Submission to the United Nations Special Rapporteur on extreme poverty and human rights

Citizens Advice Scotland (CAS), our 59 member Citizen Advice Bureaux (CAB) and the Extra Help Unit, form Scotland's largest independent advice network. Advice provided by our service is free, independent, confidential, impartial and available to everyone.
In 2017-18 the Citizens Advice Service network helped over 295,100 clients in Scotland and dealt with almost 800,000 advice issues. With support from the network clients had financial gains of over £138 million and our self-help website Advice in Scotland received approximately 3.2 million page views.

This submission focuses on social protection systems within the UK. In particular, the "digital-by-default" nature of Universal Credit, and the social protection powers devolved to the Scottish Parliament in 2016. In addition, we have also provided an appendix detailing previous CAS publications on broader digital access issues. Many of these explore how digital technologies interact with inequalities more generally but we would still consider them relevant to the Special Rapporteur's investigation.

Universal Credit has now been rolled out across all of Great Britain and Northern Ireland, but what we refer to as the "Scottish social security system" is still in a transition period, with some elements now delivered directly by the Scottish Government, but the details of delivery for other elements to be confirmed. **In response to question 1**, we have provided an overview of the role of digital technologies in both.

Universal Credit

Digital technologies form the backbone of Universal Credit, a benefit that supports working-age people in the United Kingdom. Universal Credit merges six means-tested benefits into one payment comprising a basic personal allowance with additional elements payable for disability, housing costs, caring responsibilities and children. Universal Credit is the biggest change to the UK welfare system since its inception.

Universal Credit is a digital-by-default benefit. It requires claimants to apply for and maintain their claim through an online personal account and journal. Entitlement is assessed, calculated and delivered electronically, and ongoing payments are automatically adjusted according to monthly income, as reported through the Pay As You Earn taxation system. Claimants use their journal to access information about their payments and their responsibilities (such as work search requirements), record their work-search history (if applicable) and to communicate with their Work Coach between formal meetings. Claimants are also expected to report significant changes of circumstances through this channel, for example if they move into work, increase their working hours, lose their job, have a child or become sick. There are alternative access routes (such as telephone and face-to-face). However, these routes are reserved for people who can't use, or be helped to use, the online service, and use of these channels is kept to a minimum.

When Universal Credit was introduced in 2013, it was hailed as an opportunity to 'transform the delivery of in and out-of-work benefits into a service fit for the 21st Century'. Some of the objectives cited were:

- To simplify the system, making it easier for claimants to understand, and easier, quicker and cheaper for staff to administer;
- To reduce fraud and error;
- To minimise the need for claimants to contact government, unless integral to managing conditionality, preventing fraud or error or providing support;
- To enable better targeting of resources to support vulnerable people with additional needs and complex cases; and
- To maximise overall service efficiency and transparency [1]

These objectives reflect the Government's broader desire to transform the way people access public services in the United Kingdom, eventually transitioning to digital-only services. They also reflect the broader political context of welfare reform and austerity.

The introduction of a Scottish social security system and use of digital technologies

The devolution of certain elements of social security powers in the Scotland Act 2016 has required new infrastructure for the delivery of social security payments, and the establishment of powers to allow people to apply for social security support. These factors have led the Scottish Government to consider how to use digital technologies in the new system.

The Scottish Government's 2016 consultation document on the establishment of a new social security system for Scotland [2] sought views on a 'digital first' approach, and ways the user experience and application processes could be improved. Based on evidence of how CAB clients have coped with the introduction of digital technologies in the UK social security system, Citizens Advice Scotland made a number of recommendations to the Scottish Government [3]. These have been generalised and included in response to question 5.

In particular, claimants should have a choice in how to apply for disability benefits. This should include online, by telephone, on paper and in person. A 'digital-by-default' approach would not be appropriate for applications for disability benefits, based on CAS research indicating claimants of disability benefits find it harder to use a computer and the internet when compared with all benefit claimants (more detail is provided in response to question 3). On this basis,

[1] https://www.gov.uk/government/publications/universal-credit-welfare-that-works

[2] A New Future for Social Security: Consultation on Social Security in Scotland – Scottish Government, July 2016 https://consult.gov.scot/social-security/social-security-in-scotland/user_uploads/consultation-on-social-security-in-scotland---full-version.pdf

[3] Citizens Advice Scotland response to 'A New Future for Social Security' consultation – October 2016 https://www.cas.org.uk/publications/designing-social-security-system-scotland-consultation-new-powers

whilst we would support an online option being available, CAS does not recommend a 'digital-by-default' approach[4]."

In response, the Scottish Government committed to multiple channels for social security application, including the options of applying on paper, by phone or in person[5]. Figures for the first social security payment made by the Scottish Government (Best Start Grant, for new parents on low incomes) indicate 89% of applications were made online, with 11% made either on paper or by phone[6].

