



---

***Social Welfare Advice  
Partnership report year to  
31 August 2016***

September 2016

---

# Leicester Advice Sector

A report outlining the risks and demands faced in the City of Leicester

Based on data for the year to 31 August 2016

Social Welfare Advice Partnership



## Contents

1. Introduction.....	page 3
2. Report from Welfare Rights.....	page 4
2.1 Employment Support Allowance	
2.2 Personal Independence Payments	
2.3 New rules for European Nationals	
2.4 Sanction case study	
2.5 Sanction monitoring project	
2.6 Appeals monitoring project	
3. Report from Advice Leicester.....	page 5
3.1 Advice Leicester Summary	
3.2 The “Advice Leicester” project	
3.3 Summary of Activities for 2015-16	
4. Partnership Working .....	page 7
5. Universal Credit .....	page 8
6. Universal Support .....	page 10
6. Appendix A Case Studies.....	page 11
7. Appendix B List of SWAP membership.....	page 13

## **1. Introduction**

This is the second report of the Social Welfare Advice Partnership (SWAP) to the Assistant City Mayor responsible for Advice and Welfare Reform at Leicester City Council. The aim is to provide information about the advice sector and the risks that could threaten advice provision in the city. The Advice sector in the City has worked collaboratively since 2010, and meets on a monthly basis to discuss and debate new reforms and issues in the city. The value of having a lot of people in the same room who are 'close to the ground' is that they can provide an invaluable 'reality check' on strategy and assist with implementation plans.

The principles of the partnership:

- Share information about advice provision issues in the city and expected future changes and issues relating to social welfare advice provision and its objectives
- Share best practice in providing advice services and solutions
- Collaborate in providing solutions to advice need and provision in Leicester through effective and supportive joint working between organisations
- Raise issues, identify risks and make suggestions to decision makers to inform the implementation of the Social Welfare Advice Strategy 2014-17 and the provision of advice services and projects in the city
- Raise awareness of advice issues in the city and the work of SWAP.

## **2. Report from Welfare Rights Service**

### **The Impact of disability benefit changes:**

#### **2.1 Employment Support Allowance (ESA)**

There are over 16,000 people on ESA in Leicester who are medically assessed by Maximus on a regular basis. As a result, a number of people lose benefit and need help to challenge the decision where it is incorrect. A current issue is backlogs and delays with reassessments, coupled with problems about the lack of suitability of the Leicester venue. It is not suitable for claimants who cannot use the stairs. Appointments are given for Nottingham and claimants are being refused home visits by Maximus, even where medical evidence is provided showing difficulty travelling.

#### **2.2 Personal Independence Payment (PIP)**

From July 2015 reassessments started on existing Disability Living Allowance claimants, to see if they are entitled to the new Personal Independence Payment. There are still over 7,000 working age DLA claimants in Leicester to be reassessed. Around 20% will lose all their benefit due to the tougher rules and others will see benefit reduced. Around 2,500 disabled city residents will lose substantial benefit income and will want to challenge their decision. Leicester City Council Welfare Rights Service identified that between January and August 2016 out of 261 appeal hearings they provided representation for, 163 (62%) were for PIP appeals and over 80% were successful.

#### **2.3 New rules for European Nationals**

From February 2015 all existing European nationals who receive income based Jobseekers Allowance (ibJSA) have been subject to the new Genuine Prospect of Work (GPOW) test. If they do not have compelling evidence such as an offer of employment their Jobseekers Allowance will stop and this will trigger Housing Benefit to stop, leaving them without disposable income and facing eviction UNLESS they have an alternative or permanent right to reside. The onus will be on individuals to provide evidence of any alternative right to reside. SWAP appeals monitoring in the 2015/16 financial year has identified 74 disputed right to reside decisions. Of the 63 challenges pursued 60 were won and only 3 lost, indicating the need for help to challenge poor quality decision making in this area. SWAP has raised this issue and delays in claims for EU nationals with local MPs. Check the factsheet on [www.leicester.gov.uk/welfarerights](http://www.leicester.gov.uk/welfarerights) for more information or email [welfare.rights@leicester.gov.uk](mailto:welfare.rights@leicester.gov.uk) for advice on an individual case.

## **2.4 Welfare Rights Service Sanction: Case Study**

There has been a reduction in sanctions reported to advice agencies in 2015/16. However with the introduction of Universal Credit sanctions can be extended to those claimants working part time who do not make enough effort to find more hours.

