



Without access to justice

The work and welfare problems driving food insecurity.

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**This report is about work and welfare:
insecure jobs, zero hours contracts,
employment rights, long hours and
low pay, navigating a complex system,
not making ends meet and the physical
and mental health impacts of a broken
safety net.**

**This report is about food insecurity:
worrying about affording food this
week, reducing the quality and
quantity of how much you eat,
skipping meals, going hungry.**

This report is about justice.

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Liverpool**



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Executive Summary

Feeding Liverpool and the University of Liverpool Law School are working together to better understand the reasons for low income among people of working-age facing food insecurity.

People of working-age are facing food insecurity because of the inadequacy of employment and welfare rights, the difficulties they experience in accessing the legal system, and the hardships endured when rights are not being met.

This report draws from powerful stories of people of working-age in Liverpool who were using food support spaces in 2023.

In this report we share four key findings:

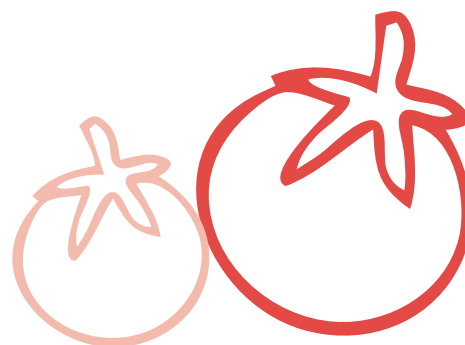
1. People of working-age are experiencing food insecurity because they can be trying to get-by on an income that is below the minimum level promised by law.
2. Accessing legal rights is excessively and often unnecessarily complicated.
3. The current substance of employment and welfare rights is insufficient to protect people of working-age from food insecurity.
4. Being without access to justice puts mental and physical health at risk.

For many, paid work does not 'pay'. People of working-age in low paid employment are being pushed into deeper levels of poverty. These situations are being made worse by a deficit of justice: people can't draw on their legal rights if they don't know what their rights are or if they don't have access to appropriate signposting, support, or legal representation. Yet beyond this, even when working-age people can access their legal rights, for many, their income from work and welfare provision still doesn't provide enough to make ends meet.

To respond to the findings of this research, a series of targeted recommendations are presented:

National Government

- Revise the minimum wage to ensure that no-one works for less than the real living wage
- Ensure Universal Credit is generous enough to provide an adequate standard of living
- Promote collective bargaining between trade unions and employers
- Invest in free school meals for all
- End the 5-week wait for Universal Credit
- Develop a legal 'Right to Food' framework
- End the use of sanctions



Department of Work and Pensions

- Include people with experience of poverty in the design of all policy and procedure that affects them
- Make all welfare and employment related forms and communications accessible to all
- Enable the automatic registration for welfare benefits
- Reduce the waiting times for Personal Independence Payment assessments
- Stop requiring benefit claimants to take up jobs on zero-hours contracts

Local authorities

- Play an active role in educating businesses about the importance of good quality work for supporting workers' mental and physical health
- Find ways to help workers to realise basic employment rights
- Provide funding and assistance to the free legal advice sector

Employers and trade unions

- Ensure that jobs offer sufficient wages and stability of hours so that workers are protected from the risk of food insecurity
- Stop using zero-hours contracts
- Recognise trade unions and be open to negotiate changes to terms and conditions that will be positive for workers' mental and physical health
- Support volunteers to play an active role in increasing awareness of employment rights

Universities, food support spaces and food networks

- Foster new relationships between university law schools and Food networks
- Facilitate, inspire and promote education to raise awareness about legal rights among young people
- Undertake research in partnership with people experiencing food insecurity
- Develop support mechanisms to stimulate political engagement of people of working-age in issues around welfare and employment rights



Introduction

“Overcoming poverty is not a gesture of charity, but an act of justice”

Nelson Mandela

Feeding Liverpool and the University of Liverpool School of Law and Social Justice are working together to better understand the reasons for low income among people of working-age facing food insecurity. This report shares what we learnt from listening to people of working-age who were using food support spaces from March to May 2023. Food support spaces include food banks, food pantries and other community organisations.

Social security, welfare benefits, fair wages and decent work are matters of international and UK law; they are rights, not charitable handouts. Our findings suggest that the low-income faced by people of working-age who are using food support spaces is often due to legal problems or the inadequacy of law. This report explains why it is so concerning that the law is not protecting working-age people from the problem of low income that drives food insecurity.

We titled this report ‘Without access to justice’ to highlight the challenges and injustices we identified, arguing that people of working-age are facing food insecurity because of the inadequacy of employment and welfare rights, the difficulties they experience in accessing the legal system, and the hardships endured when rights are not being met.

Justice:

Justice requires that everyone can enjoy just and favourable conditions of work, fair wages, equal remuneration, a decent living, and safe and healthy working conditions. These rights are set out in Article 6 and Article 7 of the United Nations International Covenant on Economic, Social & Cultural Rights (1966). They go hand in hand with the right for everyone to be free from hunger, to have adequate food, clothing, housing, an adequate standard of living, access to social security and the right for families to be assisted and supported, especially families with children. These rights are set out in Article 9, Article 10 and Article 11 of the United Nations International Covenant on Economic, Social & Cultural Rights (1966).

Access to justice:

When people have access to justice they can effectively engage with the legal system and have the benefit of laws that deliver on their rights: they know and understand their legal rights, have access to accurate advice and support when they need it, can access representation in legal matters by people with appropriate expertise, and can realise their rights with dignity. Advocacy and advice networks exist to support people to access justice.

People need laws to be designed in ways that help them to realise justice and to live with dignity, including access to an adequate income. Having legal rights and entitlements in law are fundamental components of democratic societies. Yet people cannot draw on their legal rights if they do not know what their rights are or if they don’t have access to appropriate signposting, support or legal representation. Due to lack of funding, free legal advice or representation to support people to access justice is often unavailable. Ten years ago, the government removed legal aid from 99% of employment and welfare claims, and legal aid has not been reinstated since.¹

Too often, users of food support spaces are frightened to seek out help because they feel ashamed, vulnerable or overwhelmed. People can't achieve the level of income to which the law says they are minimally entitled if they feel vulnerable to harsh treatment for trying to assert their rights or if they are humiliated by state agencies or their employers. Community-led interventions that help people build better lives are very important public demonstrations of respect for one another as citizens. In our research, we found that food support spaces have an important role to play in supporting people to realise justice: they can raise awareness of legal rights, signpost people for support, and help people understand their options. Food support spaces also have the potential to support communities to campaign for change to the law and to secure better access to justice.

In this report we share four key findings:

1. People of working-age are experiencing food insecurity because they can be trying to get-by on an income that is below the minimum level promised by law.

