

Benefit Matters

Our newsletter for advisers in Royal Greenwich
Finance Directorate

Coronavirus - Benefits Update

This special issue of Benefit Matters is an update of the government's review of the temporary measures that were introduced assist to people impacted by the pandemic. Many were introduced for a fixed period and at the time of writing the July issue of Benefits Matters had either already expired or was shortly due to expire and it was unclear if they would be amended, extended or come to an end.

New 2-week run-on for claimants moving from legacy benefits to UC

A two-week run on of Income Support, income-based Jobseeker's Allowance and income-related Employment and Support Allowance (ESA) has been introduced for claimants whose awards end on or after 22 July when they move to Universal Credit (UC). This measure was originally announced in the 2018 Budget and enables legacy claimants transitioning to UC to continue receiving the same rate of their existing benefits for two extra weeks after claiming UC. The changes apply to all legacy claimants transitioning to UC either through natural or managed migration¹ (including managed migration cases who have failed to claim UC by deadline day). The run-on payments will not count towards the Benefit Cap and will be ignored as income for Universal Credit purposes. However, note that there are different rules if the claimant becomes entitled to an award of new-style ESA or new-style JSA once their income-related/based ESA or JSA ends.

The original amended regulations are available here: [Universal Credit \(Managed Migration Pilot and Miscellaneous Amendments\) Regulations 2019](#). Amendment [regulations](#) were subsequently issued on 4 August correcting a technical error that would have meant the run-on lasted for 13 days and not the 14 days intended. The guidance ([ADM Memo 15/20](#)) was issued on 23 July.

Minimum Income Floor for self-employed UC claimants extended from 23 September

The Minimum Income Floor (MIF) enables the DWP to treat self-employed UC claimants as having a higher level of earnings than they earn (which can be equivalent to a full-time employee earning the national minimum wage). Currently it doesn't apply for the first 12 months of a UC claim for claimants who started their business within the last 12 months. From 23 September, the 12-month grace period will be extended to all self-employed UC claimants who are gainfully employed, even if they started their self-employment more than 12 months ago.

¹ Managed migration is the formal process in which the DWP and HMRC will move claimants from tax credits and other legacy benefits to Universal Credit. This was being piloted in Harrogate, but the pilot has been suspended due to impacts of coronavirus and as yet there has been no announcement as to what the next steps will be.

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

DWP ends temporary suspension on recovery of overpayments and social fund loans

The DWP announced in an email from the Communications Directorate that it has restarted recovering benefits-related overpayments and social fund loans from 6 July. Recovery action was paused for 3 months in April in response to the COVID-19 outbreak to assist claimants who were struggling financially and to free up DWP staff resources to focus on paying benefits to people making new claims.

Claimants will receive written notification of when repayment deductions will restart either by letter or via their Universal Credit journal. People who usually make payments by standing order, bank giro credit or online banking will need to contact their bank to restart payments at the same rate as before. Claimants who are experiencing 'real financial hardship' can ask for repayments to be deferred for a period by contacting the Debt Management Team on 0800 916 0647. Relevant guidance has been updated and is available on the following pages on GOV.UK:

[Benefit overpayment recovery: staff guide](#)

[Eligible Loan Deduction Scheme;](#)

[Direct Earnings Attachment: an employers' guide.](#)

Universal Credit deductions for rent arrears

The DWP are automatically ending rent and service charge arrears deductions where claimants have earned over their work allowance for over 3 consecutive months. In a response to a Freedom of Information request made on 15 July, the DWP have confirmed that the provision isn't new and is already included in the legislation.¹ The regulations provide for deductions to cease when household earnings exceed a claimant's work allowance for 3 months in a row. This is happening more often now due to automation of the process from 23 June. Unfortunately, there are no exceptions, the deductions will end regardless of the circumstances (for example, even if a managed payment arrangement is in place). These rules also apply third party deductions for fuel and water². We don't have a solution but are bringing the issue to your attention because clearly the worry is that this will lead to increasing rent arrears and tenancies being put at risk. Note that deductions cannot recommence if there are any earnings at or above the work allowance. The Freedom of Information Request and response is available on www.whatdotheyknow.com

Reopening of jobcentres and benefit conditionality

The government temporarily relaxed the rules around benefit conditionality, work search requirements and sanctions in response to the pandemic and as a result claimants have not been required to attend jobcentres for several months. This position shifted in July in response to the easing of lockdown.

The DWP's 3 July [Touchbase newsletter](#) confirms that to help 'get Britain back to work' work coaches have started calling claimants. It states that the DWP do not wish to sanction anyone but want to 'do everything we can to help them find work or increase hours, where that is possible for them'. Claimant commitments will be reasonably adjusted to reflect personal circumstances, for example for people who are shielding or have childcare responsibilities. They say that no sanctions will be issued against claimants without an up-to-date claimant commitment in place and will only be used where claimants fail to provide good reason for not meeting the agreed requirements.

