RIGHT TO WORK : RIGHT TO WELFARE

Participation and the Practice of Rights

Accountability. Equality. Participation.

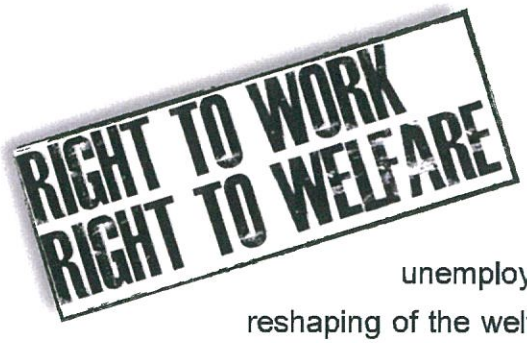
RIGHT TO WORK
RIGHT TO WELFARE



HUMAN RIGHTS

INDICATORS & BENCHMARKS

March 2013- March 2014



'They keep sending me to look for jobs that aren't there'

In June 2012, against a backdrop of rising unemployment and what many are calling the most radical reshaping of the welfare state in history, the Participation and Practice of Rights (PPR) organisation began an initiative to organise people who are out of work and on benefits in Belfast.

Building on a series of leaflets, art workshops, one-to-one and group discussions, on the 13th September 2012, 12 unemployed people met in the Golden Thread Art Gallery to identify issues which affect them as people 'signing on' at North Belfast's Social Security office on Corporation Street.

Using PPR's unique human rights based approach, the emergent Right to Work: Right to Welfare group developed an 'action research' survey to capture the experiences of others in similar situations to themselves.

The group held regular survey workshops from late October 2012 until early February 2013. They surveyed 163 people. Over 200 people took part in expressing their opinions through art activities, video and audio interviews. Collectively, this work comprises the exhibition entitled Right to Work: Right to Welfare launched for the first time on 25th March 2013 in the Golden Thread Gallery.

The group has used the findings to set human rights indicators and benchmarks to monitor government activity from March 2013 to March 2014. They will measure whether things are getting better or worse for people on the ground in line with government's commitments and obligations under international human rights law.

RIGHT TO WORK
RIGHT TO WELFARE

WHAT ARE WE MONITORING?



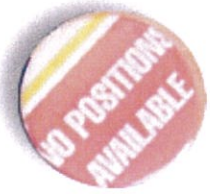
#1: % OF PEOPLE ABLE TO WORK WHO HAVEN'T HAD A JOB FOR OVER A YEAR



#2: % OF PEOPLE WHO GOT A JOB AFTER PARTICIPATING IN A GOVERNMENT BACK TO WORK SCHEME



#3 % PEOPLE WHO HAVE HAD A BENEFIT STOPPED BECAUSE OF A SANCTION



#4 % OF PEOPLE WHO DID NOT FEEL THEY WERE GIVEN SUFFICIENT INFORMATION ON THEIR RIGHT TO APPEAL SANCTIONS

#1: % OF PEOPLE ABLE TO WORK WHO HAVEN'T HAD A JOB FOR OVER A YEAR



'How can I get a job? I've applied for about 200'

What are our rights?

The government has an obligation to respect, protect and fulfill our right to work

"The principal obligation of States parties is to ensure the progressive realization of the exercise of the right to work. States parties must therefore adopt, as quickly as possible, measures aiming at achieving full employment"