### **Case Study**

Mr W approached the Welfare Rights Service because he had nil income due to a three year sanction on his Jobseekers Allowance. In fact he had 6 separate sanctions spanning over an 11 month period for not 'actively seeking work'. None of the sanctions had been challenged or appealed despite the fact that sanctions are often applied incorrectly. Welfare Rights Service submitted late appeals for each of the sanctions and these were accepted. All the appeals were heard at the same time and all six appeals succeeded because the judge accepted Mr W had been taking at least '2 steps each week and often considerably more to actively seek work'. Mr W was finally paid £3764.80 Jobseekers arrears and his Jobseekers Allowance reinstatement prevented loss of an additional £7529.60 for the remaining period of the sanction.

## **2.5 Welfare Benefits Sanctions Monitoring Project**

During the year, members of the SWAP Forum have continued to monitor the impact of the DWP's sanctions regime. In addition to the monitoring form which is completed by advisers, we have created a form for use by clients themselves. The data is collated by the Community Advice and Law Service, with reports being presented to the SWAP forum on a quarterly basis. Fewer sanctions have been reported this year than in previous years, following the introduction of the "yellow card" warning system, but our data indicates that a sanction often has a devastating effect on the ability of the individual and their family to manage their finances and to meet essential living costs. We have found for example that:

- In 17% of cases, the person sanctioned had dependent children
- 33% of those sanctioned stated that they had a mental or physical disability or a learning disability
- Only 50% of those sanctioned stated that they were advised by the DWP that they could apply for a hardship payment
- 50% of those sanctioned were referred to a food bank as they could not afford adequate food
- 100% of those sanctioned stated that the reduction in income left them unable to meet the cost of food, rent and utilities

Case studies for individuals who have experienced a sanction are included at appendix A (Case Studies).

## **2.6 Appeals Monitoring Project**

Darren Moore from the City Council's Welfare Rights Service collates data on appeals conducted by members of the SWAP Forum, and these reports are presented at the monthly SWAP meetings. Appeals monitoring from April 2015 to March 2016 identified 509 appeals or mandatory reconsiderations that raised almost £2.5 million in income for Leicester residents. Information gathered shows:

- 352 (69%) appeals are for benefits related to ill health or disability (PIP, ESA)
- 74 (15%) appeals concern "right to reside"
- Excluding withdrawals, the success rate for PIP appeals and reconsiderations is 86%, for ESA its 88% and for right to reside, 97%.
- Income generated as a result of successful appeals and considerations amounts to £2.47 million in the course of a year – a large proportion of which is likely to be spent locally

The high success rate of appeals indicates that decision-making is often poor. For example a claimant approached LCC Welfare Rights Service after losing his PIP appeal. A Housing Association worker had attended as representative but had not prepared the case. This decision was overturned by WRS and after seeking medical evidence and preparing a submission his case was eventually successful and he received an extra £138 per week and £12k arrears. Clients' stories illustrate the consequences for individuals and families of the refusal or termination of a claim: for example: a lone parent with 2 children had her tax credits terminated (losing over £100 per week) because her ex- partner had not changed his address details. This took 6 months to resolve and in the meantime she accrued gas and electric arrears leading to the installation of a prepayment meter and the need to ask for food parcels to feed her children. Her mandatory reconsideration was finally successful and over £2.6k arrears were paid.

Further examples of successful appeal cases are given at the end of this report at Appendix A (Case Studies)

### **3. The Advice Leicester Partnership (ALP)**

#### **3.1 Background**

Advice Leicester is a partnership of 10 not-for-profit advice agencies in the city, which provide advice on a range of social welfare law matters, principally welfare benefits, debt, housing, immigration and community care. The partnership is led by the Community Advice and Law Service (CALs) and includes both community-based and city-centre organisations.

#### **3.2 “Advice Leicester”**

This collaborative project was funded through the Big Lottery’s Advice Services Transition Fund from August 2013 to July 2015. The funding enabled us to establish a common, web-based referral system, enabling clients to be referred promptly to the appropriate source of help. All members (other than the CAB and AgeUK which have their own case management systems) used the AdvicePro web-based case management system and most have retained this following the ending of the project. AdvicePro includes the facility for group reporting, which has enabled us to gather and analyse data from all our members about demand for advice services.

Towards the end of the Advice Leicester project, all members conducted a survey with clients in order to assess the impact of the project, particularly with regard to the aim of improving access to advice services. A survey of 108 clients indicated that 87% had found it easy or very easy to gain access to advice services.

