

Benefit Bulletin: Big benefit changes and news

Produced by the Active Inclusion Service, Newcastle City Council

In this October 2019 issue:

Universal Credit	2
Severely disabled people protected from Universal Credit	2
'Managed migration' pilot guidance.....	2
Extra time for parents to claim childcare costs.....	2
Domestic abuse – automatic payments to main carer	2
Universal Credit scams – updated guidance.....	2
Jobcentre adjustments for Universal Credit claimants with sight loss	3
Claimant commitment, conditionality and sanctions – new advice.....	3
Maximum deductions from Universal Credit reduce this October	3
'New Style' ESA and 'New Style' JSA – what happened to ESA and JSA?.....	3
Find a Job	3
Refugees can claim benefit without a National Insurance number	4
DWP to speed up Funeral Expenses Payments	4
DWP and Ministry of Justice joint support for prisoners	4
A new Industrial Injury – are you entitled?	4
Government support for disabled people	5
PIP and ESA appeal stats	5
Important PIP court decision	5
DWP guidance to healthcare professionals and GPs you may find useful.....	6
Blue Badge entitlement extended from 30 August 2019.....	6
Appeal – webchat.....	6
Welfare reform impact	6
Brexit: Guidance on access to UK welfare benefits.....	6
Did the Spending Round include any benefit changes?	7
News from the Department for Work and Pensions (DWP).....	7
Further support, information and training	7

Universal Credit

Severely disabled people protected from Universal Credit

Those who are more disabled and on the 'legacy' benefits that Universal Credit is replacing are being protected from the possible lower amount of Universal Credit. From 16 January 2019, those who get the 'Severe Disability Premium' in their 'legacy' benefit have not been able to claim Universal Credit. Those who did before this rule are entitled to a compensation amount.

There has been some issues about this payment and the DWP have produced this new guidance to clarify the process – [LA Welfare Direct lite 9/2019](#) and previously – [ADM Memo 15/19](#).

'Managed migration' pilot guidance

As described in previous benefit bulletins, the government are testing the 'managed migration' roll out of Universal Credit initially in Harrogate. For those who may find it useful, here is the [internal guidance](#) explaining the whole process.

Extra time for parents to claim childcare costs

From 16 October 2019, Universal Credit claimants will have an additional month to report childcare costs – as laid out in [regulations](#), announced in [Parliament](#) and in the Department for Work and Pensions (DWP) magazine [Touchbase](#).

Domestic abuse – automatic payments to main carer

Following the promise to have a trained domestic abuse adviser in each Jobcentre by the end of the Summer, the government said that for new claims there will be an online prompt to pay Universal Credit to the primary carer of children in a household by the end of July 2019. See gov.uk [press release](#).

Universal Credit scams – updated guidance

In the [July 2019 Benefit Bulletin](#), we reported on the scams where people are being tricked into making new claims for Universal Credit and the scammers are pocketing the 'advance payments', and gave advice on how to avoid the scams. The DWP [estimate](#) that 10% of these 'advance payments' are potentially fraudulent.

The DWP has [updated its guidance on Universal Credit advance](#) payments to help to avoid being scammed. For example:

“You can only apply for an advance online if you are within your first Universal Credit assessment period and you have had an interview at the jobcentre. If you have passed your first assessment period you will need to apply by calling the helpline.”

And:

“If you apply for an advance by speaking to your work coach or calling the Universal Credit helpline, you (and your partner if you have one) will need to:

- explain why you need an advance
- provide bank account details where the advance should be paid
- have had your identity checked at a Jobcentre”

Jobcentre adjustments for Universal Credit claimants with sight loss

For the details, see [Royal National Institute of Blind People training rolled out to Jobcentre staff](#) on gov.uk.

Claimant commitment, conditionality and sanctions – new advice

The [Public Law Project](#) describes the correct level of Universal Credit work-related requirements for six circumstances, such as those with childcare, homelessness and mental health issues, to help to avoid benefit sanctions.

See also this good summary from [Disability Rights UK](#).

Maximum deductions from Universal Credit reduce this October

The government have reduced the maximum deductions that can be taken from Universal Credit - for recovery of fines and various arrears - from 40% to 30% from October 2019. See this [new DWP guidance](#). Announced in the [2018 Budget](#).

For more information about Universal Credit

See our [Universal Credit webpage](#) and [News from the Department for Work and Pensions](#) below.

‘New Style’ ESA and ‘New Style’ JSA – what happened to ESA and JSA?

As you know, Universal Credit is replacing six means tested benefits: Income Support, Housing Benefit, Child Tax Credits, Working Tax Credits, income-based Jobseeker’s Allowance (JSA) and Income-related Employment and Support Allowance (ESA).

It is not replacing contribution-based JSA or contributory ESA. These are the non means tested parts of JSA and ESA which are paid if enough National Insurance contributions have been paid.

