

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 website has information on advice providers services, factsheets, contact details and a referrals portal. sarah.sauvat@island-advice.org.uk register to use the portal jo.ellis@island-advice.org.uk book training/send info for the mailout

1. Welfare Rights Advisors Forum – will be arranging this in October pending future funding confirmation.
2. Free Training Sessions: Universal Credit (face to face) Benefits Overview X 2
3. Benefit Updates
4. New Projects, Services and Resources Information
5. Vacancies:
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. Minutes are available on the THCAN website (advisors information) [Advice Agencies Information - THCAN](#) The next meeting will be scheduled for October (if funding for the THCAN project is successful)

2. Free Training

Please email me to arrange a place – some courses are delivered on zoom others face-to-face (either Island Advice Centre, E14 3PG); they are all free to anyone working, volunteering, or living in Tower Hamlets – places are limited and allocated on first come first serve. Further training sessions (from October) will be dependent on success of LBTH funding applications (as will Learning to Advise course)

Course name, date, and time	Course details	Trainer Venue
<p>21st September</p> <p>10am - 1pm ZOOM</p> <p>NOTE this session is now full but due to high demand will be repeated 3rd October 2-4.30pm</p>	<p>Welfare Benefits Overview</p> <p>Basic course no experience necessary, suitable for anyone working with clients / service users needing welfare rights advice. An introduction to the system of welfare benefits, with a brief overview of benefits and their qualifying conditions.</p> <p>Content includes:</p> <ol style="list-style-type: none"> 1. Complete benefits check and a 'better-off' calculation 2. Understand the principles underlying Universal Credit 3. Be aware of legacy benefits and be aware of what could trigger a claim for UC for legacy claimants 4. Details on Disability Benefits; Personal Independence Payment, Disability Living Allowance and Attendance 	<p>Jo Ellis Zoom</p>

	Allowance 5. Useful resources and where to refer	
28th Sept 11am to 3pm Face to Face	Universal Credit Aims: to give a basic overview of Universal Credit Objectives Learners will be able to understand: <ul style="list-style-type: none"> • What is universal credit • Who can/should claim UC • Understand basic structure and calculating UC 	Fatima Begum Island House E14 3PG
3rd October 2-4.30pm Zoom	Welfare Benefits Overview Basic course no experience necessary, suitable for anyone working with clients / service users needing welfare rights advice. An introduction to the system of welfare benefits, with a brief overview of benefits and their qualifying conditions. Content includes: 1. Complete benefits check and a 'better-off' calculation 2. Understand the principles underlying Universal Credit 3. Be aware of legacy benefits and be aware of what could trigger a claim for UC for legacy claimants 4. Details on Disability Benefits; Personal Independence Payment, Disability Living Allowance and Attendance Allowance 5. Useful resources and where to refer	Jo Ellis Zoom

➤ **Your right to information Tuesday 5 September 2023 2:00 – 3:30pm Zoom**
Did you know that you can access information organisations hold about you? Access to this information can help you fight appeals, rectify incorrect information about you, and generally uphold your rights. Real would like to invite you to our next co-production session, to learn more about subject access requests and your right to information.

3. Benefit Updates (Information from articles produced by Citizens Advice / CPAG /LASA / Benefits and Work updates summary)

➤ **DWP Virtual Agent**

From late September 2023, the DWP will introduce a 'Virtual Agent' telephone system for Universal Credit. The DWP claim this '...will transform the customer journey by replacing traditional interactive voice response call journeys with a voice led solution which will interact with customers in a way that mimics human conversation...If at any point during their interaction with the DWP Virtual Agent, the customer asks to speak to a person or indicates they are vulnerable they will be routed to a telephony agent.' The DWP will try to ensure that 'a customer will not become trapped in Conversational Platform' and will be routed to telephony if 'it's not working for them.' You can see more detail in LA Welfare Direct 8/2023 on GOV.UK.

➤ **Increase in standard interest rate for loans for mortgage interest**

From 1 July 2023, the interest rate charged on loans for mortgage interest increased from 3.03% to 3.28%. See 'Support for Mortgage Interest' on GOV.UK.

➤ **Personal Independence Payment (PIP) light touch review**

The Department for Work and Pensions (DWP) has confirmed that failing to return a PIP light touch review form will not result in a disallowance where the claimant has been identified as needing additional support. In these cases, the DWP has confirmed in an email to stakeholders that a claimant will instead be invited to have an assessment with an assessment provider. You can read more on the DWP's statement on PIP light touch reviews on rightsnet.

➤ **27,844 Tax credits customers renew via HMRC app - GOV.UK (www.gov.uk)**

Free HMRC app can be used to renew tax credits and update personal details.

➤ **EU Settlement Scheme enhancements confirmed - GOV.UK (www.gov.uk)**

From September 2023 people with pre-settled status under the EU Settlement Scheme will automatically have their status extended by 2 years before it expires if they have not obtained settled status.

➤ **Bereaved parents reminded to check their eligibility for financial support**

Reminder that bereaved parents, who were not married or in a civil partnership, to apply for backdated bereavement benefits before the deadline of 8 February 2024 in order to get all the payments they're entitled to. You can read the full press release reminding bereaved parents to check their eligibility for financial support on GOV.UK.

➤ **Case law on Tax Credit covid easements**

New case law has confirmed that the Tax Credits temporary absence rules cannot be relaxed where a claimant was unable to return to the UK due to travel restrictions relating to the pandemic. You can read the Upper Tribunal decision on Tax Credits temporary absence rules due to covid on GOV.UK.

