

# Engender submission of evidence to the UK Government Scottish Affairs Committee inquiry on welfare policy in Scotland

## 1. INTRODUCTION

Engender is Scotland's feminist membership organisation. We work to highlight the impact of sexism for women and men and make visible women's economic, social and political inequality across society.

The design of social security and 'welfare reform' has a disproportionate impact on women. Around 20% of women's total income comes from the benefits and tax credit system, compared with 10% of men's.<sup>1</sup> Women also rely more on public services, and as a result, up to 86% of net 'savings' between 2010 and 2020 will come from women's incomes, not accounting for additional cost savings sought as a result of upcoming economic changes.<sup>2</sup> Disabled, BME and refugee women, lone parents, unpaid carers and other marginalised groups are at even greater risk of poverty and destitution. We therefore welcome this opportunity to highlight issues relating to 'welfare' and social security in Scotland which we hope will help inform the committee's work.

We have been engaged in questions surrounding 'welfare' reform for nearly ten years, highlighting the negative impact of UK Government's programme of 'welfare reform' on women and women's equality in Scotland, and latterly on the gendered impacts of devolution and of some elements of social security in Scotland. During the passage of the Welfare Reform Act we **called for measures such as the single household payment of Universal Credit (UC) and the family cap to be abandoned**<sup>3</sup> and subsequently supported the devolution of social security powers as part of submission to the 2014 Smith Commission.<sup>4</sup>

---

<sup>1</sup> The Fawcett Society (2006) Who benefits? A gender analysis of the UK benefits and tax credit system

<sup>2</sup> Women's Budget Group (2016) The impact on women of the 2016 Budget: Women paying for the Chancellor's tax cuts

<sup>3</sup> Engender. (2012). Multiple Jeopardy: The impacts of the UK Government's proposed welfare reform on women in Scotland.

<sup>4</sup> Engender (2014) Engender submission to the Smith Commission on devolution October 2014

We again stressed the need for split payments as part of our advocacy around the Social Security Act 2018<sup>5</sup> and secured a legislative commitment to introduce split payments and, in conjunction with other equalities organisations, we successfully called for the introduction of an equality and non-discrimination principle to run through the devolved system.

## **2. What are the unique drivers of inequality in Scotland? Does Scotland have different welfare needs from the rest of the UK?**

Many of the drivers of inequality are consistent across the UK. Scotland has some limited devolved powers in respect of equal opportunities and equality and human rights that can be employed to address issues in Scotland. However the vast majority of levers to respond to inequality, including inequality between men and women, continue to be wielded by the UK Government, including employment, equality law, pensions and the majority of 'welfare' powers.

The Scottish Government has in recent years committed to ambitious measures to reduce child poverty, which has seen an intensified discussion about possible policy interventions to improve life circumstances in Scotland. This conversation has on occasion touched upon the link between women's poverty and children's as it is recognised that women represent the vast majority of primary caregivers. For example, women commonly act as 'poverty managers' within households that do not have adequate access to resources: going without food, clothing or medication to ensure their families' needs are met.<sup>6</sup>

**Scotland's gender pay gap persists at 13.9%.<sup>7</sup> Women represent 66% of the paid workforce living in poverty in Scotland and are over-represented in the part-time workforce.<sup>8</sup>** Childcare costs across the UK remain some of the highest in the world and the requirement under UC to pay upfront and reclaim exacerbates the difficulties in seeking paid work.<sup>9</sup> Research shows that 25% of parents living in absolute poverty in Scotland have given up work, a third have turned down employment, and a further 25% have been unable to take up education or training due to impossible childcare costs.<sup>10</sup>

**While Scottish Government plans to increase funded hours to 30 hours a week over the current parliamentary session, there remains a shortage of capacity to deliver the**

---

<sup>5</sup> Engender (2017) Engender Submission to the Scottish Parliament Social Security Committee on the Social Security (Scotland) Bill

<sup>6</sup> Women's Budget Group (2015) The impact on women of July budget 2015: A budget that undermines women's security

<sup>7</sup> Close the Gap (2019) Working Paper 20: Gender pay gap statistics

<sup>8</sup> Close the Gap response to the Social Security Committee inquiry into social security and in-work poverty

<sup>9</sup> OECD (2017) Family Database: PF3

<sup>10</sup> Save the Children (2017) Soaring childcare costs push parents out of work in Scotland

wrap-around and flexible childcare needed for parents and primary care givers to balance care with paid work.

