

**Tower Hamlets Community Advice Network (THCAN) is a partnership of local advice centres that work together to ensure Tower Hamlets residents have access to free, high-quality advice and representation in social welfare law (welfare benefits, debt, housing, employment, immigration, etc)**

[www.thcan.org.uk](http://www.thcan.org.uk) website has information on advice providers services, factsheets, contact details and a referrals portal.

[sarah.sauvat@island-advice.org.uk](mailto:sarah.sauvat@island-advice.org.uk) register to use the portal  
[jo.ellis@island-advice.org.uk](mailto:jo.ellis@island-advice.org.uk) book training/send info for the mailout

1. Welfare Rights Advisors Forum
2. Free Training Sessions: Income Maximisation, Housing and Homelessness
3. Benefit Updates
4. New Projects, Services and Resources Information
5. Vacancies: Island Advice, Bromley by Bow Centre, Praxis
6. Advice Services Contacts (specialist advisors)

### **1. Welfare Rights Advisors Forum**

This network is for advice workers or anyone dealing with clients on benefit issues in Tower Hamlets. We meet quarterly and discuss services, benefits updates, have presentations from DWP/Housing benefit and other providers. [If you have not previously attended a welfare rights advisor forum meeting email me and I will add you to my \(zoom\) invite list.](#)  
 Last meeting was 15<sup>th</sup> Dec 2pm – minutes will be sent out with next mailout

### **2. Free Training**

Please email me to arrange a place – some courses are delivered on zoom others face-to-face; they are all free to anyone working/volunteering/living in Tower Hamlets – places are limited

Course name, date and time	Course details	Trainer Venue
	<b>Note the face-to-face sessions will be in either Account 3 Bethnal Green or Island House Roserton Street, E14 3PG</b>	
<b>Income Maximisation</b> 2 <sup>nd</sup> Feb 10am to 12noon Zoom	Basic training, no knowledge or experience required 1.Complete benefits check and a 'better-off' calculation 2.Identify possible benefit entitlements / commonly unclaimed benefits, know where to refer for help with benefits 3.Have an awareness of other sources of financial help Discretionary Housing Payments, resident Support Scheme, charity Payments 4.Have an awareness of budgeting/financial statements and possible expenditure reduction considerations for people in financial hardship 6.Have an awareness of when and where	Jo Ellis

	to refer clients to for help with debts, benefits and or money advice support	
<b>7<sup>th</sup> Feb</b> <b>10am – 12</b> <b>Zoom</b>	<b>Employment Rights</b> This course will cover the following basic aspects of employment, <ul style="list-style-type: none"> <li>• Employment status</li> <li>• Terms and conditions of employment</li> <li>• Pay</li> <li>• Grievances</li> <li>• Disciplinary action</li> <li>• Dismissal</li> <li>• Redundancy</li> <li>• Discrimination (very brief)</li> <li>• Enforcement (very brief)</li> </ul>	Elizabeth Daley Legal Advice Centre
<b>2 half day sessions</b> <b>NOTE you need to be able to attend BOTH days</b> <b>8<sup>th</sup> Feb &amp; 15<sup>th</sup> Feb</b> <b>10am - 1pm ZOOM</b> We would also recommend that you do the Universal Credit and Personal Independence Payment sessions too for a good basic understanding of the benefit system	<b>Introduction to Welfare Rights</b> Basic course no experience necessary, suitable for anyone working with clients / service users needing welfare rights advice. By the end of the course, you will be able to: <ol style="list-style-type: none"> <li>1. Complete benefits check and a ‘better-off’ calculation</li> <li>2. Distinguish between means-tested and contribution-based and non-contribution-based benefits</li> <li>3. Understand the principles underlying Universal Credit (UC)</li> <li>5. Be aware of legacy benefits and be aware of what could trigger a claim for UC for legacy claimants</li> <li>6. Understand how housing costs are supported by the benefits System</li> <li>7. Benefits for specific groups: Sick and Disabled, Young People, Students, Families, Self Employed People</li> <li>8. Personal Independence Payments</li> <li>9. What to do if the DWP get a decision wrong</li> <li>10. Useful resources and where to refer</li> </ol>	Jo Ellis Zoom
<b>21<sup>st</sup> Feb</b> <b>10-12</b>	<b>Immigration</b> Praxis Bitesize Immigration Session be familiar with different types of immigration statuses and who might be able to apply for these - understand the different rights and entitlements of migrants	Lucy Goodlife Praxis Zoom

