Update for Advisers

This update for advisers provides guidance on changes to social security in response to Coronavirus (COVID-19) in Northern Ireland

For free, tailored advice on any of the issues discussed in this document or any other aspect of social security law, please call (028) 9024 4401 and ask to speak to a social security adviser.
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Overview

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.

Jobs and Benefits offices remain closed for now. All appointments at local offices and all face-to-face assessments have been postponed until further notice. Contact will be online or by phone.

People should only visit their local benefits office if they have been told to or in an emergency situation.

No-one will be penalised for late submission of forms, but the relevant Department should be informed.

Attendance Allowance

- All reassessment/renewal activity has been suspended from 24 March 2020 until further notice.
- New claims are being processed.

Carer’s Allowance

- Carers will continue to be paid Carer’s Allowance if they have temporarily stopped caring for a severely disabled person because either of them is self-isolating.
- During the pandemic emotional support can also count towards the 35 hours per week spent caring.

Child Benefit (CB)

- It is currently possible to make a claim for CB without registering the birth of the child.
- Individuals who have not claimed CB or who had previously ceased claims for CB may now wish to claim if their income has dropped below £60,000 for the higher earner.
COVID-19 Heating Payment

- A one-off payment of £200 is being paid to people in receipt of state pension credit, higher rate Attendance Allowance, high rate care or mobility component of Disability Living Allowance, and enhanced rate daily living or mobility component of Personal Independence Payment in the qualifying week of Monday 30 November to Sunday 6 December 2020. Payment was made automatically during the week beginning 25 January 2021. If payment was not received by 15 February, contact Covid-19 Heating Payment Enquiries on 02879 396 124.

- Eligibility for the scheme was extended on 4 March 2021 to include people in receipt of Constant Attendance Allowance (payable alongside either Industrial Injuries Disablement Benefit or War Pensions), War Pensions Mobility Supplement or Armed Forces Independence Payment. The date for accepting applications from those eligible for a payment but who do not receive the payment automatically has been extended to 30 June 2021.

Debt Recovery

- Debt recovery of benefit overpayments and loans was paused for three months at the start of the pandemic but restarted in July 2020. Anyone experiencing financial difficulty following reinstatement of debt recovery of an overpayment should contact Debt Management on 0800 587 1322.

- The DfC has the discretion to waive an overpayment where recovery would be to the detriment of the health and/or welfare of the claimant or their family. For further details and a template discretionary waiver request letter, see the Law Centre NI website.

Discretionary Support

- Discretionary Support can now be claimed online or by calling the Finance Support freephone number on 0800 587 2750.

- The income threshold has been increased to £20,405.

- Discretionary Support has been opened to full time students who are in financial difficulty as a direct result of coronavirus.
Discretionary Support Self-isolation Grant

- Grants are available to people who have been diagnosed with Covid-19 or have been advised to self-isolate. They can also be made to someone who is self-isolating because they or someone else in their household is displaying symptoms. Grants can be claimed online or by calling the Finance Support freephone number on 0800 587 2750.
- Since November 2020 the daily rates of benefit when calculating the amount of an award have increased.
- Dependent children are included in an award.
- Decision makers are expected to take into account the impact of the financial shock of self-isolation when calculating the number of days to make an award for. An award of living expenses to cover the whole period of self-isolation should now always be considered.
- There is no limit to the number of awards that can be made.

Disability Living Allowance

- Children reaching age 16 will continue to receive their DLA payments until they are invited to claim PIP and have their claim decided. Reassessments recommenced on 21 July 2020. There are currently no face-to-face assessments. Assessments will be done as far as possible on paper or over the phone.
- Reassessment/renewal activity for adult DLA claimants resumed from July 2020.
- Anyone who needs extra time to return forms should ask the DfC for an extension as soon as possible.