Women also continue to **provide the majority of unpaid social care** – 70% of all unpaid care work is undertaken by women and women are twice as likely as men to give up paid work in order to care for disabled or older relatives, and four times as likely to give up paid work in order to provide ‘sandwich’ care.<sup>11</sup> Data from the DWP shows that **women in the UK are more than 2.5 times more likely to receive Carer’s Allowance.**<sup>12</sup>

Discussions around the nature of poverty in Scotland have highlighted a number of factors and drivers of inequality particularly relevant to Scotland. Scotland’s large rural geography has large demographic impacts, including access to services, the nature of rural employment and the quality of infrastructure. **Women in rural areas**, who already experience significant barriers to the labour market and particularly to secure and high paying work due to care responsibilities, reliance on public transport<sup>13</sup> and the systemic under valuation of women’s work, **experience all these factors acutely.**

### **3. How well is UC working in Scotland? Are there issues with UC that are specific to Scotland compared to the rest of the UK?**

UN’s Special Rapporteur for Extreme Poverty described UC by saying *“If you got a group of misogynists together in a room and said ‘how can we make a system that works for men but not women?’ they wouldn’t have come up with too many other ideas than what’s in place.”*<sup>14</sup> There are a multitude of factors inherent to the design of UC that work together to embed women’s inequality and insecurity, yet the UK Government has uncritically stated that UC is gender neutral.<sup>15</sup>

**UC’s inbuilt system-wide design flaws negatively affect women disproportionately**, including the **five-week wait**; the **rigidity of assessment periods** and the way in which these **interact with income periods**; the **reliance on automated systems** which do not adequately respond to more flexible needs; the **requirement to pay and reclaim childcare costs** and **difficulties for individuals who seek to challenge** aspects of their decisions.<sup>16</sup>

---

<sup>11</sup> Carers UK (2014) Caring and Family Finances Inquiry; Carers UK and Employers for Carers (2012) Sandwich Caring Combining childcare with caring for older or disabled relatives.

<sup>12</sup> DWP Stat Xplore: Dataset: CA: Cases in Payment - Data from May 2018 III, IMeta Information| Table: Table 1 - Gender

<sup>13</sup> Women’s Budget Group (2018) Public Transport and Gender Briefing from the UK Women’s Budget Group on public transport and gender.

<sup>14</sup> The Telegraph “UK’s welfare system is cruel and misogynistic, says UN expert after damning report on poverty” < <https://www.telegraph.co.uk/news/2018/11/16/welfare-system-cruel-misogynistic-un-expert-warns-damning-report/> >

<sup>15</sup> Insisting that “where men and women are in the same circumstances they are treated equally under UC.”

<sup>16</sup> CPAG (2019) Universal Credit: What needs to change to reduce child poverty and make it fit for families

The five-week wait forces families into arrears before their first payment and there is evidence that **non-means tested benefits, including child benefit and carer's allowance, are acting as a safety net** in these circumstances.<sup>17</sup> The available flexibilities devolved under the Scotland Act 2016 (Scottish Choices) are only offered after the first assessment period.

**Disincentives for second earners, more likely to be women, further reinforces an outdated male-breadwinner-female-carer model.** The requirement to name a partner in the couple as the main carer, who has some small modifications to their conditionality if they have children of certain ages, is coupled with the other partner being treated as if they have no children, required to look for 35 hours per week. This undermines any attempt to promote shared parenting. While it is vital that childcare and other caring is recognised for the work that it is, there needs to be a more flexible attitude to taking caring responsibilities into account.