Our conference “Breaking Leicester’s Poverty Cycle: can advice help?” held on 11 March 2015 was one of the highlights of the Advice Leicester project and enabled us, in collaboration with colleagues from the VCS and statutory sectors, to identify strategies for developing client-centred services which aim to address a range of problems linked to poverty and disadvantage. Despite the ending of the funding for “Advice Leicester”, we have sought to maintain the momentum generated by the conference, and to continue the initiatives implemented through that project.

#### **3.3 Summary of activities for 2015/16**

During the year to April, 2016, ALP has undertaken the following principal activities:

**(1) Advice Service in schools:** we have continued to provide weekly advice sessions at Sparkenhoe Primary School in Highfields and Barley Croft Primary School in Beaumont Leys. The services are co-ordinated by CALs and delivered by advisers from CALs, the Race Equality Centre (TREC) and the Bangladeshi Youth and Cultural Shomiti (BYCS). We have obtained funding from Beaumont Leys, Spinney Hills and Stoneygate wards to support the continuation of the advice sessions and at the time of writing are continuing to pursue other sources of funding, from charities and trusts, to enable us to expand the project to include



other schools. There is significant demand for the service, particularly at Sparkenhoe School, where we work in close co-operation with family support staff. Approximately 75% of the enquiries presented concern welfare benefits entitlements, appeals against refusal/withdrawal of benefits and matters related to obtaining or retaining housing.

- (2) Advice Service in GPs' Surgeries:** we resumed our advice sessions at the Saffron Group Practice in collaboration with Mosaic Shaping Disabilities and Saffron Resource Centre. A proposal was submitted to the Leicester CCG to deliver advice sessions at the 4 "health hubs" planned for the city. Although this was met with enthusiasm initially by the officers concerned, we have had no further response and consideration of the proposal appears now to have lapsed pending plans for the re-organisation of health services in the city.
- (3) A whole systems approach to meeting the needs of vulnerable clients:** we have held further discussions about a "systems change" project with members of ALP and of the Reaching People consortium and with the AdviceUK network. We have heard recently that an application to the Llanckelly Chase Foundation has been successful and we expect to begin work on an initial pilot project later this year.
- (4) Assessment of the need for face-to-face advice:** the implementation of the Transforming Neighbourhood Services plans in certain areas of the city, in particular the loss of face-to-face services, has increased pressure on neighbourhood-based VCS advice services. ALP members have raised concerns about the impact of the TNS programme upon vulnerable clients who are least able to use telephone or internet-based methods of access to advice services. A survey was conducted during April 2016 and the findings were reported to the SWAP Forum. Of 87 clients surveyed during April, 38% stated that they had previously used Leicester City Council Services (the local Housing Office, Income Management Team, STAR); 9% said that the service they had previously used had closed; 22% said that they were unable to use telephone or on-line advice and information services.

## **4. Partnership Working**

### **4.1 Emergency Food Network**

50 agencies attended the event Addressing Food Poverty in Leicester City, with speakers and round table working to discuss food poverty and emergency food provision in the city.

The recommendations from this event have helped establish the Emergency Food Partnership, which is beginning to develop an effective partnership between a group of food providers and partners within the city.

### **4.2 Crisis Support**

As part of the support provided to clients who are referred to the city food bank, an appointment is arranged with Citizens Advice LeicesterShire to provide additional and ongoing support. This work involves immigration support, benefits eligibility and applications, income maximisation, financial capability and debt advice.

### **4.3 Partnership working: a case study**

A 23yr old male client was referred to Citizens Advice LeicesterShire through the local authority for assistance with benefit eligibility. The client was being supported through Social Services due to being granted emergency custody of their child, an infant aged 9 months old, provided that he gave up employment to care for the child. This left the client needing emergency accommodation and benefits information. The client was supported with accommodation through the local authority and was then referred to us for an emergency appointment to clarify their benefit eligibility and to make urgent applications. The client was seen several times by Citizens Advice advisors, and communication was ongoing between Citizens Advice, Social Services and Housing Options to ensure effective partnership working. The client was allocated urgent housing, financial crisis support through Social Services and was supported to apply for housing benefit, council tax reduction, child benefit, child tax credit and income support with Citizens Advice LeicesterShire.

## **5. Universal Credit: Citizens Advice LeicesterShire Update**

Leicester City began its first Universal Credit claims from January 2016. Universal Credit (UC) will continue to be rolled-out gradually by the Department of Work and Pensions and it replaces six benefits. New claimants to Universal Credit may be in work on low pay or out of work.

In 2014/15, households in the East Midlands received an average of £5,683 in cash benefits – approximately 16% of their total income. Citizens Advice has estimated the loss in benefits from welfare reforms from 2010 to 2015 as £563 per year; this is likely to reach £1,612 per year by 2020/21.

