



Potteries Gold



Benefits Newsletter January 2016

1. Universal Credit

Universal Credit Roll-Out in North Staffordshire

Universal Credit is to be introduced in Stoke-on-Trent and other parts of North Staffordshire where UC has not already been introduced on 1st February 2016. Initially the roll-out will only involve single childless, jobseekers who are making a new claim for benefit, however once a claimant is receiving UC they will stay on UC. For a full list of gateway conditions which give details of who can and cannot claim UC see https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/452143/uc-faq-aug2015.pdf

Stoke-on-Trent City Council Universal Credit Event

Stoke-on-Trent City Council is holding a Universal Credit awareness event on 29th January 2016 at Hanley Library to advise the public about how the benefit changes will affect them. The Potteries Gold team will be there to give information and advice. For more information see <http://www.stoke.gov.uk/ccm/content/advice/benefits/universal-credit.en>

Roll Out of Universal Credit Digital Service

The DWP has confirmed that the Universal Credit Digital Service to more areas in Sutton, Croydon, and Southwark between 18th January and 24th February 2016. They will also start to introduce the Digital Service on 7th March in the Great Yarmouth area. <http://www.legislation.gov.uk/ukxi/2016/33/contents/made>

The DWP has confirmed that the migration from existing benefits to UC is expected to be completed by March 2021. In evidence to the Public Accounts Committee Neil Couling also stated that from May 2016 the plan is to roll out the digital service for new claimants in 5 Jobcentres a month up until 2018. See Q75

<http://data.parliament.uk/writtenevidence/committeeevidence.svc/evidencedocument/public-accounts-committee/universal-credit-recall/oral/25705.html>

Civitas Report

Frank Field MP chair of the Work and Pensions Select Committee has published a report on welfare reform since 2010 for Civitas a cross-party think-tank. In this he has said 'Universal credit, if it is ever rolled out nationally, will not incentivise work as initially conceived' and has also stated UC is unlikely to be fully rolled out by 2020. See

<http://www.civitas.org.uk/content/files/fixingbrokenbritain.pdf>

Universal Credit Questions and Answers

The DWP has recently updated the questions and answers section of the Universal Credit system which includes useful information about the gateway conditions for UC.

See https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/491014/uc-families-q-and-a-jan16.pdf

2. DWP BSL Pilot

The DWP is piloting a new British Sign Language interpretation service which will allow BSL users to call the DWP using a video relay service via a smartphone, tablet laptop or computer. The call will be connected to a professional BSL interpreter who will then relay the call in English to a member of DWP staff. See

<https://www.gov.uk/government/news/dwp-services-more-accessible-thanks-to-new-british-sign-language-pilot>

3. Employment and Support Allowance and PIP Assessments

The National Audit Office has published a report on the work carried out by MAXIMUS Capita and Atos to assess entitlements to ESA and PIP. Amyas Morse, head of the National Audit Office said *'The Department is paying more for assessments, but providers are still not meeting expected performance levels.'* See <https://www.nao.org.uk/report/contracted-out-health-and-disability-assessments/>

4. Personal Independence Payment

Meeting with Capita regarding Winton House

We have arranged to meet with Capita to discuss problems of access and parking at Winton House which is used for PIP assessments and problems with claimants being asked to attend appointments in Derby or Nottingham. The meeting has been postponed, but if you have any case examples which you would like to share with us, send them to tina.mendolia@snsCab.org.uk

Recent Case Law

There have been several Upper Tribunal decisions about the interpretation of the PIP descriptors which advisers who assist claimants to complete forms should be aware of as they are starting to influence the decisions that are taken.

A recent Upper Tribunal decision has ruled when considering mobility descriptor 2 (c) *'Can stand and then move unaided more than 20 metres but no more than 50 metres'* the assessor should only take into account the distance the claimant is able to walk without the use of aids or appliances.

Judge Mitchell says *'My understanding of the argument is as follows. Person A, for example, is unable to walk 50 metres unaided but can get to 200 metres without difficulty if s/he has an aid. Person A would, on the face of it, satisfy descriptor 2(c) and therefore be awarded the 8 points necessary for entitlement to the mobility component at the standard rate. Person B can manage 50 metres unaided but then needs an aid to walk further but cannot make it to 200 metres. On the face of it, person B only satisfies descriptor 2(b) whose four points are not enough to generate an award. To prevent the anomaly, descriptor 2(c) should be reserved to those who are unable to move 50 metres unaided and, additionally, can then move no further.'*

<http://www.ossCsc.gov.uk/Aspx/view.aspx?id=4724>

There have also been three UT decisions on mobility descriptor 1, 'Planning and following a journey', which have considered how someone who suffers from anxiety and distress and cannot go out alone should be considered.

Judge Ward has recently considered this issue and has advised that only descriptor 1(b) *'Needs prompting to be able to undertake any journey to avoid overwhelming psychological distress to the claimant'* should apply in cases where the claimant needs someone to go out with them because they suffer from distress but have no problems with navigating; this means these claimants would not qualify for even the standard rate of the mobility component as 1(b) is only worth 4 points. See

<http://www.ossCsc.gov.uk/Aspx/view.aspx?id=4743>. This decision confirmed an earlier decision by Judge Jacobs <http://www.ossCsc.gov.uk/Aspx/view.aspx?id=4573>.

On the other hand Judge Agnew argued that descriptors 1(d) and 1(f) could also be applied to someone who needs another person to go out with them which would mean the claimant could be awarded 10 or 12 points.

<http://www.ossCsc.gov.uk/Aspx/view.aspx?id=4583>

For a full detailed list of all recent UT decisions go to <http://www.ossCsc.gov.uk/Aspx/default.aspx>

5. Universal Credit Statistics

The latest statistics published by the DWP show that 175,505 people were on the Universal Credit caseload across the UK, as of 10th December 2015. Of these, 64,928 (or 37 per cent) were in employment and 110,579 (or 63 per cent) were not in employment.

In North Staffordshire the figures of UC claimants is gradually increasing

Local Authority	Nov 2015 (r)			Dec 2015 (p)		
	Total	In emp	Not in Emp	Total	In emp	Not in emp
Stoke-on-Trent	28	8	21	30	12	22
Newcastle	294	118	177	334	139	192
Staffs Moorlands	30	5	20	36	6	27
Total	352	131	218	400	157	241

(r=revised, p=provisional)

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-jan-2016>