

Welfare Rights Service case studies 2015

Case study 1

F is a Gambian National who was the victim of Domestic Violence, as she and her child were homeless and destitute, Social Care Persons from Abroad team were supporting her while her application for indefinite leave to remain was being processed.

As she was the sole carer of her British National child welfare rights advised she could qualify for benefit following the case of Zambrano in the European Court of Justice.

F had claimed Child Benefit, Income Support and Housing Benefit. These were refused and Welfare Rights took up all three appeals.

At the appeal hearing Welfare Rights successfully argued her case and she won all three appeals.

F was finally paid £3,898.15 Income Support, £1,177.40 Child Benefit and £7,338 Housing Benefit and is now in a position to pay back monies she received from the local authority.

Case study 2

A Fairer Charging long form was received for W. Following a benefit check and some research it was identified that he was entitled to a couples severe disability premium on Income Support dating back to 2008 because both he and his wife were on qualifying disability benefits throughout the period and this had been missed by the Department for Work & Pensions.

Additionally WRS identified that his lower rate Attendance Allowance could be increased by a supersession due to night care needs and that non- dependent deductions were being taken incorrectly due to disability benefit entitlement.

WW received £18,678 Income Support arrears and £3,501 Housing Benefit arrears. He also received £26.85 more Attendance Allowance per week, £14.13 more Housing Benefit and £61 more Income Support.

The local authority could then recoup £60 per week towards home care charges due to the increase in W's income.