Benefit Matters

Our newsletter for advisers in Royal Greenwich

Finance Directorate

Coronavirus - Benefits Update

We hope that you're all continuing to stay safe and well during these uncertain times. This issue focuses mainly on COVID-related benefits news and updates that we hope will be helpful to you in your work with residents.

The information included in this newsletter was correct on 30 June but is subject to change. As lockdown begins to ease, the government is reviewing the temporary measures that were introduced to provide financial assistance to people impacted by the pandemic. Many were introduced for a fixed period which at the time of writing had either already expired or was shortly due to expire and it's unclear if they will be extended, change or come to an end. We will keep you informed of developments.

Free school meals during summer holidays – 10 July deadline

The Department for Education (DfE) has launched a 'Covid Summer Food Fund' to enable children who are eligible for benefits-related free school meals to be supported over the summer holiday period. Eligible parents will be able to receive a £90 voucher to cover the 6-week holiday period. The voucher amount can be increased to £105 if the school's summer holiday lasts 7 full weeks (rather than 6). Payments will be met centrally by the DfE and is in addition to the free school meals national voucher scheme.

Deadline for ordering vouchers

Schools must order the voucher for eligible children at least one week before the summer term ends, and it should normally be issued to families within 7 days. This means that for schools closing on 17 July, voucher orders must be placed by 10 July. Eligible parents not already receiving free school meals for their child should be encouraged to register before the summer term ends. Parents applying for Council Tax Support will not need to apply separately for free school meals for their child, entitlement will be assessed automatically.

In other circumstances, parents will need to download and complete a registration form available on the Royal Greenwich website to apply.

Vouchers must usually be exchanged at specified supermarkets. However, schools can make alternative voucher arrangements with a different local supermarket where eligible families are unable to access the ones specified.

Who qualifies?

Any child currently receiving benefits-related free school meals or who becomes eligible during the summer term (visit the Royal Greenwich website to view the eligibility criteria). Schools should continue to accept and verify free school meal applications until the end of the summer term. If school receives a claim after the cut-off date, but before the start of the summer holidays, they will be able to place an exceptional order for that child.

Continued on next page...

Advisers Advice Line

E: wrs.ce@greenwich.gov.uk 020 8921 6376 Weekdays: office hours Welfare Rights Service & Universal Support Team

Via online contact form on website; or 020 8921 3333 Mon to Fri: 10am - 4pm



Remember that during the coronavirus (COVID-19) outbreak, the eligibility criteria for free school meals has been temporarily extended to include some groups who have no recourse to public funds. See the guidance on GOV.UK for more information.

Tax Credit renewals

The tax credits renewals process aims to finalise entitlement for 2019/20 and compare it with what has been paid, and to renew claims for 2020/21. This year, HMRC will automatically renew all tax credits claims apart from those identified as high risk.

Most claimants will receive an auto renewal pack and will only need to contact HMRC if their details differ from the pack. It's important to check these details carefully to ensure that the information is correct. Claimants who need to provide more information will be sent a reply required renewal pack and will be expected to complete it in the normal way.

Don't forget to remind residents who are required to renew their claims to do so before the **31 July deadline**. If they don't, their payments will stop, and they may have to repay some of the tax credits they have already received. If their claim ends as a result, they will not be able to reclaim tax credits (unless an exception applies) and would have to claim Universal Credit instead.

Remember that even if residents miss the deadline, regulations allow claims to be restored providing they are renewed within 30 days from the date on the statement of account notice. Visit GOV.UK for more information: https://www.gov.uk/renewing-your-tax-credits-claim.

Update...

Due to an error, HMRC have issued around I million tax credit claimants with renewal forms that do not include some or all the information used to calculate their award. This particularly affects self-employed claimants and people receiving income from taxable benefits. They are writing to all people affected from 25 June to notify them that they will need to review the household income held for them for the 2019/20 tax year and setting out any other information that may be needed.

Self-employed claimants who have not declared their tax return for the 2019/2020 tax year will need to estimate their profit or loss and report this with their renewal online or via HMRC's webchat service by 31 July 2020. Otherwise, they will finalise their award using the information held for them and they won't be able to change it later on.