Despite assurances, there is concern that more claimants could face being unfairly sanctioned following confirmation in an answer to a parliamentary question on 13 July that the DWP is trialling reducing the length of interviews to agree claimant commitments from 50 minutes to 30 minutes. The Public Law Project (PLP) has asked the Secretary of State for Work and Pensions to confirm what steps have been put in place to ensure that claimants are made aware of the reasonable adjustments that can be made to claimant commitments depending on their circumstances. PLP have also warned of the risk of reducing the time set aside for these appointments at time when many of them are likely to be carried out by newly recruited and inexperienced work coaches. Click on the link to view their [letter to the Secretary of State for Work and Pensions](#).

¹ [Schedule 6, paragraph 6 & 7 UC, PIP, JSA and ESA \(Claims and Payment\) Regulations 2013](#)

² see paragraphs 8 (for water) and 9 (for fuel) of the above regulations

South London District Jobcentre Plus Partnership update

The 20 July local update from South London District Jobcentre Plus confirms that risk assessments are being completed at jobcentres and they are currently opening only for the most vulnerable customers who need help. It states that the experience in the JCP offices will be very different from what claimants were previously used to, but that staff will be available to help if needed. The newsletter confirms that although supporting claimants in need currently continues to be their main focus that 'it is time to begin moving people who are able into employment'.

ESA – medical evidence requirement reintroduced

The DWP have now reintroduced the requirement for Employment and Support Allowance (ESA) claimants to provide medical evidence to support their claims. This requirement had previously been deferred in response to the pandemic. The need for medical evidence to be provided will be phased in starting with all new ESA claims received from 10 July. For claims that pre-date 10 July, the requirement will be introduced gradually and the DWP will write to all affected claimants confirming the date they will be required to provide the evidence by. Remember that fit notes can be submitted online via the [GOV.UK website](https://www.gov.uk).

Personal Independence Payment update

DWP Minister, Justin Tomlinson announced that reviews and renewals of Personal Independence Payment (PIP) and Disability Living Allowance (DLA) awards would recommence from July after a 3-month suspension.

The minister confirms that the DWP will start by looking at claims which “*were already underway when this activity was suspended.*” They will write to claimants to ask them to complete necessary paperwork to enable their reviews, reassessments or renewals to resume. Claimants who have already returned the necessary paperwork may be contacted by the Health Assessment Advisory Service who are contracted to carry out health assessments on behalf of the DWP.

In a separate announcement on 3 August, the government confirmed that suspension of reviews to identify claimants who might benefit from changes in the law in 2018-2019 would be extended until the end of September. These reviews relate to case law around:

- managing medication and monitoring a health condition;
- safety and supervision;
- overwhelming psychological distress completing journeys.

See [Rightsnet's \(Open Access\) article](#) for further information about these reviews.

[Face-to-face assessments for health and disability benefits remain suspended](#) until further notice and claimants are being contacted by phone and possibly offered telephone appointments. The [July issue of Benefit Matters](#) considered issues and problem areas around telephone assessments.

Virtual Greenwich Advisors Forum (GRAF) meeting – 8 September, 10.30am – 12.30pm

With the latest DWP statistics revealing that there has been a significant drop in the number of PIP claims being made during the pandemic, our next meeting is focusing on disability benefits. We will look at both applications and appeals – including practical ways of making claims at the moment. We are hoping to have several guest speakers, including Dipak Sharma (DWP – Royal Borough of Greenwich Partnership Manager) who will be providing a Jobcentre Plus update.

The meeting will be held via Microsoft Teams – invitations and a link to the meeting will be distributed shortly. If you would like to attend and are not already on our GRAF or Greenwich Advice Network (GAN) mailing list, please email sandra.pierre@royalgreenwich.gov.uk

Statutory Sick Pay update

The government issued new regulations on 30 July extending eligibility for Statutory Sick Pay (SSP) aligning it with the new Public Health England guidance covering people who are self-isolating. The new guidance requires people who have tested positive for coronavirus or who have symptoms after 30 July to self-isolate for 10 days (it was previously 7 days). The [regulations](#) (in force from 5 August) enable SSP to cover the full period for which people are required to self-isolate and for the period a person is required to stay at home after testing positive.

Discretionary Housing Payments

Residents can apply for extra help towards their housing costs by applying for a Discretionary Housing Payment (DHP) from the council. To qualify, they must live in rented accommodation, be in receipt of Housing Benefit or Universal Credit (which includes the housing element) and have a shortfall in their rent. Royal Greenwich is particularly keen to encourage applications from residents who meet the above criteria and are struggling financially in the current situation.

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.

Royal Greenwich Community Hub

The Community Hub, staffed by Charlton Athletic Community Trust, with the support of community volunteers offers support to residents who wish to access health, wellbeing and community information, advice and services. This includes help with eating well, moving more, stopping smoking, housing needs, money, debt and benefit advice, employment and training, drinking less and social and community activities. Contact them on 0800 470 4831 - lines are open Monday to Saturday from 8.30am to 6pm.

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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