

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 year.



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

Redetermination and appeals process user research



I'm a user researcher working with the Scottish Government to design the processes that someone would go through to challenge a decision that Social Security Scotland has made about their benefits. These are called the redetermination and appeals processes.

My team's job is to speak to people with experience of the benefits system, to make sure the whole service is designed with them in mind.

How can you help?

We would like you to help us by giving feedback on some of the letters we send out to people when they ask us to look at a benefits decision again, this is called a redetermination. This would involve you joining a one to one remote session that will take about 45 minutes where we would ask for your feedback. The session will require access to a computer with an internet connection.

We would really value your involvement as this would help us ensure that our redetermination process works in the best way possible for people that may use it.

We realise that this is a challenging time for everyone and would completely understand if for any reason you don't want to take part.

We aim to run the sessions from the week beginning 12th October until the week beginning 26th October and can be flexible about date and time. If you are interested and able to take part, please get in touch with me at

christopher.cameron@gov.scot

You will be sent full details prior to any session but if you have any questions just now, don't hesitate to ask.

Accountant in Bankruptcy (AiB) has today published its Annual Report and accounts for 2019-20.



The document outlines AiB's accomplishments for the year and also features key statistics outlining the trends in debt solutions around Scotland.

More detail can be found in the full 2019-20 Accountant in Bankruptcy Annual Report and Accounts [available here](#).

The Chief Executive of Social Security Scotland David Wallace has outlined a new process for helping third-party representatives with enquiries where a claimant is unable to give explicit consent and advises that representatives who are able to answer questions to verify that they are genuine will be given limited information in compliance with data protection requirements

[Mr Wallace's letter to the Social Security Committee](#)

DWP to amend/reviewed all forms, letters, notes and leaflets to ensure that for the current WCA process claimants are fully aware of their legal obligations, allowing good cause to be considered where necessary.

Following a decision in decision in [CE/2126/2018](#) whereby a ESA claimant had not failed to attend medical examination as appointment letter did not impose legal obligation to attend.

[ADM Memo 23/20](#) and [DMG Memo 20/20](#)

Do you use our [#AskCPAG](#) platform? If so please take a moment to complete our user survey and be in with the chance of winning a £25 CPAG voucher!

[AskCPAG general survey 2020](#)

Advice Sector: we need your help. The AJC/JUSTICE working party on Reforming Benefits Decision-Making is keen to have your input into their work. Please complete the survey by clicking on the [LINK](#)



If you're asked to self-isolate and are unable to get the support you need from family or friends, you can call the National Assistance Helpline.

It can help with access to essentials such as food and medicine while you can't leave your home.

0800 111 4000 (9am - 5pm)



Assistance helpline
0800 111 4000

Monday - Friday
9am - 5pm

Rights of vulnerable EU citizens at risk

There are 9 months left to apply to the EU Settlement Scheme (EUSS).

All citizens required to apply who do not do so by 30 June 2021 will have no right to reside in the UK after this date.

[Some may even lose their right to reside after the end of the Transition Period on 31 December 2020.](#) Vulnerable citizens are specially at risk because they encounter a wide number of barriers when applying and their access to information is many times limited. Moreover, EUSS Applications for vulnerable citizens can be a lengthy process, with added delay due to the pandemic. It is therefore urgent to take steps now to make sure they do not lose their rights.

If you work or volunteer supporting vulnerable citizens, there might be some EU/EEA/Swiss nationals, or relatives of EU/EEA/Swiss (including non-EU citizens) among your service users. If you want to learn how you can support them to safeguard their rights, you can attend our **free two-part webinar on "Vulnerable Citizens and the Eu Settlement Scheme" on October 13 and 20** (at 4 pm on both dates with Janey Armstrong, an expert on immigration law.

You can register for [part I](#) here, and for [part II](#) in this link.

