**This is Tower Hamlets Community Advice Network’s welfare rights advisors monthly information exchange, it is sent to around 200 individuals and organisations with an interest in welfare rights in Tower Hamlets and is available to see on the** [**www.thcan.org.uk**](http://www.thcan.org.uk) **Up-to-date information on advice providers services and opening times are available on the website**

**Welfare Rights Advisors Forum  -  March 2019 Information**

* **CPAG Universal Credit updates and changes presentation attached covers recent and future changes to UC**

Additional information discussed and clarified later by Owen

1. Claimants getting housing costs in their UC for despite living in temporary accommodation

Regulation 8 of the [Universal Credit (Miscellaneous Amendments, Saving and Transitional Provision) Regulations 2018](http://www.legislation.gov.uk/uksi/2018/65/made) which introduced the 11/04/18 amendments tells us what should happen with UC awards preceding this date, i.e. they:

*“do not apply to an award of universal credit that exists on 10th April 2018 and that then includes the housing costs element in respect of temporary accommodation, until—*

*(a)there is a change in the amount of rent payments or service charge payments that the claimant is liable to make (with respect to any accommodation); or*

*(b)the award ceases to include the housing costs element,*

*whichever occurs first”*

1. Amount of HB during two week run-on at start of UC claim

These rules are set out in reg 8(2A) and reg 8A of the UC (Transitional Provisions) regulations 2014.

Reg 8(2A) allows a Housing Benefit award to continue for a period of two weeks beyond the day on which the person becomes entitled to UC.  Reg 8A provides that pending the decision on the claim the claimant is treated as entitled to UC for the purposes of the HB award.

Universal Credit is a passporting benefit for Housing Benefit under the following provisions:

Section 130(3) of the Social Security Contributions and Benefits Act 1992 states that where a person is entitled to Housing Benefit  then if they have no income or income does not exceed the applicable amount then then they will be awarded maximum Housing Benefit.

Para.12 of schedule 4 of the Housing Benefit Regulations 2006, as amended by reg. 7(7) of [SI 2013 no.2070](https://www.legislation.gov.uk/uksi/2013/2070), states that earnings are to be disregarded for those claimants also on UC.

Para.4 of schedule 5, as amended by reg. 7(8) of SI 2013 no.2070, states that income other than earnings is to be disregarded for those claimants also on UC.

Para.5 of schedule 6, as amended by reg. 7(9) of SI 2013 no.2070, states that capital is to be disregarded for those claimants also on UC.

Para.22-24 of [HB adjudication circular A2/2018](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/690867/a2-2018.pdf) makes the same point

* **Charging for social care information presentation**

Rowan Earle **Acting Information, Advice and Advocacy Coordinator** Direct dial: 020 7001 2196 Mobile: 07305 981956  Email: [rowan.earle@real.org.uk](mailto:rowan.earle@real.org.uk)

went through the charging policy and has supplied the following links on LBTH policy and legal requirements

Useful links:

Care Act Guidance (section 8: charging and financial assessment; annexes B & C detail capital and income)

<https://www.gov.uk/government/publications/care-act-statutory-guidance/care-and-support-statutory-guidance>

Council's page on charging (contains their policy, assessment form and guidance)

<https://www.towerhamlets.gov.uk/lgnl/health__social_care/services_for_older_people/care_financial_assessments.aspx>

Real's page on charging (includes guide on charging and Disability Related Expenditure)

<http://www.real.org.uk/get-support/information-help-charging-social-care/>

Department of Health & Social care circular 2019 (this sets various figures included in social care charging, e.g., Minimum Income guarantee)

<https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/772969/Social_care_charging_for_care_and_support_-_LAC_2019.pdf>​