Employment and Support Allowance

- ESA can now be claimed online or by calling the ESA Centre on 0800 328 3419.
- The 7-day waiting period for claims to New Style ESA is suspended. Anyone self-isolating because of having or coming into contact with coronavirus and who cannot work from home will be treated as ill and does not need to go to a GP for
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a fit note. After 7 days they can get an ‘isolation note’ online from NHS 111. If they have been advised to self-isolate before going into hospital for surgery, the letter confirming the date of the procedure is proof of eligibility. People advised to shield because they are vulnerable can use their shielding letter.

- ESA claims connected to coronavirus will automatically be placed in the Work Related Activity Group without a fit note or other medical evidence.

- The normal claiming process still applies for non-coronavirus claims. However, if the claimant is unable to obtain a fit note in the current circumstances then the claim will still be processed and paid.

- All face-to-face work capability assessments have been postponed. Claimants will continue to be paid until they are assessed.

- People quarantining after returning from abroad may be able to claim ESA. See the Turn to Us website.

- ESA appellants can choose to have their cases heard on the papers, by telephone, over video link or in person. Oral hearings had restarted but were suspended in December 2020 due to the recent coronavirus restrictions. They will resume as soon as it is appropriate to do so.

Free school meals

- Families whose children are eligible for free school meals will receive direct payments into their bank accounts of £2.70 per child per day, paid fortnightly while schools are closed.

- Free school meal payments are not counted as income for tax or benefit purposes.

Income Support

- Income Support forms can be downloaded from the nidirect website, completed and then returned to the claimant’s local JBO. The claim will be dated from the day it is received in the JBO, not the day it was downloaded.

- The telephony service will receive claims and then call the claimant back to complete the form electronically over the phone. Call 0800 0224250.
Industrial injuries Disablement Benefit

- All face-to-face reassessment/renewal activity has been suspended from 24 March 2020 until further notice.
- New claims can be made and will be processed, with assessments done where possible on paper or over the phone.

Job Seekers Allowance

- Claims can now be made online or by calling the Department for Communities (DfC) on Freephone 0800 224250.
- A work coach will contact new claimants by phone within 5 days of a new application to complete the Claimant Commitment. There are no face-to-face appointments.
- Work search and work availability requirements were reinstated on 3 August 2020 for new claimants.
- All claimants are exempt from signing on.

Personal Independence Payment

- There are currently no face-to-face PIP assessments. If an assessment is needed for a new claim or a change of circumstances it will be done over the phone.
- For people already getting PIP, payments will continue as normal. All awards have been extended for 9 months due to uncertainty around the pandemic.
- Reviews restarted from 21 July 2020 with forms sent out in advance. They will be paper-based or over the phone. Awards will continue until the review has been completed.
- The usual four-week deadline to return the PIP2 form still applies, but anyone needing more time should contact the PIP Centre for a two-week extension. The claimant or their representative should contact the DfC as soon as possible to prevent the system automatically disallowing the claim. No PIP renewal will stop being paid due to non-return of the PIP2 form.
- Mitigation payments have been extended until 31 March 2021.
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- There has been no audio recording option for telephone assessments since the start of the pandemic. Disability assessors are working from mobile phones at home and so recording is not possible.

- PIP appellants can choose to have their cases heard on the papers, by telephone, over video link or in person. Oral hearings had restarted but were suspended in December 2020 due to the recent coronavirus restrictions. They will resume as soon as it is appropriate to do so.

Rates Rebate

- From 4 January 2021 the rules for calculating the income of people applying for a rates rebate after having been made redundant have changed. Payment of salary made in lieu of notice and holiday pay for days not taken due to redundancy will not be counted as earned income. Claimants have until 3 April 2021 to ask for a backdated award. For further details see the Housing Rights website.

Tax Credits

- The basic element of Working Tax Credits has been increased by £20 per week until 5 April 2021.

- In April 2021 HMRC will make an automatic payment of £500 to eligible tax credit claimants to provide continued extra support over the next six months. HMRC will contact claimants by text message or letter to confirm eligibility. The payment should be made by 23 April. For further details see the gov.uk website.