Under Universal Credit,

- Contribution based JSA is called ‘New Style’ JSA, and
- Contributory ESA is called ‘New Style’ ESA

There has been some confusion about these two benefits. For example, people have been told wrongly that if they want to claim Contributory ESA they would also have to claim Universal Credit. Plus, the process of claiming them has been unclear.

After discussions with advisers, the government have updated their guidance and provided a flow chart, as shown below with some independence guidance from Disability Rights UK:

‘New Style’ JSA – details from gov.uk [guide](#), [flowchart](#) and [independent guidance](#)

‘New Style’ ESA – details from gov.uk [guide](#), [flowchart](#) and [independent guidance](#)

See also the [July, March and earlier Benefit Bulletins](#) which have provided ongoing advice on this change.

Find a Job

DWP has launched a new '[Find a Job](#)' search website alongside the '[My Way in](#)' website which shares advice and stories from workers and employers on careers and routes into work.

Refugees can claim benefit without a National Insurance number

This includes where a National Insurance number is not set out on a Biometric Residency Permit. See [Claiming Universal Credit and other benefits if you are a refugee](#) from gov.uk.

DWP to speed up Funeral Expenses Payments

You may get help with some funeral costs if you are on certain benefits.

Payments have been delayed because of requiring a confirmed funeral date but now an estimated date will do. Other rules still need to be satisfied.

For more details, see gov.uk [press release](#) and [Funeral Expenses Payment](#) guidance.

Because Scotland have introduced its own Funeral Support Payment, [guidance](#) explains when it is applicable to claim for this or for the England and Wales Funeral Expenses Payment.

DWP and Ministry of Justice joint support for prisoners

A new partnership agreement between the DWP and Ministry of Justice commits to:

“A joined up, collaborative approach to employment support for prisoners and those subject to licences and probation supervision ... Ensuring prisoners and those subject to licences and probation supervision are financially able to support themselves”.

See the detailed commitments in the [National Partnership Agreement for employment and welfare support in custody and the community 2019 to 2022](#).

A new Industrial Injury – are you entitled?

A lesser known but very important benefit scheme is the **Industrial Injuries Disablement Benefit** scheme where a certain amount of Disablement Benefit is paid to those who are injured or disabled through certain kinds of employment. This includes 'processes' (called 'diseases') such as Industrial Deafness, Carpal Tunnel Syndrome and accidents at work.

From 9 December 2019, a new 'disease' of '[Dupuytren's contracture](#)' is added, which has arisen "...from work for ten years or more in aggregate which involves the use of hand-held powered tools...".

See [more details about the Industrial Injuries Benefits scheme](#) on gov.uk.

Government support for disabled people

The government list what they have done for disabled people in these two recent documents:

- [Response](#) to the UN Committee on the Rights of Persons with Disabilities's concerns on impact of austerity measures on disabled people, and
- [Policy Paper](#) "2019 Progress Report on the UK's vision to build a society which is fully inclusive of disabled people" where the Minister for Disabled People, Health and Work says:

"The UK Government is as committed as ever to creating a society that works for everyone, where all are included and can participate fully. Across the country we are creating more opportunities for disabled people to participate and thrive by identifying the greatest barriers to their involvement and making changes to remove these".

PIP and ESA appeal stats

Mandatory reconsiderations are usually the first stage in challenging a benefit decision, where you ask the DWP to reconsider their decision. If you not happy with that decision, you can appeal to an independent tribunal.

Only 15% of PIP mandatory reconsiderations lead to a change in award according to new [DWP statistics](#).

And other recent [DWP statistics](#) show that:

- successful ESA and PIP appeals reached 75% in the last quarter,
- the average success rate for all benefit appeals rose from 67% to 71% compared to the previous year, and
- Universal Credit appeal success is 65%

Important PIP court decision

In order to get Personal Independence Payment, you have to score enough points – by being unable to do a set number of activities to varying degrees. Depending on the total, you may get a 'mobility component' or 'daily living component' paid at a 'standard' or 'enhanced' rate. One of those activities, 9, is about engaging with people face to face.

The [Supreme Court](#) decided the claimant may satisfy 9c ('needs social support to engage with people') which gives 4 points rather than 2 points on 9b – because:

1. Support can in some circumstances come from a family member or friend and doesn't have to be a qualified carer. "Applied in the family / friends setting, to qualify for points under 9c, the claimant has to need support from someone who is not just familiar with him or her, but who is also experienced in assisting engagement in social situations."
2. The court gives some examples which shows when the support need not be face to face and could be given before or during an activity.

As with any such decision, it is recommended you read it yourself: [Secretary of State for Work and Pensions \(Appellant\) v MM \(Respondent\) \(Scotland\) \[2019\] UKSC 34](#). There is a summary on [UK Supreme Court Blog](#).

