**Tower Hamlets Welfare Rights Advisors Information Exchange - November 2017**

**1.   Universal Credit Updates**

**A)  Support for making Universal Credit claim**

See attached information

**B)  Complaint to MP re: Universal Credit problems**

Further representations have been made on behalf of THCAN to support the campaign for halt/changes to Universal Credit

**C)  Doing a Mandatory Reconsideration for a Universal Credit case**

Advisors have had some difficulties challenging UC decisions where clients have been refused on the basis of Habitual Residency. The problem is that when the claim is refused their UC online portal is closed down and they cannot do a MR request on line.  CPAG guidance on how to deal with this is:

1.    Make a new claim (so we get access to journal again)

2.    Submit an MR on the journal.

3.    It is also possible to write to UC and then phone up to get MR registered.

4.    It should be possible to just phone as well

**D)  CPAG give excellent email advice -** aboutuniversal credit, child benefit, child tax credit or working tax credit. The email address is advice@cpag.org.uk

**2. Welfare Rights -  Free Training Session – email me to book place if you want to attend**

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| --- | --- | --- | --- |
| **Housing Costs** 2 hour workshop  | •    Renting and Homeowners entitlement to help with rent•    who’s entitled, how it’s calculated•    Non-dependent deductions•    Bedroom tax**Suitable for** Benefit/advice workers with some knowledge of benefit system | Island AdviceIsland HouseRoserton StreetE14 3PG | 14th December10am to 12Fatima Begum  |

**3. Welfare Rights Benefit changes**

**A)        DWP newsletter attached**

**B)        PIP NEW RULES CLAIMANTS AT RISK OF HARM**

DWP has changed the way it makes decisions about PIP where someone can score points for being ‘unsafe and likely to be at harm’.  Previously the DWP had argued that a claimant could only score points for being unsafe if harm was likely to occur on more than 50% of the occasions on which they attempted an activity.  But, upper tribunal judges held that the decision maker should look at whether there is a real possibility that harm might occur and how great the harm might be. The greater the potential harm, the less likely it needs to be that it would happen on any specific occasion.

**C)       BENEFITS UPRATING – AND FREEZING**

The 2018-19 benefits uprating - PIP and DLA claimants will get a minimum increase of 65p a week, rising to £4.25 for claimants who get the enhanced/higher rate of both components.

Carers allowance will increase by £1.90.

ESA support group claimants will get an additional £1.10 a week.

No increase in the ESA work-related activity component which, along with many other working age benefits, has been frozen for yet another year.

**D)        ESA CLAIMANTS FORCED ONTO UC**

Sick and disabled people trying to claim new style ESA are being pushed into claiming UC instead, even though they are likely to be worse off as a result. Claimants phoning the UC claim line in Full Service areas, which they have to do in order to claim ESA, discover that every single option relates to UC. Even if you choose *‘Any other queries’* from every option, you are likely to be put through to a DWP call handler who knows nothing about how to claim new style ESA. As a result, many claimants are likely to end up on a benefit that could leave them worse off, because it takes into account things like your savings and your partner’s earnings. Anyone trying to make a claim for new style ESA is advised to be very persistent in insisting that they are claiming this benefit rather than UC, no matter how hard call handlers try to persuade you otherwise.

**E)        WHO CAN STILL CLAIM TAX CREDITS IN UNIVERSAL CREDIT FULL SERVICE AREAS?**

Claimants with three or more children (for an interim period). However, they cannot claim tax credits if they were entitled to UC within the last six months but stopped getting it due to income or capital, or if claiming as a single person within one month of a couple UC claim ending. All families with three or more children should claim tax credits before 31st October 2018 (when the interim period ends), even if current income is too high for tax credits.

* Claimants over pension credit qualifying age (currently around 64 and 3 months). A mixed age couple where one is under and one is over pension credit qualifying age currently have a choice about whether to claim universal credit or tax credits – if they are already getting UC, it would be necessary to relinquish that entitlement before claiming tax credits.
* Claimants already getting child tax credit can claim working tax credit. Someone with a child who starts working sufficient hours does not have to move onto universal credit.
* Claimants already getting working tax credit can claim child tax credit. Someone in work who becomes responsible for a child does not have to move onto universal credit.
* Claimants already getting tax credits can renew their claims. Tax credits are renewed in the annual review between April and July each year. The renewal is treated as a new claim for the new tax year.

**5.  Tower Hamlets Specialist Welfare Rights Caseworkers Referrals - Information on Tower Hamlets services and events**

**A)  Specialist Welfare Rights Workers 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’ (i.e. send client to drop in advice session) for assistance. Referrals can be emailed to 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

**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  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. 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)

**B)  Events**

Praxis is holding **Big Conversation Tower Hamlets**, which will focus on **Using Banks**. This is an opportunity for migrant residents in Tower Hamlets to: Find out about government changes to accessing bank accounts, which includes the ability to freeze and close accounts of people suspected of being undocumented, and how this may affect them, learn about their rights and how to open a bank account, make their voices heard in a group discussion, ask any questions they have. This session is on **Wednesday 6th December from 11am – 1pm**at Praxis in Bethnal Green**.**Travel expenses and refreshments will be provided, the session is open to migrants living in Tower Hamlets only.

**C)  Tower Hamlets council information charging for using community based social care services**

Tower Hamlets Council is in the process of implementing charging for non-residential care services. Residents in receipt of a community based care package have been assessed to determine the contribution or ‘charge’ towards the cost of their care. The council have now written to all residents who currently receive community based services to notify them of the charge they will be expected to pay, if any, **from 2 October**. If any residents contact you regarding the amount on their invoice, please reassure them that we want to assist and work with them to ensure they are only paying what they are required to pay.

If clients disagree with their charge and would like to request a review of their financial assessment, please advise them that they can contact us using the following details:

Telephone: 020 7364 2038 or by email: financialassessmentteam@towerhamlets.gov.uk

**D)  Council Tax Discretionary Reduction**

In addition to council tax reduction scheme there is a ‘discretionary reduction’ available in the amount of council tax due under section 13(A)(1)(c) of the Local Government Finance Act 1992.

Where a client is liable for council tax and not eligible for full/any CTR an application for consideration to remove the charge can be sent to council tax.  The attached template letter can be used to request this. We have successfully used this for clients who are no longer eligible for any or full CTR due to the recent changes around self-employment and non-dependents but it could be used for any clients.  Advisors should detail hardship/vulnerability factors, medical/disability issues and send request to counciltax@towerhamlets.gov.uk.