Benefits that UC will replace:

- Housing Benefit
- Child Tax Credit
- income-related Employment and Support Allowance
- Income-based Jobseekers Allowance
- Income Support
- Working Tax Credit

Initially, Universal Credit applications will only be taken from new claimants who are single and aged 18 to 60 and 6 months. The full eligibility criteria for new claimants to UC can be found here: [https://about.universalcredit.service.gov.uk/kms/Pages/Eligibility\\_for\\_Universal\\_Credit.htm](https://about.universalcredit.service.gov.uk/kms/Pages/Eligibility_for_Universal_Credit.htm)

The positive impact for working claimants, particularly those in part-time work with irregular hours should will that they are financially 'better off', although this has been reduced by the reduction in work allowances from 2016. The aggregation of benefit awards into a single claim may also mitigate some of the loss of income from unclaimed benefits, which according to the DWP in 2013/14 amounted to between 55% and 88% of all benefit entitlement.

The perceived negative impacts are that the claim has to be made online and may create a problem for those who do not have access to a computer or are unable to use one. Universal Credit will be paid monthly and this will raise budgeting issues for some claimants.

Key findings on the barriers around the transition to Universal Credit include:

- 95 per cent agree they would benefit from having a choice to be paid fortnightly;
- 80 per cent agree they would benefit from having rent paid directly to their landlord;
- 21 per cent would struggle having their benefit paid to one bank account in the household.

As reported previously, research conducted by Citizens Advice where 950 clients were interviewed about Universal Credit highlighted capability concerns in the following areas:

- Monthly Payments
- Budgeting
- Banking
- Staying Informed
- Getting Online

Locally, Citizens Advice LeicesterShire has developed a suitable advice framework to support clients who could be affected by capability issues. Citizens Advice LeicesterShire is contracted to deliver the Local Authority's Personal Budgeting Support (PBS) service, setting up a referrals network with the Department of Work and Pensions and the Local Authority to deliver advice and support. These appointments offer clients budgeting tips, keep them informed of the changes happening to their benefits, for example payment in arrears and implications associated in paying landlords directly, understanding priority debts and where to access online support.

As a part of Citizens Advice LeicesterShire commitment to research and campaigns, it has also conducted Basic Bank Account research within the city, to ascertain how well informed frontline banking staff supports clients who need to open or access bank accounts. This report has now been made available to the Local Authorities Anti-Poverty Initiatives Project. Representatives from the organisation also took part in the Leicester City Council Landlords Forum.

Citizens Advice has identified the barriers that exist around successful transition to Universal Credit. 9 out of 10 clients will need support to manage the transition in one or more of the following capability areas (as above).

Citizens Advice acknowledges that these barriers can be caused because of:

- External factors, such as lack of access to the internet;
- Client capacity such as literacy,
- Client knowledge including financial capability; and
- Client behaviour, for example how a client responds to the change.

Since undertaking Personal Budgeting Support in January 2016, Leicester City has seen clients failing to engage due to the barriers listed above. To mitigate these factors the service has formulated a robust framework with the local authority and

other referral partners. It has initiated training a DWP job centre staff meetings on problem noticing training to support those who may experience barriers in applying for Universal Credit.

Although take-up has been lower than predicted, Citizens Advice LeicesterShire is confident that the framework in place will provide timely and practical support once rollout is increases to include families and other legacy benefits.

## **6. Universal Support**

Building on the valuable findings established by SWAP as outlined above, Revenues & Customer Support are working in partnership with the DWP and third sector organisations to mitigate the barriers identified above in developing our Universal Support offer in the following areas:

### **6.1 Internet access**

- Expanded computer and wireless access available at the Customer Service Centre, Libraries and JobCentre Plus across the city, mapped and promoted on LCC website at [www.leicester.gov.uk/universalcredit](http://www.leicester.gov.uk/universalcredit);
- Development of user-friendly kiosk digital offer rolled out across outreach hub locations across the city, starting with Pork Pie Library;
- Mapping of digital assistance sites through the third sector promoted through the DWP in partnership with SWAP at [www.ukonlinecentres.com](http://www.ukonlinecentres.com)

### **6.2 Client Capacity (literacy/language/IT skills)**

- Referral system established operating from CSC and [www.leicester.gov.uk/universalcredit](http://www.leicester.gov.uk/universalcredit) enabling customers or support workers to attend a form completion appointment at their nearest library, followed by IT skills workshops on an intensive one-on-one or group basis, and additional qualifications available through referrals to Adult Education;
- Online supported access available through triage floorwalkers at both CSC and Libraries, enabling assistance with accessing the UC claim website, what evidence is required to complete a claim, and UKONLINE modules explaining UC and the claim process;
- For customers with no IT skills, i.e. severe literacy/language/disability issues, referrals to Citizens Advice for electronic form filling services – CA staff have received additional training and materials to facilitate this.

