

Benefit bulletin: Big benefit changes and news

This benefit bulletin has been produced by the Active Inclusion Newcastle Unit, Newcastle City Council

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Universal Credit in Newcastle

The gradual roll out of Universal Credit continues across the country. From 27 April 2015, **new claims** from **single jobseekers without children living in Newcastle** will be taken as a claim for Universal Credit if their income is low enough.

The Government have produced a [list of who this includes and who it does not](#). For example, those earning below a set amount and those needing help with their rent are included, but those who are living in supported accommodation or are self-employed are not.

The claim process is described in the guidance [‘Your claim journey’](#).

The general principle is that for most situations, once on Universal Credit you remain on it despite changes in circumstances. So for example, if you are a single person on Universal Credit but then begin to live as a benefit couple with a single parent on Income Support and Child Tax Credit (benefits that Universal Credit is replacing), you become a joint Universal Credit claim household.

In addition to the [general rules about claiming and payment of Universal Credit](#), the Government plans to introduce from 1 July 2015 a **seven day waiting period** following a claim before entitlement, but [says it will consider the detail](#) before then.

The Department for Work and Pensions (DWP) has also announced the [completion of the national Universal Credit roll out of single jobseekers](#) to take place between September 2015 and April 2016.

More information about Universal Credit can be found on these websites: [Newcastle City Council](#), [Gov.uk](#) and [Citizens Advice](#).

Personal Independence Payment

The roll out of Personal Independence Payment (PIP) for existing Disability Living Allowance awards that was introduced in Newcastle in January 2015 continues to be introduced for [other areas in the UK](#) from 30 March 2015.

See the recent [Government's response to Paul Gray's independent review of the PIP process](#).

New claims for PIP are taking an average of 20 weeks, according to [new Government figures](#).

For more details, see our web page [‘Changes to benefits for people with care or mobility needs’](#) and the Government’s [PIP toolkit for partners](#).

European Economic Area nationals

From 10 June 2015, new rules seek to prevent nationals of European Economic Area (EEA) states who are jobseekers, and their family members, from entitlement to Universal Credit. For more details about those who are and are not entitled, see the [regulation](#) and the [correspondence between the Social Security Advisory Committee and the Secretary of State](#).

In January 2014, a 'Genuine Prospect of Work' test was applied to certain new Jobseeker's Allowance (JSA) claims from EEA nationals. At some stage, from 9 February 2015, certain remaining EEA nationals who were entitled to income based JSA prior to January 2014, will be given three months' notice that this test will be applied to them. For more details, see the guidance [DMG Memo 2/15](#).

Jobseeker's Allowance annual verification

From 27 April 2015, after receiving income-based Jobseeker's Allowance for more than 12 months, claimants will be sent an 'Annual Verification' to complete and confirm their claim details. If it not returned within 28 days a reminder will be sent. If there is no response after that, the claim may be suspended. More details are in the [March 2015 DWP 'Touchbase' magazine](#).

Employment and Support Allowance

Repeat claims to Employment and Support Allowance (ESA)

From 30 March 2015, ESA claimants are [no longer able to automatically reclaim ESA six months after being found fit for work](#) unless the decision was due to a failure to return the ESA questionnaire or attend a work capability assessment (WCA). However, a new ESA claim is possible **at any time** after being found fit for work – if they provide evidence of a **new** or **worsening condition**. For more details, see the [consultation report on this change and the Secretary of State's response](#) and the DWP guidance [DMG Memo 10/15](#) and [ADM 11/15](#).

Modified conditionality for ESA claimants who are challenging a fit for work decision

ESA claimants who initially ask the Jobcentre to reconsider a decision that they are fit for work can claim JSA whilst waiting for a decision. The [March 2015 DWP 'Touchbase' magazine](#) says that "To address concerns regarding former ESA claimants' experiences of JSA after being found fit for work, comprehensive guidance has been issued to Jobcentre Plus staff to ensure they are fully aware of how JSA conditionality can be modified for claimants with health conditions." For example, agreeing reasonable restrictions on their availability for work.

Note: When they receive the decision, but are still unhappy with it, they can appeal it and then receive basic rate of ESA instead of JSA.

