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She claims that the Department of Work and Pensions’ current policy, which prevents disabled students from claiming universal credit is unlawful.

Details HERE

Conditionality and benefit sanctions return from Wed 1st July

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Universal Credit: Written question

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DWP confirms its commitment to consider reinstating legacy benefits of victims of fraudulent universal credit claims

Minister says reinstatement may occur where there is ‘clear evidence that the claimant had no involvement in the fraud, and where the claimant wishes us to do so’

Responding yesterday to a written question in parliament on the steps the DWP is taking to ensure that claimants of legacy benefits who have fraudulent universal credit claims made in their name will not be transferred onto universal credit as a result, Minister for Welfare Delivery Will Quince said:

‘Where a claim to universal credit was prompted by fraudulent activity, and a claimant is a victim whose details have been used to make a claim, the Department will consider the reinstatement of legacy benefits if there is clear evidence that the claimant had no involvement in the fraud, and where the claimant wishes us to do so.’

NB - in October 2019, the DWP’s Permanent Secretary Peter Schofield advised the Work and Pension Committee that the Department would work with victims of fraudulent universal credit claims - estimated at that time to be 85,000 - to look at:

‘…whether moving them back to legacy is the right thing to do. Some people are better off staying on universal credit, but where they are better off moving to legacy, that is what we would do.’

Mr Quince’s written answer is available from parliament.uk

Social Care Staff Support Fund

Launched in Scotland to provide financial support to care workers facing income losses as a result of coronavirus

New statutory instrument includes eligibility conditions for payments from new Fund, including that workers must have lost income as a result of being ill with COVID-19 or while self-isolating

In force from 24 June 2020, the Social Care Staff Support Fund (Coronavirus) (Scotland) Regulations 2020 (SSI.No.188/2020) include provisions that establish the Fund (under powers conferred by the Coronavirus (Scotland) (No.2) Act 2020) that ensure that eligible social care workers do not experience financial hardship as a result of being ill with coronavirus or needing to self-isolate in line with Scottish NHS guidance.

In particular, the regulations set out eligibility conditions for workers to access the Fund -

• their ability to undertake contracted health and care work is or has been, restricted for a reason relating to coronavirus;
• their income is, or has been, reduced as a result of that restriction;
• they are or were (a) unable to attend work as a result of having coronavirus; or (b) self-isolating in accordance with relevant public health guidance; and
• they would experience or are experiencing financial hardship.

In addition, the regulations -

• make provision for the categories of worker who can qualify for payments from the Fund, defined by section 47 of the Public Services Reform (Scotland) Act 2010 as those working for a support service, a care home service, an offender accommodation service, or a housing support service; and
• specify that the amount to be paid is the difference between the person’s expected income from health and care work in respect of a period of entitlement, and their actual income from health and care work (including any sick pay) in respect of that period.

SSI.No.188/2020 is available from legislation.gov.uk

Prevent Suicide North-East Scotland

Prevent Suicide North-East Scotland is a suicide prevention app and WEBSITE aimed at users in Aberdeen City and Aberdeenshire.

It provides helpful info for those affected in any way by suicide, extensive contact details for services in Aberdeen city and Aberdeenshire as well as providing users with the ability to create their own safety plan.

Check out the WEBSITE or get the APP now.

1.4 million people in UK are subject to ‘no recourse to public funds’ condition

Citizens Advice research finds that almost 1.4 million people in UK are subject to ‘no recourse to public funds’ condition

Charity calls for condition to be lifted during coronavirus pandemic to avoid migrants facing ‘impossible choices’ concerning their health and that of their families

For more information, see Citizens Advice reveals nearly 1.4m have no access to welfare safety net from citizensadvice.org.uk

Elected Members Briefing

Latest Elected Members Bulletin 30 June 2020

Previous bulletins HERE
The **FCA has confirmed** the support users of certain consumer credit products will receive if they are still experiencing temporary payment difficulties due to coronavirus (Covid-19).

The measures outline the options firms will provide credit card and other revolving credit (store card and catalogue credit) and personal loan customers who are coming to the end of a payment freeze and for customers who have agreed an arranged interest-free overdraft of up to £500. Customers yet to request a payment freeze or an arranged interest-free overdraft of up to £500, will have until 31 October 2020 to apply for one.

The FCA has confirmed:

- If customers can afford to return to regular repayment, or make partial payments, it is in their best interest to do so.
- Firms should contact customers coming to the end of a first payment freeze to find out if they can resume payments – and so, agree a plan on how the missed payments could be repaid.
- For customers still facing temporary payment difficulties as a result of coronavirus, firms will provide them with support, which could include freezing or reducing payments on their credit card and personal loans to a level they can afford for 3 months.
- Customers who are negatively impacted by coronavirus and who already have an arranged overdraft on their main personal current account can request up to £500 interest-free for a further 3 months. Firms will also provide customers with further support where it is needed including reducing the cost of borrowing above the interest-free buffer, especially if this cost of borrowing would otherwise increase.
- Customers that have not yet had a payment freeze or an arranged interest-free overdraft of up to £500 and experience temporary financial difficulty, due to coronavirus, would be able to request one up until 31 October 2020.
- Any payment freezes or partial payment freezes offered under this guidance should not have a negative impact on credit files. However, consumers should remember that credit files aren’t the only source of information which lenders can use to assess creditworthiness.

