

# BenefitsBulletin

Aberdeen City & Shire Advice Forum is a local network for people working in advice services to share information and experiences. The Forum meets quarterly throughout the



**Next Advice Forum meeting - Wed 21st October 2020. 10:00-12:00 via Microsoft Teams**

In June the Scottish Government asked the [Homelessness and Rough Sleeping Action](#) Group to reconvene to consider the Scottish Government's plans for the next phase on coronavirus and homelessness.



They have now reported to the Scottish Government with 105 recommendations on the recovery, most of which involve local authorities and local partners.

Homelessness and Rough Sleeping Action Group report on tackling homelessness in Scotland following the coronavirus pandemic. Download report [HERE](#).

There have been reports that individuals have been receiving the following text; "Due to COVID-19 we are able to provide one year free of charge TV License service upon application." Coinciding with the BBC's controversial decision to axe the universal free TV license for over-75s, the fraud is designed to steal the personal financial data of victims. Read the article [HERE](#).



## Latest data on the Scottish economy – Update 7th Aug 2020



This update provides a snapshot of new data on the Scottish economy and households.

There are indications of optimism returning for some sectors, with consumer online interest beginning to return to pre-Covid levels in some areas. However, businesses are far from out of the woods yet with many still seeing record low levels of turnover.

Wednesday's announcement of a localised lockdown in Aberdeen City has created further uncertainty, particularly in the hospitality sector as pubs, restaurants, and bars in the city region were ordered to close for at least seven days.

For households, high uncertainty persists. There have been slight improvements in vacancies in Scotland but the threat of high unemployment remains as we move closer to October and the end of the UK Government furlough and self-employment schemes.

Report [HERE](#)



Young Carer Grant is a payment of £305.10 for young people who help to look after someone on certain disability benefits on a regular basis.



Social Security Scotland are now accepting [applications](#) from young carers who were eligible for Young Carer Grant but unable to apply for it before turning 19 due to COVID.

If you currently receive tax credits from HMRC please be aware that if you submit a claim for Universal Credit your tax credit award will end immediately.

**[If your tax credit award ends it cannot be re-opened.](#)**

Working parents or carers, who are eligible for Tax-Free Childcare or 30 Hours Free Childcare but have temporarily fallen below the minimum income requirement as a result of the pandemic, [will continue to receive financial support until 31 October](#)

Families who benefit from government funded childcare support were given a boost today as the Government announced that they would not lose out due to COVID-19.

Working parents or carers, who are eligible for Tax-Free Childcare or 30 Hours Free Childcare but have temporarily fallen below the minimum income requirement as a result of the pandemic, will continue to receive financial support **until 31 October**.



### Tax Free Childcare

Parents whose income has been affected by Covid-19 **will still receive support**

### [CE/1689/2018 \[2020\] UKUT 210 \(AAC\)](#)

Secretary of State accepts that former practice of only providing tribunals with examples of least demanding work-related activities in ESA appeals was flawed

Providing general guidance for cases where the issue may still arise, Judge Wright says -

- 'It is ... clear that it is [the list in [DMG Memo 1/18](#)], and this list alone, that ought to have appeared as evidence of the available work-related activity in appeals since at least January 2018.
- ... First-tier Tribunals will need to investigate with conspicuous care any work capability assessment appeals in which the 'soft skills' list is put forward as evidence of the available work-related activity.' (paragraphs 40 and 42)

The government has confirmed that its pause of review exercises that were being carried out to determine whether certain PIP claimants should be entitled to more benefit is to be extended to the end of September 2020.