Substantial risk to health – new guidance

Even where a claimant has failed to satisfy the normal ESA rules for showing they are unfit for work, they can be deemed to be satisfied if it would lead to a serious risk to their health. This can also be the case for getting into the Support Group of ESA. DWP guidance: [DMG Memo 4/15](#) explains that the [advice for healthcare professionals](#) (the WCA handbook) has been updated following a court cases on this issue.

Text reminders to attend ESA medicals are to be [introduced later this year](#).

Statistics have been published on [ESA work capability assessment decisions](#), showing how long decisions are taking and the results of those decisions.

The Government have accepted the ‘vast majority’ of **recommendations by Dr Litchfield** in his fifth and final [Independent Review of the \(ESA\) Work Capability Assessment](#).

Shared parental leave and pay

New rules will allow couples to share maternity and adoption leave and pay for new babies or adoptions that are due on or after 5 April 2015 – called Shared Parental Leave and Statutory Shared Parental Pay. More details from [Gov.uk](#).

New pensions statement service

In preparation for the new [Retirement Pension in April 2016](#) and related changes, the Government have introduced a [State Pension calculator](#). See also the information about pensions on [Pension Wise](#).

Work related activity, sanctions and how to avoid them

If a claimant does not comply with various work related requirements, their JSA can be stopped from four weeks to three years, and for those on the sick ESA can be reduced until the claimant complies and then for a set period after that.

Sanction statistics and reports

The latest [Government statistics](#) show an average of 480 JSA sanctions a month in Newcastle. This is a reduction from previous reports, which could be due to fewer jobseekers. ESA sanctions in Newcastle are fewer at 71 a month, but show a steep increase since new ESA sanction rules were introduced in 2012.

The Work and Pensions Committee published their [report and recommendations on Benefit Sanctions](#) in March 2015.

See also the latest [sanction statistics for lone parents on Income Support](#).

Avoiding benefit sanctions – workshops and information

Newcastle City Council and Jobcentre Plus are working together to support residents to avoid getting benefit sanctions. For example, we:

- Have developed a **joint leaflet**, which is available at the bottom of the Council's ['Benefits information' web page](#) and
- Hold quarterly 'preventing sanctions' workshops. If you want to attend one, please email: [Active Inclusion Newcastle](#) giving your name, email address, phone number and organisation.

For more guidance on work related requirements and sanctions see the [Government overview of sanctions](#), and DWP Guidance on:

- [JSA labour market questions, sanctions and hardship payments](#) and
- [ESA work focused interviews, work related activity, sanctions and hardship payments](#).

Other changes and news

From 27 March 2015, **claimants aged 16 and 19** years are able to retain their JSA and Universal Credit whilst participating in certain traineeships. The guidance can be found on Gov.uk for [JSA](#) and for [Universal Credit](#).

Those in receipt of income based JSA for 12 months will be asked to **verify their claim**. If they do not do this by letter within a certain time, their claim may be suspended. See the [March 2015 DWP 'Touchbase' magazine for details](#).

From 30 March 2015, jobseekers who become sick will have the option to remain longer on JSA rather than claiming ESA. The new rule extends this period from two weeks to up to 13 weeks in a 12 month period. A sick note will be required. Jobcentre work coaches will be able to tailor their work related conditionality for this period. If they continue to be sick and wish to claim ESA, this will be accepted as part of the 13 week ESA assessment period. For more details see the [legislation](#), the [March 2015 DWP 'Touchbase' magazine](#) and internal guidance [DMG Memo 9/15](#) and [ADM 10/15](#).

A new '[good practice guide](#)' to **Housing Benefit overpayment recovery** has been developed by the DWP in partnership with Local Authorities. It is designed to be read with the existing [Housing Benefit overpayments guide](#).

The new benefit rates from April 2015 are on our ['Benefits information' web page](#).

A new test for **self-employed Working Tax Credit claimants** from 6 April 2015 where the activity has to be commercial and profitable or working towards profitability.

Further information and help

Can be found on [Newcastle City Council's welfare rights web pages](#) including the benefits mentioned above, where to get advice in Newcastle, benefits self-help factsheets and changes to the benefits system. Also see the DWP's [Touchbase](#) for news.

This benefit bulletin was written in **April 2015** by the Active Inclusion Newcastle Unit, 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. It complements the 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