DWP guidance to healthcare professionals and GPs you may find useful

Healthcare professionals carry out assessments to help the DWP decide if a person meets the criteria for PIP and incapacity for work under ESA or Universal Credit. Being familiar with this online guidance will also help you understand what is required in order to achieve a correct outcome when you attend the assessment with the claimant.

DWP Medical (factual) reports: A guide to completion

This [guide](#) advises healthcare professionals how to complete the various forms they have to do for the DWP, including revised guidance for completing the form for terminally ill people.

Guidance to health professionals carrying out PIP assessments

Several [guides](#) cover the assessment process and the assessment criteria.

Guidance to GPs

A [short guide](#) to the benefits system for GPs.

Independent guidance

For independent guidance on the PIP criteria and how to complete the PIP claim form, see the Disability Rights UK PIP factsheet which we link to from our [Benefits information webpage](#).

Blue Badge entitlement extended from 30 August 2019

New [legislation](#) extends Blue Badge criteria to those with 'hidden' disabilities due, for example, to the overwhelming psychological stress for some in undertaking a journey. More details from [Able Magazine](#).

Appeal – webchat

This bulletin continues to report on the [HM Courts and Tribunal Service's IT developments](#). They have now added a [webchat facility](#) for contacting them about an appeal. Also see this webpage if you want to '[Appeal a benefit decision](#)'.

Welfare reform impact

Nearly half of benefit claimants hit by the benefits freeze can't afford essential bills [says Citizens Advice](#). The foodbank provider [Trussell Trust's latest report](#) calls for the end of the Universal Credit five week wait.

Brexit: Guidance on access to UK welfare benefits

The DWP has updated its [guidance on the rights of European Union \(EU\) citizens to claim UK welfare benefits if they arrive here after the UK leaves the EU on 31 October 2019](#). The guidance focuses on the rights of EU, European Economic Area (EEA) and Swiss citizens to UK benefits and pensions if there's a 'no-deal' Brexit.

See also this Commons library guide from August on [How can EU nationals access UK benefits?](#), plus government guidance on the [EU Settlement Scheme](#) and [UK benefits if you're going or living abroad](#).

Did the Spending Round include any benefit changes?

The Spending Round in September 2019 mainly covered public services and security, with no direct benefit changes. However, councils will be given an extra £40 million to use for Discretionary Housing Payments “to tackle affordability pressures in the private rented sector in England and Wales”, and the DWP will get extra money to improve decision making, expand support in schools, extend eligibility for Access to Work to internships for disabled people and improve support for vulnerable people and Universal Credit. See, for example, the extra help for veterans [announced by the government](#). [Read the Spending Review 2019](#).

Future Benefit Bulletins will include further details when they are announced.

News from the Department for Work and Pensions (DWP)

The September edition

of [Touchbase: DWP news about work, working-age benefits, pensions and services](#) includes:

- The UK leaving the EU will not affect UK pensioners' entitlement to continue getting the UK State Pension if they live in EEA states or Switzerland
- Claims to Universal Credit can be made without a National Insurance number
- Universal Credit managed payments to landlords – guidance to landlords
- Universal Credit improvements to appointment information, e.g. the reasons for the appointment, clearer consequences for failing to attend and a write-up of the meeting
- Warm Home Discount Scheme goes live for winter 2019 to 2020 – £140 one-off payment towards fuel bills for certain Pension Credit or low income households

Thérèse Coffey

has been appointed as new Secretary of State at the Department for Work and Pensions, replacing Amber Rudd.

Jobcentres to open more hours

The DWP have [announced a plan](#) to open its offices on weekday evenings and Saturdays from March 2020.

Further support, information and training

The DWP produce useful items for professionals in [Touchbase: DWP news about work, working-age benefits, pensions and services](#).

Find our **earlier Benefit Bulletins** on our [web page for professionals and volunteers](#) and for **more information on benefit changes**, see our web page [Changes to the benefits system](#) which includes a **timeline of the main benefit changes**

More details about benefits, including those mentioned above, can be found on [our welfare rights and money advice web pages](#), including benefit self-help factsheets and 'Where to get advice in Newcastle' on the [benefit advice services web page](#)

This Benefit Bulletin was written by the Active Inclusion Service at Newcastle City Council. It is provided bi-monthly and at times of important benefit changes and news. It is as accurate as possible at the time of writing. The bulletin is part of the Active Inclusion Newcastle support to professionals, which includes face to face and e-learning modules such as 'Introduction to benefits' and 'Universal Credit'. For more details see our [web page for professionals and volunteers](#)

We also produce a weekly **Active Inclusion Newcastle e-bulletin** which provides a brief update on financial inclusion and homelessness prevention issues. If you want to receive this, or for more details, email activeinclusion@newcastle.gov.uk