Conditionality requires claimants to increase hours and/or pay and fails to recognise the impact of care responsibilities as demands on women's time. **The principle that primary carers are protected from conditionality has been abandoned under UC.**<sup>18</sup> This has a **particularly severe impact on lone-parent families**, 90% of which are women, and who have been one of the worst affected groups by the introduction of UC with lost income amounting to around 25% of their net income.<sup>19</sup>

None of these factors are unique to Scotland, however the **devolution of UC flexibilities has offered the prospect of differentiation.** Particularly relevant has been the Scottish Government's commitment to introducing individualised (spilt) payments of awards. In March 2019 the UN CEDAW Committee recognised the harm to women of the single household payment, and **Engender continues to call on the UK Government to reform UC at source.**<sup>20</sup>

**The single household payment undermines gender equality by reflecting an antiquated notion of a single (male) breadwinner who controls household expenditure as the default.** Clearly, this does not reflect the way income is paid in the labour market, and seems antithetical to the UK Government's intention that UC smooth the transition between unemployment and work. Because women continue to be over-represented in part-time work and insecure employment, they are more likely to have their wages supplemented by the benefits and tax credit system.<sup>21</sup>

---

<sup>17</sup> Women's Budget Group (2019) Women's Budget Group submission to Labour National Policy Forum: Rebuilding a just social security system

<sup>18</sup> Citizens Advice Bureau (2015) Citizens Impact Assessment: Lowering the Benefit Cap

<sup>19</sup> Equality and Human Rights Commission (2018) The cumulative impact of tax and welfare reforms

<sup>20</sup> Engender (2019) Engender Annotated Concluding Observations CEDAW

<sup>21</sup> Close the Gap (2018) Response to the Social Security Committee – In Work Poverty and Social Security 11 ONS (2017) Labour Force Survey: Zero Hours Contracts Data Tables 10

Since UC was first proposed, Engender has consistently argued that the single payment entrenches inequality between partners in a relationship, is a regression in women's rights to an individual income and puts women at an increased risk of domestic abuse and financial coercion by restricting access to resources.<sup>22</sup> We were pleased that 88% of the respondents to the Government's consultation on Social Security called for the splitting of UC payments, predominantly due to concerns that household payments contribute to power imbalances in relationships.<sup>23</sup>

A single payment of UC makes assumptions about the ways families manage household finances which particularly disadvantage women, who, for reasons outlined above, are less likely to have access to other forms of income.<sup>24</sup> It ignores gendered dynamics within households and the persistent barriers to paid work faced by women, as well as those which push women into part time and low paid work where income are more likely be supplemented by UC.<sup>25</sup> The design of social security has profound implications for women's capacity to be in paid work, and in their experience of poverty once they are employed. DWP figures show that 33% of UC claimants are in employment and 54% are women, and two-thirds of workers earning less than the living wage are women.<sup>26</sup>

**Women who experience multiple discrimination across society are at particular risk of harm.** The single payment has disproportionate impact on disabled women, young women, minority ethnic women, refugee women and unpaid carers, all of whom have less access to income as a result of additional barriers and layers of disadvantage.<sup>27</sup>

The UK Government has recognised the serious concerns about the potential for single payments to compound the risks of financial abuse faced by women through the availability of Alternative Payment Arrangements (APAs). Its suggestion that APAs are in any way sufficient to mitigate concerns is not convincing. While the DWP has not yet made available information on the number of split payment APAs, anecdotally we understand there to have been only around made 6 in Scotland. Work Coaches can recommend these only in "very exceptional" circumstances; they are to be reviewed every 3 months and there is no right of appeal.<sup>28</sup> The process for securing an APA requires a request and a manual payment. There is no possibility that an abusive partner would not know an APA had been made. **We do not believe the use of APAs in any way responds to women's needs, and in fact may put women at increased risk.**

---

<sup>22</sup> Engender (2016) Gender Matters in Social Security: Individual Payments of Universal Credit

<sup>23</sup> Scottish Government (2017) Analysis of Written Responses to the Consultation on Social Security in Scotland (Supplementary Analysis)

<sup>24</sup> Engender (2015) Securing Women's Futures

<sup>25</sup> DWP Stat Xplore Dataset: People on UC II, III, I, IV | Table: Table 2 - Employment Status by Gender – women are more likely to be in employment and UC