Jobcentre Plus update

people and enquiries, if you are working with a resident who really needs face to face support, please contact Sam Akkouche (email samantha.akkouche@dwp.gov.uk), the jobcentre directly or UC claimants can use their online journal. The appointment will be carried out observing social distancing rules and may be in an alternative screen area. JCP say this is only for their most vulnerable customers. It is not yet known when local offices will reopen.

Local offices remain closed except for most vulnerable

Virtual support is available for claimants looking for work via the Job Help website, and there is also benefit support via WhatsApp. A central team in London is reviewing journal messages for safeguarding reasons. JCP tell us that any concerning language in UC journals is being picked up by this team and actioned appropriately.

STOP PRESS: Benefit conditionality and sanctions reintroduced

The government temporarily relaxed the rules around benefit conditionality, work search requirements and sanctions in response to the pandemic and lockdown. Claimants have not been required to attend jobcentres for the last 3 months. As lockdown eases, Work and Pensions Secretary, Therese Coffey confirmed on 29/6 that the government plans to start fully reopening jobcentres in July and to reintroduce conditionality 'this week' (including the claimant commitment and sanctions). The Shadow Work and Pensions Secretary and the Public and Commercial Services (PCS) Union have met the news with concern with the latter fearing that reopening jobcentres without adequate planning and protections in place for the public and staff could lead to a 'perfect storm'. Click here for further information.

Coronavirus support from HMRC

Coronavirus Job Retention Scheme extended until 31 October

The Coronavirus Job Retention Scheme was introduced in March as a temporary measure to support employers (and their employees) whose operations have been severely affected by coronavirus. It was initially to have lasted for 3 months but has now been extended until the 31 October.

Workers who have been 'furloughed' under the scheme will continue to receive 80% of their salary, up to a maximum of £2,500 a month. Under flexible arrangements from I July, furloughed workers will be able to return to work with their employers parttime (and still qualify for furlough pay for time when they are not working). Employers will be expected to bear a proportion of the costs of the scheme from I August.

The scheme closes to new entrants from 30 June. From this date, employers can only furlough employees who had been previously furloughed for at least 3 weeks before 30 June (so to be eligible, the employee must have been furloughed for the first time by latest 10 June). Employers have until 31 July to make any claim.

Further information and useful links

- GOV.UK (Check if your employer can use the Coronavirus Job Retention Scheme)
- Low Incomes Tax Reform Group (What is the Cornavirus Job Retention Scheme).

Self-Employment Income Support Scheme (SEISS)

This taxable government grant was introduced as a temporary measure to provide financial assistance for self-employed people who have been adversely affected by coronavirus.

The grant is worth 80% of average monthly trading profits for eligible claimants and is paid in one instalment covering 3 months (up to a maximum of £7500). The scheme covers most, but not all self-employed people. Exclusions include:

- newly self-employed who started trading on or after 6 April 2019;
- people who submitted their tax return for the 2018/19 tax year after 23 April 2020 – it's unclear whether HMRC will exercise any discretion;
- people who didn't register with HMRC.

HMRC wrote to people they thought were eligible to claim based on information held about their tax returns for 2018/19 and earlier years and invited them to use an eligibility checker based on the same information.

The online claim portal opened on 13 May, with successful applicants receiving payments up to 6 working days later. Claimants have until **13 July** to apply for the first grant.

SEISS support extended

Like the Job Retention Scheme, SEISS was initially to have lasted for 3 months. But the scheme has been extended and a second grant payment will also be available to qualifying claimants. The second grant will be based on 70% of their average monthly profits (calculated in the same way as for the first grant) up to a maximum of £2,190. People who are eligible will need to apply for each grant separately and can only claim if they satisfy the eligibility conditions each time they apply. The second SEISS grant will be available to apply for in August 2020. At the time of writing, HMRC had not yet confirmed the claims process for the second SEISS payment.

Impact of SEISS grants on Universal Credit awards

The SEISS payment is treated as income from selfemployment and is taken into account in the monthly assessment period in which it is received. This may trigger the 'surplus earnings' rules in some cases which means that the excess will also be treated as earned income in subsequent assessment periods.