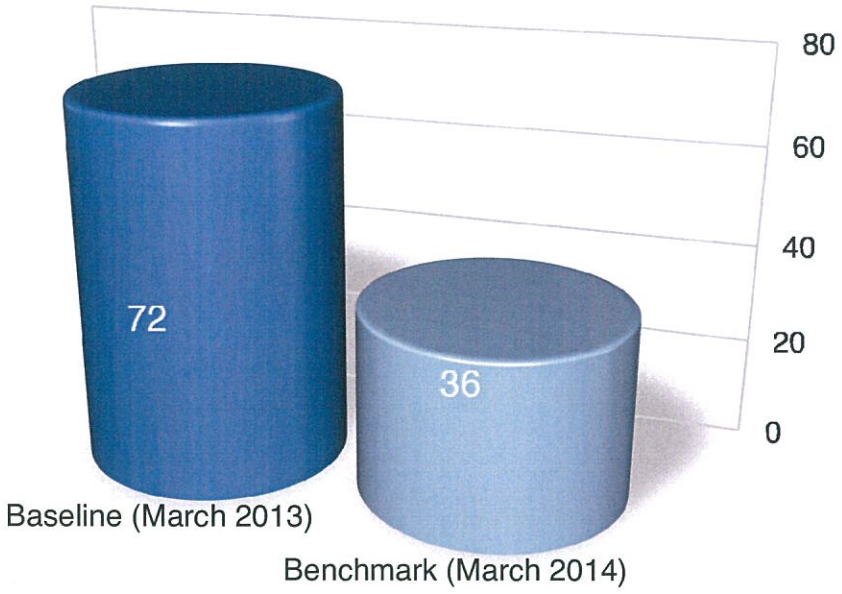
Committee on the International Convention on Economic, Social and Cultural Rights, General Comment 18 para.19

What does government say it is doing about this?

"The primary objective of these efforts remains the effective targeting of resources towards those in greatest objective need" (Page 24)

The NI Executive Programme for Government 2011-2015

Our monitoring:



Baseline: During our research we found that 72% of people who were able to work haven't had a job for over a year.

Benchmark: In twelve months this figure should have fallen to 36% to show that our right to work is being progressively realised in line with government commitments.

This is a big deal because...

The group believe that the figure for long term unemployment can be tackled if government target resources appropriately by using existing laws and policies to create jobs specifically targeted at the long term unemployed.

The NI Executive spends over £2 billion every year on public procurement, with hundreds of millions of pounds of public money being spent on projects across Belfast. It is clear that this money is not being spent in a smart way to target long term unemployment.

The Good Friday Agreement created laws which enable paid jobs and apprenticeships to be ring fenced for long term unemployed people.

Why is this not being done by every single public body?

The answer is political will.

#2: % OF PEOPLE WHO GOT A JOB AFTER PARTICIPATING IN A GOVERNMENT BACK TO WORK SCHEME



'When the course is over you just end up back on the dole'

What are our rights?

The government is obliged to put in place training schemes and programmes which lead to more people getting decent jobs

"The steps to be taken by a State Party to the present Covenant to achieve the full realization of this right shall include technical and vocational guidance and training programmes, policies and techniques to achieve steady economic, social and cultural development and full and productive employment under conditions safeguarding fundamental political and economic freedoms to the individual"

International Convention on Economic, Social and Cultural Rights, Article 6(2)

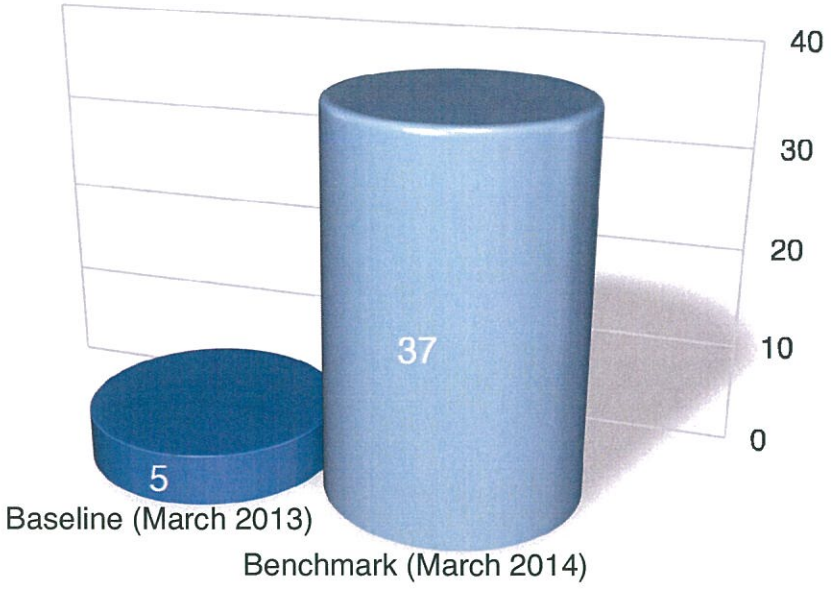
What does government say it is doing about this?