<sup>26</sup> Department of Work and Pensions (2019) UC Statistics: Data to 14 March 2019

<<https://www.gov.uk/government/statistics/universal-credit-29-april-2013-to-14-march-2019>>

<sup>27</sup> Engender (2016) Securing Women's Futures

<sup>28</sup> House of Commons Work and Pensions Committee (2019) Work and Pensions Committee Universal Credit and domestic abuse

The UK Government has further stressed its belief that training for DWP staff on domestic abuse will enable points of contacts to “identify and support the needs of anyone experiencing domestic abuse, and [they] will work closely with local services to share knowledge and signpost women to additional, external support.”<sup>29</sup> Like the rape clause (see below), requiring women make a disclosure at a time and circumstance not of their choosing in order to receive basic needs is to risk re-traumatising them and an affront to their dignity and privacy.<sup>30</sup>

As far as we are aware, training commissioned by the DWP was two and half hours of domestic abuse training, delivered to mostly Customer Service Managers, not Job Centre work coaches. This sat within other training which was part of a ‘Complex Needs Roadshow’.<sup>31</sup>

The Cabinet Secretary has also this year suggested that changes in practice will be introduced in to ‘encourage’ claims to paid to the primary carer of any children. As far as we are aware this is accompanied with no technical change, and that the measure amounts to a suggestion by work coaches. **This will do nothing to address the needs and equality of couples without children and further reinforces a gendered division of labour. Such a move does not suggest that there has been a meaningful sense of the importance attached to equal access to resources, a fundamental aspect of gender equality, nor to women’s safety.**

The Scottish Government has now outlined its commitment to the introduction of split payments on a number of occasions and in multiple formats, including the Social Security (Scotland) Act 2018.<sup>32</sup> It has formulated a policy objective which focuses on the need to increase equality within the welfare system and provide access to an independent income which reflects each individual’s needs. **Equal access to social security is a key element of the pledge that “new powers will be founded on dignity and respect”.**

However the practical realisation of this objective is currently dependent upon the willingness and flexibility of the DWP. While we acknowledge that there are some practical issues and complexities to be addressed between Scottish Government and the DWP, with an average of 9,000 people in Scotland transferred to UC every month

---

<sup>29</sup> UK Government Press Release, July 2019 <<https://www.gov.uk/government/news/increased-jobcentre-support-for-women-experiencing-domestic-abuse>>

<sup>30</sup> Refuge (2018) Written evidence from Refuge Work and Pensions Select Committee’s inquiry on the impact of Universal Credit on survivors of domestic and financial abuse.

<sup>31</sup> DWP (2018) Work and Health Programme Provider Guidance Chapter 6: Working with Participants with complex needs and /or additional support requirements

<sup>32</sup> S94 (not in force). See also: Scottish Parliament Official Report, 7 March 2019, Minister for Older People and Equalities; Social Security (Scotland) Act 2018; Engender blog <<https://www.engender.org.uk/news/blog/success-scottish-government-commit-to-individual-payments-of-universal-credit/>>



this year, more and more women lose their right to independent income. While managed migration undergoes a pilot, women face the risks of 'natural migration' and no transitional protection. Scottish Women's Aid note that natural migration seriously affects some women's decision making about ending a relationship with an abusive partner – especially where they have more than 2 children.<sup>33</sup>

**Every individual should have the right to access the income which meets their needs, including entitlements to income designed to meet the costs of disability and childcare.** It is therefore important that the ultimate model agreed reflects individual needs and circumstances. **For this reason, we would not find an automatic 50-50 split or blunt proportion system of the UC payment to meet the basic policy intention and the ability of women to realise their human rights, including those to food, security and housing.**

We believe that all substantive changes must be addressed UK-wide while welcoming the Scottish Government's commitment to use the full extent of its powers (see below). The UN CEDAW Committee has also drawn attention to the need for the Scottish and UK governments to work together closely to implement individual payments as soon as possible to mitigate the effects for women and their families in Scotland.<sup>34</sup>

#### **4. What impact has the Benefit Cap had in Scotland? Have certain communities been more disproportionately affected than others?**

Women are also over-represented amongst those who have been impacted by the benefit cap.<sup>35</sup> As we have outlined above, women face significant and persistent barriers to the labour market. The stated aims of the cap to incentivise people to move into work, represents a narrow conception of 'work' which focuses on labour market participation and ignores the vast quantity of unpaid work carried out by women. Like the household payment, the benefit cap breaks the link between individual need and entitlement.