	- feel more confident speaking to migrants who are impacted by the immigration system	
<b>22<sup>nd</sup> Feb 10am to 3pm Face to Face</b>	<b>Universal Credit</b> Aims: to give a basic overview of Universal Credit Objectives Learners will be able to understand: <ul style="list-style-type: none"> <li>• What is universal credit</li> <li>• Who can/should claim UC</li> <li>• Understand basic structure and calculation of UC</li> </ul>	Fatima Begum  Island House E14 3PG
<b>1<sup>st</sup> March 10am to 3pm Face to Face</b>	<b>Personal Independence Payment</b> <b>Suitable for</b> – basic course for advice workers/support workers no knowledge of the benefit system is required. <b>Aims</b> <ul style="list-style-type: none"> <li>• To give an overview of the eligibility criteria and applications for Personal Independence Payment</li> <li>• To examine the structure of PIP and the assessment process</li> </ul>	Fatima Begum Island House E14 3PG

## **2. Benefit Updates (Citizens Advice / CPAG /LASA / Benefits and Work updates summary)**

- **Students with LCW guidance on changes to UC eligibility** In Kay, R(On application of) v SSWP [2022] EWCA Civ 1593 the Court of Appeal (CoA) dismissed the challenge to the amendment of regulation 14(1)(b) universal credit (UC) regulations which was made on 5 August 2020. This amendment followed the successful judicial review challenge in R(Kauser and JL) v SSWP which found that the Secretary of State (SoS) had acted unlawfully in failing to determine whether two disabled students had limited capability for work (LCW) before deciding entitlement to UC. The SoS amended regulation 14(1)(b) UC regulations to unequivocally state that a disabled student would only be entitled to UC if they already have a LCW determination on the date of their UC claim. The claimant sought to quash this amendment on the grounds that: the SoS acted unlawfully due to a failure to consult; that the provisions are irrational and discriminatory; and that they breach the public sector equality duty under the Equality Act 2010. The CoA dismissed the claimant's challenge on all grounds, finding the amendments to be lawful and any discrimination to be rational. The Government has subsequently made a further amendment to regulation 14(1)(b) which applies from 15 December 2021. This

further amendment now prevents advisers from using an ESA 'credits only' workaround to help disabled students to make UC claims. The effect of this is that most full-time disabled students can only claim UC if they are in receipt of a qualifying benefit and have been assessed or treated as having LCW prior to starting their courses. The exception to this would be for a student on a non-advanced course, who is not defined as a qualifying young person under [regulation 5 UC regulations](#), does not receive student finance and whose course does not interfere with their work related requirements. For more information on disabled students and UC entitlement see this [Adviser Online article](#).

➤ **Upper Tribunal ruling on clients with pre-settled status but no other right to reside**

An Upper Tribunal (UT) case has held that before refusing Universal Credit (UC) to a claimant with pre-settled status (PSS) on the basis that they have no qualifying right to reside, the DWP must first check that the refusal would not prevent the claimant and their family living in dignified conditions. This follows [the decision of the Court of Justice of the European Union \(CJEU\) in CG v DCNI C-709/20](#). This had held that before refusing benefit to a claimant with PSS and no other right to reside, the DWP must check that the refusal would not violate their fundamental rights under [the Charter of Fundamental Rights of the European Union](#). The UT found that the Charter continues to be applicable for a UC claim made after the end of the transition period, in relation to a claimant who was residing in accordance with EU law before the end of the transition period. The UT also found that the DWP must carry out some kind of assessment to determine if the refusal would breach their fundamental rights under the Charter. This includes assessing what other forms of support the client can actually access in practice. The theoretical availability of payments under [section 17 of the Children Act 1989](#) is not sufficient - the DWP must find out what support would actually be provided by the local authority. The DWP has already been granted permission to appeal to the Court of Appeal against the UT decision.

