Adviser Network Meeting

COVID-19 Latest Social Security Update

21 April 2020
Information

• DfC

• Advice Line and Frontline Advice

• Legislation

• LCNI: Social Security Bulletin/Website/ANM
Information

Coronavirus Covid-19 Update

The Law Centre NI team is working hard to provide accurate and up-to-date information for advisers and the public on key developments in relation to Coronavirus (COVID-19) legal and policy developments around employment, social security, immigration and community care.

This page will be continuously updated throughout the crisis.

Law Centre Service Delivery:

Need advice? We can help. Our legal advice lines are open as normal. More info here.
Information

Training:

Presentation slides to our Adviser Network Webinar are now available.

Friday 27 March webinar:

- Employment rights slides.
- Social security slides.
- Full webinar recording.

Friday 03 April webinar:

- Employment slides.
- Full webinar recording.

Friday 09 April webinar:

Coronavirus (COVID-19) Updates

Get all the latest news and updates here
Zoom Chat Facility

Please Input:

- How are things working in Practice?
- Any ongoing problems?
- Any changes you would like to see?
General

- No attendance at F2F appointments
- Relaxation of Deadlines
- Priority to process and pay
Tax Credits/UC Background

• Surge of UC claimants with lay offs

• DfC: Assurances can cancel UC claim online within 1st assessment period

• DfC: Can then contact HMRC for reinstatement of WTC/CTC
Tax Credits/UC Background

• Tax Credit adviser are saying that it is not possible to reinstate WTC

• DfC: Trying to seek clarification from DWP/HMRC

• Willingness by DfC
Tax Credits/UC Legal Position

• Once claim made legacy benefits no longer exist – Lobster Pot (Reg 6 UC TP Regs (NI) 2016)

• Art 9 (WR Order 2015)

• Claim made once hit submit and determined:
  – Age
  – Right to reside (Reg 9 UC Regs NI 2016)
  – Not a Student
Tax Credits/UC Challenge?

- Many not worse off financially

- Potential Challenge:
  - CTC Child Disability Element (not severe)
  - Possibly disabled worker

- SDP Gateway Breach – check HB!
Universal Credit

• Should be seeing initial Payments
• Expecting 99% on time
• System reported to be coping

• Does this reflect your experiences?
Universal Credit

• Staff reduction by 1/3 to date

• Therefore trying to save phone lines for those unable to claim online.

• May have to eventually reduce telephony

• Contingencies in place
Universal Credit - Stats

• Normally 1600-1800 new claims per week

• 45,000 new claims in the 1st 3 weeks

• New claims still high but dropping back down
Universal Credit

• If difficulty - first contact will be treated as date of claim.

• Can be backdated 1 mth in exceptional circs – (Reg 25 UC, PIP, JSA, ESA (C&P) Regs NI 2016)
Universal Credit

- F2F appointments still suspended
- Engagement Online
  or
- Telephony - where unable to use online
Universal Credit

- Verification can be done by telephone
  - UC will phone within 2-3 days
  - 2/3 questions to verify

- Can now verify using Government Gateway account

- Still possible to use Gov.uk/verify
Universal Credit

• UC: Once claim made – *don’t call us we will call you*

• UC calls on withheld number

• Journal may indicate ongoing action on the case
Universal Credit

• Big word for non English Speakers

• NASS NINO verification by phone
Universal Credit

- INCREASED standard allowance £20/wk

- NO CHANGE re Income & Capital

- NO CHANGE - 5 week wait
Universal Credit

- Claimant Commitment can be agreed online
- Can also be agreed via telephone
- Should reflect current circs
- Priority is applications and payments
Universal Credit – Work in progress

• Working on disabling automatic system generated notices

• Working on suspension of existing Overpayment recovery
Universal Credit Advances

• Apply online once verified

• Can defer repayments for 3 months for hardship
  – Request by journal entry
  – Proof won’t be necessary

• Uptake of Advances down from 2/3 to 1/3
Contingency Fund

• Significant underspend – funding available

• Tel: 0800 587 2750

• Reported issues getting through?
Discretionary Support

• Additional Telephony/DM resources being added from non-priority areas

• Legislative change to include Covid 19 cases

• Initial application now possible online for Covid 19 living expenses*
Discretionary Support

Regs:
the grant is to provide assistance in the form of living expenses where the claimant or their immediate family is diagnosed with COVID-19 or is advised to self-isolate in accordance with guidance published by the Regional Agency for Public Health and Social Well-being.
Discretionary Support

• Phones reported to be busy – issues getting through?

• F/T students in hardship can apply

• If particularly vulnerable client contact LCNI
Discretionary Support

• Reports that not possible to apply for household items

• DfC: Claims for items are still being processed but the main focus and priority are currently being given to living expenses. It may take a bit longer to return to normal processing levels for items but – if there are particularly exceptional cases (considering non living expense applications) please bring to our attention
Discretionary Support

• Online claim form states living expenses only

• If you have a client that was unable to apply for household items via phone please get in touch
Discretionary Support Online

based on your circumstances.