Law affects and shapes people's income in ways of which they are often unaware. We found it was not uncommon for people to be paid too little by their employers and neither was it uncommon for people to be paid less than they are entitled through the welfare benefits system. Community-led spaces, such as foodbanks and food pantries, offer the potential to help people on low income to understand the legal dimensions of their problems, and to encourage and support people to find legal solutions.

2. Accessing legal rights is excessively and often unnecessarily complicated.

Raising awareness is not enough on its own. As important as it is for people to know their rights, they also need to be able to draw on their entitlements. We highlight in this report that the processes of making claims or securing the protection from low income that legal rights provide seem to be unnecessarily complicated – which exemplifies that our current employment laws and systems of welfare benefit provision have been designed with insufficient regard for the needs and situations of people who experience poverty and food insecurity.

3. The current substance of employment and welfare rights is insufficient to protect people of working-age from food insecurity.

Even if everyone could access their full legal entitlements, the current income protections available via employment and welfare rights are insufficient to enable people of working-age and their families to access a decent standard of living. Since 1976, the UK has ratified (formally approved) the guarantee of a right to food, health, fair wages, decent work, and an adequate standard of living for everyone, as set out in the International Covenant on Economic, Cultural and Social Rights (1966). Yet, almost fifty years on, the UK's sparse and inconsiderate system of income protection for people of working-age is having severe impacts on their ability to access and afford good food. This has a significant knock-on effect on their mental and physical health.



4. Being without access to justice puts mental and physical health at risk

Earning a low wage and having insecure employment are sources of growing public health concern.² Ongoing reform of the welfare benefit system is pressuring people to accept the poorest quality employment, and the number of exploitative and insecure jobs are now at record high levels.³ Academic and medical research shows that poor quality work puts people's mental and physical health under considerable strain. Low earnings and elevated mortality risk are intensified in the context of job and hours insecurity.⁴ Low-waged workers have the highest exposures to workplace hazards, job-related stress, exploitation, low job control and insecurity – each is an established factor for poor mental and physical health outcomes.⁵ In this report, we illustrate how health problems are intensified by struggles to access justice, which can cause significant mental stress alongside the physical health detriments of being unable to access a healthy diet.

Throughout this report we draw on a selection of stories gathered by final year law students from the University of Liverpool who were working on placement in food support spaces, offering employment and welfare rights advice and signposting. These stories were co-written with working-age people using food support spaces to illustrate some of the impacts and causes of being on a low income and without access to justice. They point towards a series of recommendations, set out at the end of the report, which, if implemented, would lift people of working-age out of food insecurity by ensuring that income from work and welfare enables people to live with dignity.



Economic and political context

For many decades, UK welfare policy has been based on the idea that ‘work is the best route out of poverty’.⁶ Politicians of all political parties stress that participating in paid work will improve people’s lives, reduce ‘dependency’, and drive social mobility. There is considerable evidence that having a meaningful, good quality job is beneficial to mental and physical health.⁷ However, the impact of poor-quality work can result in devastating harm to mental and physical health.⁸

Prior to the New Labour government in 1997, a majority of working-age adults living in poverty were in households where no-one worked.⁹ At that time, the problem of poverty among people of working-age was largely the result of unemployment. New Labour began a process of welfare policy reform, which went hand-in-hand with the expansion of individual employment rights, including rights to a National Minimum Wage and to paid holiday leave.¹⁰ The intention was to improve the quality of work, especially low-waged work, by providing a safety-net of baseline terms and conditions to which all qualifying workers would be legally entitled. There was also an aim to make the UK labour market more flexible, to encourage employers to create new jobs, and to encourage unemployed workers to take up jobs that didn’t always offer guarantees of hours or regular earnings.

Welfare reforms were intensified following the financial crisis. Since 2009, a majority of working-age adults experiencing poverty have been living in a household where someone is in work. This is known as a problem of ‘in-work poverty’. A formal economic policy of austerity was introduced from 2010 by the Coalition government led by David Cameron. Huge cuts were made to public services and access to free legal advice was removed. The cuts were accompanied by large reductions in the generosity of welfare benefits. People with low income are only able to access welfare payments if they adhere to conditions, including that they prove they are seeking paid work in accordance with strict criteria, and that when they find a job, they maintain that employment.¹¹ Failure to meet these conditions can result in benefit sanctions, up to and including the withdrawal of 100% of basic benefit income. The problem of in-work poverty grew steadily and by 2019/2020 it impacted 68% of all people living in poverty.¹²

Over this same period, there was a huge growth in insecure and part-time jobs, zero-hours contracts, and other forms of insecure work including agency, temporary work, and the routinisation of low-waged self-employment.¹³ There is now considerable evidence that insecure and poor-quality work has a negative impact on mental and physical health,¹⁴ and that the erosion of public services and rapidly falling levels of social security due to austerity have had harmful impacts on public health.¹⁵ Connections between health and employment were especially highlighted by the covid-19 pandemic from 2020, as people in poor-quality work were disproportionately exposed to risk of infection and its consequences.¹⁶



Since the covid-19 pandemic, there has been a considerable rise in the numbers of people who are unable to work because of ill-health and disability.¹⁷ The causes of this sharp rise in economic inactivity are complex and wide ranging, not least because record numbers of people are waiting for NHS operations or social care and support. However, the increase in low-wage and insecure forms of work is an important factor too. Since 2022, a shortage of workers, and a huge number of unfilled vacancies across many sectors of the economy, have contributed to inflationary economic pressure.¹⁸ The approach of government in response has been to further cut back welfare support, to increase pressure on people with low incomes to intensify their search for work and to require them to increase the number of hours they work once they find a job.¹⁹ In summer 2022, the Chancellor of the Exchequer Kwasi Kwarteng asserted, “We will make work pay by reducing people’s benefits if they don’t fulfil their job search commitments.”²⁰

In just 12 months to September 2023, the minimum number of paid hours required of low-waged workers as a condition of access to benefit payments more than doubled.* These changes have required more than 400,000 people to find more work, even if jobs offered are low-waged, insecure, or based on zero-hour contracts.²¹ From September 2023, an additional 600,000 workers earning more than the equivalent of 18 hours a week at the rate of the National Living Wage are required to actively seek additional hours of work, and to continue to do so up until the point where their earnings are equivalent to 35 hours a week at the rate of the National Living Wage. As a consequence, the jobs market is flooded by a huge wave of people who face the threat of benefit sanctions if they do not accept any offer of work. Furthermore, reforms to the issuing of fit notes from the autumn of 2023 were introduced to make it more difficult for workers to take statutory sick leave and encourage them to keep working when ill.²²

It is in this economic and political context that a growing number of people in work are experiencing food insecurity and are turning to food banks and food pantries. The Trussell Trust, who operate the largest network of foodbanks across the UK, has repeatedly raised alarm about the “pervasive rise in food insecurity and food bank need (that)... long pre-dates the start of the pandemic”.²³ The growth in people of working-age turning to food support spaces for help in a crisis suggests that policies designed to provide a safety net are not providing everyone with sufficient income to adequately feed themselves and their families.