The benefit cap extends conditionality to households that are unable to undertake paid work, including lone parents with very young children.<sup>36</sup> This has particular consequences for lone parents - nearly three quarters of people affected by the benefit cap are lone parents; half have a child under the age of three.<sup>37</sup>

The benefit cap further impacts women with experience of domestic abuse, leaving women managing inadequate resources and faced with looking for work while

---

<sup>33</sup> Scottish Women's Aid unpublished (2018) focus group research

<sup>34</sup> Engender (2019) Engender Annotated Concluding Observations CEDAW 25 Scottish Parliament Official Report, 7 March 2019, Minister for Older People and Equalities

<sup>35</sup> Citizens Advice Bureau (2015) Citizens Impact Assessment: Lowering the Benefit Cap

<sup>36</sup> Engender (2016) Securing Women's Futures

<sup>37</sup> DWP benefit statistics release November 2017

managing caring responsibilities, legal matters and trauma. This is exacerbated where women are required to move homes in order keep their families' safe but away from support networks.<sup>38</sup>

## 5. What is the impact of the Two-Child Limit on families in Scotland?

The family cap and its exemptions put women in a position of justifying their reproductive choices and family circumstances in order to receive social security. **CPAG suggests that the two-child limit represents a loss of up to £2,800 every year for each additional child.**<sup>39</sup>

There is a solid evidence-base to support the position that that family caps represent a flawed policy decision.<sup>40</sup> Use in the US showed that they did not result in reducing the number of children born to recipients of social security, but that they pushed families into deeper poverty.

The idea that family size should be dictated by income frames children in low-wage families as the product of women's irresponsibility about their reproductive choices. This is ignore women's fundamental rights to reproductive autonomy, religious and conscientious views on the use of contraception, the fallibility of contraception, bereavement, family breakdown, new relationships and blended families and economic uncertainty. **We know from anecdotal evidence that the family cap is forcing women to terminate wanted pregnancies**, a serious affront to human rights.<sup>41</sup> The policy also ignores realities about women's choices in pregnancy - domestic abuse commonly includes elements of reproductive coercion.

The two-child limit is likely to have a particular impact for minority ethnic women, women of some faiths, and refugee women, who are more likely to have three or more children.<sup>42</sup>

The recent decision by the UK Government not to extend the two-child limit retrospectively to children born before 2017 is obviously a relief for families facing substantial losses to their monthly income. However, this does not take away the hardship caused for women now and in the future, and falls far short of the UN CEDAW Committee's recommendations and the calls of women across the UK.

---

<sup>38</sup> Women's Budget Group (2019) Benefits or barriers? Making social security work for survivors of violence and abuse across the UK's four nations

<sup>39</sup> Child Poverty Action Group. (2017). Two-Child Limit for UC: 200,000 more children put in poverty.

<sup>40</sup> Engender (2017) Parliamentary Briefing: Child Tax Credit and Child Element of Universal Credit

<sup>41</sup> Engender (2017) Parliamentary Briefing: Child Tax Credit and Child Element of Universal Credit

<sup>42</sup> Engender (2018) Engender submission of evidence on the two-child limit for Tax Credits & Universal Credit to the Scottish Parliament Social Security Committee



The existence of exemption implies a difference between planned and ‘unforeseen’ children. **The rape clause demands that women disclose a trauma at a time and in circumstances not of their choosing in order to avoid or minimise poverty for herself and her children.** There is no way that the state could gather the information necessary to make a determination about rape from women that would not seriously risk re-traumatising women, and breach their and their children’s right to privacy.

