

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 website has information on advice providers services, factsheets, Referrals portal Sarah Sauvat sarah.sauvat@island-advice.org.uk training bookings or want to share information for mailout contact jo.ellis@island-advice.org.uk

1. Welfare Rights Advisors Forum: 8th October
2. Training Information - None
3. Benefit Updates
4. New Projects, Services and Resources Information
5. Vacancies: None
6. Advice Services Contacts (specialist advisors)

1. Welfare Rights Advisors Forum

Last meeting 8th October – minutes to be checked/confirmed before information is made available Darron McDermott from LBTH HB attended and gave a presentation minutes attached (also July 2025 ones which had not yet been sent out)

2. Free Training

Nothing this month

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

- **Limited capability for work and work-related activity (LCWRA) element from April 2026**

The government has rejected a call by the Work and Pensions Select Committee to delay the reduction of the Universal Credit (UC) LCWRA element, and confirmed that the changes will go ahead as planned. The government also confirmed its policy intent that people with limited capability for work (LCW) who meet the conditions for LCWRA and request a reassessment before 6 April 2026 will get the higher LCWRA rate. This is the case even if the reassessment is not completed before April 2026. This matches our understanding of the LCWRA changes.

You can [read the government's response to the Work and Pensions Select Committee about LCWRA changes on the UK Parliament website.](#)

You can [read the government's response to a freedom of information request about work capability assessments and policy intent on the WhatdoTheyKnow website.](#)

You can [read our page on the LCWRA changes on Advisernet: Check how Universal Credit is changing in 2026.](#)

➤ **Case law update**

[SD v SSWP \(PIP\) UA-2025-000546-PIP](#) dealt with Personal Independence Payment daily living activity 6: dressing and undressing. The claimant had difficulty doing up fastenings at the back due to restricted arm movements. The Upper Tribunal (UT) found that a First-tier Tribunal (FtT) made an error in law in deciding that the claimant could dress to an adequate standard by avoiding clothes with back fastenings, for example doing a bra up at the front and swivelling it to the back. The activity should consider clothing suitable for the occasion - a claimant shouldn't just be expected to choose their clothing style due to physical limitations. In [LB v SSWP \[2025\] UKUT 326 \(AAC\)](#), the UT highlighted the risks of a FtT drawing inferences about a claimant's functional limitations from the medical treatment that they have or haven't received. Treatment received isn't a reliable proxy for the severity of symptoms, as there are many different factors behind treatment decisions. In [MAH v SSWP \[2025\] UKUT 322 \(AAC\)](#), the UT ruled that a FtT made an error in law by taking into account irrelevant information based on stereotypical assumptions about family roles. Rather than sticking to the evidence and assessing it critically, the FtT strayed into speculating about whether the claimant's family might adopt 'traditional roles' - despite not hearing evidence on this.

- [DB v SSWP UA-2025-000236-UH](#) dealt with assessing whether a liability to pay rent is on a commercial basis. The UT confirms that the legal test is not what a notional commercial landlord would do in a similar situation, but whether the specific agreement, between this landlord and this tenant, is not on a commercial basis

➤ **CPAG Early Warning System eBulletin – LCWRA and cancer treatment**

Recently, we have been hearing about UC claimants who are undergoing cancer treatment not being treated as having limited capability for work-related activity (LCWRA) due to being ineligible for a work capability assessment (WCA). As a result, they are stuck in an inappropriate conditionality group and losing out financially. This bulletin looks at where the DWP is going wrong and how advisers might help claimants in this situation. The Early Warning System collects case studies from welfare rights advisers and members of the public. We use this evidence in CPAG's campaigning, policy and legal work. Click [here](#) to read this bulletin on our website.

➤ **Self sufficiency and right to reside**

Following the judgement in *SSWP v Versnick and Another* [2024] EWCA Civ 1454 (as reported in [our update of 04 December 2025](#)), new guidance has been issued. To read the new guidance on self sufficiency and right to reside, you can [read the new guidance on self sufficiency and right to reside in ADM Memo 10/25 on GOV.UK](#).

➤ **Housing Benefit guidance**

New DWP guidance documents have been issued in relation to recent legislative changes regarding Housing Benefit:

[HB Circular A10/25](#) explains the rules which treat a UC claimant as being habitually resident for the purposes of HB, following the [Housing Benefit \(Habitual Residence\) \(Amendment\) Regulations 2025](#).

[HB Circular A11/25](#) outlines the income and capital disregards for miscarriage of justice compensation schemes (as reported in [our update of 9 July 2025](#))

[HB Circular A12/25](#) explains the changes to habitual residence and temporary absence rules for those who have left a country following UK government advice (as reported in [our update of 23 July 2025](#))

➤ **Crisis and Resilience Fund**

Following the government's announcement in the June Spending Review to merge the household support fund and discretionary housing payments (DHP's) into a 'Crisis and Resilience Fund', the DWP has now written to local councils to explain that there will be a 'phased approach' to integrating DHP's within the fund. You can [read the letter from DWP to Chief Executive Officers via the rightsnet website](#).

➤ **UC overpayments - waiver of recovery**

A recent Freedom of Information request has again highlighted how few UC overpayments are 'waived' (written off) by DWP - in 2024/5 over 1 million UC overpayments occurred, with less than 100 of these being waived. You can [see the FOI response on the WhatDoTheyKnow website](#). Advisers at local offices [can read our guide 'How to get a Universal credit overpayment written off' on Workvivo](#)

➤ **Landmark upper tribunal decision on anytime revisions**

In [TR and GD v SSWP \[2025\] UKUT 332 \(AAC\)](#), a three-judge panel have made an important decision regarding the jurisdiction of a first-tier tribunal (FTT) when considering applications for revisions made outside of the 13 month appeal time limit. A claimant can ask for a revision of a decision at any time if it contains an official error. The upper tribunal (UT) decided a claimant has a right of appeal if the SSWP has considered an application for a revision on the grounds of official error and that this will be a full merits appeal. This means the FTT can consider whether the original decision was wrong even if they can't identify an official error.

