

## Tower Hamlets Community Advice Network (THCAN)

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, Referrals portal contact Azka-Mir Vicar [Azka-Mir.Vicar@island-advice.org.uk](mailto:Azka-Mir.Vicar@island-advice.org.uk) [jo.ellis@island-advice.org.uk](mailto:jo.ellis@island-advice.org.uk) send info for the mailout

1. Welfare Rights Advisors Forum
2. Training Information
3. Benefit Updates
4. New Projects, Services and Resources Information
5. Vacancies: Island Advice Centre – debt/welfare rights/outreach vacancies
6. Advice Services Contacts (specialist advisors)

### 1. Welfare Rights Advisors Forum

Last meeting 31<sup>st</sup> October – Minutes are available on THCAN website <https://thcan.org.uk/advice-agencies-information/> – Next meeting will be in January, if you are not already on the invite list for these meetings and would like to attend, please email me

### 2. Free Training

We are no longer funded to deliver our previous one-off training sessions; however, we are sharing/promoting other organisations free training including DWP training sessions

- ✓ None to report this month

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

- **Disability Services Advocacy events for external stakeholders (attached)**

Harry McElwee | Partnership Advisor - East London District | Department for Work and Pensions | Work and Health Services Group | District Office | 271 Mare Street, London, E8 1EE | 07554224835 | [www.gov.uk](http://www.gov.uk)

- **Direct right of appeal against tax credit decisions**

New regulations, with effect from 27 December 2024, clarify that there is a direct right of appeal to a Tribunal against a tax credit decision (without the need for a mandatory reconsideration to have been done first), bringing into effect the findings of the Court of Appeal in the case of [HMRC v Arrbab \[2024\] EWCA Civ 16](#).

You can [read The Tribunal Procedure \(Amendment No 2\) Rules 2024 on legislation.gov.uk](#)

- **Bone anchored hearing aid is an 'aid' for the purposes of PIP**

In [AB v SSWP \[2024\] UKUT 376 \(AAC\)](#), the claimant had a bone anchored hearing aid (BAHA), consisting of both an internal implant and an external part. A First tier Tribunal refused points for activity 7 'Communicating verbally', finding that the implant enabled the claimant to hear and so he did not require the use of an 'aid'. The Upper Tribunal allowed the claimant's appeal and awarded an additional 2 points for the descriptor. Whilst the internal part of the BAHA could be viewed as an implant, the device would only work with the additional use of the external part, and so that was an 'aid' which improved the claimant's hearing. The Judge also gives an opinion that cochlear implants (which also have an internal and external part) should be treated the same way

- **DWP MELTDOWN SPREADS TO PIP MRs**

PIP mandatory reconsiderations are now taking almost twice as long as they did a year ago, up from 37 days to 71 days. In the full article, we've listed some of the many other signs that the DWP doesn't have enough employees to cope with its workload. This includes:

- the 10 year backlog of PIP reviews
- only 1 in 25 DLA decisions being made on time
- only a very limited number of WCA reviews taking place
- the Carer's Allowance overpayment scandal being caused by staff shortages
- [Read More and Comment](#)

- **DWP PURSUING UNPAID CARERS FOR QUARTER OF A BILLION POUNDS**

The government may have announced a review of Carer's Allowance to look at why so many overpayments happen and what can be done to support overpaid carers. But, in the meantime, the DWP is now pursuing carers for a staggering quarter of a billion pounds. And that amount keeps increasing. [Read More and Comment](#)

- **LATEST WCA STATISTICS FOR ESA AND UC**

The latest WCA statistics - ESA, 67% of new claimants placed in the support group and 14% in the work-related activity group, with the remaining 19% found fit for work. For UC, 64% of new claimants were placed in the limited capability for work-related activity group and 16% in the limited capability for work group, with the remaining 20% found fit for work. At least 69% of applicants are recorded as having mental and behavioural disorders, although this may not be their primary medical condition. Whilst 53% of those found fit for work had mental and behavioural disorders, fully 90% of those awarded benefit had these conditions. [Read More and Comment](#)

- **Advicenow Resources**

### 1) How to deal with a universal credit overpayment| Advicenow

<https://content.adviceuk.org.uk/e/984351/l-universal-credit-overpayment/m6pn5h/1247484545/h/g30pnh0XHGuRK3b-MhDCVRhNeCNB10rDEqLGEikqEzw>

New help for UC claimants who are repaying deductions for an overpayment (that they may or may not know about, and that they may not have caused). Most claimants do not know that they can ask for the repayments to be reduced or, in some circumstances, the overpayment waived.