Further information and useful links

- GOV.UK
- Low Incomes Tax Reform Group

Help with childcare costs

Many parents are still paying for childcare they are currently unable to use for reasons linked to the coronavirus. Help with childcare costs in this situation differs depending on which benefit is being claimed.

Tax credits

Existing Working Tax Credit (WTC) claimants who have continued to work and incur childcare costs are covered as normal.

WTC claimants who have lost their job (been made redundant) or stopped trading as a self-employed person and no longer satisfy the WTC rules can continue getting WTC (including the childcare element) for a further 4 weeks after which payments will stop. The position is unclear where claimants are continuing to pay childcare costs, but childcare is not being provided – HMRC has not produced updated guidance covering this situation.

Universal Credit (UC)

If critical or non-critical workers can access registered childcare, it will be paid as part of a claimant's UC claim in the normal way. Retainers for childcare where childcare is not actually being provided, cannot legally be reimbursed via UC. Claimants may wish to check with their work coach if support is available via the Flexible Support Fund.

Housing Benefit (HB)

Where HB claimants are no longer paying a childcare provider to care for their child, the allowance for childcare costs cannot be included in the benefit claim. Any help included in tax credits awards will still count as income and will reduce the amount of HB or Council Tax Support they receive (LA Welfare Direct 4/2020). This could create a problem for some childcare providers who may want to charge a 'retainer' fee for the child, in order to maintain some income. Parents may therefore be faced with a charge for which they are getting no assistance, at a time when their income may be at best 80% of the previous level, or possibly just at UC level

Further information and useful links

- Updated <u>UC Childcare Guide</u> on what childcare costs can be claimed during the Coronavirus outbreak
- www.understandinguniversalcredit.gov.uk
- Low Incomes Tax Reform Group (LITRG)

Universal Credit update

Housing costs verification

Many council and housing association tenants have been forced to claim Universal Credit for the first time in recent months. Among the other problems that social sector tenants have had understanding UC and all its processes, one issue that has emerged is around rent verification.

Most social sector rents change on the 6 April each year and in order to get the increase covered, UC claimants must notify of the new rent by logging a change of circumstances and adding a note on their journal. This then triggers a verification request to the social landlord. Some tenants have run into difficulties getting the increase covered because they haven't understood the process. We have found that many have just added a note to their journal about the rent increase without also completing a change of circumstances form – a journal addition alone doesn't trigger a new rent verification request.

Changes must usually be reported in the assessment period in which they occur in order to be reflected in the next UC payment. However, late notification and backdating is possible if the DWP accepts that there was a good reason. Claimants should be advised to notify as soon as possible and add a note to their journal with their reasons for notifying late.

Claimants who have lost their personal security number

Customers who have lost or forgotten their Personal Security Number (PSN) have been reporting difficulties and delays requesting a new one. The DWP confirms that claimants must call the UC helpline if they cannot access their online account because they have permanently lost their PSN. They will need to be able to answer their security questions and arrangements will be made to issue a new one. It may not be issued immediately.

UC number for discharged prisoners

Discharged prisoners who are unable to claim UC online and do not have access to a smartphone or computer can call 0800 169 0345 to make a telephone claim and be supported to apply for an advance if necessary. Support in the local Jobcentre Plus office may be available for claimants who cannot claim online and don't have access to a phone. But claimants are strongly advised to use the online or telephone channel where possible.

Statutory Sick Pay to end from 1 August for people who are shielding

Current guidance advising vulnerable people to shield is being paused. The government has announced that people who have been shielding due to the pandemic will be able to return to work from 31 July where the business is 'COVID safe'. People who have been shielding because they are clinically extremely vulnerable will no longer be entitled to Statutory Sick Pay (SSP) on that basis from 1 August. Claimants in this position may now need to claim Universal Credit, but should get advice before doing so, particularly if they are receiving legacy benefits (such as tax credits or Housing Benefit). These benefits will end if they claim UC and they will be unable to reclaim in future. Further information about the SSP changes is available on GOV.UK.

Employment and Support Allowance (ESA) Update

Work Capability Assessments

A work capability assessment (WCA) is the test used to establish whether a claimant has limited capability for work or work-related activity for the purposes of claiming ESA or Universal Credit (UC). The Centre for Health and Disability Assessments (CHDA) carries out WCAs for Greenwich claimants on behalf of the DWP.

