



Benefits Newsletter September 2017

1. National Audit Office Report on homelessness

The National Audit Office has reported on a significant rise in homelessness since 2011. The statistics show: -

- **60%** increase in households in temporary accommodation since March 2011
- **77,240** households in temporary accommodation at March 2017;
- **120,540** children in temporary accommodation, an increase of 73% from March 2011
- **£1.15 billion** Local authority spending on homelessness services during 2015-16
- **£845 million** (of the £1.15b) was spent on temporary accommodation; of which £638 million was funded by housing benefit.
- **88,410** homeless households applied for homelessness assistance during 2016-17
- **105,240** households threatened with homelessness and helped to remain in their own home by local authorities during 2016-17 (increase of 63% since 2009-10)
- **4,134** rough sleepers counted and estimated on a single night in autumn 2016 (increase of 134% since autumn 2010)
- **Threefold** increase in the number of households recorded as homeless following the end of an assured shorthold tenancy since 2010-11 (approximate)
- **21,950** households placed in temporary accommodation outside the local authority that recorded them as homeless at March 2017 (increase of 248% since March 2011)

The NAO suggests these increases are "likely to have been driven" by the government's welfare reforms, such as cuts in Housing Benefit and Local Housing Allowance. See <https://www.nao.org.uk/report/homelessness/> for the full report.

2. Universal Credit

Calls for delays in the roll-out of UC

Following the [Citizens Advice report](#) on UC in July which called on the DWP to pause the roll-out of UC, there has been a growing number of MPs who have supported this recommendation. [Frank Field MP](#) who is chair of the Works and Pensions Select Committee says '*Evidence from the first three Universal Credit boroughs shows they have amassed £8m in rent arrears, with more than 2,500 tenants in London claiming Universal Credit so far behind with their rent they are at risk of eviction from their homes.People already on low incomes simply cannot cope without any income for such a long period of time. ...That people are as a result reliant on food banks, for example, is not an acceptable facet of our social safety net.*'

Works and Pensions Select Committee Call for Evidence

The Work and Pensions Select Committee is inviting written submissions for its [Universal Credit roll-out inquiry](#). They are particularly interested in issues such as the delays in payment and increases in rent arrears. Evidence to be submitted by Friday 13th October 2017.

Statistics

The [latest statistics](#) published by the DWP show that 590,000 people were on the Universal Credit caseload across the UK as of 13th July 2017 (an increase of 20,000 over last month). Of these 230,000 (39%) were in employment.

| Local Authority | New Claims 20 th Jul – 10 th Aug 2017 | Caseload 10 th August 2017 | | |
|------------------|--|---------------------------------------|--------------------|--------------|
| | | Total | Not in emp | In emp |
| Stoke-on-Trent | 160 | 1,013 | 692 (40%) | 1,705 |
| Newcastle | 79 | 411 | 274 (40%) | 682 |
| Staffs Moorlands | 38 | 137 | 125 (48%) | 259 |
| Total* | 272* | 1,555 (59%) | 1,084 (41%) | 2,643 |

41.8% of claimants on the UC caseload in North Staffordshire are under 25.

| under 25s | Not in employment | In employment | Total* |
|-------------------------|-------------------|---------------|--------------|
| Stoke-on-Trent UA | 425 | 278 | 705 |
| Newcastle-under-Lyme | 184 | 109 | 291 |
| Staffordshire Moorlands | 54 | 51 | 105 |
| Total* | 664 | 442 | 1,105 |

In August 2017, 221 claimants (8.3%) had in-work conditionality and were expected to be looking for better paid work and 640 claimants (24%) were working with no conditionality applied to their claim.

| Conditionality Regime | Searching for work | Working with requirements | No work requirements | Working no requirements | Planning for work | Prep for work | Total* |
|-----------------------|--------------------|---------------------------|----------------------|-------------------------|-------------------|---------------|--------------|
| Stoke-on-Trent | 1,082 | 147 | 44 | 415 | 0 | 9 | 1,705 |
| Newcastle | 434 | 54 | 26 | 153 | 0 | 10 | 6682 |
| Moorlands | 163 | 19 | 6 | 68 | 0 | 0 | 259 |
| Total* | 1,679 | 221 | 70 | 640 | 6 | 22 | 2,643 |

34% of households in North Staffordshire receive a housing element (rent or mortgage payment) as part of their UC, this is much lower than the national average of 55%. Only 23 (5%) households in North Staffordshire renting in the private sector are having their UC paid direct to their landlords.