### **6.3 Client Knowledge (financial capability)**

- Contracted service through Delivery Partnership with the DWP – financially vulnerable UC claimants will be identified from their initial work coach appointment and referred for Personal Budgeting Support to the local authority. Contract variation agreed with CA to deliver a tailored service to improve financial capability including managing on a monthly payment, priority debts and budgeting, setting up a bank account and accessing appropriate financial support. Monitoring and reporting arrangements will ensure that where Alternative Payment Arrangements are appropriate (for example managed payments to landlords) these will be requested at an early stage;
- Those missed in the initial interview process on UC are able to self-refer for support, either directly with CA or referred by themselves or a support worker at [www.leicester.gov.uk/universalcredit](http://www.leicester.gov.uk/universalcredit). Feedback to the DWP will then lead to APAs where appropriate and allowances towards their job search requirements where budgeting assistance has been necessary;
- Continued promotion of assistive services, including debt and specialist benefit advice available through Citizens Advice, Welfare Rights and other SWAP partners such as CALS.

### **6.4 Client behaviour**

- Targeted Communications Plan focusing on advice agencies and frontline services explaining Universal Credit operationally, how to access relevant financial support through DWP and Council, and referrals for additional support through [leicester.gov.uk/universalcredit](http://leicester.gov.uk/universalcredit);
- Increased awareness through social media, leaflets and guides to be distributed through advice agencies and frontline services, posters in libraries and community centres, and briefings to councillors, landlords and other stakeholders;
- Continued development in partnership working between the DWP, local authority and the voluntary sector to promote coordinated sharing of information and timely, appropriate support to influence client behaviour long-term.

**SWAP Report Editors:**

Dawn Mason, Citizens Advice LeicesterShire

Darren Moore, Welfare Rights Service, LCC

Glenda Terry , CALS

**31 August 2016**

## **Appendix A**

### **Case Studies**

#### **Sanctions Monitoring**

- “the sanction is causing me distress. I feel that I was wrongly sanctioned because I informed the Job Centre of my health condition...”
- “the client has been struggling financially and has been reliant on food banks and family for food parcels”
- “I have been unable to pay my utility bills during the period of the sanction...”
- “Luckily Housing Benefit will cover my rent, but I will be unable to pay my other bills and will have to try to catch up when my pay starts again...”

#### **Appeals Monitoring**

- Ms A was responsible for 3 children and her tax credit was stopped due to a dispute as to whether her work was genuine. There were delays of over 5 months sorting out a new claim and this led to a summons for eviction. Her appeal succeeded and the overpayment of £26k was written off.
- Right to reside case client was unable to buy food, cooked on a camping stove and was unable to get maintenance repairs completed. The reconsideration failed despite strong evidence but the appeal was successful after specialist intervention with an award of £139 per week and £12k arrears.
- Community Psychiatric Nurse referral for a paranoid schizophrenic who was refused PIP leading to loss of £110 per week at reassessment, causing financial hardship. Following a successful appeal his award increased to an additional £143 per week



## **Appendix B**

### **Membership of the Social Welfare Advice Partnership, Leicester.**

<b>Organisation</b>	<b>Representative's Job Title</b>
Citizens Advice Leicestershire	Branch Manager
Age UK Leicestershire and Rutland	Head of Information & Advice
Somali Development Services	Founder & Chief Executive Officer
Asra	Bids & Fundraising Manager and also Moneywise manager
DWP	DWP Relationship Manager
The Race Equality Centre	Senior Race Equality Officer
Zinhiya Trust	Founding Trustee
ALP at Highfields Centre	Advice Leicester Development Worker
Community Advice and Law Service(CALS)	Advice Services Manager
Community Advice Law Service	Advice Services Development Deputy Chair (1)
Leicester City Council (LCC)	Head of Revenues & Customer Support
LCC Revenues & Customer Support	Revenues & Benefits Manager
CYPS	CYPS Cluster Manager
LCC Welfare Rights service	Team Leader Deputy Chair (2)
LCC Estate management and tenancy Support	STAR Senior Manager
LCC Homelessness Prevention & Support	STAR Private Sector Team Leader
LCC Housing services	Income Collection Manager