Food insecurity:

Food insecurity exists wherever the availability of nutritionally adequate and safe food, or the ability to acquire acceptable food in socially acceptable ways, is limited or uncertain. People who are food insecure may worry about how to feed their family or household, reduce the quality or quantity of their food, skip meals or experience hunger.

Emergency food provision:

Emergency food provision, such as that provided via foodbanks, is for people in a ‘crisis’ where a person hasn’t eaten for a couple of days and has no prospect of eating for a couple of days.

In June 2023, 9 million households (17%) in the UK experienced food insecurity; 3 million adults (5.9% of households) reported not eating for a whole day because they couldn’t afford or access food. Published in the same month, The Trussell Trust report ‘Hunger in the UK’ examined the scale and drivers of food insecurity and foodbank use in the UK.²⁵ It stated that in 2022, 1 in 5 people using their foodbanks were from a household where someone is in paid work. In September 2023, The Trussell Trust’s research with YouGov found that nearly half of working households who were in receipt of Universal Credit (49%) ran out of food and didn’t have enough money to buy more in the past month.²⁶

Locally, in Liverpool 1 in 3 adults are experiencing food insecurity, with over 2100 emergency food parcels being distributed by organisations who are members of Feeding Liverpool each week in the city. The Trussell Trust has issued a record 1.5 million food parcels between April – September 2023, a 16% increase on the same period in 2022.²⁷ A quarter of these people are now experiencing health problems and 69% have a disability.

“Paid work is not providing the reliable route out of hardship which we might expect... with insecure work particularly correlated with food insecurity. Other people would like to work but find that jobs are inaccessible, especially for disabled people, people with caring responsibilities, and people – especially women – with children.”²⁸

“While the pandemic and cost of living crisis have had a major impact on food bank need, they are not the main cause. Rather, they have exposed and exacerbated a longer-term crisis: that of a weakened social security system that is unable to protect people from the most severe forms of hardship.”²⁹

Against this political, economic and social backdrop, Feeding Liverpool and the University of Liverpool Law School have worked together to better understand reasons for low income among people experiencing food insecurity and to highlight the experiences of people of working-age who used food support spaces during March-May 2023.



* The Administrative Earnings Threshold has risen from pay equivalent to 8 hours a week paid work at the National Living Wage rate prior to September 2022, up to 18 hours a week paid work at National Living Wage from September 2023.

What we did

To conduct this research Feeding Liverpool and the University of Liverpool Law School worked together in a variety of ways, including:

- In January 2023 we held a **training workshop** for 32 volunteers from food banks and community food support spaces about the recent welfare policy changes that have increased the number of new and existing benefit recipients who are required to actively look for work.
- Facilitating regular **knowledge-exchange meetings** about in-work poverty with community food space leaders and to understand service and community needs. Law School academics and students spent time at food support spaces to observe interaction between food space users and volunteers and appreciate the resource constraints and the physical geography of food support spaces.
- In February 2023, we **identified six food support spaces** who volunteered to trial student placements for community-based legal advice and signposting about basic employment and welfare rights matters. These were: ASK Food Pantry, Christ Church Anfield Food Bank, Liverpool Lighthouse, Congolese Association Merseyside, The Drive Food Club and Vauxhall Food Pantry.
- We worked alongside two **specialist advice providers**, St Andrews Community Network and The Big Help, to serve as referral points to signpost people in need of expert support.
- Before beginning their 'access to justice' module placements within the food support spaces, we **trained final year law students** to ask relevant questions when engaging in conversation with food space users; to identify legally relevant information; to advise on employment matters including minimum wage issues, rights to a payslip and basic contractual matters; to undertake welfare benefit checks; and to advise people of their options. They were also trained in how to engage with people in a community-setting; how to make onward professional referrals; how to deal with confidential information; ethics; body language, personal presentation, and interviewing skills.
- Between March and May 2023, we **placed fourteen final year law students in community food support spaces** to provide welfare benefit checks and offer employment rights and benefits advice or signposting. They worked one day a week for eight weeks across the six settings.
- During their placements, students also gained consent from food space users to **write up short, anonymised case studies** to illuminate connections between poor quality work, low income, and food insecurity. Several are shared in this report.
- In June 2023, we held a **feedback, review and thank you event** for food space leaders who had hosted the advice sessions, the students involved, and the food space volunteers who had worked with them.
- In October 2023, we made a series of **animations** telling the stories of people of working-age experiencing food insecurity.

'Thank you to University of Liverpool Law School students:

Isobel Ashbrook, Emily Birchall, Estella Comerford, Lily Harmon, Abigail Holmes, Anna-Louise Johnston, Moeen Khan, Shreya Marya, Olivia Mills, Alice Tonge, Olivia Torrance-Gail, Alice Tonge, Oliver Wiggins, Joseph Umerah.

What we found

The overwhelming majority of people using food support spaces do so for reasons of low income. This is true for people using emergency food provision such as a foodbank as well as for community food support spaces such as food pantries or places that offer community meals. Insufficient income is the fundamental driver for almost all people forced to use a foodbank, with the vast majority (86%) of people referred to foodbanks in The Trussell Trust network in mid-2022 having an income so low that they were experiencing destitution. Although the reasons for accessing community food support spaces are more varied, low income is a strong driving force for many working-age users. In a recent members survey of the Your Local Pantry network, which includes 25 food pantries in Merseyside, 92% of members were of working-age. 32% said they were finding their current financial situation 'difficult' or 'very difficult', whilst another 41% said they were only 'just about getting by'.

Each person has their own story to tell about the challenges they face when day to day expenses outpace household income. However, these individual experiences arise from commonly experienced circumstances including:

- Being in a job that is temporary or does not offer regular paid hours
- Relying on state benefits to top up wages or provide an income
- Being in low paid work
- Being subject to harsh benefit sanctions or long welfare payment delays
- Lack of suitable childcare
- Poor health or disability
- Debt
- Lengthy waits for the processing of an asylum claim

Such difficult situations are frequently made worse when people with low incomes are without access to justice.

Access to justice should equip people with the tools they need to make their lives better. Having access to justice means that people can benefit from their legal entitlements as citizens, are supported to know their legal rights, have access to the advice and support they need, are able to claim their rights with dignity, and that they can access representation in legal matters by people with appropriate expertise. Access to justice requires that decision-making processes are transparent, that decision makers are accountable for their decisions, and that people are able to appeal decisions where there are grounds to do so.

Access to justice, however, also requires that the fulfilment of legal entitlements changes people's circumstances so that they are no longer facing food insecurity and their rights to food, health, fair and decent wages, and an adequate standard of living for themselves and their family are met. As we will argue in this report, too often this is not the case.