CITIZENS
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PROJECT

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CitzRights



citzrights



EURightsProject

VULNERABLE CITIZENS AND THE EU SETTLEMENT SCHEME

JANEY ARMSTRONG, PARTNER, DRUMMOND MILLER SOLICITORS

13 & 20 OCTOBER AT 4PM VIA ZOOM

Register via zoom. Find the link ↓

<https://citizensrightsproject.org/events/>



drummondmiller LLP

Coronavirus: Withdrawing crisis social security measures

Published Friday, 25 September, 2020

This Commons Library briefing paper outlines the changes made by the Department for Work and Pensions in response to the coronavirus crisis, expectations for their withdrawal and the wider plans for recovery.

This Commons Library briefing paper follows our previous [Coronavirus: Support for household finances](#) paper.^[1] Particularly part 4, which described social security measures taken in response to the coronavirus crisis. Here, we outline the changes made by the Department for Work and Pensions, expectations for their withdrawal and the wider plans for recovery.

Many policy issues touched upon in this paper are fast-moving areas which are subject to change. **This paper should therefore be read as correct at the date of publication (25 September 2020).**

[Coronavirus: Withdrawing crisis social security measures](#)



New grant for those self-isolating

People on low incomes will be eligible to receive a new £500 grant if asked to self-isolate.

The new Self-Isolation Support Grant will help those who would lose income if they needed to self-isolate, such as those unable to carry out their work from home.

This grant is for those who will face financial hardship due to being asked to self-isolate and will be targeted at people who are in receipt of Universal Credit or legacy benefits, with some discretion to make awards to others in financial hardship. Applications are due to open from 12 October and will be delivered through the existing Scottish Welfare Fund, which is administered by local authorities.



£500

for people on
low incomes
asked to self-isolate



A step closer to tackling poverty

Social Security Administration and Tribunal Membership (Scotland) Bill passes Stage 3.



New legislation to improve the benefits system to help those who need it most has been unanimously passed by the Scottish Parliament today.

The [Social Security Administration and Tribunal Membership \(Scotland\) Bill](#) supports the delivery of the new Scottish Child Payment, to provide low-income families with an additional £10 per week, initially for each child aged under six.

The Payment, together with Best Start Grant and Best Start Foods, will provide over £5,200 of financial support for families by the time their first child turns six. For second and subsequent children this will provide over £4,900.

The Social Security Administration and Tribunal Membership (Scotland) Bill makes a number of improvements to the social security system, and expands the range of judges allowed to sit on Scottish Tribunals.

It allows Ministers to appoint a person to receive benefit payments on someone else's behalf if the claimant is a child or – in the case of an adult - if the claimant agrees to the appointment.

The Bill also allows appropriately qualified medical professionals other than just doctors to confirm that a person is terminally ill for the purpose of 'fast tracking' their benefit claim. The first benefit to which this will apply is the Child Disability Payment. The Bill applies the rules for dealing with fraud consistently across different kinds of social security.

Background

The Scottish Fiscal Commission estimates that the Scottish Child Payment could support up to 194,000 children this year. This number has increased by 14 per cent since the Scottish Government released forecasts in June 2019, largely due to the increased Universal Credit caseload as a result of COVID-19.

Initially introduced for children under six, the Payment will be rolled out to under 16 year olds, eventually helping up to 499,000 eligible children.

The Scottish Government introduced the Social Security Administration and Tribunal Membership (Scotland) Bill in the Scottish Parliament on 27 April 2020.

- One size fits all? Employed earnings and Universal Credit [2 recent cases on the effects of pay cycles from employment which didn't match Universal Credit \(UC\) assessment periods](#)
- The minimum income floor in Universal Credit — how does it affect a Universal Credit award?
[A how-to guide looking at what impact the minimum income floor has on the calculation of a Universal Credit award](#)
- The minimum income floor in Universal Credit — what is it, and when does it apply?
[A how-to guide looking at when the minimum income floor will be applied to self-employed earnings, with a particular focus on the temporary coronavirus measures and the changes to the start-up period in September 2020](#)

citizens
advice



Apply Now...



The [Let's Talk Energy Fund](#) can help residents in Scotland who are struggling to pay their bills and/or replace inefficient white goods such as cookers, fridges, freezers and washing machines, and also help replace or repair gas and oil boilers. Funding has been provided by energy companies as part of their commitment to help with energy bills and energy usage.

