

RIGHT TO WORK RIGHT TO WELFARE



HUMAN RIGHTS INDICATORS & BENCHMARKS

**LATEST RESULTS
MARCH 2014**

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

#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"

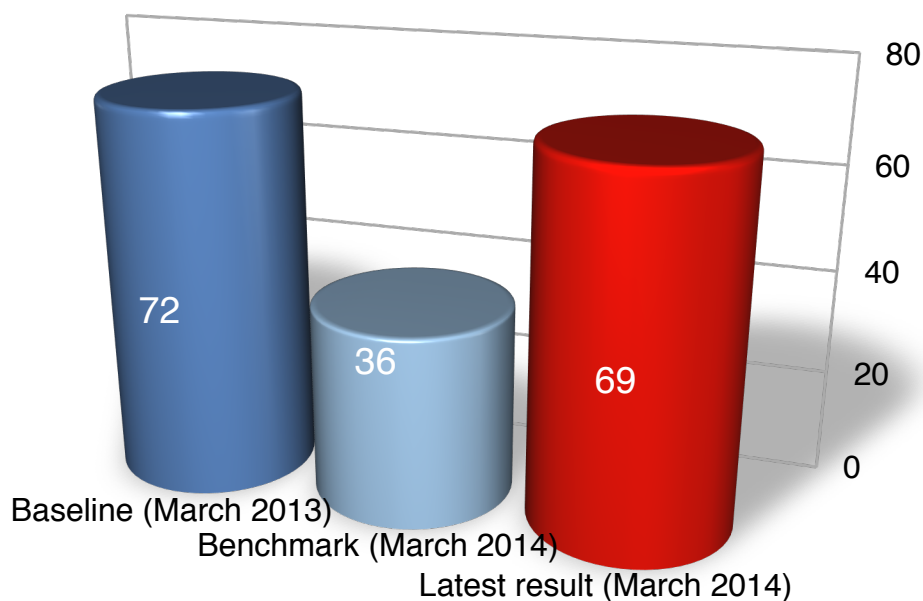
Committee on the International Convention on Economic, Social and Cultural Rights,
General Comment 18 para.19

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:



#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”

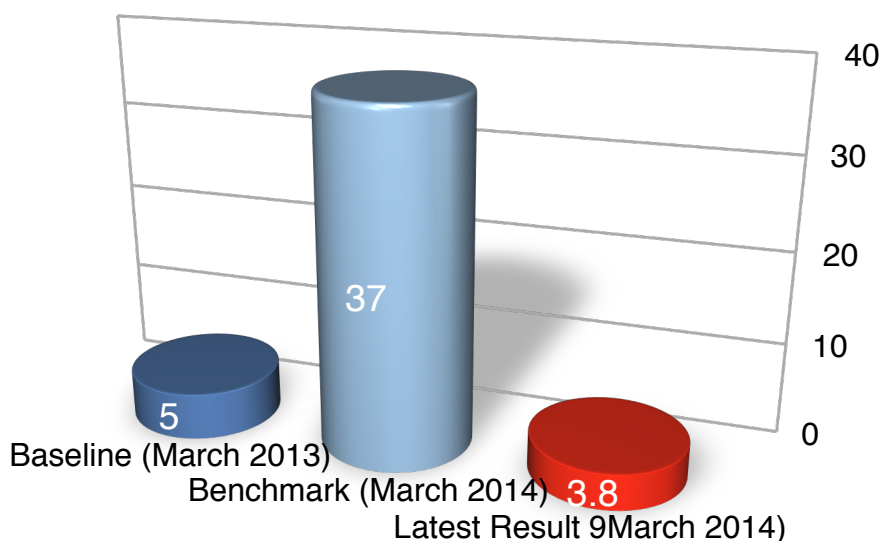
International Convention on Economic, Social and Cultural Rights, Article 6(2)

What does government say it is doing about this?

The Department of Education and Learning’s Steps to Work scheme target¹:

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

Our monitoring:



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

#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.

What are our rights?