| Households receiving a housing element as part of their Universal Credit in June 2017 | | | | |
|---|---------------|----------------|--------------------|--------------|
| | Social Rented | Private Rented | No housing element | Total |
| Stoke-on-Trent | 240 | 325 | 989 | 1,558 |
| Newcastle-under-Lyme | 127 | 70 | 454 | 655 |
| Staffordshire Moorlands | 28 | 39 | 172 | 239 |
| Total* | 391 | 437 | 1,618 | 2,452 |

| Households on UC with direct payments of rent to Landlord in June 2017 | | |
|--|----------------------|-----------------------|
| | Social Rented Sector | Private Rented Sector |
| Stoke-on-Trent | 65 | 21 |
| Newcastle-under-Lyme | 39 | .. |
| Staffordshire Moorlands | 10 | .. |
| Total* | 110 | 23 |

**Figures in these tables have had statistical disclosure control applied to avoid the release of confidential data. Totals may not sum due to the adjustments.*

National Audit Office Call for Evidence

The National Audit Office (NAO) is calling for evidence on the impact universal credit is having on both claimants and local stakeholders. The final report is scheduled to be published in Spring 2018 and if you like to contribute evidence you can find more information [here](#).

Landlords Guide to Universal Credit

The DWP has published a [guide to Universal Credit](#) for social sector and private sector landlords to help them to help tenants to prepare for Universal Credit.

Residential Landlords Association Report

The RLA has published a [report](#) on the impact of UC on rent arrears. They found that 38% of landlords reported that they have experienced tenants on universal credit going into rent arrears in the past 12 months

Trusted Partner Pilot

The DWP has published a [review](#) of the ‘Trusted Partner’ pilot for UC which allowed some social landlords to have a streamlined access to Alternative Payment Arrangements. DWP Minister Damian Hinds has [announced](#) the DWP is planning to extend the Trusted Partner scheme to include more social landlords from October 2017.

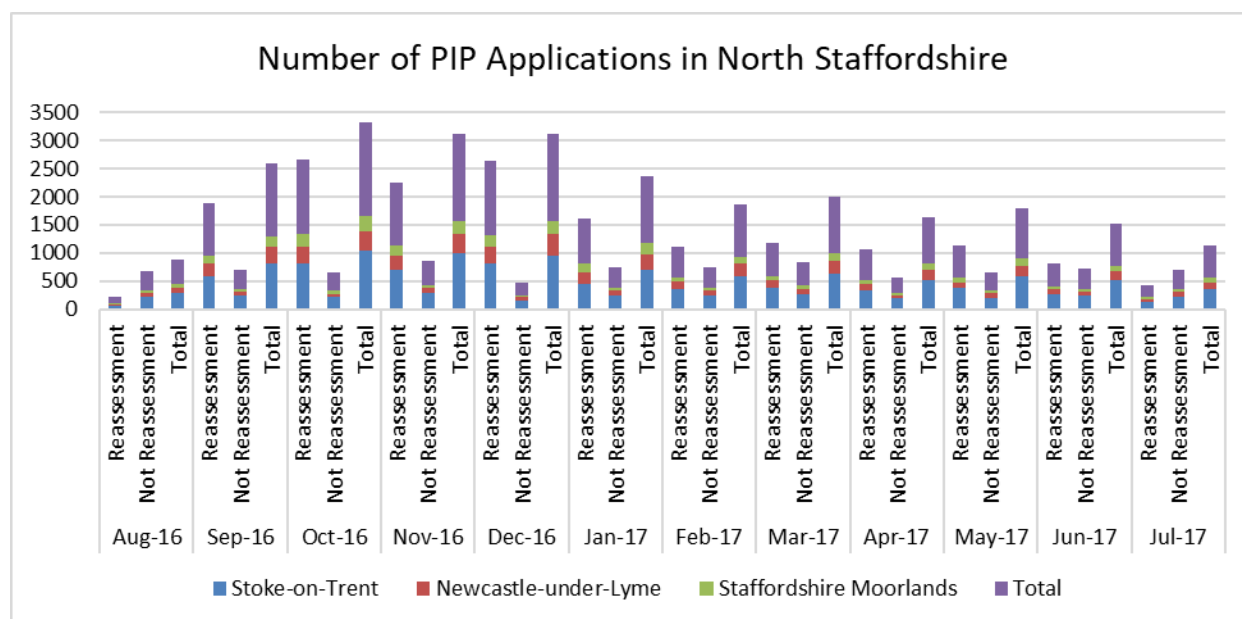
3. Personal Independence Payment

Case law

- **Preparing food:** The concept of a simple meal must be the same for all claimants without reference to cultural or religious requirements. [CPIP/1532/2015](#).
- **Alcohol Dependency** the severity of the addiction, the frequency and degree of intoxication within each day and the impact upon the ability to perform the PIP functions safely, to an acceptable standard, repeatedly and within a reasonable time period should be taken into account [CPIP/3126/2016](#)

Personal Independence Payment Statistics

The number of people undergoing a DLA to PIP reassessment in North Staffordshire has decreased again over the last quarter – the numbers have dropped from 1323 in December 2016 to 220 in July 2017.