This guidance comes into force on 3 July 2020 and only applies to credit cards (and other retail revolving credit, such as store cards and catalogue credit), personal loans and overdrafts.

It does not apply to other consumer credit products, such as motor finance, high-cost short-term credit, rent-to-own, pawnbroking and buy-now-pay-later, which are covered by separate guidance which will be updated soon.

**Funding in place to help tenants and residents with fuel bills**

Home Energy Scotland has been successful in receiving funding to provide prepayment meter top up vouchers to customers to offset the increased fuel costs caused by being at home longer as a result of the lockdown. Home Energy Scotland has been awarded £148,813 which will provide 3037 £49 prepaid top up vouchers. The funding is for households in the North East of Scotland (including Perth & Kinross, Dundee City, Angus, Aberdeen City, Aberdeenshire and Moray) and will be distributed on a first come first served basis.

The project will last 3 months (or until funding has been fully spent). A person can claim up to 3 vouchers (one voucher per month) during this period. The criteria is as follows:

- Resident in one of above Local Authority areas
- Pre-Payment Meter
- Impacted by Coronavirus – increased time in house/higher energy bills/living in fuel poverty

1 x £49 voucher per household per month (up to £147 if fund lasts for the 3 months)

To apply for the voucher, the household can call Home Energy Scotland on 0808 808 2282 and request the voucher from 1st July 2020

**DWP abandons legal battle against universal credit claimants**

The Department for Work and Pensions has abandoned its lengthy legal battle to avoid fixing a “perverse” design feature in universal credit that has left thousands of working claimants hundreds of pounds a year out of pocket.

The issue currently affects claimants whose wages are paid two days earlier than usual when the month ends on a weekend or bank holiday. The system assumes customers have been paid twice in a single universal credit assessment period, and none are available from Hansard.

The appeal court ruled, in a case brought by four single mothers, that the DWP had acted irrationally and unlawfully in refusing to allow affected claimants to change their assessment period dates to avoid a problem that had the effect of leaving them £500 a year worse off.

Court of Appeal’s judgment in **Secretary of State for Work And Pensions v Johnson & Ors (2020) EWCA Civ 778** which found that the Secretary of State acted irrational-ly by failing to adapt the earned income assessment rules in universal credit. The **urgent question on the Court of Appeal judgment and subsequent de-bate** are available from Hansard.
The government's 'flexible furlough' scheme has begun, allowing employers to bring back workers furloughed under the Coronavirus Job Retention Scheme (CJRS) on a part-time basis, while still being able to claim a CJRS grant for hours not worked.

In updated guidance, HM Revenue and Customs confirms that:

- employers can bring furloughed employees back to work for any amount of time and any work pattern, while still being able to claim the grant for the hours not worked;
- the CJRS grant will be payable in respect of the hours the flexibly furloughed employee does not work, compared to the hours they would normally have worked in that period;
- if an employer is flexibly furloughing an employee, it will need to agree this with them (or reach collective agreement with a trade union) and keep a new written agreement that confirms the new furlough arrangement;
- flexible furlough agreements can last any amount of time, and employees can enter into a flexible furlough agreement more than once; and
- if an employee is flexibly furloughed, then any hours taken as holiday during the claim period should be counted as furloughed hours rather than working hours.

DR DAVID WEBSTER. Honorary Senior Research Fellow (Urban Studies)

Briefing on the latest quarterly DWP benefit sanctions statistics. Key points are:

- The Secretary of State has chosen not to extend the suspension of almost all benefit sanctions which lasted for some 3 months from March until today. However this is not simply a return to the position before the lockdown. It means a huge increase in the number of people exposed to sanctions, from just under 2.0m in January to a likely 3.0m to 3.5m now.
- The increase is almost entirely due to unemployment, with an increase of 1.373m unemployed claimants on UC or JSA between March and May. Of this increase, about 130,000 or 10% will have been claimants of 'New Style' JSA.
- Altogether, claimants on UC increased by 2.3m, from 3.0m in March to 5.3m in May. Over half (1.25m) of this increase was due to unemployment and 0.828m to working claimants. Increases in the other groups were only a little above trend, so that the large recruitment of claimants to UC will have done little to change the projected timetable for migration from 'legacy' benefits.
- Almost nine out of ten of all sanctions are now UC sanctions for missed interviews. The statistics indicate that these sanctions are relatively long. Close to 45% of all completed interview sanctions appear to be lasting more than 4 weeks, around 19% more than three months, and around 7% more than 6 months. These are very severe penalties and there must be concern about their extension to a further 1.0m to 1.5m people, particularly in the face of the evidence that many people's financial resilience has been severely undermined by loss of income, running down of savings, and accumulation of debt during the lockdown. They will be less able to cope with the impact of any sanctions.
- DWP argues that it cannot avoid the large numbers of UC sanctions for missed interviews because the alternative of closing the case is not available where claimants are entitled to other elements of UC, such as for housing or child care. This problem has been created by the design of UC, which could obviously be changed.

www.gov.uk/government/collections/jobseekers-allowance-sanctions