Finding 1:

Some people accessing food support spaces are trying to get by on an income that is below the minimum level promised by law.

Without access to justice, people accessing food spaces can be trying to make ends meet on an income that is less than that to which they are legally entitled. This can happen, for example, if their employers are not adhering fully to minimum wage law or paid holiday entitlements, or if welfare benefits are not being claimed or claims have been wrongly rejected.

Some of the people accessing food support spaces were struggling with low income because of poor quality employment. The spectre of zero-hours contracts loomed large in many of their lives. Insecurity of work and a disregard for their basic legal entitlements, such as not having a pay slip, made them feel it was impossible to address the problem of working for wages that may be unlawfully low. When workers are not able to realise their basic employment rights this is worker exploitation. When an employer is benefitting from the labour of a worker without carrying the minimum lawful cost for employing them, the worker is being exploited, and the employer is breaking the law.

Louis has a part time job at a restaurant. Before the cost-of-living crisis hit, he was working about four nights a week, totalling 28 hours. Louis is on a zero-hour contract and his working hours have been dramatically reduced because the number of customers dining at the restaurant have significantly declined as a consequence of the economic climate. Louis is unsure whether he is paid minimum wage as he does not receive payslips, but he is too scared to raise the issue in case his hours get cut even more as a result. He has had to make big cuts to what he would normally spend his money on, and that makes him stressed and depressed. Louis is a single parent, responsible for his two children because their mum struggles with alcohol and drug addiction. One child is old enough to go to school but Louis has to care for the younger one during the day due to the significant expense of childcare. He is trying hard to find another job but it's very difficult to find one that aligns with school drop-off and pick-up times. Louis' mother supports him by looking after the children at night when he is at work. He started visiting the food pantry because he had hardly been eating anything so that he could feed his children first. The food pantry has significantly helped him to not feel hungry all the time.



Louis is in insecure work on a zero-hours contract. His employer has reduced his hours when customer demand has fallen. A traditional understanding of what it means to run a business includes the fact that businesses carry the risk that their profits will fluctuate. However, when businesses use zero-hours contracts, they displace that risk onto the shoulders of workers like Louis. He earns so little that he is especially vulnerable to food insecurity. It is unlawful for Louis not to be provided with pay slips,³⁰ and their absence adds weight to his suspicion that his earnings are in breach of his right to a minimum wage. However, Louis has nowhere to turn for a ready fix of his problems and can't assert his employment rights without risking a further loss of pay.

Louis was very aware of the precariousness of his situation, and he was frightened. He was doing his very best to cope with life and to be a good Dad. He has been going without food and says he feels stressed and depressed. This points to the serious health impacts that can follow from exploitation, breach of employment rights and insecurity of work. The experience of having his hours cut and his income reduced has also made it even harder for Louis to voice his concerns at work.

Nevertheless, it is important that Louis, and others in similar situations, are made aware of their legal rights because that gives him options. Louis could make an anonymous complaint to HMRC although there is no guarantee this would trigger a follow up visit from them to his employer.³¹ However, Louis has individual legal rights to pay protection that he should be able to exercise. With the right help and support, Louis would be able to make a claim against his employer for failing to provide pay slips and a tribunal may decide that his employer must repay up to 13 weeks of any deductions made from his pay.³² Louis has a legal right to require his employer to disclose his wage records and demonstrate the steps they have taken to ensure he is paid at least as much as the minimum wage.³³ If his employer didn't provide access to this information within 14 days of a request, Louis would be entitled to a compensatory award amounting to 80 hours of wages at the applicable rate of National Minimum Wage.³⁴ Louis might find that he is owed a sizeable amount of money in minimum wage arrears, up to six years' worth of underpayments, if his employer was found to have breached National Minimum Wage law.

However, being realistic about Louis' situation, it is only if he finds another job that he may feel safe and confident enough to pursue his legal right to reclaim pay to which he is lawfully entitled from the employer. A lack of suitable childcare options is dramatically reducing his ability to change jobs and leaves him feeling stuck in a situation of exploitation.

Being informed of his legal rights means Louis is better equipped to protect himself from exploitation in the future and if a suitable alternative job became available, he will know what he is entitled to expect as a legal minimum. He can also then take action to reclaim the wages that have been denied to him



Being able to realise your legal rights and access your entitlements can make a huge difference to your quality of life. Local people have trust in the food support spaces and appreciate that the volunteers are running them as a practical way to make a meaningful difference. This makes food support spaces potentially important sites for the realisation of legal rights, especially since so many people are unaware of their entitlements.³⁵

Sammie uses the food pantry because her Universal Credit is not enough to pay for her bills, rent and food shop. She is unable to work, even part-time, because she suffers from severe mental health issues after serving in the army. By accessing a benefits check at the food pantry, she discovered she was in the wrong Universal Credit work related group and was entitled to additional money from the state. She was also being wrongly subjected to deductions because of the bedroom tax, the room is occupied by a friend.



Finding 2:

Accessing legal rights is excessively (and often unnecessarily) complicated

One of the most significant complexities of accessing benefits is the five-week wait that people have to endure once they have been accepted as entitled to benefit payments under the Universal Credit system. This five-week wait has the effect of putting people into debt or exacerbating existing levels of debt accumulated due to struggling on low wages. This lengthy period of enforced impoverishment is a driver of food insecurity that is structurally embedded in the process of claiming rights to which people are lawfully entitled.

Peter and his family use the food pantry on a regular basis and he has been left with no other choice after losing his business and being subject to a delay of many months before receiving any welfare benefit payments. It's a delay that led to his reliance on food pantries. Peter has found it increasingly difficult to access food, whilst also paying rent and bills for his home. He now works full time, and does as many hours as possible, but still doesn't have enough money for the rent and food. Now back in work, his children have lost their access to 'free school meals', so he has to put additional money aside for school lunches on top of other essentials. Since the cost-of-living crisis, paying for food is becoming a more worrying issue. Peter has tried to reach out for free legal advice about his benefits, to see if he is entitled to any more than he already receives. He is currently on a large waiting list.

Peter's experience shows how complications inherent to systems of work and welfare support can mean an adverse event like the collapse of a small business can lead to a long-term undermining of people's ability to get back on their feet: it wasn't the loss of Peter's business, but delays to access his legal entitlements, that drove him to a situation of food insecurity.