The Department of Education and Learning's Steps to Work scheme target[1]:

25% of leavers to find employment (within 13 weeks of leaving) and to sustain that employment for a full 13 weeks

[1] http://www.delni.gov.uk/index/finding-employment-finding-staff/fe-fs-help-to-find-employment/stepstowork/stw-key-performance-indicators.htm

Our monitoring:



Baseline: During our research we found that only 5% of people got a job after participating in a government back to work scheme Benchmark: In twelve months this figure should rise to 37% show that our right to work is being progressively realised in line with government commitments.

This is a big deal because...

Back to work schemes are the main way government spend money on getting people into employment. Millions of pounds are spent on the schemes every year. But are they working?

The Department for Employment and Learning's own figures for April – September 2011 say that 37% of people got a job after completing their 'Steps to Work' scheme. In contrast, Right to Work: Right to Welfare group's survey showed that only one in twenty people got a job at the end of a scheme.

Results also showed that for more than half of people back to work schemes were a wholly negative experience

56% of people weren't even given basic expenses like lunch money and travel costs, 57% were forced on to the schemes under threat of having their benefits removed and

55% said it wasn't helpful at all in developing work skills

57% said it wasn't helpful at all in providing training and experience

Whilst the group thought that even the Department for Employment and Learning's own 37% was a low figure, they also felt that it was reasonable to measure whether the schemes match up to what the Department publicly state they achieve.

#3: % OF PEOPLE WHO HAVE HAD THEIR BENEFIT STOPPED BECAUSE OF A SANCTION



'I was early to sign on but the queue was so long I ended up 10 mins late'

– This person had their welfare entitlements stopped for a week.

"My brother died – asked could I sign on half hour early instead, they gave me a warning"

"They sent a letter to my old address" (1month)

"I lost my benefit and rent due to being jailed for five days due to not being able to pay TV licence." (1 week)

"They stopped my payment because I owed too much in loans - it happened a few times" (3 months)

"I missed an appointment by 10 mins as I was with my community psychiatric nurse and my money was stopped. All my benefits ESA and DLA." (8 weeks)

"It was stopped (ESA) because I was there at the wrong time."

What are our rights?

Any sanctions which remove benefits must be fair

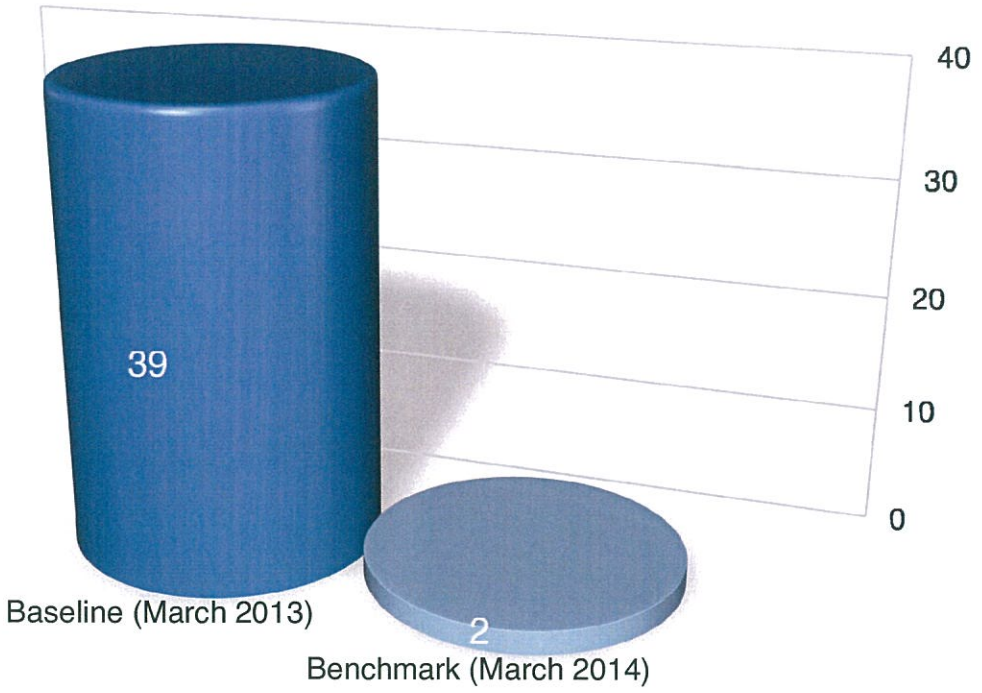
"Qualifying conditions for benefits must be reasonable, proportionate and transparent. The withdrawal, reduction or suspension of benefits should be circumscribed, based on grounds that are reasonable, subject to due process, and provided for in national law."

