Update on Changes to Social Security in Response to Coronavirus (COVID-19) in Northern Ireland

This document has been updated following further meetings with the Department for Communities (DfC), Universal Credit (UC) and Personal Independent Payment (PIP). The information also reflects work carried out by the Law Centre NI legal team to identify advice line trends, scrutinise legislation and compare with existing case law.

If you need any further help or clarification, you can contact our social security team on (028) 9024 4401, or email benefitsadvice@lawcentreni.org along with your contact details.

You can also find all our most recent publications and information surrounding the Coronavirus (covid-19) response on our dedicated web page.

Universal Credit:

- The department has said that good progress is being made on processing claims.
- There were 45,000 claims in NI over a three week period.
- 4,000 payments were being made a day and while the system was under pressure, it had been managing to date.
- 95% of calls have been answered in under three minutes
- It is expected that 99% of payments will be made on time.
- Face to face appointments have been cancelled, with engagement being conducted online or by phone.
- Telephony claims will be accepted if a claimant is unable to use the online service and there is reported high demand.
- Universal Credit (UC) stated their preference for online journal contact, with telephony available if necessary.
- Additional resources are being moved to ensure online journal entries are dealt with in order to free up telephony for more vulnerable clients who cannot use online service.
- Work is being done to explore how to treat those who cannot claim through the means above but a commitment has been made to treat the first contact as the first date of the claim.
- In exceptional circumstances, where the claimant is unable to use the telephony service or access online, UC will assist the individual on a face-to-face basis at their local office. This will be kept under review.
Also, if you are assisting a vulnerable client who is unable to process a claim please contact Law Centre NI with the client’s consent and we can seek an intervention to assist them to make a claim.

There is a significant increase in claims. The claimant, usually agreed face to face, will be agreed online or by phone.

The stated priority is to ensure people can make a new claim and that payments are issued.

Verification is to be conducted by telephone by answering with a need for the claimant to answer two out of three security questions.

Universal Credit will phone back clients - usually within a couple of days - to confirm verification. Please note that UC calls will appear as a withheld number. If necessary a verification telephone appointment can be booked by phoning 0800 012 1331.

There has been an increase in attempted online verification, from 50% to 80%. This may reflect claimants who are more comfortable working digitally.

Likewise, more claimants have been able to verify ID online.

The Department for Communities is working with the Department for Work and Pensions to put a stop to system generated automatic notices such as the necessity to book an appointment.

Universal Credit is reporting positive feedback on claimant experience around verification.

The National Insurance Numbers for National Asylum Support Service (NASS) claimants’ will be verified by phone.

Most uploaded evidence will be accepted and trusted (ie. childcare arrangements or tenancy etc.)

Advanced payment debts can currently be deferred for a three month period when a claimant is in financial hardship.

Payment in lieu of free school meals is ignored as income.

It has been confirmed that early release prisoners will be entitled to UC from day one.

The surplus earnings rate of £2,500 has been extended to this financial year.

**Universal Credit Advances**

- Verification is needed before seeking an advance.
- Advances can be deferred for up to three months if the claimant is experiencing hardship – deferral requested via journal.
- Standard UC allowance increased by £87 per month, therefore DfC believe people more equipped to repay advance at average rate of approximately £50 per month.
- One third of current claimants have requested an advance payment, which is down from two thirds in normal circumstances. This may reflect circumstances where new claimants are coming from a more financially resilient background.
Contingency Fund

- Funding is available and there is no need to take out an advance before applying.
- There is no repayable grant if the claimant faces hardship while awaiting their first UC payment.
- It is not possible to apply online – Tel: 0800 587 2750.

Discretionary Support:

- 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. If there are particularly exceptional cases (considering non-living expense applications) please bring to our attention.
- We are receiving report of delays associated with Discretionary Support.

Debt Recovery

- An announcement from DfC is imminent. There is a stated desire to pause deductions for benefit debts without pausing deductions for child maintenance.
- Housing Benefit – NIHE are exploring an IT solution to reverse all those currently being redirected. There is a resource issue if no IT solution is found.
- It is still possible for individual requests based on hardship.
- New debt recovery will not be added during the crisis.

Employment and Support Allowance:

- Face to face assessments have been cancelled and replaced by paper and telephony assessments.
- Work is being conducted to make the Employment and Support Allowance (ESA) claim form available online.
- There has been an acknowledgement that there has been some difficulty getting through by phone.