➤ **Case law on two child limit exception due to non-consensual conception**

New case law confirms that the two child limit exception due to non-consensual conception only applies to the third or subsequent child. You can read a summary of the case on the two child limit and non-consensual conception on rightsnet

➤ **Universal Credit sanction rate remains more than double pre-Covid-19 level**

New DWP statistics up to May 2023 show that although the sanction rate has fallen slightly from its peak of 6.84% in October 2022 it is still more than double the rate before the pandemic. Over 500,000 sanction decisions from the 12 months were for failure to attend or participate in a mandatory interview. You can read the benefit sanctions statistics to May 2023 (experimental) on GOV.UK.

Citizens Advice has also recently published a policy report on sanctions - you can read [The sanctions spiral: The unequal impact and hardship caused by sanctions in Universal Credit](#)

➤ **Apply for a special payment if you claimed Income Support because of a disability or health condition**

How to apply for a special payment if you claimed Income Support because of a disability or health condition instead of Employment and Support Allowance.

[Apply for a special payment if you claimed Income Support because of a disability or health condition - GOV.UK \(www.gov.uk\)](#)

➤ **Retained EU rights for third country national family members following divorce**

In [AT v LB Hillingdon & SSWP \[2023\]](#), the claimant was a third country national (TCN). Her son, who was also a TCN, acquired a permanent right to reside (R2R) through marriage to an EEA national. These rights were retained on divorce due to [Article 16 of Directive 2004/38](#) (the Directive) and [Regulation 10\(5\) Immigration \(EEA\) Regulations 2016](#) (IEEA Regulations).

The claimant's housing benefit appeal was turned down on the grounds that she didn't have a qualifying R2R. She appealed to the upper tribunal (UT) on the basis that she was a dependent family member of the son and, as such, her R2R was retained under [Article 13\(2\) of the Directive](#), even though this right is not set out in the IEEA Regulations.

The claimant's appeal failed as the first-tier tribunal's decision that the claimant was not the son's dependent did not contain an error of law. However, the UT went on to consider family member rights under Article 13(2) of the Directive and the Secretary of State conceded that Reg 10(5) IEEA regs 'did not fully transpose the retained R2R conferred by article 13(2)(a) in respect of a family member of a TCN following the dissolution of a marriage'. The UT noted that the terms of Article 13(2)(a) protect TCN in these circumstances.

➤ **British claimant unable to return to the UK for medical reasons not exempt from the Personal Independence Payment (PIP) past presence test**

In [AT v Secretary of State for Work and Pensions \(PIP\)\[2023\] UKUT 186 \(AAC\)](#) the claimant was a British citizen who'd lived in South Africa for 20 years. She'd planned to relocate to the UK in 2019, but suffered a serious brain injury in April 2018 and despite making requests doctors refused to confirm fitness to travel until 25 August 2021. She was refused PIP as she did not meet the past presence test (PPT) as she had not been present in Great Britain for 104 out of the previous 156 weeks. At appeal she argued that exceptional and tragic circumstances should exempt her from the PPT.

Judge Wikelly dismissed the appeal. None of the exceptions to the PPT set out in the PIP Regulations 2013 applied. The exception for those temporarily absent from Great Britain to receive medical treatment only covers medical treatment for a condition that existed before the claimant left Great Britain, and none of the other exceptions assisted the claimant.

Judge Wikeley noted what he'd said in (Mr A) in HRA v Secretary of State for Work and Pensions (PIP) [2023] UKUT 109 (AAC). That appeal would have had some prospects of success if there had been a separate catch-all exception, for example for people unavoidably stranded or detained overseas through no fault of their own. In that case the Judge found that a successful human rights claim was implausible. The PPT applies to nationals and non-nationals alike, so it is difficult to envisage a successful discrimination claim.

4. New Projects /services, information, and resources in Tower Hamlets

➤ **Business Debtline is the UK Centre of Excellence for people who are self-employed with problem debt.**

The AdviserHub is for advisers across the debt advice sector. We provide free and expert guidance to help you: Understand if someone is self-employed, and their exact status. Deal with emergencies. Advise on immediate actions for your clients. Understand when Business Debtline advice is needed. Prepare your clients for their Business Debtline advice session. As the sister service to Wiseradviser, we can also link you to training and webinars on dealing with self-employed debt. The AdviserHub is completely free, but you will need to register.

➤ **Fair Food Futures UK research team.**

Invite you to take part in a workshop to help us understand the food support system in Tower Hamlets. We are a team of researchers, we want to find out what food support families in hardship find most useful. We would like to invite you to join our workshop on **19th of October 2023 from 11am to 2.30pm** at the Tower Hamlets Professional Development Centre, 229 Bethnal Green Road, E2 6AB. There will be a 30-minute lunch break with sandwiches provided and refreshments will be available throughout. We will reimburse any travel expenses to reach the venue on the day. Please see the attached information sheet about the workshop or go to our website for more details about this project. If you are happy to take part, please let us know by either using our sign-up link *Laura Nixon Queen Mary University of London*

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 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 or completing the form: <https://legaladvicecentre.london/benefit-appeal-representation/>

Organisation	E-mail	Tel Advice
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Citizens Advice Bureau	advice@eastendcab.org.uk	0203 855 4472
Island Advice Centre	admin@island-advice.org.uk	0207 987 9379 Tues & Wed 10am to 12
Legal Advice Centre	admin@legaladvicecentre.london	0203 606 0372
Tower Hamlets Law Centre	info@thlc.co.uk	0207 538 4909 9.30am-5pm Mon-Fri