Committee on the International Convention on Economic, Social and Cultural Rights, General Comment #19 para 24

What does government say it is doing about this?

Different rules for sanctions apply to different benefits, but government says in most cases, it won't apply sanctions without *"good cause"*.

Our monitoring:



Baseline: During our research we found that 39% of those surveyed had received a sanction for being late or missing an appointment.

Benchmark: In 12 months this figure should be 2%

This is a big deal because...

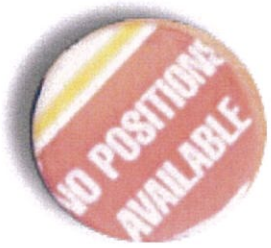
37% of people who had their benefits stopped had been 'late' or 'missed an appointment'. The group felt that taking someone's last penny from them was essentially removing a lifeline and was an unreasonable punishment for being late or missing an appointment.

Only 2% of people surveyed had their benefit stopped were accused of fraud.

According to official government figures, 256 people had their Job Seekers Allowance sanctioned in Corporation Street Social Security Office in 2012. The average for each NI Social Security office is 93. Such a wide difference shows that there are different rules in place across different dole offices and suggests that unaccountable, non-transparent, and inconsistent decisions are being taken about sanctioning people's benefit entitlements.

Because of the clear discrepancy in sanctioning figures, the unreasonableness of the sanctions, and the potentially devastating impact of financial sanctions on individuals and families, the group want to see this figure reduced to 2%.

#4: % OF PEOPLE WHO DID NOT FEEL THEY WERE GIVEN SUFFICIENT INFORMATION ON THEIR RIGHT TO APPEAL A SANCTION



'...very stressful, there was very little clarity in what was happening' , '...they should've helped me with forms'

What are our rights?

Because taking benefits off someone is such a drastic measure, it should only be done if certain guidelines have been followed.