Minister Justin Tomlinson confirmed that during lockdown, WCA's will be carried out based on paper evidence, or if not, by telephone assessment (which can be recorded if requested by the claimant). However, we understand that CHDA are only carrying out paper and telephone assessments to establish if claimants satisfy the criteria for limited capability for work related activity (in other words, for the support group). If so, claims are referred to the decision maker with that recommendation. If not, the claimant goes back into the queue and won't be considered until face-to-face assessments resume.

Claimants will therefore be subject to lengthy delays and unfortunately, are unable to challenge CHDA's recommendation not to put them into the support group as no decision is issued – they won't be able to do so until their WCA is eventually completed. This adversely impacts on claimants who need a limited capability for work decision to enable them to do permitted work¹ (if claiming ESA) or the work allowance² if on UC. It also leaves people on reduced rates of ESA or UC (the assessment rate) for much longer periods.

We understand from the DWP are looking at the trend in outcomes for ESA telephone WCAs. Currently their experience is limited to PIP assessments, with early outcomes showing fewer awards being made and at lower rates.

Useful links

CHDA's Safeguarding Children and Vulnerable Adults Policy and Procedure.

New-Style ESA

New Style ESA is paid to claimants who have paid enough national insurance contributions and can be claimed on its own or on top of Universal Credit.

Claims can now be made online via the GOV.UK website and the person's identity will be verified at the same time. See the April 2020 issue of the DWP's Touchbase newsletter for more information.

Online is the DWP's preferred route, but the option to make a claim by telephone remains for those customers who are unable to use the online service. They will need to call the UC Helpline on 0800 328 5644.

The DWP say they are aware that some claimants will have difficulties completing and returning their ESA50/UC50 health questionnaire on time due to the current situation. They are therefore asking claimants to return the form as soon as they can.

Useful links

- The updated <u>New Style ESA</u> guidance is available on GOV.UK
- Self-help "Guide to completing an <u>ESA50/UC50" by Swansea</u> Council's Welfare Rights Team.

¹ <u>Permitted work</u> is work that ESA claimants (or people receiving national insurance credits because they have limited capability for work) can do without affecting their ESA or credits

² Work allowance is the amount that claimants with children or who have limited capability for work can earn before their UC payment is affected

Personal Independence Payment Update

PIP claims

Latest DWP statistics reveal that the number of PIP claims has fallen dramatically during the pandemic, possible because it's been more difficult to access help with form filling during the lockdown. Please encourage residents who may be entitled to continue to make claims to ensure that they don't miss out, the sooner they apply, the sooner successful claims will start. Claims can initially be registered over the phone by calling 0800 917 2222 and claimants are then being given longer to return the 'How your disability affects you' form (the PIP2) – 3 months instead of one.

PIP2s can now be completed electronically and emailed to claimants registering claims on the PIP helpline. The form will be issued to the email address held on the claim.

Further information & useful links

- The official statistics which includes data up to 30.04.20 is available on the GOV.UK website
- Swansea Council's Welfare Rights Team have updated their popular guide to completing the <u>PIP2 form</u>.

PIP reviews

Fixed terms awards that were due to be reviewed were suspended for 3 months from 24 March to 23 June. Awards that were due to be reviewed during this period were automatically extended for 6 months. There was initially an issue with shorter awards not subject to a review and awards made by First Tier Tribunals not being automatically extended by the DWP and claimants were being forced to make new claims. However, we understand that this issue has now been resolved. Justin Tomlinson MP (Minister of State, Department for Work and Pensions) confirmed on 22/5 that the system has been amended to correct this and "all claimants whose awards were due to end or due for review from 24th March onwards will have had their benefit extended". Visit Parliament UK to see his full answer.

Face-to-face assessments

Face to face assessments for all disability benefits and work capability assessments (for ESA and UC) were suspended for 3 months from 17 March to 16 June. Claimants were not expected to attend scheduled appointments during this period and the DWP confirmed they would be contacted by phone and possibly offered telephone appointments.