The number of people awarded PIP in Stoke-on-Trent is much lower than the national average, particularly those who are making a new claim.

| Percentage of claims that received an award for PIP in July 2017 (normal rules) | | | |
|---|--------------|------------------|------------|
| Local Authority | Reassessment | Not Reassessment | % of total |
| Stoke-on-Trent | 74% | 42% | 63% |
| Newcastle-under-Lyme | 76% | 35% | 62% |
| Staffordshire Moorlands | 82% | 46% | 71% |
| Total North Staffs | 75% | 40% | 65% |
| Great Britain | 68% | 43% | 52% |

PIP Spotlight Review

Adults and Neighbourhoods Overview & Scrutiny Committee met on Thursday 14th Sept to consider the draft report of the PIP spotlight review, which highlights a number of problems that people in Stoke-on-Trent are experiencing with the PIP assessment procedure. The Committee considered evidence from advice agencies such as Citizens Advice, Disability Solutions and Epilepsy Action and interviewed a number of PIP claimants who had had problems with their assessment. The full report has not yet been published but a summary is on the [Disability News Service](#) website.

Disability Benefit Consortium PIP report

[Supporting Those Who Need It Most?](#) The Disability Benefit Consortium has surveyed more than 1,700 people and found that applicants are facing unnecessary barriers to accessing the support they need, including:

- over three-quarters of respondents agreed that the stress and anxiety associated with their PIP assessment had made their condition worse;
- almost 90% described their assessment as 'stressful';
- almost 60% of respondents found providing supporting evidence 'hard'/'very hard';
- 58% said that assessors did not understand their condition; and
- 64% of people who saw their PIP report form felt it 'badly reflected' the answers they had given in their face-to-face assessment

4. Working Tax Credits and Self Employed

In a recent Upper Tribunal decision Judge Wikeley looked at the evidence a self-employed claimant needs to show his business is genuine and effective, for Working Tax Credit purposes.

The claimant JF had set up a painting and decorating business and had spent time going door-to-door handing out leaflets and advertising the business, as a result HMRC calculated his income was £2.39 an hour so was not profitable and they did not accept his business plan which consisted of handwritten accounts and a list of jobs and prices. Judge Wikeley ruled that the First-Tier Tribunal had been wrong to disregard the time spent promoting the business and in considering the business plan he stated that tribunals need to 'get real' about the quality of evidence expected from new one-man businesses to show they meet the definition of self-employed.

'Self-employed working tax credit claimants (typically) are not putting together business proposals of sufficient rigour to pass muster on a Masters of Business Administration course or to withstand scrutiny in an episode of Dragons' Den. Usually they are much more modest enterprises, as in the present case, and expectations about the documentary paper trail should be adjusted accordingly.' (para 31)

See [Garden Courts Chambers Case Summary](#) and [JF v HMRC \(TC\) \[2017\] UKUT 0334 \(AAC\)](#)

In another UT decision relating to Tax Credit Judge Wikeley also looked at a case where the HMRC removed the entitlement to Tax Credits as they claimed the claimant did not provide the evidence of her earnings. Judge Wikeley judgment begins 'Well, here we go yet again' as he criticises the poor administration at HMRC and the poor decision making by the First-tier Tribunal see [VO v HMRC CTC/0982/2017](#)

5. The decline of local welfare schemes in England

A [report](#) published by the Centre for Responsible Credit has found that 'local welfare provision in England is at risk of collapsing if Government does not urgently review its approach and step in with more funding for local authorities. The report highlighted the following issues: -

- 26 local authorities (including Staffordshire County Council) have now closed their schemes altogether;
- A further 41 authorities have cut back spending on their schemes by over 60%;
- 11 of these have cut spending by over 80% and their schemes are now on the brink of collapse.
- **The cut backs, combined with benefit delays, are creating destitution.** For example, an unemployed 56 year old man in Nottinghamshire (which closed its local welfare scheme in 2014/15) had no money for eight weeks because of delays in processing his benefit claim; he has been forced to use food banks, can't pay the rent, and is on the verge of being made homeless.
- **They are also making it harder for people to live independently.** For example, a 46 year old woman in Oxfordshire (which closed its scheme in 2014), and who was re-housed after a lengthy period of homelessness, has been living in a flat without any cooking facilities or bed for four months.