At present the Fund is able to consider applications from the customers of the following energy suppliers:

- **Boost:** White Goods awards and Boiler repairs or replacements awards
- **OVO:** White Goods awards and Boiler repairs or replacements awards
- **Spark:** White Goods awards and Boiler repairs or replacements awards
- **SSE:** White Goods awards and Boiler repairs or replacements awards
- **Scottish Power:** White Goods awards only
- **Tonik Energy:** White Goods and Energy Debt Relief awards only

Applications for White Goods from customers of other suppliers will be stored for up to 10 weeks and may be considered when further funding becomes available later in the year. Should your application close after 10 weeks you are free to reapply to the scheme at any time.

Applicants can submit multiple applications but can only apply for one request type per application.

Please check our website www.lets-talk.online to find out what awards are currently available.

To qualify for an award you will need to demonstrate that you are in receipt of certain means tested benefits as well as providing evidence specific to your request.

Whilst we try to award as many applications as possible, funds are limited and we cannot guarantee that all eligible requests will be awarded.

The Secretary of State for Work and Pensions Dr Thérèse Coffey has confirmed that there will be no recompense for tax credit claimants who were advised to claim universal credit during the coronavirus (COVID-19) pandemic and who lost out as a result.

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In an evidence session this morning before the Work and Pensions Committee - about the [Department's response to the coronavirus outbreak](#) - Labour MP Steve McCabe highlighted that [Dr Coffey had previously said](#) that she was 'actively looking' at what can be done for tax credit claimants who lost out financially due to applying for universal credit to which they were not entitled, or entitled to a lesser amount.

Referring to a letter Dr Coffey had sent to the Committee yesterday evening at 7.30 pm, Mr McCabe questioned what had happened to that promise -

'I notice in your letter you're saying that you don't intend to return [claimants] to legacy benefits ... what are you going to do, are you still looking at how you can do something for these people that have lost out?'

Director General of Work and Health Services adds that 'jobcentres do not offer advice' and that a move to universal credit is 'not voluntary'

Asserting that the DWP signposts people to an independent calculator, Dr Coffey responded -

'We did look at it carefully, and I think a decision was made that we would not reverse [the situation].'

Pressed by Mr McCabe on the possibility of the DWP instead providing compensation to those who had lost out due to misadvice, the Director-General of Work and Health Services John Paul Marks insisted -

'The jobcentre do not offer advice ... about moving to universal credit because a move to universal credit is not voluntary - it is triggered by a life event.'

NB - elsewhere in the evidence session, it was also confirmed that -

- it is the Secretary of State's view that it is not the responsibility of the DWP to have a [statutory safeguarding duty](#) towards vulnerable claimants;
- the suspension of the minimum income floor in universal credit, which is [due to expire on 12 November 2020](#), is under 'active consideration';
- a new date has not yet been set for the recommencement of the managed migration pilot which was [suspended in March 2020](#); and
- the caseload of work coaches has risen from around 120 to 140-200 (dependant on the jobcentre) during the coronavirus (COVID-19) pandemic but is expected to go back down following the launch of the [rapid recruitment plan](#) to employ further work coaches.

The [evidence session before the Work and Pensions Committee](#) is available from parliamentlive.tv

Working together to challenge poverty

[Aberdeenshire Council](#) is spearheading an online awareness-raising event to coincide with Challenge Poverty Week 2020.

Topics such as employment, fuel, food, financial support, health and wellbeing will be discussed during the Aberdeenshire Challenge Poverty Week from Monday, October 5 to Sunday, October 11.

The partners involved from the third and public sectors, as well as individuals who have lived in poverty, will be seeking to understand, challenge and work together to change attitudes and policies to be more understanding of the issues concerning poverty.

The sessions are free to join, everybody is welcome and can be booked in advance online.