The review exercises had been launched in 2018 and 2019 to identify claimants who might benefit from changes in the law relating to:

- [Managing medication and monitoring a health condition: changes to PIP law from 28 November 2016 to 15 March 2017](#) and [Special diet as therapy: changes to PIP law from 28 November 2016](#) following the Upper Tribunal's decision in *SSWP v LB* [2016] UKUT 530 (AAC);
- [Safety and supervision: changes to PIP law from 9 March 2017](#) following the Upper Tribunal's decision in *RJ, GMcL and CS v SSWP* [2017] UKUT 104 (AAC); and
- [Overwhelming psychological distress and journeys: changes to PIP law from 28 November 2016](#) following the Upper Tribunal's decisions in *MH v SSWP* [2016] UKUT 531 (AAC) and in *RJ, GMcL and CS v SSWP*.

For more information, see [A summary of changes to PIP which affects how the DWP decides](#)

### Extending eligibility for SSP to cover people who are self-isolating in line with new guidance from Public Health England

New statutory instrument [SI.No.829/2020](#) is available from [legislation.gov.uk](#)

The new guidance advises that anyone having to self-isolate after 30 July 2020 because they have tested positive for coronavirus or have symptoms of coronavirus are advised to do so for 10 days instead of seven. However existing regulations only ensure that a person is eligible for SSP for seven days if they are self-isolating because they have symptoms.

As result, in force from 5 August 2020, the *Statutory Sick Pay (General) (Coronavirus Amendment) (No. 5) Regulations 2020* (SI.No.829/2020) amend [Schedule 1](#) to the *Statutory Sick Pay (General) Regulations 1982* to ensure that a person is entitled to SSP for the full period for which they are required to self-isolate, and for the period a person is required to

### Exception to the universal credit basic condition 'not to be receiving education' for those in receipt of a disability benefit

New regulations clarify policy intention that the additional requirement, to have a limited capability for work determination, must be met on or before the date of claim for universal credit

New regulations have been issued in relation to the exception to the universal credit basic condition 'not to be receiving education' for those in receipt of a disability benefit.

In force from 5 August 2020, the *Universal Credit (Exceptions to the Requirement not to be receiving Education) (Amendment) Regulations 2020* (SI.No.827/2020) amend the exception to the requirement to meet the basic condition of not to be receiving education - in regulation 14 of the *Universal Credit Regulations 2013* - to clarify that a person entitled to attendance allowance, disability living allowance or personal independence payment will only be entitled to universal credit if they have a determination of limited capability for work (LCW) on the date of claim, where they have already started undertaking a course of education, studies or training before making a claim for universal credit, or on the date that they start undertaking the course in any other case.

The [explanatory memorandum](#) to the regulations advises that -

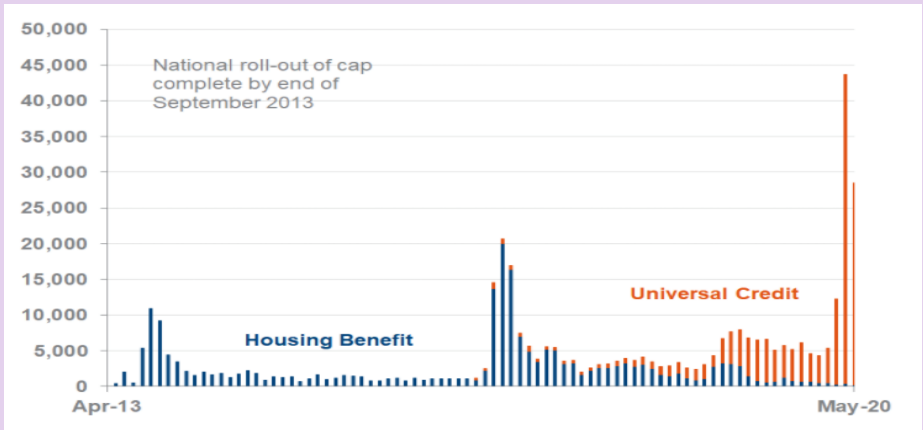
'The amendment restores the policy intent which was arguably not supported under the existing framing of regulation 14(b) of the Universal Credit Regulations. It makes clear that it is a requirement of this regulation that a person must already have been determined to have LCW.

The policy enables disabled people already assessed as LCW to enter or remain in education and better their prospects of obtaining work.