**Free Training Sessions**

|  |  |  |  |
| --- | --- | --- | --- |
| **Welfare Rights Overview**  One day | * overview of the benefits system * check which benefits your clients may be entitled to * use CPAG handbook/resources * online calculations and claims   **Suitable for** new volunteers and support workers with little or no experience in benefits | Island Advice  Island House  Roserton Street  E14 3PG | Jo Ellis  Thursday  11th April  10am – 4pm |
| **Universal Credit**  ½ day workshop | * General information about this new benefit including: claims, migration, conditionality, sanctions   **Suitable for** basic session but suitable for anyone including benefit advisors | Island Advice  Island House  Roserton Street  E14 3PG | Fatima Begum  9th May  1-4pm |

**Email** [jo.ellis@island-advice.org.uk](mailto:jo.ellis@island-advice.org.uk) to book a place

**Benefit Up-dates**

1. See attached CPAG presentation for past and future
2. April 2019 Changes

**Universal Credit**

The roll out of the full digital service of [**Universal Credit**](https://www.turn2us.org.uk/Benefit-guides/Universal-Credit) across the country is now complete. The Government's next step is to transfer people from existing benefits to Universal Credit between July 2019 and December 2023.

In April 2019 the [**Universal Credit Work Allowances**](https://www.turn2us.org.uk/Benefit-guides/Universal-Credit-income-and-capital) will increase for people with children or people with limited capability for work.

From July 2019 onwards, the 12-month ‘grace period’ from the [**Minimum Income Floor**](https://www.turn2us.org.uk/Jargon-buster/Minimum-Income-Floor) will be extended to all gainfully self-employed claimants who are moved over to Universal Credit by managed migration. It will only be extended to new claimants from September 2020.

Starting in October 2019, the maximum rate at which deductions from Universal Credit, to repay an advance payment, will be reduced from 40% to 30% of the standard allowance.

**Pension Credit**

From May, couples where one partner is aged above Pension Credit age and the other is aged under Pension Credit age, will no longer be able to make a new claim for Pension Credit. Instead they will have to claim Universal Credit.

**National Minimum Wage**

The National Living Wage will increase by 4.9% in April, this equals:

£8.21 for people over 25

£7.70 for people aged 21 to 24

£6.15 for people aged 18 to 20

**Benefit Rates Increases from April 2019 – see attached**

**Vacancies**

Age UK East London

Welfare Benefits Advisor– Hackney/East London  Salary – 28k Pro Rata – 28 hrs a week. Working in the community, GP Surgeries, Outreach venues and home visiting.

Information and Advice Coordinator to support our advice services 20,300k pro rata also 28 hrs a week. Working from our office in Hackney as well as at our hub in Homerton hospital.  Providing advice, information and signposting and admin support to our services in Hackney, Tower Hamlets and Newham.

If their interested they can contact me directly with a CV and a personal statement via email or call 020 8981 7124 Adam Pervoe [adam.pervoe@ageukeastlondon.org.uk](mailto:adam.pervoe@ageukeastlondon.org.uk)   82 Russia Lane,  E2 9LU

**Social Policy/Campaign Information**

* Resident Support Scheme replaced Crisis Support Grants in January – if you have any comments, compliments, complaints, suggestions on how the scheme has been running (especially if you are a partner agency) please email details to me – I am collecting information to send to Ellie Kershaw (Tower Hamlets Tackling Poverty) and Paul Smith (Northgate) – aiming to send info in next couple of weeks.  Currently issues are:  not responding/notifying of claims or appeals, most cash payment requests for emergency money seem to be getting refused – what is the criteria?

**Other Information**

* Council Tax Reduction clarification on how CTR is calculated and some changes due in April 2019. Currently when the CTR claimant or their partner receive PIP (DLC) or DLA (CC) no non-dependent deductions are made. However, at present , when the ND is the person receiving Attendance Allowance, PIP or DLA, all their income is taken into account when assessing the ND deduction.  However part of the resulting CTax bill is written off under Section 13A of the Local Government Finance Act. Thus, in most cases where a CTR claimant has an ND in receipt of PIP, AA or DLA the affective ND deduction is reduced to £4.00 per week. The Benefits Section have identified most affected claimants, who remain in receipt of CTR and asked for details of the ND’s extra expenses due to disability. We have arranged Section 13A assistance to all those claimants who have replied. There may be a few affected claimants, who were not identified. We will not have been able to identify affected claimants whose CTR ended as a result of the new LCTRS. If these claimants are drawn to our attention we will, once the claimant provides details of their ND’s extra disability related expenses, arrange for a Section 13A award to be made.