This is a significant departure from previous case law such as [PH and SM v SSWP \(DLA\)\(JSA\) \[2018\] UKUT 404 \(AAC\)](#) and [GJ v SSWP \[2022\] UKUT 340 \(AAC\)](#), which found that a FTT need not consider the merits of an appeal if the grounds for an anytime revision are not made out. This UT decision was made by a three judge panel and takes precedence over this earlier case law. It should make it easier for

claimants to challenge benefit decisions which have always been incorrect but were made more than 13 months ago. The UT also clarified that the situation is different for applications for supersession noting that:

“On an appeal against a supersession decision (as revised or not) the Tribunal must approach the appeal as if it is ‘standing in the shoes’ of the Secretary of State making that supersession decision, and must decide first whether a ground for supersession is established before considering the case on its ‘full merits’.” Tribunal’s duty to make reasonable adjustments

In [SJC v SSWP \(PIP\) \[2025\] UKUT 316 \(AAC\)](#), the appellant had a diagnosis of ADHD and dyslexia. A letter from his GP confirmed the difficulties he had in communicating by telephone. The UT found that the FTT erred in law by proceeding with a telephone hearing without considering whether it was fair to do so and whether reasonable adjustments could be made. These adjustments could have included allowing the appellant’s mother to assist him whilst he was providing his evidence rather than just giving her evidence at the end of the hearing.

4. New Projects /services, information, and resources

➤ **If you have clients in LBTH temporary accommodation they will be having visit/audit**

LBTH is carrying out ‘audits’ of all residents of temporary accommodation reason ‘they help ensure that temporary accommodation is being used appropriately, that residents are living in the property as their main and only home, and that public funds are being spent responsibly. Audits also allow us to identify any unauthorised occupants, update your housing application, and check the condition of the property’. See attached letters and further information. These audits apply to all households in temporary accommodation. They are not targeted or punitive, but part of our legal and operational responsibilities under the Housing Act 1996 and your licence agreement

➤ Please see attached for the July edition of the East London **DWP Partnership Newsletter**.

➤ [Help with childcare costs: Free early education and childcare | Turn2us](#)
Check link for information

➤ Please see attached for our Disability Services special points of contact in addition to the DLA Child proforma (which needs to be completed if contacting about DLA Child).**Harry McElwee** | Partnership Advisor

➤ **Toynbee Hall's Free Legal Advice Centre (FLAC)** has launched a **new freephone telephone** number.

New free phone line **0800 808 5701** will be open from 8am to 8pm, 7 days a week.

FLAC offers Housing, Employment and Consumer advice through our partnerships with City law firms. Our advice clinics are delivered by volunteer trainee solicitors, whose work is supervised by Toynbee Hall staff with subject-specific expertise. <https://www.toynbeehall.org.uk/free-advice/>

➤ **Grants For Older People | Grants for the Elderly | Friends of the Elderly**

➤ **School Clothing Grants – apply before 4th November**

https://www.towerhamlets.gov.uk/lgnl/advice_and_benefits/benefits/School-clothing-grants.aspx

➤ **HGV TRAINING AND BUILDING WORK TO BE OFFERED TO CLAIMANTS WITH LCWRA**

Tens of thousands of UC claimants with limited capability for work-related activity (LCWRA) are to be offered HGV driver training and on the job training in construction and hospitality. Accepting the training is voluntary and your benefits will not be affected if you refuse. 1,000 Jobcentre staff - to be known as Pathways to Work advisers - will offer support to claimants with limited capability for work (LCW) or LCWRA. The DWP say that "The offer is voluntary and will be made to LCWRA claimants via their Universal Credit journal with tailored appointments taking place monthly." [Read More and Comment](#)

➤ **HOW ACCESS TO WORK IS FAILING DISABLED PEOPLE**

As the government pushes to get more disabled claimants in to work, a report by the National Association of Welfare Rights Workers (NAWRA) demonstrates how Access to Work (AtW) is failing disabled claimants through a combination of delays, unnecessary bureaucracy and the lack of any appeal process.

[Read More and Comment](#)

➤ **Women's Health Hubs**

NHS North East London in partnership with North East London Health and Care Partnership have opened four Women's Health Hubs across north east London, to help you get the right care more easily and quickly, in a place that's convenient for you. Women's Health Hubs provide a one-stop-shop for women's healthcare. They bring together doctors, nurses and other healthcare specialists to support women with their health needs at different stages of their life. The Hubs aim to provide easy access to care that is tailored to your individual needs, whether you need support with menopause treatment, problems with your periods, sexual health and cervical screenings, contraception, pelvic pain, family planning and more.

In Tower Hamlets the Women's Health Hub is located at: Mile End Hospital, Bancroft Road, London, E1 4DG Click [here](#) for more information

5. **Vacancies**

None this month

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.

Legal Advice Centre PIP appeals and Family Law matters. For PIP, please use the following email Benefits@legaladvicecentre.London

For Family Law, please use the following email Familylaw@legaladvicecentre.London

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

Organisation	E-mail	Tel Advice
Citizens Advice Bureau	advice@eastendcab.org.uk	0203 855 4472
Island Advice Centre	admin@island-advice.org.uk	0207 987 9379 Tuesday 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