Any sanctions which remove benefits must be fair

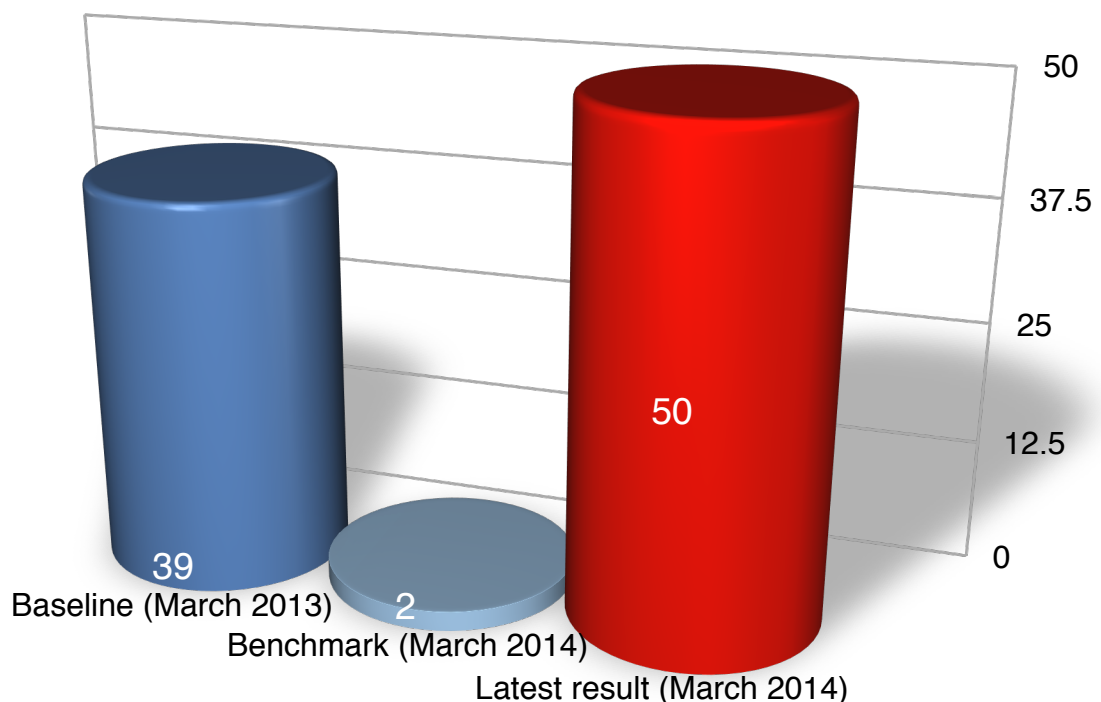
“Qualifying conditions for benefits must be reasonable, proportionate and transparent. The withdrawal, reduction or suspension of benefits should be circumscribed, based on grounds that are reasonable, subject to due process, and provided for in national law.”

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:



#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.

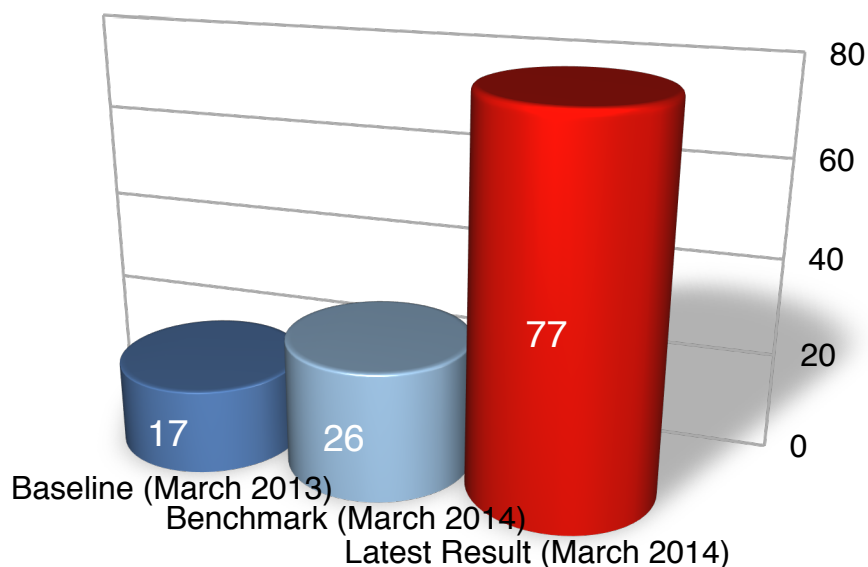
“Before any action is carried out by the State party, or by any other third party, that interferes with the right of an individual to social security the relevant authorities must ensure that such actions are performed in a manner warranted by law, compatible with the Covenant, and include: (a) an opportunity 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:



Human Rights Indicator	Baseline Result (March 2013)	March 2014 Benchmark	March 2014 Result	Better or Worse?
% of people able to work who haven't had a job for over a year	72%	36%	69%	Slight decrease but not meeting the benchmark
% of people getting a job after participating in a government back to work scheme	5%	37%	3.8%	Things have gotten worse
% of people getting their benefit stopped because of a sanction	39%	2%	50%	Things have gotten worse
% of people who did not feel they had sufficient info to appeal a sanction	64%	0%	77%	Things have gotten worse