The purpose is not to enable a person to be referred for a work capability assessment in order to determine whether they have LCW, so as to then satisfy the exception.'

In '[Benefit cap: number of households capped to May 2020](#)', published today, the DWP reports that the total number of capped households in May 2020 was 154,000 - an increase of 93 per cent from February 2020. Highlighting that this is the biggest increase in the number of capped households since April 2013, the Department says that this has been driven by an unprecedented increase of 665 per cent in the number of newly capped households (those whose benefit is being capped for the first time) who claim universal credit, a reflection of the impact of the coronavirus (COVID-19) pandemic -

### Newly capped households at each month, April 2013 to May 2020



In addition, the figures show that, as at May 2020 -

- 62 per cent of capped households were single parent families - a sharp decrease from a stable rate of around 72 per cent between February 2019 and February 2020;
- 86 per cent of capped households included children;
- 78 per cent of capped households were capped due to the introduction of the lower cap levels from 7 November 2016; and
- 53 per cent were capped by more than £50 per week.



## MEGA Fund Application

This fund is an emergency fund to support households in vulnerable situations to maintain health and wellbeing and to avoid self-disconnection.

If your client:

- is on a pre-payment meter,
- has been affected by the Covid-19 pandemic,
- are at risk of self-disconnection and
- have not already applied via another referral agent,

please complete this application. If you are a current user of a service, your service provider should complete this application on condition that you have not made an application to this fund via another service. Examples of services who can make referrals includes anything from housing support, health professionals, advice workers, foodbanks etc. (this list is not exhaustive). If you are not a service user with a referring agent, please contact Money Matters on **0141 445 5221** or email [energymatters@moneymattersweb.co.uk](mailto:energymatters@moneymattersweb.co.uk)

MEGA Fund - More Electricity & Gas Assistance fund is available to customers with pre-payment meters. Our Emergency Utility Credit Vouchers (maximum of 3 vouchers allowed per individual or couple/family) for all fuel company customers with pre-payment meters (each voucher value will be a maximum of £28 for an individual person and a maximum of £49 for a couple or family).

Please note that even if your client is not in receipt of benefits and/or has a health condition, they may still be successful with their grant application .

Once this application has been completed, an automated email will be sent to the referring agents email address with an application reference number.

A second email will then be sent to referrer with a copy of your completed application attached for your records

Apply [HERE](#)

## Furloughed workers three times more likely to have missed bill payments

Which? calls for greater financial assistance for consumers in the wake of COVID-19

With just a couple of months until the CJRS comes to an end, there is real concern that the gap between furloughed workers and those working as normal could widen even further, says Which?

Workers who have been furloughed are three times more likely to have missed a household bill, loan or credit card payment in the last month. New Which? research has highlighted the financial difficulties faced by some workers on the government's Coronavirus Job Retention Scheme (CJRS), many of whom have faced changing their spending habits to make ends meet.

For more information see [Furloughed workers three times more likely to have missed bill payments](#) from which.co.uk

**Which?**

## Universal Credit isn't working: proposals for reform (Published 31 July 2020)

Major changes to Universal Credit have been put forward in a new parliamentary report.

The House of Lords Economic Affairs Committee has examined the welfare scheme and is recommending radical alterations to the way it works.

### RESEARCH

Universal Credit, Council Tax Reduction scheme and rent arrears in Wales: final report

The report focuses on the impact of Universal Credit on the Council Tax Reduction Scheme, council tax arrears and rent arrears in Wales. The report also considers the experience of Universal Credit claimants and stakeholders.

Conclusions show Universal Credit is a significant change in welfare support for low-income households. The report provides evidence that the move to Universal Credit is having an impact on household resilience and debt levels of low-income residents in Wales.

Access the reports [HERE](#)



**Public Law Project**

Last week we wrote to the SSDWP to ask what best practice is being followed to ensure [#claimantcommitments](#) are adequately tailored in light of slashed appointment times.