HMRC data shows that in the two years to April 2019, **8,540 families in Scotland were affected by the family cap.**<sup>43</sup> In total **480 families received an exemption and of those 50 households in Scotland were affected by the rape clause.**<sup>44</sup> This data represents only those able to go through the process of disclosure, or those for whom the alternative is even graver. **We are not aware of any national organisation that has agreed to act as a third-party assessors for exemptions under the rape clause,** though we are aware that women in Scotland are receiving support in order to make their own claim to ensure their family avoids further poverty. Women’s organisations have continued to criticise the introduction of the two-child limit and its exemptions.

Despite strong advocacy by individual MPs, the lack of parliamentary time devoted to scrutiny of the family cap and rape clause has been a significant drag on action and public awareness. The exemptions were introduced by Statutory Instrument and no parliamentary debate was held on the rape clause itself.<sup>45</sup> In Scotland, women’s rights advocates, including Engender, took that view that public debate would be assisted by the introduction of public petition. Sadly this petition fell with the prorogation of parliament ahead of the 2017 general election.<sup>46</sup> We remain deeply disappointed that a recent legal challenge to the two child-policy was unsuccessful but welcome plans to appeal to the Supreme Court.

## **6. How effective has cooperation been between the UK and Scottish Governments on the devolution of new welfare powers to Scotland?**

Splitting payments has required concerted and ongoing interaction with the Scottish Government and **we remain frustrated by the time frames while pleased that the Scottish Government continues to recognise the importance of individualised income for gender equality and women’s rights and safety.**

---

<sup>43</sup> Child Tax Credit and UC claimants: statistics related to the policy to provide support for a maximum of two children, April 2019, July 2019

<sup>44</sup> Child Tax Credit and UC claimants: statistics related to the policy to provide support for a maximum of two children, April 2019, July 2019

<sup>45</sup> Social Security (Restrictions on Amounts for Children and Qualifying Young Persons) Amendment Regulations 2017 (SI 2017/376) and Child Tax Credit (Amendment) Regulations 2017 (SI 2017/387)

<sup>46</sup> Scottish Women’s Aid, Rape Crisis Scotland, and Engender statement on the ‘rape clause’, ‘family cap’ and the UK general election

We are aware of ongoing discussions between the Scottish Government and the DWP about the practicalities of delivering individualised payments in Scotland. While these meetings indicate a willingness at some levels of the DWP to facilitate the diverging approach to UC income, **it is a source of frustration that little there has been little update on the progress of discussion.**

## **7. What challenges are posed by the DWP administering benefits on behalf of the Scottish Government? How can these challenges best be managed?**

The DWP's IT systems are required to deliver all of the flexibilities devolved to the Scottish Parliament, and irrespective of any willingness to facilitate, **the operational capacity appears overly inflexible.**<sup>47</sup> Because of the way in which UC combines various elements, some of which are standard and some of which are variable, the development of a suitable and deliverable model continues to be a point of discussion.

Because the Scottish Government may only vary the payee and not the structure of the payment, there is a limitation imposed on the intention that split payments secure and individualised and independent income. For example, person A may receive income from paid work which, through the earnings taper, reduces the income of person B from UC due to 'spill over', including elements for children and/or disability, and thus the payment fails in its objective to meet individual need. The implication that person A should meet the difference from their paid income means that person B remains dependent on their partner's income.

The UK Government states that because of the way elements of UC are amalgamated, "it is not possible to untangle all of that design to construct a split payment policy."<sup>48</sup> On the other hand, the fact that they continue to enter into discussions with the Scottish Government on the basis of an independent award based on individual need indicates that there is some degree of flexibility. Furthermore, the availability of APAs, the fact that variable childcare costs are reimbursed as part of the payment, and the fact that when one member of a couple is sanctioned, up to 50% of the couple's standard personal allowance is deducted indicates that elements can be separated out and managed in isolation.<sup>49</sup>

---

<sup>47</sup> The Work and Pensions Committee touched on the frustrations in systems capability recently as part of its Report into UC: natural migration (2019); see also Letter from Jeane Freeman to Chair of the Committee, 9 May 2018

<sup>48</sup> Letter from Minister for Family Support, Housing and Child Maintenance to Chair of the Work and Pensions Committee, 15 May 2018

<sup>49</sup> House of Commons Work and Pensions Committee (2018) Universal Credit and domestic abuse

## 8. What Impact Could Diverging Welfare Policies in Scotland and the Rest of the UK Have on Welfare Claimants in Scotland?