- **Attached Pocket Guide version of the Move to Universal Credit 3<sup>rd</sup> party pack.**

**Harry McElwee** | Partnership Advisor - East London District | Department for Work and Pensions | Work and Health Services Group | District Office | 271 Mare Street, London, E8 1EE 7554224835 |

- **ESA MIGRATION FIT NOTE PROBLEM ALLEGEDLY FIXED**

The DWP claims to have applied a 'fix' to the problem of ESA) claimants who are migrated to UC being unlawfully asked to provide fit notes. There have been many instances of work coaches demanding fit notes as well as trying to impose work-related requirements on former support group members during claimant commitment meetings. On 16 October Neil Couling, the head of the DWP's UC team admitted on X that the DWP were getting it wrong and that a "tactical fix" would soon be applied, followed by a full system fix. [Read More and Comment](#)

- **Payments for the loss of the enhanced disability premium**

Regulations to provide transitional protection for some Universal Credit (UC) claimants who received the enhanced disability premium on migrating to UC came into force on 14 February 2024. These additional payments are due to the High Court decision in TP and AR (TP and AR No. 3) ([2022] EWHC 123 Admin. Many affected claimants have still not received these additional payments. In response to a written parliamentary question, the Secretary of State for Social Security has stated that: 'monthly payments are expected to commence in a controlled manner in Quarter 1 of 2025, subject to payment accuracy assurances being satisfied.'

You can [read The Universal Credit \(Transitional Provisions\) \(Amendment\) Regulations 2023 on legislation.gov.uk](#).

- **GD v SSWP [2024] UKUT 407 (AAC)**

In GD v SSWP the upper tribunal (UT) considered the correct approach to establishing the speed of walking for activity 2 of the personal independence payment (PIP) mobility component - moving around. Under regulation 4(A) SS(PIP) regulations 2013 a claimant needs to be able to complete the activity within a reasonable time period and to an acceptable standard. The UT concluded that these provisions require a tribunal to consider both time and distance together to establish the speed of walking. The first-tier tribunal (FTT) had erred in law by failing to make adequate findings on this issue. The FTT had either: considered neither of these issues or only considered time or distance separately. The UT also pointed out that if the FTT did not have enough evidence to determine walking speed they should have considered adjourning the hearing to allow the claimant to give evidence in person, as the case was decided on the papers only.

- **KW v SSWP [2024] UKUT 410 (AAC)**

In KW v SSWP the UT considered activity 9 of the PIP daily living component - engaging with other people face to face. The FTT had made assumptions about the claimant's ability to perform this activity based on evidence about their employment. The UT allowed the claimant's appeal on the grounds that the FTT failed to make sufficient findings to determine whether the claimant was able to undertake this activity in a 'contextually and socially/appropriate manner and had the ability to establish relationships independently'. This is consistent with other case law which makes it clear that the claimant must be able to complete this PIP activity in a wide range of social settings. You can [read about other PIP case law on the pipinfo website](#).

#### 4. **Information / factsheets attached**

- **Emergency provision Food Banks, food and crisis support organisations in Tower Hamlets.**

This document has been updated and added to THCAN website. Please find the link below for your reference. (if you are aware of any other provision not listed on this please let me know and I'll add the details) [Factsheets - THCAN](#)

- **Advicenow Resources**

##### **1) How to go to an employment tribunal | Advicenow**

<https://content.adviceuk.org.uk/e/984351/how-go-employment-tribunal/m6pn5l/1247484545/h/g30pnh0XHGuRK3b-MhDCVRhNeCNB10rDEqLGEikqEzw>

A suite of guides that help people at every step, from deciding whether to take their case to employment tribunal, to how to represent yourself at the hearing, and what to do afterwards. It includes how to negotiate a settlement and how to find advice and representation (of course).