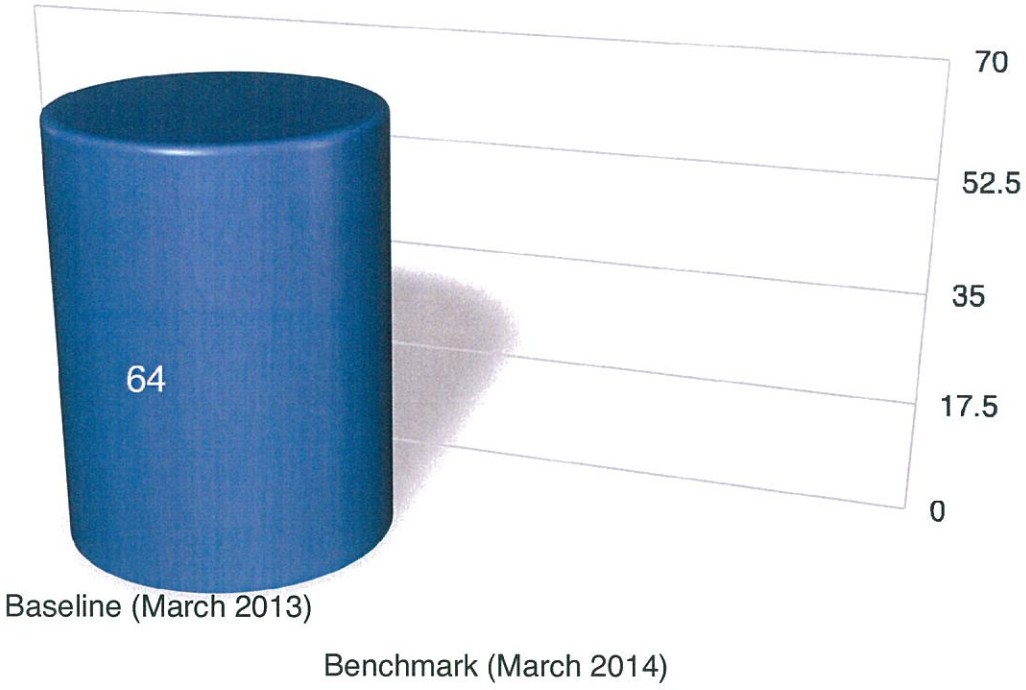
"Before any action is carried out by the State party, or by any other third party, that interferes with the right of an individual to social security the relevant authorities must ensure that such actions are performed in a manner warranted by law, compatible with the Covenant, and include: (a) an opportunity for genuine consultation with those affected; (b) timely and full disclosure of information on the proposed measures; (c) reasonable notice of proposed actions; (d) legal recourse and remedies for those affected; and (e) legal assistance for obtaining legal remedies. Where such action is based on the ability of a person to contribute to a social security scheme, their capacity to pay must be taken into account. Under no circumstances should an individual be deprived of a benefit on discriminatory grounds or of the minimum essential level of benefits as defined in paragraph 59(a)."

Committee on the International Convention on Economic, Social and Cultural Rights, General Comment #19 note 7

What does government say it is doing about this?

Decisions to sanction benefits can be appealed. There is no information however as to what information about this right to appeal the person will be given.

Our monitoring:



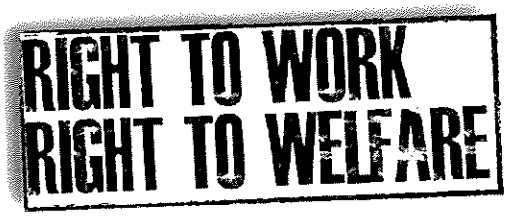
Baseline : During our research we found that 64% of people did not have sufficient information to appeal

Benchmark: In twelve months this figure should fall to 0%

This is a big deal because...

Almost two thirds of people surveyed who received sanctions did not believe that they were given sufficient information to appeal. Those surveyed indicated that were not even given the basic information on how to appeal and defend themselves against punitive measures taken by the Corporation Street Social Security office, never mind actually take part in an appeal.

The fact that the government appear to have produced no guidelines on this is also an indicator of the arbitrary nature of the sanctions process. The right to information is very basic. If you are in an employment dispute, or even a legal dispute, everyone involved has a right to all information and assistance to help them fight their corner. This should be the case in relation to benefits also.



HOW WE MEASURE CHANGE:

A NOTE ON 'INDICATORS' AND 'BENCHMARKS'

Government has a responsibility to respect, protect and fulfill the right to work and right to welfare and to aim for the highest attainable standards including full employment and social security protection for those who are unemployed or unable work.

They have committed themselves in international human rights law to take steps to continuously improve these rights in our communities. The Right to work / Right to Welfare group want to make sure this obligation is being lived up to. To do this, they will need to know if things are getting better or worse.