6. Employment and Support Allowance

LASA the social welfare law charity has published a useful website for anyone who is appealing ESA work capability assessment decisions. It includes all the latest case law relating to each of the descriptors used in the assessment. See <https://wcainfo.net/>

There is also a similar website for those applying for PIP or appealing PIP decisions; <https://pipinfo.net/>

7. Sanctions

The latest [JSA, ESA and UC sanctions statistics](#) published in August 2017 continue to show a considerable decrease in the number of JSA sanctions applied by Jobcentres in North Staffordshire. In Stoke 42% of sanctions were applied to claimants aged 16-24.

| JSA Sanctions North Staffs Adverse decisions | Stoke | Newcastle | Moorlands | Total |
|--|---------------|--------------|--------------|---------------|
| Oct 12-Mar 13 | 2,397 | 626 | 243 | 3,267 |
| Apr 13-Mar 14 | 6,187 | 1,463 | 580 | 8,226 |
| Apr 14-Mar 15 | 3,370 | 740 | 333 | 4,435 |
| Apr 15-Mar 16 | 962 | 188 | 84 | 1,230 |
| Apr 16-Mar 17 | 382 | 79 | 27 | 484 |
| Total | 13,288 | 3,094 | 1,258 | 17,639 |

The DWP has also published the number of sanctions applied to **Universal Credit** claimants in the period August 2015 to March 2017. In North Staffordshire there were 715 adverse sanction decisions during this period.

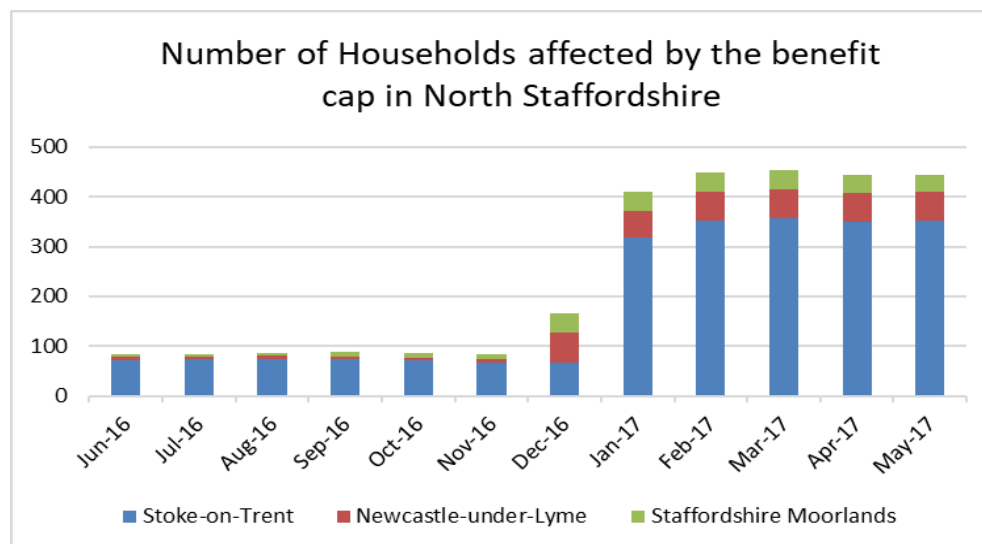
| Type of Sanction | Lowest Level sanction | Low Level sanction | Medium Level sanction | High Level sanction | Total of individuals sanctioned (Adverse decisions) |
|------------------|-----------------------|--------------------|-----------------------|---------------------|---|
| Stoke-on-Trent | 29 | 379 | 33 | 6 | 412 |
| Newcastle | 30 | 198 | 12 | 32 | 228 |
| Moorlands | .. | 67 | .. | .. | 78 |
| Total | 68 | 644 | 45 | 40 | 715 |

ESA Sanctions have continued to decrease, in the period April 2016–March 2017 there were 70 ESA sanctions compared to 226 in the period April 2014–March 2015. There were a total of 529 ESA sanctions applied to 323 individuals living in North Staffordshire in the period Dec 2012 to March 2017.