[publiclawproject.org.uk/latest/work-coaches-will-now-need-to-do-more-with-less-plp-writes-to-dwp-to-ask-how/](https://publiclawproject.org.uk/latest/work-coaches-will-now-need-to-do-more-with-less-plp-writes-to-dwp-to-ask-how/)



**Drawing on our conference in early 2020 –Benefit Sanctions: What's next?**

Download: [Benefits Sanctions: Strategies for Civil Society](#)

Please take a moment to share this strategy with your colleagues and email us at

[sanctions@publiclawproject.org.uk](mailto:sanctions@publiclawproject.org.uk) if you want to get in touch about what we are currently doing and how we can take the ideas of this strategy forward.



## Universal Credit: Sanctions and your claimant commitment

UPDATED INFORMATION IN LIGHT OF COVID-19 IS [HERE](#).



Public  
Law  
Project

Make sure your claimant commitment is right for you. Download our leaflets to use when you meet your work coach:

- [Overview](#)
- [Domestic abuse](#)
- [Care leavers](#)
- [Childcare](#)
- [Homelessness](#)
- [Mental health](#)
- [Refugees](#)

**Remember: Getting your claimant tailored to your personal circumstances should help you to avoid being sanctioned unfairly. Getting your claimant commitment right for YOU = lower risk of sanctions.**

After you apply for Universal Credit, you will agree a 'claimant commitment' when you meet with your work coach.

The claimant commitment records what 'conditions' you must meet in order to keep receiving Universal Credit.

These conditions are sometimes referred to as 'work-related requirements'. Essentially they set out what is required of you, and may include things like expected hours of work search and a commitment to being available to take up work.

If you do not meet these conditions, then you may be sanctioned. This means that your Universal Credit money will be reduced.

### Make sure the 'conditions' in your claimant commitment are right for YOU

The claimant commitment you agree with your work coach should be tailored to your personal circumstances.

Some people claiming Universal Credit may not have to meet any work-related requirements – this could be because of illness or disability, or because of caring or childcare responsibilities, or because you are considered to be working as much as can be expected of you in your circumstances.

There are some important issues that your work coach should take into account if you are affected by [mental health](#), [domestic abuse](#), or [homelessness](#), or if you have [childcare](#) responsibilities or you are a [care leaver](#) or [refugee](#).

If any of those issues affect you, it is important that you tell your work coach. That way you can try to make sure that you do not have to meet unrealistic 'requirements' in order to receive your Universal Credit.

**Remember: If you do not meet the requirements in your claimant commitment, you may be sanctioned.**

Download or print the [leaflets](#). Take them with you when you meet your work coach. They will help to explain your personal circumstances and to get your claimant commitment right for you.

**Remember:** You can ask to change your claimant commitment at any time with your work coach, even if you are already claiming Universal Credit.

If your work coach refuses to change your claimant commitment, you should speak to a benefits adviser about what you could do.

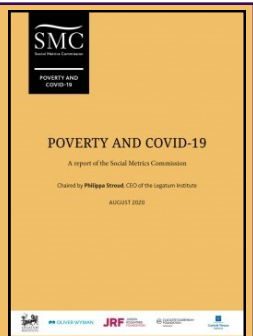
Now available as open access in its final, published form:

["Coronavirus and Social Security Entitlement in the UK"](#).



The [Social Metrics Commission](#) is an independent Commission formed to develop a new approach to poverty measurement that both better reflects the nature and experiences of poverty that different families in the UK have, and can be used to build a consensus around poverty measurement and action in the UK.

The Social Metrics Commission's [latest report](#) highlights the likely scale and nature of the economic fallout of the Covid-19 pandemic on poverty in the UK, based on YouGov survey data from around 80,000 people.



To understand the impact of child poverty on the lives of children and families in England better, CPAG, the Child Welfare Inequalities Project (CWIP) and the Association of Directors of Children's Services (ADCS) conducted a survey of social workers between January and March 2020.