The Human Rights Indicators and Benchmarks are the group's way of measuring change in how government creates employment opportunities and provides social security protection.

When the group came together, they identified a long list of issues which they felt were problems for them and for others in their community. The list was then shortened to reflect specific issues which the group wanted to see change on and which were also reflected in international and national standards. The issues were turned into **INDICATORS** - put simply this means that they are issues supported by human rights law which are capable of being measured to show whether things are getting better or worse over time.

The group then carried out a survey of those with experience of unemployment and the benefits system within the last six months (October 2012 – March 2013) to set a baseline picture of the extent of the problem.

The group then set **BENCHMARKS** – these are specific targets about what improvements should be made over the next year to ensure that government is meeting its international obligations. The group will now monitor the situation over the next year to see if these benchmarks are being met.

Human rights standards state that affected groups must be able to meaningfully participate in the design, implementation and evaluation of government policy. The approach taken by the group means that people who are unemployed or unable to work are able to set their own timetable for change on issues which affect them and their community. In this way, the Right to work / Right to Welfare group are working to ensure the human right to work and welfare is made real where it is needed most.

£140 A FORTNIGHT
THATS A TENNER
A DAY. WHAT ALL
WILL YOU DO WITH
YOURS?
FOOD
ELECTRIC
HEATING
NOT POSSIBLE

There are no Jobs
Available out there.
A. Clark.

IT'S JUST THE
WAY IT IS BECAUSE
THATS THE WAY THEY
HAVE IT!

Young People ARE
TREATED UN FAIRLY
WHEN LOOKING FOR
WORK

Have 8 GCSE's and can never
find myself being considered for
jobs because I have no experience.

Politicians
are greedy
Idiots!

Were Skint
We Need More
Money It Isn't
We decisions!

Where is our Money
We need more you
Have it all

THEY AREN'T CREATING
JOBS — FORCING PEOPLE
TO EMIGRATE TO FIND WORK —
HOW DOES THIS BUILD OUR
ECONOMY?

LESS MONEY SPENT
ON POLITICIANS HOLIDAYS
MORE MONEY FOR PEOPLE
WHO DESERVE IT:
ie families
Elderly
PROVIDE JOBS for LOCAL
COMMUNITIES

Politicians Cant
agree on how to save
this Country never
mind take a pay
Cut!

TRY TO HELP
PEOPLE WHO ARE
ALREAD VERY STRESSED
DONT ADD TO IT.

THE BRU
IS A FUCKING
JOKE!!

They Say there's
NO MONEY...
How About Taxing the Rich?

Take a
Pay Cut and
try to live on
£46 a Fortnight!

There aint
NO JOBS!!

GIVE People who
have no xperiance
A CHANCE

Why don't the politicians
Take a pay cut!

Try Helping poor people
like us have no money
that need a job

AS people tell Jeremy Kyle
you find us the Job's we
will do them. & Let's see them (who)
& find 1.

There is no money
because they are
spending it on the
wrong things when
we do it and apply
for a crisis loan
your turned
down whats
the difference?

If I Could change one thing
about the welfare system it
would be EQUALITY for all non
working People.

Was on a placement and told I would
be working on a Beauty Salon that
has made to work in a Nail Shop
doing manicure instead..
Dread and because I was planning experience
in Something that wouldn't benefit my
future career.

They're asking Mr. for
2 Jobs App
2 weeks!
I say
2 weeks! every
create more
Jobs

You GET PAID Through our
Taxes why don't you take a pay cut
it might show you actually care about
the less well off in Society.

ACTION!!!

Plenty of Jobs?
get me one.

If you put money more
you drive People to
Crime!

If you had one
thing to say about
jobs in Belfast
what would it be?
↓
NOt Enough of them?