More broadly, in addition to enshrining the principle of social security as a human right and essential to the realisation of other human rights, the Social Security (Scotland) Act 2018 underpinning the new system [7] also requires the Scottish Government to have regard to:

- communicating in inclusively
- providing accessible information
- the role that independent advice and advocacy can play

In response to question 3, we have identified a number of issues relating to the increasing prevalence of digital technologies in social protection systems.

Increasing prevalence of digital technologies in accessing essential services

CAS has investigated the ability of citizens advice bureaux (CAB) clients across Scotland to access essential services digitally since 2013. Given the shift towards 'digital-by-default' it is increasingly necessary to complete forms online. For those who are unable or struggle to do so this significantly affects their economic and social rights.

Two initial surveys, in 2013 and 2016, were completed by clients seeking advice related to benefits whilst the third, most recent, included all CAB clients in the participating bureaux. Some barriers identified across all surveys were skills and confidence; practical access; application processes; health issues, literacy and language; and lack of interest. While there have been changes since the first survey[8], there remains a group of CAB clients, often with vulnerabilities, who lack the skills to go online and face barriers to doing so. This group faces digital exclusion, which impacts on their ability to exercise their rights to social security and justice. If key services continue to be moved online a significant proportion of society will become excluded. For instance both the above surveys indicated that only around a quarter of

[4] Ibid, pages 65 - 67
[5] Scottish Government response to ' A New Future for Social Security' consultation – February 2017 https://www.gov.scot/binaries/content/documents/govscot/publications/factsheet/2017/02/social-security-scottish-government-response/documents/75440430-3a48-47ac-b061-bb680954c7a2/75440430-3a48-47ac-b061-bb680954c7a2/govscot%3Adocument
[6] Best Start Grant: high level statistics to 28 February 2019 – Scottish Government, April 2019 https://www2.gov.scot/Resource/0054/00547186.pdf
[7] Social Security (Scotland) Act 2018 http://www.legislation.gov.uk/asp/2018/9/contents/enacted
[8] For example, a reduction in those saying they never used a computer; an increase in those using a computer "sometimes" or "often"; and an increase in CAB clients saying they used the internet "often" or "sometimes".

respondents would be able to apply for a social security benefit or a job online without support, and around one in five reported not being able to use a computer or the internet at all.

There was also a shift towards accessing the internet using a smartphone or tablet from the initial research in 2013 to the research in 2017. In 2013, 33% of respondents accessed the internet using a smartphone or tablet. In 2017, 60% or respondents accessed the internet using a smartphone and 35% using a tablet[9]. 20% of respondents accessed the internet by smartphone only. This may impact someone's ability to complete official forms, scan documents and enter large amounts of information.

There is pressure on those providing support to people with barriers to digital access, including citizens advice bureaux across Scotland. Advice agencies and other support organisations are not equipped or funded to offer digital training or access to devices, but find themselves increasingly providing both in the course of their core services.

The impact of digital inequalities across different groups

CAS' research highlights digital inequalities across different groups. Firstly, those with a disability may face barriers in using technology. Some highlighted by respondents included: poor mental health; inability to access computers due to constraints such as poor concentration and arthritis; and poor website accessibility.

Internet access and use also varied by age group. Older age groups were more likely to report not having an internet connection or computer at home or having low internet use. Older respondents also reported lower confidence in their digital skills. Younger consumers were more likely to report that their only access to the internet came through smartphones. In 2018, CAS undertook further analysis of this group and found that there may be disparity between perception and reality of digital skills among young people. While they may confident using apps they tend to be less experienced with email. Furthermore, smartphone only consumers were less able to undertake basic internet tasks and were more likely to report cost being a barrier to using the internet.

There are disparities along socioeconomic lines. Survey respondents in more deprived areas faced more barriers to digital access than their counterparts in less deprived areas. CAS' research found that the more deprived an area the client resided in the less proficient their computer use was. Those in more deprived areas were also less likely to use the internet often. Some of these differences may be due to money. 18% of respondents to our 2017 survey reported broadband costs were a barrier to digital access and phone and data costs were a barrier for 17% of respondents. Those living in more deprived areas were also more likely to only use smartphones to access the internet.

[9] Some of these respondents may also access the internet using a computer. In 2017, 38% of respondents reported accessing the internet using devices than a computer or laptop

In 2015, CAS looked in more depth at internet access in Glasgow's deprived areas and found that in Glasgow's most deprived areas, almost half of respondents had never used the internet. Respondents living in the more deprived parts of Glasgow had lower levels of computer or other device ownership than those in less deprived areas. Furthermore, those in more deprived areas had lower digital skills. This evidence suggests those from deprived areas may need more support when seeking benefits or applying for jobs online.

Some survey respondents raised privacy issues if they were unable to access the internet at home. They may feel uncomfortable using a public space, such as a library or café, to complete benefit applications, which can contain personal information. However, if they wish to receive social protection from the State it is necessary to complete these forms despite their lack of privacy.