Scotland has some opportunities with new powers over social security to chart a different course from the UK's damaging 'welfare reform' agenda. The Scottish Government has committed to delivering a system which bakes equality into the system which it must now work to deliver. Initial announcements, such as the new Scottish Child Payment, which is predicted to lift 30,000 children out of poverty, have the potential to contribute to solving poverty. **However initial and future developments must be developed with adequate gender competence<sup>50</sup>** in order to address the highly gendered nature of poverty and equality between men and women.

However, we also recognise that there are practical limitations to how impactful Scottish Social Security can be with the balance of devolved social security powers. The focus on safe and secure transition can be viewed as an immediate positive, yet has limited the opportunity for radical changes to benefit design. In the longer term for example, we have called for a gendered approach to disability entitlements which recognise the impact of heavily gendered household work and care responsibilities on how assessments are conducted and which recognises the gendered nature of disability itself.

**The policy divergence between the Scottish Government and the DWP in respect of the single payment appears to be resulting in delays to successful implement of split payments.**

The House of Commons Work and Pensions Committee recently recommended that the DWP support the Scottish Government in its implementation of split payments as part of its inquiry into UC and domestic abuse.<sup>51</sup> While we share the Scottish Government's view that split payments in Scotland are not a pilot but a Scottish policy decision,<sup>52</sup> we are also hopeful that lessons could be learnt which improve the lives of women across the UK. Once necessary adaptations to systems have been made, the DWP should reflect on the principle of individual payments and make further changes at source which enable payments to be made at appropriate levels across the whole of the UK.

---

<sup>50</sup> Gender competence refers to the skills, knowledge and analytical capability to develop policy that is well-gendered; that takes account of the socially constructed difference between men's and women's lives and experiences.

<sup>51</sup> House of Commons Work and Pensions Committee (2018) Universal Credit and domestic abuse

<sup>52</sup> Letter from Jeane Freeman to Frank Field MP on Universal Credit provision for survivors of domestic abuse, 9 May 2018

## 9. Conclusion

Engender is clear that the design of UC is structurally flawed and its impacts highly gendered. **We are pleased that the Scottish Government has committed to introducing an automatic and independent payment which meets individual needs in contrast to the UK-wide household UC payment. However, it is frustrating that this process continues to move slowly**, with the UK Government at once entering into discussions and elsewhere highlighting the technical difficulties of implementation.

We also hope that more information will be forthcoming from the DWP and Scottish Government about the progress of split payments so that the options discussed can be subject to scrutiny and recommendations. The opportunity to demonstrate a strong commitment to gender equality by restoring equal rights to resources must not now be lost or further delayed. If Scotland is to use its powers to deliver a system with equality, dignity and fairness at its core, women's equality and rights must be realised.

**The DWP must undertake a more fulsome review of the impacts of UC on women**, across the full design of the payment, and take steps to address the five-week-wait, conditionality, childcare payment system and the other issues outlined in this response, as well as restoring the link between need and entitlement. The benefit cap, frozen at £20,000, is having an egregious impact on women, especially lone parents and women who have experienced domestic abuse. The two-child limit and rape clause are notable for their cruelty, pushing women and their children into poverty for exercising basic reproductive rights and ignoring the trauma they impose.

**The UK Government's 'welfare reform' programme has undermined women's rights, safety and resources.** While we will continue to push the Scottish Government to use the full extent of their powers to meet women's need, **these changes demand and merit action at source.**

### FOR FURTHER INFORMATION

Contact: Eilidh Dickson, Policy and Parliamentary Manager, Engender  
Email: [eilidh.dickson@engender.org.uk](mailto:eilidh.dickson@engender.org.uk)

### ABOUT US

Engender is a membership organisation working on feminist agendas in Scotland and Europe, to increase women's power and influence and to make visible the impact of sexism on women, men and society. We provide support to individuals, organisations and institutions who seek to achieve gender equality and justice.