure justiciability and redress domestically and through the integration of ESCR rights into the judicial system in line with the Vienna Convention (Article 31(3)(c)) to facilitate an integrated approach to human rights law and ratifying the ICESCR optional protocol.
 - To recommend a methodology through which the UK government can develop and apply human rights indicators and standards for the fulfilment of ICESCR rights.
 - Commit to a time bound programme of work to support devolved authorities to progress the legislative incorporation of ICESCR rights in Wales, Scotland (through the Scottish Human Rights Bill) and the Bill of Rights for Northern Ireland.

Recommendations to the Department for Work and Pensions

1. In line with CESCR recommendation, the UK government should assess the impact of welfare reforms introduced since 2010 on the most disadvantaged groups and take the following corrective measures:
 - End the two-child limit.
 - Remove the benefit cap.
 - End the five-week delay for the first universal credit payment. Loans should be given by way of a grant to prevent immediate deductions plunging people into further inadequacy and hardship.
 - Stop proposed cuts to disability and sickness social security levels and eligibility changes proposed by the government in the Spring Statement on 26 March 2025.
2. The UK government must harness the opportunity of consultation on upcoming social security reforms such as the those proposed in the Pathways to Work Green Paper, universal credit reform, and spending reviews to ensure that they address failures in human rights compliance:
 - Reform takes place with the meaningful involvement of claimants impacted through targeted and nationwide accessible consultation (not just a small panel of claimants).
 - Reform should address not just the inadequacy of the levels of social security and the limitations to accessibility, but also address the need to reform the harmful and traumatising systems of assessment and withdrawal of social security.
 - Reform must undergo a full and comprehensive impact assessment on ICESCR rights before introduction.

⁵⁵² UN CESCR, Concluding observations on the seventh periodic report of the United Kingdom of Great Britain and Northern Ireland (March 2025), para 41 (c), https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=E/C.12/GBR/CO/7&Lang=en

- Equality impact assessments must be conducted in a meaningful and transparent way in consultation with the affected group and with due regard to the socio-economic duty.
 - Consider the role of regulation and statutory oversight of the social security system at a national and local level to increase democratic scrutiny.
3. Consult and publish a Charter for Social Security Rights setting out the values and standards that underpin the right to social security within the UK, focusing on:
 - Primary purpose to protect from harm and deprivation.
 - Centering dignity and respect.
 - Setting standards for promotion of entitlements and the provision of service and clear routes to raise concern.
 - Mirroring good practice and learnings such as from the development of England's NHS Constitution, with the requirement for this to be produced with people who have experience of the system.
 - Performance against charter principles and standards should be periodically reported to parliament and enshrined in legislation.
 4. To address the harmful imbalance of power within Jobcentre Plus and build trust and increase accountability, the DWP should establish a system-wide guidance and resources for 'claimant participation' groups:
 - Each Jobcentre Plus should establish a claimant participation group that is representative of claimants and has clear terms of reference through which claimants can discuss changes and improvements needed. These groups should be facilitated by an independent organisation.
 - There should be a national panel with representatives of local groups to steer national policy/strategy.
 5. Guided by the UN CESCR Committee's general comment No. 19 (2007) on the right to social security and its statement on social protection floors as an essential element of the right, the UK must reform all legislation and the process through which social security rates are set, reviewed and updated. The UK must ensure this process is independent and indexed to the cost of living through an independent, transparent mechanism that is accountable to parliament. This defined social protection floor should include disability related costs (to comply with recommendations of the Committee on the Rights of Persons with Disabilities).
 6. Scrap the harmful sanctions regime penalising claimants to the extent they are unable to meet their basic needs. Everyone must be guaranteed a minimum level of support and social protection to live a life of dignity.

Recommendations to the UK parliament

1. The Joint Human Rights Committee should lead a special inquiry into the UK government's failure to adequately evaluate the human rights impact of policy in the development of human rights memorandums to ascertain:
 - The route causes for failing to identify impact of policy on economic social and cultural rights.
 - Action required by the UK government and regulators to ensure meaningful human rights impact assessments in the bill processes and post-implementation reviews (such as those conducted by the National Audit Office).

- How the committee itself can strengthen its oversight and scrutiny of human rights impacts beyond those contained within the Human Rights Act 1998.
 - What national human rights institutions (such as the Equality and Human Rights Commission) should take an increased role within their functions focused on ICESCR.
 - Which government department is best placed to provide ongoing cross-department coordination and monitoring of where policy decisions may undermine the rights within ICESCR expanding the monitoring and oversight beyond ICESCR review cycles into mainstream governance.
2. We request the Work and Pensions Committee work with the National Audit Office to launch an independent inquiry of Jobcentre culture, process and performance to propose a performance improvement plan including:
- Review of the assessment of eligibility for benefits including the system for identifying and meeting accessible information needs and needs for reasonable adjustments.
 - Review the extent to which assessments and mandatory reconsiderations are proportionate and effective.
 - Make recommendations for improvements that will end the reliance on tribunals and improve data monitoring.
 - Make recommendations for a role for statutory independent regulation with accountability for oversight of the performance, process of sanctions and appeals.

Appendix: Demographics of research participants

Claimants geographic spread

Methodology	Total	England	Wales	Scotland	N Ireland
Face-to-face interview	216	162	34	13	7
Online survey	419	322	27	61	9
Advisor online survey	147	115	12	11	9

Claimants ethnicity

Methodology	White	Black	Asian	Mixed	Other	Withheld
Face-to-face interview	128	34	40	2	10	
Online survey	334	10	16	9	11	11

Claimants gender

Methodology	Male	Female	Transgender	NB	Other	Withheld
Face-to-face interview	59	156	0	1	0	
Online survey	143	212	21	19	2	15

Claimants age

Methodology	18-64	65+	Withheld
Face-to-face interviews	188	28	
Online survey	283	105	3

Instances of specific social security payments

Methodology	UC	PIP	CA	ADP	ESA
Face-to-face interviews	142	69	15	5	29
Online survey	171	181	33	25	105

UC Universal credit
 PIP Personal independence payment
 CA Carer's allowance
 ADP Adult disability payment
 ESA Employment and support allowance

SOCIAL INSECURITY

**The devastating human rights impact
of social security system failures in the UK**

This report exposes the UK's failure to provide human right-compliant social security to ensure no one lives in deprivation. Despite ratifying an international covenant to protect economic, social and cultural rights nearly 50 years ago, the UK government continues to make decisions that make access to rights such as food, housing, clothing and health more difficult.

Political choices have left us with a tattered and depleted social security system that deepens poverty, entrenches inequality and actively harms those who need it most. Drawing on first-hand testimony from hundreds of claimants and advisors, alongside a wealth of other evidence, this report reveals how the UK's fragmented, cruel and punitive approach creates a cascading effect of human rights violations – denying people dignity, security, food and decent housing, as well as negatively impacting their health and wellbeing.

Amnesty International calls for urgent reform: for social security to be recognised not as a political gift, but as a legal right that is essential to living with dignity.

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