Even once Peter found a full-time job, his earnings were insufficient to cover his day-to-day expenses. Yet as a consequence of him being in paid work, Peter's children lost their entitlements to free school meals. The provision of free school meals in the majority of England is limited to children in state schools when they are in reception class and in the first two years of primary school. Research has found that free school meals make significant improvements to children's health by reducing obesity and having a higher nutritional content than packed lunches brought in from home.³⁶ However, free school meals are not available to older children unless they live in households with very low income. Since April 2018, working parents in the majority of England (including in Merseyside) must have a combined wage of less than £7,400 a year after tax if their child is to be entitled to free school meals. At the current National Living Wage rate of £10.42 an hour this is the equivalent of a couple working less than 14 hours a week between them. As Peter is working full-time, he has the worry of trying to afford to feed his children when they are at school, even though his earnings are too low to cover his family's basic needs.



It is possible that Peter is entitled to welfare benefits to support his income, however, he has been unable to access free legal advice. In 2012, new statutory law was introduced to cut legal aid funding and there was a 99% reduction in support for employment and welfare claims.³⁷ Legal aid has not been reinstated and due to lack of funding, free legal advice or representation is often unavailable or in short supply. This situation does not align well with the right of access to justice that has been recognised as a constitutional right by the UK Supreme Court.³⁸ Community law centres rely on charitable funding and grants. Citizens Advice services across the country are facing record demand for support including disability benefits support, debt advice or housing disputes and at present do not always have capacity for employment advice.³⁹ With families often moving in and out of eligibility due to changing employment situations, access to welfare and work advice is vital to ensure they receive everything they are entitled to.

For many of the people at food support spaces, the stress of not being able to afford everyday essentials, and lack of access to legal advice and support, put extreme pressure on their mental health. In Victor's case, the imposition of benefit sanctions was experienced as a form of cruelty. He was a carer, with two children including a newborn, and he ran into unexpected difficulties when they moved into his aunt's house after she died.



Victor has come to a food bank for the first time in his life. He is a carer for his brother, who has autism. His wife has recently given birth to their second child and is caring for the children full-time. They can only afford groceries 50% of the time, they prioritise buying food over clothes and heating, but that hasn't stopped them from reaching this point. Difficulties emerged after they moved into his late aunt's house, when he accumulated unexpected costs and bills. His experience of the Universal Credit system has been recurrently negative, and he has been subject to unexplained sanctions. Despite endless phone calls to try and resolve the issue he is still suffering financial loss. He feels like giving up as he has anxiety and distrust after this experience. Victor says he would have benefited from access to free legal advice and legal aid to help him resolve these issues, this may have helped him understand the cost of moving into his aunt's house, as well as resolving any financial misunderstandings. If there was more support available to assist with caring responsibilities, Victor's wife would return to employment but having a job no longer seems a realistic option for him. The sanctions have contributed further to financial burden and poor mental health.

Through our conversations with food support volunteers, our observations, and feedback from the students on placement about the issues people were generally encountering, we found that people were struggling to understand the letters they received about the welfare system. Many people who were visiting food support spaces asked for help from the students on placement because they found it difficult to complete claims forms. The students observed that online claim forms could 'time-out' and take people right back to the beginning if they took more than an allotted amount of time to find information or understand what was required. They also found the language used in letters and claim forms to be overly complex and sometimes unclear.

We heard from Sarah, who was someone who had struggled to benefit from her legal entitlement to disability support because she found the process of claiming so complicated. It was through support at the food pantry that she was able to claim Personal Independent Payments.

Sarah started coming to the food space due to both her and her partner having health problems, which resulted in disabilities and left both of them unable to work their usual jobs as chefs. They had been relying on Employment Support Allowance, and after paying bills and trying to pay everything else, they found there was never enough money. The impact on them was poor mental health. Even after her partner returned to work, they still didn't have enough money to cover the bills. They were living in a 2-bedroom house so had to pay bedroom tax for the spare bedroom. The food space provided cheap food at a time when it was needed but being at the food pantry also meant Sarah could access her entitlement to Personal Independent Payments (PIP). She got the help she needed to fill in her forms. Sarah now receives both PIP and cost of living payments, and after being on such a tight budget for so long, she can now afford a washing machine.



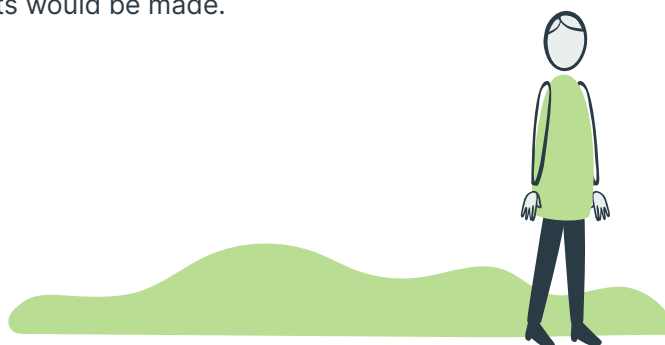
Personal Independence Payments

Timely and just assessments of entitlement to Personal Independence Payments (PIP) can make a significant difference to households where someone is struggling with a disability. An inability or delay in accessing Personal Independence Payments prevents people being able to unlock other types of support, such as a Blue Badge or Motability vehicle, or exemption from the benefit cap. This means that, if a person is reassessed as ineligible or eligible for a lower award, they may lose their transport or other support as well as their income. The consequences of being inaccurately assessed as ineligible, therefore, can be severe.

Navigating the employment and welfare rights systems are especially difficult for people for whom English is not their first language.

Francesca is a widow and is unemployed due to the severity of her epilepsy. Sadly, she was recently diagnosed with breast cancer and has faced a lot of medical treatment. This has majorly impacted her mental health by increasing her stress and anxiety, exacerbating her epilepsy, and increasing her inability to work. She previously lived with her daughter in a large property and they shared the rent between them. However, her daughter recently moved, leaving Francesca in a property which is too expensive for her to manage. The low level of payment she receives from Universal Credit, alongside her illnesses, put significant pressure on her wellbeing, often causing her to break down as she struggles to afford the necessities. Francesca finds it difficult to pay her bills. Her first language is not English and the language barrier impacts her understanding of the welfare rights system, making her unaware of any other entitlements she could receive. She relies on translation to understand what benefits she receives and to resolve other issues. She has found it really hard to adapt to living alone, independently, and in a different country.

In order to understand claim forms, people needed high levels of English literacy, IT literacy and an awareness of why particular questions were being asked. They also needed to have access to a computer. There is an assumption that people are able to use a computer, yet people on low income are harshly impacted by the digital divide, are less likely to have computer skills and are more likely to rely on using their phone for digital access than other income groups.⁴⁰ Indeed, the large majority of people who do not use the internet are disabled people.⁴¹ It was evident that people needed to find supporting information about their income and their living arrangements that wasn't readily available or easily understood. They also needed the personal confidence to complete the forms. This complexity presented a considerable barrier to accessing justice and users of food support spaces often felt overwhelmed, were frightened to make applications for additional support, and experienced a sense of isolation from the people, systems and processes through which decisions about their entitlements would be made.