Only new claims and claimants registering a change in their circumstances are currently getting assessed. If a telephone assessment is offered, claimants must be given at least 7 days written notice of the date and time. They can have someone with them during the telephone assessment and can choose to record the assessment if they wish.

There are concerning reports of some claimants being called at very short notice or being given no notice at all. Claimants in this situation should point out the notice requirement and get advice if they run into difficulties. Claimants who are unhappy with the PIP decision following a telephone assessment have the right to request a mandatory reconsideration and then appeal – insufficient notice could be cited in their grounds for appeal.

It's particularly important that claimants are encouraged to exercise their appeal rights given that the DWP experience is that PIP claim outcomes based on phone assessments are showing fewer awards and at lower rates and for shorter periods.

At the time of writing, the DWP were in the process of reviewing its decision on extending the temporary suspension of face-to-face assessments.

Child Benefit

Please remind parents that they can still claim Child Benefit (CB) despite the pandemic. Given that register offices are currently operating at reduced capacity, claimants are not being required to register their child's birth before they claim.

Existing CB claimants can add the new baby's details over the phone (by calling 0300 200 3100) or by completing a claim form. CB claims can be backdated for up to 3 months. Visit GOV.UK for more information.

Social Security Appeals – provisional arrangements

HMCTS have put in place provisional arrangements for six months to deal with appeals to the First Tier and Upper Tribunals during the pandemic. The directions are available on the <u>Judiciary UK</u> website.

Cases are being triaged where provisional decisions can be issued. Remote hearings are being arranged where provisional decisions cannot be made. 'Hearings' under the provisional arrangements are usually telephone hearings and are subject to the same procedure rules as hearings in person. Claimants should receive a leaflet in advance explaining how the process will work. They will need to be in a quiet room where they will be not be interrupted and are free to have a third party with them (family, friend or support worker).

Issues and problem areas

- Support available to claimants during 'lockdown' has been limited and many are struggling without the support of representatives.
- Tribunals inability to see claimants means that they cannot spot difficulties and body language as they would at face to face hearings, for example if the person is in pain. Claimants will need to let them know.
- Hearings are taking a lot longer.
- Difficulties following who is speaking and navigating electronic documents.

Remember that if the hearing isn't working for the claimant or their representative, they can ask for a brief adjournment. If the process isn't working for

them at all, they can ask for it to be adjourned completely.

NAWRA's online conference in June included a briefing on this topic by Scott McInally (Durham County Council Welfare Rights Service) — the presentation together with a video recording and all the handouts are available for NAWRA members in the members area of the website. Visit www.nawra.org.uk for further information and to find out how to join.

If the telephone hearing proceeds in claimant/representative's absence

Claimants should get advice if the telephone hearing proceeds in their absence and they receive a negative (or adverse) decision. They may be able to get the decision set aside and heard by a new tribunal if it's considered to be in the interests of justice. They may also have grounds to appeal to the Upper Tribunal if there is an error of law. In both instances, they will need to request a full statement of reasons from the First Tier Tribunal within one month of the date the decision notice was sent.

Rule 2 of the Tribunal Procedure (First-tier Tribunal) (Social Entitlement Chamber) Rules 2008) provides that cases should be dealt with 'fairly and justly'. This may provide an additional argument if the claimant was unable to fully participate in the telephone hearing, for example due to hearing loss, poor English or communication. It might be that a traditional face-to-face hearing would have been more just.

Discretionary Housing Payments

Due to COVID-19, claimants who were already receiving Discretionary Housing Payments due to the bedroom tax or benefit cap on 31st March are having their awards extended to the 5th October. The extensions are currently being done manually. Anyone wishing to claim a DHP can now do so online via the Royal Greenwich website – this is the easiest and quickest way to claim. They will be sent an email with a confirmation reference number. Residents wishing to submit paper forms can still do so by calling the contact centre (020 8921 4900) to request a form or by downloading and printing one off from the website.

COVID19 Hardship Fund

The government allocated additional funding to Local Authorities (via the COVID19 Hardship Fund) to mainly support working age residents with their 2020-21 council tax bills. The Fund enables residents to receive an additional £150 towards their council tax bill if they are receiving Council Tax Support (CTS) and have an outstanding 2020-21 council tax bill. Greenwich expects to begin making Hardship Fund payments in July. Residents don't need to contact the council to receive this help or apply for it directly, they will be paid automatically onto their council tax accounts.