Universal Credit and digital technologies

As Universal Credit is a digital-by-default benefit with few alternative, offline channels openly available to make and maintain claims, it can be very difficult, or even impossible, for those without digital skills or access to the internet, to exercise their right to social security. This can impact a person's right to an adequate standard of living and compound existing socio-economic disadvantages.

At the start of the claim, people have to take a number of actions online. Thereafter, most claimants will be subject to a set of conditions, the majority of which involve online activity. These requirements - known as conditionality - will often be focused on looking for or preparing for work, or, for those on a low income, increasing their income from work. People can face financial sanction or even claim closure if they do not fulfil these, both of which can seriously impact the individual. These include, but are not limited to, financial hardship, distress, negative impacts on mental and physical health, and, in some cases, destitution. Worryingly, our evidence suggests that sanctions disproportionately affect those with learning difficulties and disabilities and in many cases are applied to those who are unable to fulfil conditionality requirements, which can be due to problems with digital access and skills. [10]

Against this backdrop, CAS is deeply concerned by CAB evidence that a significant minority of UC claimants do not have the access, skills or confidence to fulfil their UC requirements online. We have compiled a summary of cases demonstrating how this can affect people in our latest 'Voices from the Frontline' briefing (see Appendix). Within this group, those with disabilities, mental or physical health conditions, learning difficulties, poor literacy skills and other complex needs appear to face particular disadvantages and barriers. Indeed, some people simply may never be able to carry out such tasks without substantial support and so are even more vulnerable to sanction. It appears that Work Coaches do not always take into account such restrictions, which can leave the claimant with unrealistic requirements. In addition, CAB evidence and DWP research alike has highlighted that most Work Coaches lack the time and ability to identify support needs, including digital needs, and often do not demonstrate use and

[10] Sanctioned: what benefit? Citizens Advice Scotland, 2014: https://www.cas.org.uk/publications/sanctioned-what-benefit

check claimants' understanding of the online journal. [11] Again, this leaves the claimant vulnerable to sanction.

More widely, home broadband in the UK is still unaffordable to many CAB clients. Some clients get online through their smartphone and this can be adequate for some small communications tasks. However, if used extensively, it can become expensive. Devices themselves are also expensive, which can be restrictive for clients. People living in rural and remote areas of Scotland can also face digital disadvantage. Broadband connection and mobile data coverage can be poor (or non-existent). Some remote towns and villages do not have public internet access points, with the nearest sometimes being long and expensive bus rides away.

In response to question 5, CAS has a number of specific recommendations in relation to the introduction of digital technology in social protection systems**.** They are of most relevance to existing and forthcoming systems within the UK but they may also apply more widely.

CAS recommends that:

- Alternative, suitably supported offline options to make and maintain social security claims (such as telephony, face-to-face support and home visits) should be available and actively promoted to all claimants. Those with health conditions, disabilities or other complex needs should be specifically targeted for support.
- In line with the above recommendation, CAS would support an end to conditionality regimes that are not sensitive to people's level of digital skills and access. More broadly, there should be a fundamental review of the purpose and efficacy of the sanctions regime in the UK and the impact it has on people and services.
- While it may never be appropriate for some people to use digital technologies to access social protection systems, there should be support for those who are willing and able to do so but face skill/access/cost barriers. This could be in the form of financial support (for connection and device costs), training and/or more public provision of connection points and devices. This support should be targeted at the aforementioned groups where digital proficiency and access is lowest.
- Considering the increasing proportion of those who are online but only via a smartphone, the digital elements of relevant social protection services should be designed "mobile first" – this is already the standard in the commercial digital design world, but has not been universally adopted by public service providers.
- Phone lines should be Freephone numbers, and escalation routes should be provided for intermediaries to contact decision makers in social protection systems on the claimant's behalf [12].

[11] CAS response to Social Security Advisory Committee's call for evidence on the Claimant Commitment, April 2019: https://www.cas.org.uk/publications/cas-responds-call-evidence-universal-credit-claimant-commitment
[12] Ibid, pages 22 - 25

In summary, some people will never be able to independently exercise their rights using digital technologies. Suitable offline alternatives must be retained in social protection systems in order to maximise positive human rights outcomes.

For those able and willing to engage with social protection systems using digital technologies, ability and will alone may not be enough to fully exercise their rights. Governments should support access to affordable, suitable connections, devices and skills training.

Public service providers should take account of the range of digital access – we have moved beyond an offline/online binary to a broad diversity of devices, connection speeds/consistency, and proficiency.

Appendix

Citizens Advice Scotland (2013), *Offline and left behind*

Citizens Advice Scotland (2015), *Bridging the Digital Divide*

Citizens Advice Scotland (2015), *Internet access in Glasgow's deprived areas*

Citizens Advice Scotland (2018), *Disconnected*

Citizens Advice Scotland (2018), *Locked out: the Smartphone Deficit*

Citizens Advice Scotland (2019), *Voices from the Frontline: online barriers to maintaining Universal Credit claim*