Finding 3:

The current substance of employment and welfare rights is insufficient to protect people from food insecurity

Arnold lives with his wife and children. They have never had a stable income and regularly come to the foodbank. Arnold was training to be a PE teacher but was injured, he claimed disability benefits as he recovered. Once he was physically able to work he claimed Universal Credit and found the pressure to find work overwhelming. He took several zero-contract jobs but the money he earned was irregular, the wages were not enough to pay for childcare, and the irregularity of working hours was incompatible with his role as a father. The stress of trying to cope impacted his mental health and he now claims disability benefits again, this time because of his poor mental health. He says his family cannot survive on the income he receives via disability benefits and that they are seldom able to afford grocery shopping. He has good knowledge of the disability benefits system and has applied for all the welfare support available. It still is not enough. Arnold would benefit from legal aid and financial advice. He borrows money throughout the month so when he does receive his benefits, he has to pay people back. With advice on how to manage his finances, this could change. He feels that with a reduction in financial stress, his mental health would improve and that would enable him to re-enter the workforce. But he is painfully aware that when he had a job before, it did not provide his family with financial stability, and being employed did not prevent them from needing to use food banks.

The experience of Arnold and his family point to two key problems in the legal regulation of work.

The level at which minimum wages are currently set are below the level of a 'Real Living Wage'. This means that the law, even when it is adhered to, is not providing a sufficient income for a decent life to people who are working full-time. Despite working long hours, people have little choice but to claim benefits to supplement their income.



The second problem is that workers in insecure jobs don't have access to many of the employment rights which are designed to support working families. For example, as Arnold found, having a job with irregular hours can leave workers unable to look after their children as well as they want to because their working hours, or their need to be available just in case work is offered, is incompatible with the dependable reliability that is necessary for good parenting. In situations of zero hours contracts for example, workers do not have rights to ask for flexible and family friendly working hours, they don't have a right to unpaid time off work in the event of a family emergency, they don't have a right to parental or carers leave. When work and wages are irregular, workers can find themselves unable to do the school run or unable to pick up from school when children are poorly. Irregularity of income and hours can lead to immense stress. It is the combination of low wages and insecure hours of work that has been found to be particularly damaging to mental health.⁴² It is therefore highly problematic that workers claiming Universal Credit can face the threat of benefit sanctions if they do not accept any offer of insecure or zero hours employment

William is a full-time security guard; he has a wife and a baby daughter to provide for. Despite working forty hours a week, his wage was merely enough to cover necessities such as food, and there was not enough left over to buy clothes or go out for trips. Income struggles have caused a lot of stress for his family, they are worried about being able to provide for the baby. William had got into debt before the cost-of-living crisis and now the rising costs of food and electricity means that he is becoming further in debt and having to choose between paying for food or bills. He says he has nothing left and it saddens him that after receiving his wages there is no money after just seven days and they wait then for the benefits payment to live off. The amount he receives from his wages and universal credit is not enough to afford necessities and pay off the debts. The difficult situation means his family is unable to save money and he knows they are in desperate need of more support.

Julia volunteers at a food pantry to help people who do not have as much as she has. She sees a lot of parents with young children who struggle to provide food for their family. This becomes increasingly difficult during periods of school holidays, when the children are no longer receiving free school meals. Julia sympathises in particular with the single mothers who depend on the pantry, most of whom are working full time and bringing up their children, but not earning enough to be able to afford basic food essentials. There is also a group of pension-age couples and individuals who frequent the food pantry. Though they are recipients of Pension Credit, they are not receiving enough financial support from the government to be able to support themselves. Julia explains that the food pantry is experiencing a strain as increasing numbers of people want access to the support the volunteers provide. This has been particularly exacerbated by the cost-of-living crisis which has caused the waiting list to grow and forced Julia and the other volunteers to turn people away.



A food space volunteer, Shelley explained:

I've noticed that there is no certain type of job that forces people to use these services. Low income is affecting everyone now, but especially people that have to work like ridiculous long hours, but they still have no money to even put the lights on. We see people who are working and people who can't get a job. Cost of living crisis has affected people so bad, we have people like nurses, people are struggling for jobs anyways but even good jobs aren't good enough anymore. For people with bad jobs, like minimum wage jobs, even the help we provide isn't helping them enough anymore.

Research by the Trussell Trust and the Joseph Rowntree Foundation has calculated that the cost of essentials after housing costs (food, utilities, and vital household goods), is currently at least £120 a week for a single adult and £200 for a couple.⁴³ However, the basic rate of benefits is far lower than this. Single people referred to a Trussell Trust food bank, whether they were living alone or with children, had an income of just £87 and for couples, with or without children, the average income was £145. This means that single people were trying to manage with a shortfall of at least £33 per week and a shortfall of £55 for couples.⁴⁴ A significantly stronger and more generous welfare system is needed to ensure that benefit payments always cover the everyday essentials needed by households.

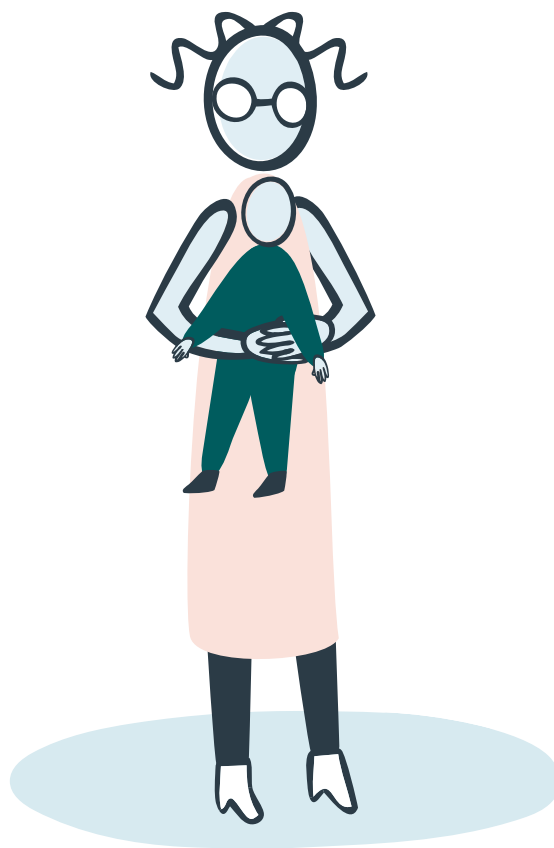
[Find out more about The Trussell Trust and Joseph Rowntree Foundation's Guarantee Our Essentials campaign](#)

Users of food support spaces who were in paid work, on low income, and also relying on the welfare system to help them bring up young children, such as Georgia, were particularly likely to say that Universal Credit does not enable them to meet their basic needs as a family.