Note that many residents will not have a shortfall to pay towards their council tax as the Council increased the maximum CTS for working age claimants from 85% to 100% from 1 April 2020. Residents who need to apply for CTS can apply online via the website: www.royalgreenwich.gov.uk

Pensioners

Pension Credit – online claims

Pensioners can now apply for Pension Credit online via the GOV.UK website. The online channel was introduced in May and is in addition to the existing telephone and postal routes. This measure was introduced to enable vulnerable pensioners to claim without having to leave home or deal with telephone delays. The claim form can also be printed off from the website and completed by hand.

Changes to free TV license for over 75s

Currently over 75s can get a free tv licence regardless of their income and circumstances. The scheme was due to end on I June, but the BBC decided to defer the changes to I August due to the impact of the coronavirus. Free licences will remain valid until then.

Under existing government rules, over 75s (or people who will turn 75 before I August) can still apply for a free tv licence, but it will only cover them until 31 July 2020. Under the new scheme, only over 75s who are receiving Pension Credit qualify for a free tv licence from the BBC. Visit TV Licensing's website to find out more.

Useful links and resources

Royal Greenwich website

For information about council services including the Welfare Rights Service, Universal Support Team and Emergency Support Scheme

Child Poverty Action Group (CPAG)

CPAG has a <u>topic area on coronavirus (COVID-19)</u> that is regularly updated. There is also an <u>AskCPAG</u> facility that enables subscribers (most of whom who are now working remotely) to access their Welfare Benefits and Tax Credits Handbook as well as a range of decision-making tools.

Rightsnet Open Access

Rightsnet is a specialist resource delivered by LASA (the social welfare law and technology charity) providing information on areas of social welfare law including benefits. Benefits-related information includes daily news updates, case law and an online discussion forum. The information is usually for subscribers, but some of the news stories are now open to non-subscribers (Open Access). Visit the website for details.

GOV.UK

Coronavirus Support for employees, benefit claimants and businesses www.understandinguniversalcredit.gov.uk/coronavirus

LITRG (Low Incomes Tax Reform Group)

Website includes useful and clear information on tax-related and benefit issues. There is a dedicated webpage which brings together all of their tax and related benefits guidance relating to coronavirus – it's available here.

Training news

We are currently working on plans for an autumn training programme and will update you soon – watch this space!

Publicity update

2020-21 Benefit Rates cards

Our 2020-21 Benefit Rates cards are now in stock and available. Please email wrs.training@royalgreenwich.gov.uk to order copies for your organisation or if you would like to arrange to collect your order in person. Royal Greenwich staff based in the Woolwich Centre can collect their orders direct. We are on the second floor (Town Hall side). Remember that the card is for advisers and staff only and you should only request enough to meet your teams' immediate needs.







Benefits-related COVID-19 information

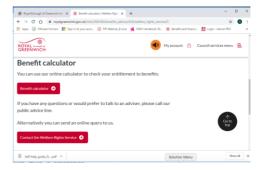
We have worked with the council's Webteam and Public Health to create a series of digital adverts detailing sources of support available for residents during the pandemic. These are being promoted across the council's social media platforms.

We have also produced 3 new factsheets to link in with the adverts and expand on the key messages. These are listed below and are available on the Royal Greenwich website.

Benefits and financial support Food and financial concerns Housing and financial concerns.

Benefit calculator on website

A benefits calculator is now available on the Greenwich website (www.royalgreenwich.gov.uk/benefitcalculator) which residents can use to check their entitlement to benefits.



Remember – if you need advice about a resident or family you are working with, call our dedicated advice line for advisers and staff on 020 8921 6376.

If you would like this information in another format (for example in large print), please email WRSTraining@royalgreenwich.gov.uk.

Next issue: October 2020

Royal Greenwich Welfare Rights Service produces 'Benefit Matters'. If you would like to contribute in any way, please email Sandra Pierre (sandra.pierre@royalgreenwich.gov.uk).



Welfare Rights Service

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