| ESA Sanctions Adverse decisions | Stoke | Newcastle | Moorlands | Total |
|---------------------------------|------------|-----------|-----------|------------|
| Dec 12 - Mar 13 | 12 | 0 | 0 | 13 |
| Apr 13 - Mar 14 | 97 | 24 | 13 | 137 |
| Apr 14 - Mar 15 | 169 | 37 | 23 | 226 |
| Apr 15 - Mar 16 | 50 | 10 | 11 | 77 |
| Apr 16 - Mar 17 | 48 | 14 | 6 | 70 |
| Total | 384 | 90 | 60 | 529 |

8. Benefit Cap Statistics

[The latest statistics](#) provided by the DWP shows a dramatic rise in the numbers of households affected by the benefit cap since the cap decreased to £20,000 a year for families in November 2016. There were 352 households in Stoke-on-Trent affected by the benefit cap in May 2017- no change from February 2017, all had 2 or more children.



| | May 2017 | | | | | |
|------------------------------|-----------|------------|------------|-----------|-------------|------------|
| Number of dependent children | 2 | 3 | 4 | 5 | more than 5 | Total |
| Stoke-on-Trent | 15 | 144 | 122 | 47 | 16 | 352 |
| Newcastle-under-Lyme | 8 | 23 | 21 | 7 | .. | 59 |
| Staffordshire Moorlands | .. | 18 | 21 | | .. | 33 |
| Total | 27 | 185 | 152 | 55 | 21 | 437 |

59% of households affected by the benefit cap in Stoke are in the social rented sector and 41% in the private rented sector.

| | Social Rented Sector | Private Rented Sector |
|-------------------------|----------------------|-----------------------|
| Stoke-on-Trent | 207 | 147 |
| Newcastle-under-Lyme | 34 | 22 |
| Staffordshire Moorlands | 17 | 12 |
| Total | 265 | 176 |

65% of households affected by the benefit cap in Stoke are lone parents and almost all of these lone parents are female.

| | Single with child dependant(s) | Couple with child dependant(s) | Total |
|-------------------------|--------------------------------|--------------------------------|------------|
| Stoke-on-Trent UA | 230 | 122 | 352 |
| Newcastle-under-Lyme | 38 | 19 | 59 |
| Staffordshire Moorlands | 19 | 10 | 33 |
| Total | 289 | 151 | 437 |

| Number of dependent children | Single Female with child dependants | | | | | Total |
|------------------------------|-------------------------------------|------------|-----------|-----------|-------------|------------|
| | 2 | 3 | 4 | 5 | More than 5 | |
| Stoke-on-Trent | 5 | 77 | 80 | 31 | 13 | 211 |
| Newcastle-under-Lyme | .. | 16 | 10 | .. | .. | 38 |
| Staffordshire Moorlands | .. | 14 | 6 | .. | .. | 19 |
| Total | 7 | 107 | 99 | 33 | 10 | 263 |

Statistical disclosure control has been applied to this table to avoid the release of confidential data. Totals may not sum due to the disclosure control applied

9. Care leavers under 25 and Council Tax

Stoke-on-Trent City Council decided in a [Cabinet Meeting held on 22nd August 2017](#) that care leavers aged under 25 will be exempt from Council Tax.

10. Industrial Injury Advisory Council Review

The IIAC has made the following changes to the list of industrial injuries which qualify for Industrial Injuries Disablement Benefit

- **Prescribed Disease PD B15** - [latex anaphylaxis](#) - be extended to include all workers with occupational contact with latex not just health sector workers.
- **Prescribed Disease D6** - [Carcinoma of the nasal cavity](#) or associated air sinuses - be extended to include employed earners who develop the disease following occupations involving 'exposure to wood dust in the course of machine processing of wood'

The IIAC has also decided **not** to include the following conditions

- **renal cancer** in workers exposed to the industrial solvent [trichloroethylene \(TCE\)](#)
- **anxiety and depression** in [teachers and healthcare workers](#)

11. Mandatory Reconsiderations and Appeals

The Mandatory Reconsideration (MR) and appeal statistics show how important it is people appeal to a First-Tier Tribunal if their MR is unsuccessful.

- 85% of PIP new claims and 79% of reassessed DLA reconsiderations result in no change to the award See [detailed stats](#)
- 85% of Employment and Support Allowance (ESA) assessment outcomes are not revised following a mandatory reconsideration. See detailed [stats](#)

However when cases were considered by a First-Tier Tribunals

- 65% of PIP decisions considered were successfully overturned.
- 68% of ESA cases were overturned;
- 55% of Disability Living Allowance cases were overturned; and
- 49% of Jobseeker's Allowance cases were overturned.

See [detailed stats](#)