I cannot get
a Job because
My english is not
good enough!
#Maria Alves

Some may not have
the brain but many
have the skill

They can't tell people how
to live their lives or how
many children they should have!
They can't rule what people
do, it's a free world, so get
off your high horse!!!
WE'RE HUMANS (NOT ANIMALS)

SPENDING VASTS AMOUNTS
OF MONEY INTERFERING IN
OTHER COUNTRIES AFFAIRS
AND HELP THOSE IN NEED
CLOSER TO HOME.
↑
AGREE 100%

HARD TO BELIEVE THIS POEM
CAN'T AFFORD ONE OF MY
FUCKING OWN!

POLITICIANS DON'T GIVE
TWO HOOTS ABOUT LOWER
CLASS PEOPLE AS LONG AS
THEY KEEP THEIR 'PALS' RICH
MATES!

You are not treated
as an individual, you are
treated as a number.

I CAN'T WORK DUE TO MENTAL
& PHYSICAL HEALTH AND NO-ONE ONE
LISTENS. HOW CAN THEY NO HOW
I FEEL, HOW MUCH PAIN I AM IN
PEOPLE THAT DON'T DESERVE
DLA + PEOPLE THAT NEED
IT AND CAN'T

SYSTEM IS WRONG
M. Wright

more people will
develop mental Health
Probs due to Cuts.
Do they want deaths
on their Consciences!

you can't get a job
without experience,
Can't get experience
without a job!

I cannot get
a Job because
my english is not
good enough!
#Maria Alves

Politicians
- What do you're
do?!

Tell me where
these work and
ill take it

MR. CAMERON KNOWS
NOTHING ABOUT HARDSHIP
UNEMPLOYMENT & ADDICTION
HE SHOULD BE MORE EDUCATED
ABOUT THE PROBLEMS OF N. IRELAND
- Joey

Sit up in Stormont
with their money
Sack the lot of them

Each person
Should be paid
equal no matter
what the age!

Where is the
Work Cause I would
Love a Job Let me
have your job for a
day and you live
in my shoes for a
day and try to find
work!!

On ESA 'Curve & Spine'
asked for desk
Job - Told Fit &
able.

I WANT A JOB
IN BLACKS
LOL

Why
does the poor
Have to Suffer?

WORKING CLASS
NEEDS TO ORGANISE
AND EDUCATE!

Create Jobs
Stop spending money
on useless things
Help Jobless people
That want to work!!

Create jobs.
Stop spending money on shopsetc
Town closing them down.
Stop giving money for the
stupid are work in Belfast
Plans.

THEY SAY THERE'S
PLENTY OF WORK.

THERES NO WORK OUT
THERE ESPECIALLY FOR
SCHOOL LEAVERS!!

ATOS Don't
Give a tos

NO Employment Opportunities
No effective steps taken
to Create Jobs. No effective
training schemes that are useful.
Cut backs and Spending on Luxury's
Directed at the Living targets.
No Help. No desire to help
the Unemployed.

WHY ARE THE RICHER
GETTING RICHER AND
THE POOR GETTING POORER?
NOT FAIR!!!

We need jobs
We want to work!!!
no work out there!!!

More help for
young offenders
to get training x
Jobs.

Please invest in the future
of all the citizens of the state.
Create new opportunities in education
for young unemployed, disfaced.
"We are all in this together"
How many of you is in Government
Have been, or will be where we are?

Make more opportunities for
recognised qualifications
needed for certain industries
e.g. S.I.A Licences.
More investment into working
class communities

Invest money into
work, training. Stop
wasting it. Put more
funding into Youth services.

THE Executive have done nothing
But waste money its time the
holiday on the hill ended and
the all started working for our
future.

NO JOBS TO GO
TOO!

Stop cutting, sick!!
Alison

Create
More Jobs.

More help for Single Parents
to work and look after are
Children MORE money??

Your reducing are
money and trying to
get us to work and
there's no fckn Jobs!!
C McCartan

Cut expences
I don't get any
when I work!!!

PLEASE CAN WE ALL LIVE UP TO
THE THINGS WE ALL SIGN UP FOR.
Fin.

Have plenty of for companies
for work & the studies
& training & performance monitoring

I feel your pain!
Yeah dead on