[CPAG article](#)

The Safety Net is Gone - [Understanding the impact of child poverty on the lives of children and families in England: a survey of Social Workers](#)

Learn  
something new  
every day

- What is a Scottish Decree?
- How to Satisfy a Scottish Decree
- Removing a Scottish Judgment or Scottish Decree
- Who is the Pursuer?

Learn [HERE](#)

## TV LICENCES

From 1 August 2020, there will be a new scheme. Under the new scheme, anyone aged 75 or over receiving Pension Credit will be eligible to apply for a free TV Licence, paid for by the BBC.



Pension Credit can be in the name of the licence holder, or their partner's name if they are a couple living at the same address. Over-75s will continue to get free TV licences for a further two months as a result of the coronavirus. They were originally going to be scrapped on 1 June, but this was pushed back until 1 August.

### Who is exempt from TV Licence?

People who are aged 75 or over and receive Pension Credit. People who are blind (severely sight impaired). People who live in qualifying residential care and are disabled or over 60 and retired. For businesses that provide units of overnight accommodation, for example, hotels and mobile units.

If you are currently paying for a licence, please continue to make your payments, as usual, to stay covered says the BBC. You can also [renew your licence](#) now if you need to.

If you previously had a free over 75 TV Licence, please [sign in](#) to review your options and get set up with a new licence.

If you're not covered and need a TV Licence, please [buy a licence now](#).

### Need to apply for Pension Credit?

If you don't have Pension Credit but think you may be eligible, you can find out more at [www.gov.uk/pension-credit](http://www.gov.uk/pension-credit). You can make a [claim for Pension Credit online](#) or by calling 0800 99 1234 (opening hours 9.30 am-6.00 pm).

### Previously covered by a free over 75 TV Licence?

If you had a free licence up to 31 July 2020 and you or your partner at the same address are receiving Pension Credit, please [sign in to apply for your next free licence](#).



### Never been covered by a free over 75 TV Licence?

If you think you're eligible for a free licence but have not held a free licence before, call 0300 790 6117 and speak to one of our advisors to request an application form. (Our lines are open between 8.30 am and 6.30pm, from Monday to Friday.)

Once you receive your application form, you'll need to complete and

return it. Please include a copy of your Pension Credit and proof of age documents. This could be a letter from the Department for Work and Pensions or The Pension Service.

Once we've received your application it may take a few weeks to process. If there are any problems we'll write to let you know. We may also call you if you have given us your phone number.

### Refunds

If you've been paying for a licence when you were eligible for a free over 75 TV Licence, you may be due a refund. We will process this as part of your application.

### Applying for a free over 75 TV Licence before you reach 75

If you already receive Pension Credit, you can apply for your free over 75 TV Licence when you are 74 years old. We will issue you a short-term paid-for licence to cover you until your 75th birthday.

To request an application form, please call 0300 790 6117 and speak to an advisor.

### Have your circumstances changed?

#### If the licence holder has died

If a licence holder has passed away, please [contact us](#) to let us know who we should transfer the licence to. If you lived at the same address, you'll be covered until the current licence expires.

If you're eligible, you can then apply for a new free licence. If not, you'll need to [buy a new licence](#) when the current one expires.

#### If you've moved home or into a residential care home

You can move your licence to your new address by [updating your details online](#).

If you're 75 or over and live in a residential care home, you may be covered by an ARC (Accommodation for Residential Care) TV Licence and won't have to pay for a licence even if you don't receive Pension Credit. You may also get a free licence if you live somewhere that used to have an ARC licence ("preserved rights").

Please speak to your care home administrator.

PLEASE click here to check your state pension: <https://www.gov.uk/check-state-pension>

Disabled student launches legal case for right to claim universal credit

A disabled student has launched a legal case against the government for the right to be able to claim universal credit. She claims that the Department of Work and Pensions' (DWP) current policy, which prevents disabled students from claiming universal credit is unlawful. Read the press release [HERE](#)

Leigh Day