**From 01/04/19** the CTR is due to be changed again. From this date the maximum ND deduction for NDs in receipt of AA, DLA, PIP or ESA will be £4.00 per week. There will therefore be no need to consider Section 13A awards except in very exceptional circumstances where even a £4.00 per week ND deduction causes hardship. Claimants, whose CTR ended as a result of the April 201 changes, but who will become entitled to CTR again as a result of the April 2019 changes, will need to submit a new CTR claim. From 01/04/19 CTR can be backdated up to 52 weeks, when claimants have good cause for delaying their claim.  Please note that all the above only applies to working age CTR claimants. Claimants over the qualifying age for pension credits get CTR based on the national prescribed CTR scheme.

* Policy in Practice benefit calculator – see attached information they have confirmed that their benefit calculator does not collect / keep information on clients – please note alternatives (free) for benefit checks:  <https://www.turn2us.org.uk/>   OR   <https://www.entitledto.co.uk/benefits-calculator>
* <http://thcan.org.uk/factsheets/>  Complaints to DWP has been updated again – more details on who to email about problems/complaints
* Extract from the independent Benefits Newsletter about how to request a Mandatory Reconsideration of a Universal Credit decision if the Journal page has already been 'closed' so that you can't request it that way. I have found this a problem so I'm going to try the address below and see if that improves the response rate (Chris Parsons). Shared by one of our Universal Credit course participants'...We are currently sending all MRs to this address which allows for recorded delivery (where freepost does not) and, at risk of tempting fate, responses appear to be relatively expedient.  Where the journal remains accessible I have been posting and uploading - where it is not I have been asking the JC to upload in addition to postal service.'

Where to Send your Mandatory Recon. Requests for UC  -  UCFS Post  Canterbury BC, Nutwood House,  Chaucer Road,  Canterbury,  Kent   CT1 1ZZ

**Information exchange/services**

* Massingham Street services adverts attached
* First Love foodbank referral information and form attached
* Bromley by Bow Centre Financial Inclusion and Swap Shop services information attached
* DWP newsletter Feb attached
* If you have cases where clients have had their  blue badge/ freedom pass refused – we have finally managed to get a copy of the assessment form for Blue badge/freedom pass etc (well done Fatima about a year of nagging/hassling), so we can now see the points system they use and this will be useful if doing appeals/challenges against refusals (and working out who its not worth doing appeals for)

**Specialist Welfare Rights Advisors Referrals for Tower Hamlets Residents**

**Legal Advice Centre**: Only take referrals for appeals when got the appeal bundle, not Mandatory Reconsideration.  Otherwise can be ‘signposted’  (ie send client to drop in advice session) for assistance. Referrals can be emailed to [admin@legaladvicecentre.org](mailto:admin@legaladvicecentre.org) they will email back to confirm that clients have been booked – full guidance available on [www.thcan.org.uk/advice-agencies-information/](http://www.thcan.org.uk/advice-agencies-information/#_blank)

**Law Centre**: Chris Parsons very limited capacity but to email or phone him, has no particular criteria [c.parsons@thlc.org.uk](mailto:c.parsons@thlc.org.uk)

**Island Advice**: Tower Hamlets clients only, limited casework and usually all appointments are taken up through our drop in advice session clients but email  [steph@island-advice.org.uk](mailto:steph@island-advice.org.uk)  or phone direct line 020 7538 0094 (phone number is for advisors only) Clients can ring 0207 987 9379

**CAB** advisor Eukay email [eukandu@eastendcab.org.uk](mailto:eukandu@eastendcab.org.uk)    Also their full drop in services sessions are available on:  [www.thcan.org.uk/advice-agencies-information/](http://www.thcan.org.uk/advice-agencies-information/#_blank)