Georgia is a single mother who works sixteen hours a week and receives Universal Credit, she struggles to manage. All of her income has to go towards essentials such as food and heating the home for her family. She struggles to provide for her son, there is rarely enough left over to buy new clothes or the things he wants; 'I have no other choice but to send my son to school with worn shoes, it is an unpleasant situation'. There is nothing left over to save any money, yet she needs to send money to support her parents, but she finds it difficult to do this. She struggles more since the cost-of-living crisis; 'everything went up, the electricity, taxis, tax but my salary now does not cover this'. There have been several times where she has had to contact the gas and electricity companies because she cannot afford the increasingly high bills. Georgia often experiences stress and anxiety from the financial situation as she is constantly concerned that the cost of everything will carry on rising and she will be forced into debt.

Georgia is raising her young son on her own, and she is working in a job that is low-waged and part-time. As a lone parent, she has to work 16-hours a week in order to avoid being subject to a 'benefit cap', which applies to single parents with children as young as 2-years old and pushes them 'well below the poverty line ... with a particularly adverse impact on the development of children'.⁴⁵ Her available working hours are limited by school hours, and she is in a situation of 'economic distress'.⁴⁶ For a long time, Georgia has been negotiating between meeting 'needs' and meeting 'wants',⁴⁶ but the extent of her inability to meet the needs of her son is affecting her mental health. In the UK, three-fifths of working-age adults who live in poverty are either in-work or live with someone who is in-work. In Merseyside, every borough reported average earnings as being below the average in England of £496 per week in 2020. The average weekly earnings in Liverpool were £16 below this average at £480 per week.⁴⁸ Georgia, like so many other people in low-waged work, has been hit hard by rapidly rising living costs, her wages have not kept up, and she is experiencing the acute anxiety of food insecurity.



Finding 4:

A lack of access to justice and/or adequate substance is a key driver for poor mental and physical health

Earning a low wage is an increasingly important and growing public health concern.⁴⁹ Associations between low earnings and elevated mortality risk are intensified in the context of job and hours insecurity. Low-waged workers have the highest exposures to workplace hazards, job related stress, exploitation, low job control and insecurity – each is an established factor for poor mental and physical health outcomes.

Across the UK, almost one in three (28%) people have low levels of mental wellbeing, with this rising to more than half (55%) of people who had experienced food insecurity in the last 12 months.⁵¹ Financial difficulty can cause stress and anxiety, which is exacerbated by going without everyday essentials and the stress of servicing debt, especially when faced with poor practice creditors. Similarly, as the Trussell Trust notes, mental health problems can also drive financial difficulty by making it harder to earn, manage money and spending, and to ask for help.⁵²

Locally, there are significant health challenges within Liverpool, with the Covid-19 pandemic and subsequent cost-of-living crisis further exacerbating health inequalities in the region. At the age of 50, almost half of the population in Liverpool have at least one morbidity, and by the age of 65, 41% have multiple morbidities. Liverpool has high levels of both adult and childhood obesity whose distribution across the region correlates strongly with levels of deprivation. Only 1 in 2 adults and 12% of young people manage to eat the recommended five fruits and vegetables a day.⁵³

The social security system is supposed to be designed to support anyone in need of help, but right now, as stories in the previous section highlight, it is not providing enough income to cover the cost of life's essentials such as food, household bills and travel costs, even when people are in paid work. The precarious nature of low paid work, especially when hours of work are uncertain too, also poses particular challenges for access to justice and carries risks to mental and physical health.

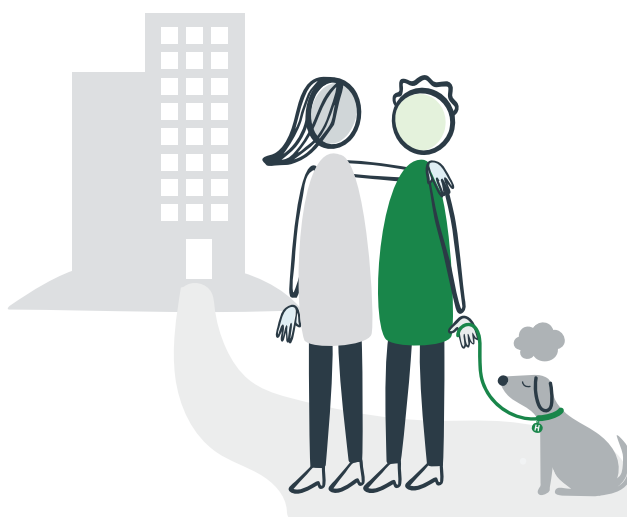
The result is that food insecurity has become a contributory factor in the rise of long-term disabilities in the working-age population and disabilities force working people to drop out of the labour market altogether.⁵⁴ As the case studies in our report reveal, work and welfare problems are complex. Struggling to get by on a low income causes prolonged exposure to stress, poor diet, and malnutrition, as well as vulnerability to adverse or unexpected events. This means that people are without justice because legal entitlements fail to meet the income needs of workers in low wage or insecure work, and also fail those who are unable to work because of caring responsibilities or disability. Being without access to justice is a key driver of poor mental and physical health.

Jean lives with her partner in a council property, Jean has a job and works about 10-hours a week. She wants to increase her hours, but she is finding it hard to find anything suitable due to her lack of skills and her caring responsibilities. She looks after her granddaughter 5-days a week. Jean receives Universal Credit and a Personal Independence Payment due to her mental health issues. Much of her anxiety has been caused by worrying about where the money for food will come from. Every time she gets a bill it causes her a lot of stress because she is consistently struggling to pay bills. The cost-of-living crisis has made things much worse. She has had to make serious cutbacks from her food shops, one of them affecting her dog because the only dog food she can afford makes the dog ill. She comes to the food space regularly, and it helps lessen her anxiety and gives her some relief in terms of cost.

More than one person talked about losing pets because of low income. Sammie said that the cost-of-living crisis has really affected her as she now cannot afford to buy food for her cats whom she relies on for mental health support. Unfortunately, she has had no choice but to re-home some of them.

Food space volunteer Katie says she regularly speaks to people who are struggling with money because of employment issues, in-work poverty is high, and many food space users are in zero-hours contracts or temporary work. She is aware that people are struggling with low income and their situation affects their mental health. A growing area of concern is the impact this is having on the aspirations of young people. Data from more than one of our research participants suggested that children of parents who are in-work yet experience food insecurity can become vulnerable to being groomed into criminal activity because those children learn from their day-to-day circumstances that work and welfare rights do not provide sufficient income to have a decent standard of living. This highly concerning suggestion warrants further study.

People struggle now who never struggled before; they need help with things like bills and school uniform. Not being able to provide a Christmas for the first time hurt a lot of people. It impacts on young people who see that working isn't a route out of poverty and that there isn't enough help from government, so kids fall into crime as they see it as the only way out of the cycle. Young people are vulnerable to getting groomed into gangs and it's just heart-breaking.