For more information about Aberdeenshire Challenge Poverty Week 2020 please visit the website: www.ouraberdeenshire.org.uk/our-priorities/tackling-poverty-inequalities/aberdeenshire-challenging-poverty-week-2020/



CLICK HERE

Young carers invited to have their say on support services offered in Aberdeenshire

A Draft Aberdeenshire Young Carer Strategy 2021 – 2023 is now available to view online alongside a short survey for young carers, adults who have experience of being a young carer, practitioners, volunteers and family members to complete. The draft strategy has been developed through discussion with young carers to gather their views and reflect their opinions alongside those of colleagues in social work, education, health and the third sector.

Young carers up to the age of 18 across Aberdeenshire are being asked to give their local authority feedback on the way the council and its partners plan to offer support to young people who provide unpaid care and/or support for a family member who has a disability, illness, drug, alcohol or mental health problem.

The Draft Aberdeenshire Young Carer Strategy 2021 – 2023 can be viewed online at: <https://tinyurl.com/yylujnax>

The survey can be accessed online at: <http://bit.ly/YCarer20>



Written questions, answers and statements

Jobcentres: Staff

Question for Department for Work and Pensions

[UIN 94433, tabled on 23 September 2020](#)

Q. To ask the Secretary of State for Work and Pensions, what length of training programme new work coaches are expected to undertake before they are able to support claimants independently.

- A. Currently, new Work Coaches undertake a training programme which in total is 52 working days. This currently consists of 32 days facilitated
- B. learning with 20 days' consolidation interspersed throughout, enabling them to become an effective Work Coach with both the knowledge and skills to support claimants. As will all DWP employees, even after an initial learning intervention line managers and employees continue to discuss and agree ongoing skills
- C. development

To strengthen the ongoing development of colleagues we are also currently testing a transformed approach based on research from public and private sector. This will contain 20 days facilitated learning plus 5 days structured, practical consolidation. This is followed up with a suite of products enabling colleagues to learn in a flexible, digital way, better supporting the continuously learning culture.

We are evaluating the impact of this approach and will refine and iterate as we go. Testing will continue over the next 6 weeks, refining where needed, until we are confident we can move to this model for all new Work Coaches.



New regulations have been issued in Scotland in relation to pre-action requirements that apply to private sector landlords for possession proceedings during the coronavirus (COVID-19) pandemic.

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In force from 30 September 2020, the *Rent Arrears Pre-Action Requirements (Coronavirus) (Scotland) Regulations 2020* (SSI.No.304/2020) introduce pre-action requirements for -

- proceedings for possession of a house let on an assured or short assured
- tenancy (created under the *Housing (Scotland) Act 1988*); and
- an application for an eviction order against a tenant under a private residential tenancy (created under the *Private Housing (Tenancies) (Scotland) Act 2016*).

NB - the [Coronavirus \(Scotland\) Act 2020](#) makes most grounds for repossession in the private rented sector discretionary, including those related to rent arrears, changing the previous position whereby the First-tier Tribunal for Scotland (Housing and Property Chamber) was required to find that the ground for repossession applies if the level of arrears set in the legislation is met.

In addition, the regulations include a provision that requires the First-tier Tribunal to take into account the extent to which a landlord has complied with the pre-action requirements when deciding whether it is reasonable to grant a repossession order.

[SSI.No.304/2020](#) is available from [legislation.gov.uk](#)

Proving eligibility for ESA if claiming due to coronavirus

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Updated DWP guidance confirms the evidence required for those who are self-isolating and those who are shielding

The DWP has updated its guidance to clarify how to prove eligibility for employment and support allowance (ESA) for those who are claiming due to coronavirus (COVID-19).

In an updated version of *New Style Employment and Support Allowance*, the DWP confirms the evidence required to prove that a person is eligible for ESA if they are self-isolating or shielding due to COVID-19 -

- where a person, or their child, is self-isolating and therefore cannot work, an [isolation note](#) can be obtained online from NHS 111 if the person has been off work for 7 or more days; and
- where a person lives in an [area with local restrictions](#) that includes advice to shield, and they or their child need to shield because they're at very high risk of severe illness from coronavirus, they should receive a letter from their doctor or their health authority.

NB - the DWP advises that once an ESA application has been made, the person will be contacted by phone and told when to give the evidence and where to send it.

