Dear Jim Fitzpatrick, Ruksana Ali MP, Mayor John Biggs

**Tower Hamlets Community Advice Network (THCAN)**

**Concerns Regarding the Introduction of Full Service Universal Credit**

I am writing on behalf of THCAN - a partnership of local advice centers that provide free advice and representation in areas of social welfare law. Tower Hamlets advice centers work together through this partnership to ensure that residents have access to free, high quality, advice on welfare benefits, debt, housing and other areas of social welfare law. We consider issues such as advice capacity, trends/gaps in provision and social policy matters. Recent meetings of the Tower Hamlets Welfare Rights Advisors Forum and the Money Advice Forum advisors have identified and expressed concerns about the impact of full service Universal Credit on our service users.

Both Citizens Advice and Child Poverty Action Group are carrying out campaigns about the impact of Universal Credit on families and disabled people, both have carried out research, produced reports and made recommendations regarding UC. These all highlight concerns that the introduction of UC is causing increased poverty and recommend changes to UC – they completely mirror our concerns and problems that service users are having. Particular issues they have raised are: the two child limit, long waits for benefits, cuts to the work allowance, funding levels, policy design and implementation issues. Generally the system is causing claimants to be waiting weeks (sometimes months) for their benefits (no income) getting into rent arrears and often having incorrect/inconsistent payments.

As you are no doubt aware your constituents are (mostly) now in a ‘full service Universal Credit’ area. Advisors are therefore seeing the impact of the changes and problems that claimants are facing. We have made attempts to raise these issues with local DWP managers, we have had meetings to discuss the matter and expressed our concerns verbally and by email. We had a meeting organised with East London JC+ managers to discuss these issues but unfortunately:

1. Our queries have not been responded to
2. Managers failed to attend a meeting to discuss the problems, no reasons for not attending, no contact since

The two advisors forums have listed our concerns (attached) and ask that you:

1. Support your UC constituents by raising the attached implementation issues and ensure DWP address (or at least respond to) and consider our concerns
2. Urge you to support the CPAG and CA recommended changes to Universal Credit and for the roll out to be paused until these problems are resolved.

Yours sincerely

Jo Ellis

On behalf of Tower Hamlets Community Advice Network

**Information on current campaigns**

* CPAG: <http://cpag.org.uk/UC-fit-for-families>
* Tower Hamlets Community Advice network: [www.thcan.org.uk](http://www.thcan.org.uk)
* Citizens Advice

<https://www.citizensadvice.org.uk/about-us/how-citizens-advice-works/media/press-releases/citizens-advice-calls-for-universal-credit-rollout-to-be-paused-as-research-reveals-people-left-facing-financial-difficulty1/>

https://www.citizensadvice.org.uk/Global/Migrated\_Documents/corporate/11-sept--final--report-rebalancing-universal-credit.pdf

**Welfare Rights Advisors Forum Issues**

1. Universal Credit is applied for on line. Advice Centres have adopted a policy of not helping claimants with applying for universal credit and sending them to DWP to get assistance.  The reason for us referring clients to the DWP for this help is because it takes advisors around 2-3 hours to do the claim for clients, then they will need ongoing support (possibly long term) to regularly check their on line journal and carry out required actions. We don’t have the capacity to offer this assistance, we have to prioritise problem cases, mandatory reviews and appeals – not assisting to make claims. Mostly clients who attend Job Centre Plus (with a referral letter) are being told that they won’t get help and that they need to do the claim themselves. They are being offered use of computers, when it is seen they are struggling they sometimes get some help and/or are asked to come back the following day.  Most are refused help, some are helped, however it seems to be luck of the draw.

We have requested a more structured referral system where (vulnerable) clients identified as not being able to go through the process of using the portal get support and assistance from the DWP with their claims.  DWP have stated that additional funding has been made available for agencies to provide this support but as far as we are aware this is not true. Where a claimant, due to a disability, is unable to claim universal credit online themselves, the systematic failure of the DWP to offer assistance to claim in an accessible manner is, in our view, a breach of their duties under the Equality Act 2010 to make reasonable adjustments.

1. Length of time it is taking to answer phone calls UC (and cost implication for clients). When they do get answered, often they take details say they will phone client back so advisor can’t liaise, sometimes don’t ring back, sometimes get cut off mid call
2. Claimants moving from legacy benefits with health problems are being told to be available for work (and carry out 35 hours per week of job search) until the work capability assessment has been completed. Regulation 99(5) of the Universal Credit Regulations 2013 provides that if the Decision Maker considers it reasonable he or she may disapply the work search requirements to a claimant who is providing medical evidence from a GP advising they refrain from work. We struggle to see how it would ever be reasonable for a Decision Maker, whose only evidence as to a claimant’s health problems is such a GP letter, to think a claimant in this situation should do work search.
3. ESA claimants found fit for work being advised to claim UC and not informed that can remain on ESA whilst appealing. That can mean for many claimants (for example single person in receipt of PIP for whom no one claims carer’s allowance) that they lose out on over £3000 per year as UC is less generous in their circumstances.
4. UC refusals, the decision is on their journal, they don’t get written confirmation that benefit has been refused, clients are not always aware, they should be sent written decision, can this be done?
5. Can advisors/support workers be given a different number to ring when helping clients?
6. Can we do a mandatory review on the UC portal/journal? It appears that this is not the case- in our view the journal is not fit for purpose- claimants can use it to show they are complying with their duties but are not allowed to use it to assert their rights.
7. Claimants are not being given their work coach contact details
8. Advisors complaint/s that have been raised have not been responded to – mixed feedback some good some not
9. Someone who has had claimed closed, not being able to do a Mandatory Review
10. You can’t see how housing costs is calculated, it just gives an amount for the month, we can’t tell if there are non-dependent deductions, whether the correct amount is being paid, there should be an explanation of the calculation accessible on the portal
11. Housing Associations are getting letters from universal credit with no reference except National Insurance number, without a client’s name/address so they can’t identify who letter relates to.
12. We also believe that claimants are not, at the stage of being asked to accept a claimant, being told about the easements available for specific situations from the work search regime (for example if a claimant has caring responsibilities or health problems which limit their work abilities). As a result claimant commitments, far from being individualised agreements, seem to be standard “boiler plate” format. This leads to claimants being pushed to do more work search than the law requires and exposes them to the risk of inappropriate sanctions. In our view the DWP is under a legal duty, in which they are failing, to provide claimants with details of the easements available and explain these to them, before the claimant commitment is drawn up. That would ensure claimants are in a position to actually raise difficulties that they have and then have these reflected in the commitment.

**Money Advice Forums Concerns**

* TH council – Is still unclear if rent arrears can be deducted directly from UC. Requests have been made by TH council to the DWP but there have been no responses as of yet. TH council have same issues with contacting UC as advice agencies. Currently liability orders are being made in the same way as previously.
* Housing Benefit overpayments – HB department are being told that people will roll onto UC smoothly but currently is very chaotic.
* TH council has no direct access to UC department. Similar issues to advice agencies regarding implicit consent.
* Also an issue with the quality and quantity of information coming into TH council departments each month regarding UC claimants. CT reduction department are being swamped by this information with claims having to be reassessed every month.
* Issue with Alternative Payment Arrangements (APAs) when benefit cap has been imposed on a household. The full rent is being paid directly to landlords rather than previous situation where the partial Housing Benefit had been paid to the landlord leaving the tenant to make up the difference. By paying the full rent directly to the landlord through the APA, UC is leaving these tenants with in some cases almost nothing to live on. When TH council realises this is occurring they are automatically issuing DHP forms to these households.