

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



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Advice Line: 028 9024 4401

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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.](#)

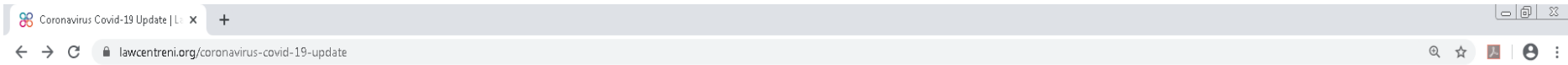


Coronavirus (COVID-19) Updates

Get all the latest news and updates here

See the latest

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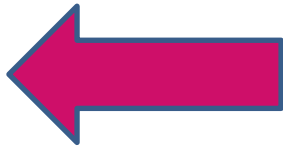
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Training:

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

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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](https://www.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

Coronavirus (COVID-19) and Ben x +
nidirect.gov.uk/articles/coronavirus-covid-19-and-benefits

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:

<https://www.nidirect.gov.uk/publications/new-style-job-seekers-allowance-claim-form>

Can be returned to:

hollywoodroad.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

PIP

- 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

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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