##### **2) How to enforce a county court judgment | Advicenow**

<https://content.adviceuk.org.uk/e/984351/-enforce-county-court-judgment/m6pn5p/1247484545/h/g30pnh0XHGuRK3b-MhDCVRhNeCNB10rDEqLGEikqEzw>

Advicenow has created a new guide to help people with a civil court judgment decide if and how to enforce it. This augments the suite of guides for people using the small claim or fast track process to deal with personal injury, unpaid debts, broken contracts, or consumer problems.

- **Specialist Debt Advice Service**  
[mail.uldkqmeyibqoxibmip@email.shelter.org.uk](mailto:mail.uldkqmeyibqoxibmip@email.shelter.org.uk)

##### **Student exemptions from council tax**

A student in higher education is normally exempt from paying council tax to their local authority if they live in a property occupied solely by other students. Our new Shelter Legal page explains when a student in higher education is exempt from paying council tax and what happens when someone stops being a student part way through the year.

To see our other Spotlight resources please go to [our website](#)

## 5. **New Projects /services, information, and resources**

- **[Employment Facts & Figures Reference Guide 2024/25](#)**

Details you need to stay compliant with recently announced statutory rate increases, effective from April 2025. Key areas impacted include:

- National Minimum Wage
- National Living Wage
- Statutory Sick Pay
- Maternity pay

- **legislative updates Employment Rights**

How will Employment Rights Bill impact you, free guide provides a comprehensive summary of what's to come - including changes to day one rights, zero-hour contracts, parental leave, and more. **[Download your free copy now](#)** to understand what these changes mean. Attach guidance for Manage Your Appeal.

**Oana-Irina Gheorghiu, Personal Executive Secretary, Phone: 0208 652 2319**  
**| HMCTS | Sutton | Copthall House | Grove Road | Sutton | SM1 1DA**  
**Web: [www.gov.uk/hmcts](http://www.gov.uk/hmcts)**

- **Healthy Workplaces Programme,**

Free health checks for employees in Tower Hamlets. As part of a new government-funded cardiovascular disease (CVD) workplace health check pilot, the CVD workplace health check will cover smoking status, BMI, alcohol risk, blood pressure checks, and type 2 diabetes risk score, providing support in these areas can help prevent ill health. If you or your team may be interested, you can find more information at <https://www.towerhamlets.gov.uk/healthyworkplaces>.

- **New version of the Turn2us Grants Search for Advisers course!**

All you need to do is log into your Turn2us E-learning account and enrol in the course! **Click [here](#) to access Turn2us E-learning and start the course.** We invite you to check out the new version of the course when you have a moment.

- **Read our Extra Help Winter guide**

Household Support Fund, Winter Fuel Payments and other weather based payments. [https://www.turn2us.org.uk/get-support/information-for-your-situation/energy-schemes/extra-help-for-2024-25?mc\\_cid=54d58f034b&mc\\_eid=164531f047&mc\\_cid=f52933f2ab&mc\\_eid=164531f047](https://www.turn2us.org.uk/get-support/information-for-your-situation/energy-schemes/extra-help-for-2024-25?mc_cid=54d58f034b&mc_eid=164531f047&mc_cid=f52933f2ab&mc_eid=164531f047)

- **Read our Emergency Information guide**

Find out what help available for essentials like food or paying bills. Please note that Turn2us does not provide emergency services. <https://www.turn2us.org.uk/get-support/information->

[for-your-situation/emergency-information/benefits-not-enough-to-meet-my-needs?mc\\_cid=f52933f2ab&mc\\_eid=164531f047](https://www.thcan.org.uk/for-your-situation/emergency-information/benefits-not-enough-to-meet-my-needs?mc_cid=f52933f2ab&mc_eid=164531f047)

5. **Vacancies**

Island Advice Centre; Debt caseworker / debt trainee / outreach advisor / Welfare Rights Supervision [Volunteering & Recruitment | Island Advice Centre](#)

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.

**Legal Advice Centre** PIP appeals and Family Law matters. For PIP, please use the following email [Benefits@legaladvicecentre.London](mailto:Benefits@legaladvicecentre.London)  
For Family Law, please use the following email [Familylaw@legaladvicecentre.London](mailto:Familylaw@legaladvicecentre.London)

**Complex/appeal/specialist advice is available at the below organisations**

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 Tuesday 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