[New Style Employment and Support Allowance](#) is available from [gov.uk](#)

Coronavirus (COVID-19): Test and Protect information leaflet

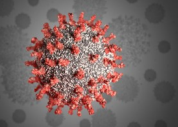
Leaflet providing information on the Test and Protect service from NHS Scotland, a new way to tackle coronavirus.

This leaflet and step-by-step guide has been sent to every household in Scotland in June.

They contain information on how Test and Protect works and how to prepare in case you need to self-isolate.

This information is available in different languages and alternative formats.

Details [HERE](#)



Applying for settled and pre-settled status requires genuine residence



Although the UK ceased to be a member of the EU on 31 January 2020, the transition period arrangements mean that EU citizens can still apply for leave to remain under the EU Settlement Scheme even if they move to the UK after that date, as long as they take up residency in the UK by 31 December 2020 (to be precise, before 11pm on that date).

I am aware, from discussions on the internet and questions at meetings, that some EU citizens have wondered whether they could travel to the UK before the end of 2020 and stay in the UK temporarily, perhaps for a very short period, with the idea of acquiring status under the Settlement Scheme as a type of 'insurance policy'. The intention is not to live in the UK at that stage, but to be able to use that status to secure a right to reside in the UK at some future date if they wished or needed to do so.

In my view, those who are thinking about such a tactic need to understand that it might not succeed and, in the worst case, could have serious consequences.

[SOURCE](#)

State Pension Age About To Increase In The UK on October 6th

STATE PENSIONS - The age you can get your state pension in the UK is set to rise from October 6TH, you will need to be 66 to claim your pension. That means anyone born after 5 October 1954 will have a state pension age of at least 66 - for some women that is six years after the date they were originally told they could claim.

The younger generations will have to wait longer to 67 and 68 in the future. People are living longer and to make state pensions more affordable these changes are being brought on.

The good news is that the triple lock on pensions is set to remain. Rishi Sunak was appointed Chancellor of the Exchequer on 13 February 2020 and the Chancellor was making strong hints that in his view pensions needed to be frozen in order to pay for Covid-19 borrowing. With no autumn budget the threat has subsided for now at least.

You can check your state pension, click [HERE](#)

[SOURCE](#)

Universal Credit: How to get your secret 'Claimant History' and deleted records, to help challenge a Work 'Coach', Benefit Sanctions, bad decisions and make complaints



If you want to challenge a Work 'Coach, an adverse decision or benefit sanction, or make a complaint, you can ask for a copy of your Universal Credit (UC) Claimant History and getting a copy could expose factual inaccuracies or misrepresentations that could help with any challenge or complaint against the DWP.

The Data Protection Act (2018) and GDPR also gives you a number of rights, such as objecting to incorrect history being used and or having it rectified (corrected). As well as the basic right to ask the DWP for a copy of your personal data they hold, which includes your Claimant History and copies of your deleted records. It is also worth remembering that you can also ask for a copy of any telephone call the DWP has recorded, it is understood all calls to Universal Credit are recorded.

[SOURCE](#)

2 October 2020

Roundup of recent DWP Announcements

Video Relay Service for Pension Credit and Social Fund

Video Relay Service (VRS) has been extended and is now available for people claiming [Pension Credit](#) and those seeking support from [Social Fund](#).

This service allows customers to make an inbound call to DWP via a British Sign Language interpreter using a video connection. There is no need for anyone to be in the same location and customers do not have to book the service in advance.

Warm Home Discount Scheme goes live for winter 2020/21

The Warm Home Discount is a government scheme that obligates the UK's largest energy suppliers to credit £140 discount onto the electricity bills of certain low income households.

Customers who get the Guarantee Credit element of Pension Credit will receive a letter by mid-December advising whether the discount will be paid automatically by their energy supplier, or if they need to contact the helpline.

The helpline opens on 12 October 2020 (Tel: 0800 731 0214) and people will need to confirm their eligibility before 26 February 2021.

A limited number of discounts are also available to other low income households. Non Pension Credit customers should contact their energy supplier for further information.

[Find out more](#)