Work Capability Assessments (UC and ESA):

- Work Capability Assessments (WCAs) have been suspended.
- ESA claims connected to Coronavirus (COVID-19) will automatically be placed in the Work Related Activity Group Component (WRAC) group without medical evidence.
• Universal Credit claims connected to Coronavirus (COVID-19) will automatically be placed in the Limited Capability for Work (LCW) group without medical evidence.

• Non Coronavirus (COVID-19) based claims still require a medical certificate but if the claimant is unable to obtain this in the current circumstances then the claim will still be processed and paid.

**Job Seekers Allowance and Income Support:**

• The stated priority is to receive and process claims.

• The telephony service will receive claims and then call the claimant back to complete the form electronically over the phone.

• The Job Seekers Allowance (JSA) claim form is also available on NI Direct. A triage system is in place to identify, at the outset, if claimants meet the contribution conditions, and if not to signpost them to UC.

**Personal Independence Payment:**

• Assessments for review cases are not happening, with awards being extended.

• Only telephony assessments for new claims and people reporting changes or deteriorations.

• Mitigation payments have been extended.

• It has been confirmed there is no audio recording option for telephone assessments. Disability assessors are working from mobile phones at home and so recording is not possible.

• Early prisoner release – will be paid from the temporary release date.

• Easements on advice sector signing application forms on behalf of client’s for PIP / DLA / AA & CA

*For more detailed information on PIP arrangements, please see our [PIP update](#).*

**Attendance Allowance**

• Any claims due to end in the next three months will be extended.

• Easements on advice sector signing application forms on behalf of client’s for PIP/ DLA / AA & CA.

**Disability Living Allowance (Children)**

• There will be no invitations to claim PIP as a child approaches 16 years of age.

• Existing awards will continue until the child is invited to claim PIP and a decision has been made.

• Therefore, awards will not cease.
Industrial injuries Disablement Benefit

- Awards that are due to end in next twelve weeks will be extended.

Child Benefit

- Individuals who have not claimed Child Benefit (CB) or who had previously ceased claims for CB may now wish to claim if income has dropped below £60,000 for the higher earner.

Tax Credits

- The basic element has been increased by £20 per week.
- Some claimants who were in receipt of Tax Credits but claimed Universal Credit before becoming furloughed workers may have been financially better off not claiming Universal Credit. It has been confirmed by both DfC and HMRC that there will be no way back if someone has claimed UC.
- A claim is made if the claimant has satisfied the right to reside requirement, provided age details and is not a student.
- The Department for Communities had sought to allow a return within the first assessment period but this was refused by HMRC / DWP. Please contact Law Centre NI if you or your client has suffered a loss.
- Facilities are being put in place to aid communication – ie. ‘Big Word’ calls for non-English speakers and offices being opened if necessary.
- Legislation has not changed regarding income and capital.
- There has been no change to the five week wait. It is anticipated that enhanced discretionary support, contingency fund and advances will deal with this.

Further actions suggested by Law Centre NI:

- Suspend benefit debt recovery.
- The triage function should be applied to UC claimants to check their entitlement to new style JSA/ESA. Capital and couples with one partner working have been suggested as key groups for this.
- Universal Credit should remind staff that claimants who have lost their job may have retained worker status and therefore have right to reside for benefits.
- Universal Credit decision makers should consider permanent residence and UC staff should have access to National Insurance records before making a determination on right to reside.
- Remove the income ceiling for the purposes of Discretionary Support grants.
- Consider providing an automatic grant from the UC Contingency Fund for all those who are claiming UC for the first time.
• Provide an additional payment for families who have children and who are impacted by the two-child limit. This will help protect against a significant increase in child poverty.

• Support private renters who may face eviction because of loss of income due to Coronavirus (COVID-19) by temporarily reinstating support which was available under Housing Benefit (HB) and which has been removed under UC.

• There are on-going issues being raised around access the use of Big Word, including the use of Big Word in the PIP application and assessment processes.

• Questions remain around whether government grants, including the self-employed income support scheme, will be treated as earned income.

• More understanding is required on how the small business rates relief grant will be treated.

• There is a disparity between the decision to increase the standard allowances for UC and Tax Credit by £20 but not for the legacy benefits that we think should be addressed.

Useful links and contacts:

• New Style JSA Form
  Email Address for form: HOLYWOODROAD.JSAONLINE@NISSA.GSI.GOV.UK

• Discretionary Support Form
  Email Address for form: DS.evidencegathering@dfcni.gov.uk

• Finance Support (Contingency Fund)
  Tel: 0800 587 2750
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