



Potteries Gold



Benefits Newsletter April 2016

1. Personal Independence Payments

Assessment Criteria

Following the resignation of Iain Duncan Smith on 18th March, the new Secretary of State for Work and Pensions Stephen Crabb has announced that the planned changes to the PIP assessment criteria for people who need to use aids and appliances for toilet needs and dressing and undressing will no longer go ahead.

This change would have resulted in a reduction in the number of points awarded for using aids and appliances for managing toilet needs and for dressing and undressing; from 2 points to 1 point for each of those activities. The government estimated 640,000 people would have been affected by the changes.

For the full statement see

<http://www.publications.parliament.uk/pa/cm201516/cmhansrd/cm160321/debtext/160321-0002.htm#16032113000001>

Channel 4 Dispatches 'The Great Benefit Row'

Following an undercover investigation of Capita by Dispatches charities are now calling for an independent investigation into the PIP assessment process. We are continuing to monitor PIP assessments; if you have any cases that you would like to share with us please email tina.mendolia@sncab.org.uk.

See <http://www.channel4.com/info/press/news/the-great-benefits-row-channel-4-dispatches>

2. Universal Credit

Latest UC Stats

The latest statistics published by the DWP show that 225,002 people were on the Universal Credit caseload across the UK, as of 10th March 2016. Of these, 87,592 (39%) were in employment and 137,414 (61%) were not in employment.

In North Staffordshire the figures of UC claimants has increased dramatically since UC was introduced in Stoke on 1st February 2016. In Stoke-on-Trent there were 340 claims for UC between 18th February and 7th April 2016 and there are currently 241 UC claimants on the UC caseload whose claim for UC has been awarded; this has increased from 55 in February 2016.

Local Authority	New Claims 18 Feb - 7 April 2016	Caseload March 2016		
		In employment	Not in emp	Total
	Total			
Stoke-on-Trent	495	77	164	241
Newcastle	99	175	246	421
Staffs Moorlands	11	23	61	84
Total	605	275	471	746

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

<https://www.gov.uk/government/statistics/universal-credit-29-apr-2013-to-7-apr-2016>

Rollout of UC Digital Service

- **From 23 March 2016** - EH21, EH31, EH32, EH33, EH34, EH35, EH36, EH39, EH40, EH41, and EH42 (previously in the live service), and CR0 0, CR0 5 to CR0 9, CR9, SE1 7 to SE1 9, SE16 2, SE16 4 to SE16 7, SE25 4, SE25 5, and TW14 8.
- **From 27 April 2016** - CR2, CR3 0, CR3 5, CR5, CR6, CR7, CR8, NR13 3, NR29, NR30, NR31, and SE25 6.

<http://www.legislation.gov.uk/uksi/2016/407/made>

3. Employment and Support Allowance

New interpretation of 'cannot chew or swallow food or drink' descriptor

Following a recent Upper Tribunal decision the DWP has issued a new memo to decision makers regarding the interpretation of the unable to swallow food or drink descriptor. In the UT Judge Wikeley stated *'My conclusion is that this phrase means, in effect, and adding words to ensure clarity of meaning, "cannot either chew and swallow food or swallow drink"'* See [AMD Memo 8/16](#)

For the UT decision see <http://www.osscsc.gov.uk/Aspx/view.aspx?id=4550>

'Substantial risk' and limited capability for work-related activity

The DWP has issued new guidance in relation to limited capability for work-related activity and 'substantial risk'.

The new guidance provides advice to universal credit and employment and support allowance (ESA) decision makers in relation to -

- substantial risk in the context of whether a claimant who has, or is treated as having, limited capability for work should be treated as having limited capability for work-related activity; and
- what evidence of specified work-related activity (in the form of a work preparation requirement) is required in order to determine this question.

In the light of three Upper Tribunal decisions, in [2013] AACR 32; [2013] AACR 33; and [2015] AACR 10. See [ADM Memo 7/16](#)

4. Housing Benefit

Bedroom Tax UT Decision

A useful Upper Tribunal decision has found that a First Tier Tribunal made an error of law in not considering whether a room was 'capable of accommodating a single adult bed, a bedside table and somewhere to store clothes ... as well as providing space for dressing and undressing.'

<http://www.osscsc.gov.uk/Aspx/view.aspx?id=4824>

5. Pension Credit and Housing Benefit

Restricting housing benefit and pension credit in the event of temporary absence from Great Britain

The DWP has announced that the new rules restricting housing benefit and pension credit entitlement from the current 13 weeks to 4 weeks in the event of temporary absence from Great Britain, which were going to be introduced in May are now going to be introduced during Summer 2016.

For more information see [General Information Bulletin G4/2016](#)