Recommendations

The stories shared in this report illustrate that food insecurity is being driven by a range of work and welfare problems that worsen situations for people of working-age on low incomes. They each point to the multiple, cumulative impact of not being able to afford the essentials you need as a family or household, with devastating, long-lasting effects on people's mental and physical health. For many, paid work does not 'pay'. People of working-age in low paid employment are being pushed into deeper levels of poverty. These situations are being made worse by a deficit of justice: people can't draw on their legal rights if they don't know what their rights are or if they don't have access to appropriate signposting, support, or legal representation. Yet beyond this, even when working-age people can access their legal rights, for many, their income from work and welfare provision still doesn't provide enough to make ends meet.

This report has led to the following targeted recommendations:

National Government

- **Revise the minimum wage to ensure that no-one works for less than the real living wage:** we encourage a minimum wage rate for all workers aged over 18 that protects wages from falling below the level of the real living wage.
- **Ensure Universal Credit is generous enough to provide an adequate standard of living:** we support The Joseph Rowntree Foundation and The Trussell Trust proposal for the introduction of an 'Essentials Guarantee', to embed within the welfare system the principle that as a minimum Universal Credit should protect people from going without essentials.
- **Promote collective bargaining between trade unions and employers:** This would give people a stronger voice at work and more influence over their terms and conditions of work. It would provide necessary support for improving the quality of jobs and wages and end our national reliance on a system of individual employment rights that cannot be effectively enforced by workers who are vulnerable and does not protect them from experiencing food insecurity.
- **Invest in free school meals for all:** Government investment in free school meals for all children would enable those who live in families who are navigating the challenges of low income to access healthy nutritious food, without stigma and on the basis of parity with all their friends at school, no matter what their family income.
- **End the 5-week wait for Universal Credit:** purposefully exposing people to a period without the money to which they are entitled is driving them into debt and it, as this research has shown, can hurt them mentally, physically and impair their ability to access good quality work.
- **Develop a legal 'Right to Food' framework:** this framework would create legal protection to ensure future government policies do not pull people into poverty.
- **End the use of sanctions:** the state should not use hunger as a punishment, particularly when a sanction would contribute to a vulnerable household being unable to meet their essential costs.



Department of Work and Pensions

- **Include people with experience of poverty in the design of all policy and procedure that affects them:** the systems through which people can access welfare benefits and secure employment protection have been designed without the needs of people who experience poverty and food insecurity in mind. More attention needs to be taken to the experience of people in poverty and low-waged workers in navigating these systems. This means attending to realities such as people being frightened by complicated forms or being intimidated by an overreliance on IT as a means of communication and a lack of face-to-face contact.
- **Make all welfare and employment related forms and communications accessible to all:** there is a need to open up dialogue with the Department of Work and Pensions about making forms and communication more accessible. Co-designing systems and processes with people experiencing food insecurity would enable those processes and systems to be better targeted, more able to be accessed by all and thus more efficient in achieving their objectives.
- **Enable the automatic registration for welfare benefits:** a reform to the Universal Credit application form and/or online journal is needed to ensure that a Universal Credit claim automatically registers eligible claimants for schemes such as Healthy Start and income-related free school meals. At present, all too many vulnerable claimants are unaware of, or unable to access, these schemes despite being eligible.
- **Reduce the waiting times for Personal Independence Payment assessments:** and investigate the administrative issues surrounding the delay between application forms being issued and processed.
- **Stop requiring benefit claimants to take up jobs on zero-hours contracts:** pushing people into highly insecure work is detrimental to their health and it should not be a condition of welfare entitlement that people accept zero-hours contract work if this is not their choice.

Local authorities

- **Play an active role in educating businesses about the importance of good quality work for supporting workers' mental and physical health:** we encourage local authorities to play an active role in educating businesses around the role insecure employment plays in relation to poor health and to provide advice to local businesses on how to create job opportunities that are more supportive of physical and mental health and protect workers against the risk of experiencing food insecurity.
- **Find ways to help workers to realise basic employment rights:** we encourage local authorities to explore tools at their disposal through which workers can more easily access and realise their basic employment rights such as minimum wage, paid holidays, pay slips, right to join a trade union, right to be represented at work by a trade union.
Provide funding and assistance to the free legal advice sector: Free legal advice is an essential support for the maximisation of household incomes, for protection against food insecurity and for improving people's mental and physical health'.

Employers and trade unions

- **Ensure that jobs offer sufficient wages and stability of hours so that workers are protected from the risk of food insecurity:** Poor quality jobs have a detrimental impact on workers' health and quality of life. At a minimum, jobs should be paid at or above the level of the [Real Living Wage](#) and on the basis of contracts that reflect [Real Living Hours](#).
- **Stop using zero-hours contracts:** these create situations of extreme insecurity for working people and their families. Zero hours contracts are contributing to the rise of food insecurity. Placing the economic risk of a business on the shoulders of low-waged workers creates enormous pressures and is unethical.
- **Recognise trade unions and be open to negotiate changes to terms and conditions that will be positive for workers' mental and physical health:** Giving workers the opportunity of collective representation and listening to ideas to improve the way work is organised and rewarded can make a very positive contribution to individual and community well-being. Negotiating to improve working life can have many productivity benefits too.
- **Support volunteers to play an active role in increasing awareness of employment rights:** We encourage trade unions and food support spaces to work together to train volunteers to feel confident talking about work-related problems with people using their spaces, as increasing awareness of employment rights is a first step to increasing access to justice.

Universities, food support spaces and food networks

- **Foster new relationships between university law schools and food networks:** we particularly encourage law schools and food networks to draw on our experience and explore possibilities to collaborate, including considering student placements as a way to increase the availability of employment rights advice and signposting within food support spaces.
- **Facilitate, inspire and promote education to raise awareness about legal rights among young people:** University law schools can play an important role in working with local schools and youth services to educate young people about their employment and welfare rights so young people are prepared and equipped with the knowledge they need when entering the labour market.
- **Undertake research in partnership with people experiencing food insecurity:** Find ways to creatively engage people who are experiencing food insecurity in research that is designed to better understand how law and legal rights can be more effective in enabling people to build better lives. Undertake research about the mental and physical health impacts of 'good' and 'bad' types of employment to advance understanding of how to promote positive forms of work and advance working arrangements that reduce, rather than exacerbate, the risks and associated risks of food insecurity.
- **Develop support mechanisms to stimulate political engagement of people of working-age in issues around welfare and employment rights:** we believe local food networks can play a critical role in ensuring those with direct experience of injustices in welfare and employment rights feel equipped to engage with trade unions, employers, elected representatives, MPs, local councilors, police commissioners and mayors so that they can make their voices heard by people in positions of power that can apply levers for change.

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