**What this means for advisers**

Advisers with vulnerable clients who have PSS but no other right to reside should appeal against a refusal of UC, arguing that this UT decision applies to their case. The argument should also be made that the First tier Tribunal should make a decision rather than stay the appeal, due to the client's desperate circumstances. However, advisers should also be aware that the DWP may well appeal against any successful Tribunal cases, and that the prospects will depend on the outcome of the case at the Court of Appeal.

For more information, you can [read the Upper Tribunal's decision in SSWP v AT \[2022\] UKUT 330 \(AAC\)](#) and [read CPAG's summary of the case](#) (CPAG states it will provide

further advice for claimants in due course). For support with similar cases please contact the Expert Advice team consultancy service.

#### **4. New Projects /services and resources in Tower Hamlets**

##### ➤ **Help for Households campaign**

Gives clear information about the exceptional payments, energy support and existing support schemes available, so the public know what is available and where they can find help. The [homepage](#) brings together over 40 support schemes that the public may be able to access depending on eligibility. Additionally, a range of online tools will help citizens quickly and efficiently check the support they might be eligible for and how to access it.

The [toolkit](#) contains suggested messaging, social media assets and logos to help you share on social media, in newsletters and on websites.

##### ➤ **Warm Spaces to those in need:**

Warm hubs launched to help residents with cost-of-living crisis. Tower Hamlets Council has set up a series of warm hubs for residents who may be struggling to heat their homes due to soaring energy prices. A network of warm hubs will provide people with a safe space to stay warm, socialise and have a hot drink. Warm hubs will be running from a number of Idea Stores and libraries every day during the winter. Refreshments will be provided including hot drinks, squash and biscuits. The warm hubs will also be hosting board game sessions to keep residents entertained.

- Warm Hubs at Idea Stores Bow, Chrisp Street and Whitechapel are open Monday to Friday from 11am-5pm, Saturday from 11am-4pm and Sunday 12noon-2pm.
- Warm Hubs at Cubitt Town and Bethnal Green libraries are open Monday to Thursday from 11am-5pm and Saturday from 11am-4pm.

#### **5. Vacancies**

NONE

#### **6. Advice Services**

Tower Hamlets Advice benefit advice services details [Advice Centres - THCAN](#)

Specialist advice providers All the advice providers listed on [www.thcan.org.uk](http://www.thcan.org.uk) provide benefit advice and help with form filling.

Complex/appeal/specialist advice is available at the following organisations Legal Advice Centre - have capacity to take on any type of First Tier Tribunal welfare benefit cases, please refer by emailing [benefits@legaladvicecentre.london](mailto:benefits@legaladvicecentre.london) or completing the form: <https://legaladvicecentre.london/benefit-appeal-representation/>

Organisation	E-mail	Tel Advice
Citizens Advice Bureau	<a href="mailto:advice@eastendcab.org.uk">advice@eastendcab.org.uk</a>	0203 855 4472
Island Advice Centre	<a href="mailto:admin@island-advice.org.uk">admin@island-advice.org.uk</a>	0207 987 9379 Tues & Wed 10am to 12

Legal Advice Centre	<a href="mailto:admin@legaladvicecentre.london">admin@legaladvicecentre.london</a>	0203 606 0372
Tower Hamlets Law Centre	<a href="mailto:info@thlc.co.uk">info@thlc.co.uk</a>	0207 538 4909 9.30am-5pm Mon-Fri