If you're in financial need, help with short term living expenses may be available through Discretionary Support or the Universal Credit Contingency Fund grant or the COVID 19 grant.

If you require assistance with short term living expenses from any one of these three provisions you should complete the Discretionary Support form.

If you use this form you do not need to ring the Discretionary Support Freephone line, someone will contact you.
Debt Recovery

- Operationally difficult to suspend without DWP
- Individual application on hardship grounds can be processed
- Suspension of recovery of all new UC Overpayments
Debt Recovery

• Update due from DfC following progress in DWP

• Issue with only suspending some of deductions

• HB working on CPU solution
WCAs - UC & ESA

- Covid 19 cases automatically in WRAC without need for Med Cert

- WCAs at assessment centres suspended
‘New Style’ ESA

• No 7 day wait before claim

• ESA1 Application form available online

https://www.nidirect.gov.uk/publications/employment-and-support-allowance-claim-form-esa1

• Can be returned to:

ESA.online@nissa.gsi.gov.uk
New Style JSA

- Telephone claimants will be phoned back to complete form
- Triage system in place to identify if contribution conditions satisfied
- If not signposted to UC
‘New Style’ JSA

• Claim Form available online:

Can be returned to:
  holywoodroad.jsaonline@nissa.gsi.gov.uk
Tax Credits

- Run on (4 weeks) was continuing to allow claimant to establish circs.
- If furloughed run on not necessary as entitled
- Same for child care if receive or keeping place. 4 weeks when stops
Reduced staff - telephony service 10am-4pm

The priority is primarily payment of benefit

- focusing on new claims first; and
- changes of circumstances after.
PIP Existing Awards

- Awards due to end before 30 June 2020 be extended for a further 6 months.

- There will be no new award review forms generated – these claims also extended 6 mths

- Notifications: award was due to end but will be extended due to Covid-19. No further action unless there is change of circs

- Existing claims (AR1) that are awaiting assessment will be treated as if they are about to expire and will be extended six months.
PIP2 Forms

- Deadline to complete now 90 days
- Not currently disallowing if PIP2 late
- Same for AR1 forms but these awards extended 6mths
Assessments

- New Claims & Changes of Circs
- PBR first & if evidence insufficient – Telephone Assessment
Assessments

- New Claims & Changes of Circs
- PBR first & if evidence insufficient – Telephone Assessment
- 54 conditions identified – Capita to endeavor for PBR if possible
Telephone Assessments

- DAs received additional training
- Additional questions to try to address lack of physical assessment and observations
- No time limit on length – Average 50 mins
Telephone Assessments

- Audio Recording NOT available
  However
- Conference calling is available
  - Appointee
  - Family Member
  - Adviser/Representative
  - Interpreter
Telephone Assessments

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Telephone Assessments

Positives:
• Allowing claims to progress and payments to be made

Negatives:
• Limited compared to physical
• Challenges for certain conditions
• No recording
Telephone Assessments

Any Reported Issues?
Failure to Attend

- 7 days written notice of tele assess
- Must contact Capita if unsuitable
- 3 attempts will be made to contact on day
- Normal procedures to show good cause if ‘failure to attend’
Reconsiderations/Appeals

- Outstanding recons/appeals to be prioritised
- DfC: sufficient resource to cope
- If evidence already submitted OR new evidence provided - efforts to review and make a formal offer if favourable evidence
- The same procedure will still be refer evidence to Capita for input first.
Outstanding PIP Issues

• PIP exploring request to put forms online
• To respond to Big Word availability enquiry
• Exploring facilitation of BSL/ISL interpretation if necessary
DLA - Children

• No invitations to claim PIP

• Existing awards will continue until invited to claim PIP and decision made

• Therefore awards will not cease

• No change until normality resumes
Industrial Injuries Disablement Benefit

- Awards due to end in next 12 weeks will be extended
Child Benefit

- No change but…

- Individuals with £60k+ income may wish to now claim CB if income has dropped
Child Benefit

• Can currently be claimed without registering child’s birth first
Carers Allowance

• Continues payment if temporarily unable to provide care in current circs

• Emotional support accepted as care
Tribunals

• Modified forms to appellants:
  1. Wait for F2F hearing – long delays
  2. Opt for possible remote hearing
  3. Happy to proceed with paper hearing

• Stats: 1 in 5 vs 1 in 2 success rate
Frontier Workers –
Live North/Work South

• COVID 19 Pandemic Unemployment Payment has a residence condition

• No work: claim UK benefit

• Reduced work: claim ROI Benefit
  – Seek advice on short term work support

• Sickness: claim ROI Benefit
  – Seek advice COVID-19 Enhanced Illness Benefit
Frontier Workers –
Live South/Work North

• No work: claim ROI benefit
  – Seek advice COVID 19 Pandemic Unemployment Payment

• Reduced work: claim UK Benefit
  – Working Tax Credit*

• Sickness: claim UK Benefit
  – SSP in first instance
Questions

• We will deal with questions raised ASAP

• Advice Line is open 9-5 for enquiries: 028 90 244401

• benefitsadvice@lawcentreni.org