- As Tax Credits are being replaced by Universal Credit, people can only make a claim for Child Tax Credit or Working Tax Credit if they are already claiming Tax Credits. They will need to update their existing tax credit claim by reporting a change of circumstance online or by phone. Anyone currently receiving Tax Credits should get independent advice before claiming Universal Credit. 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 the DfC and HMRC that there will be no way back if someone has claimed UC. Anyone suffering a loss should
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contact the Law Centre NI.

- Anyone who has been furloughed or had a temporary reduction in their working hours due to coronavirus is treated as continuing to work the same number of hours as before the pandemic for Tax Credit purposes. This applies while the Coronavirus Job Retention Scheme remains in place, currently until 30 September 2021.

- **Critical workers** have up to 3 months to report a change of circumstances. Once the Job Retention Scheme ends, this will revert to 1 month.

- Claimants who are furloughed and who have taken another job cannot add the hours from their new job to the hours from the furloughed job together to get over the 30-hour threshold.

- From 14 January 2021 HMRC has introduced various Working Tax Credit run-ons for people who have temporary changes as a result of coronavirus. For details, see the Low Incomes Tax Reform Group website.

**Universal Credit**

- There are no routine face-to-face appointments. Contact is online or over the phone.

- In exceptional circumstances, where the claimant is unable to use the telephony service or does not have online access, UC will assist the individual on a face-to-face basis at their local office.

- Claims should be made **online**, but will also be accepted **over the phone**. The Universal Credit Service Centre can also be contacted using British Sign Language or Irish Sign Language.

- While normally UC is payable from the date the online claim is received, there are limited grounds for backdating to the first date of contact and claimants should explore this with their work coach.

- ID verification can be done online at **Gov.uk Verify** or over the phone by calling the **Universal Credit Service Centre**.

- From 22 July 2020 people who have been claiming income-based JSA, income-related ESA or Income Support and have to claim UC, either because they choose
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to or because of a change in circumstances, may be eligible for a two-week run-on of these payments. It is a one-off lump sum and does not have to be repaid. It is paid automatically and does not affect the amount of UC paid. Housing Benefit run-on was introduced in 2018.

- From 15 July 2020 claimant commitments have been reintroduced for all Universal Credit new claims. Work coaches will contact claimants by phone to discuss their commitment. Work search and work availability requirements continue to be suspended for existing claimants.

- Face-to-face work capability assessments continue to be suspended. Claims connected to coronavirus will automatically be placed in the Limited Capability for Work group from the start of the claim without medical evidence. The normal rules apply to claims unconnected to coronavirus.

- Prisoners on temporary release due to the coronavirus outbreak can claim Universal Credit or other means tested benefits while they are released.

- The surplus earnings rate of £2,500 has been extended to April 2022, after which it will revert to £300.

- The Minimum Income Floor for the self-employed has been suspended until 31 July 2021. Until then Universal Credit will continue to be calculated on actual earnings. From August the MIF will be gradually reintroduced but work coaches will be given discretion to not apply it on an individual basis where they assess that claimants’ earning continue to be affected by coronavirus restrictions.

- The Self-Employed Income Support Scheme, which has been extended to 30 September 2021, is treated as earnings for UC.

- The Severe Disability Premium (SDP) gateway has been removed from 27 January 2021. Eligible claimants now receive SDP transitional protection in a new UC claim. For further information see the CPAG website.

- The temporary £20 increase to the standard allowance of UC introduced last year has been extended to 30 September 2021.

- Childcare costs will continue to be repaid with Universal Credit for keyworkers or for non-keyworkers who have access to registered childcare. Reimbursement will only be made for childcare that has actually taken place during the previous assessment period.
Universal Credit Advances

- Application for an Advance Payment of UC is through the claimant’s online account. The claimant may then be told to contact the Universal Credit Service Centre or speak to their work coach. They will need to provide bank/building society details and verify their identity (and their partner’s if they are making a joint claim). Repayment of an advances can be deferred for up to three months if the claimant is experiencing hardship – the deferral can be requested via the online journal.

- From April 2021 the period over which Universal Credit advances will be recovered will increase to 24 months, while the maximum rate at which deductions can be made from a Universal Credit award will reduce from 30% to 25% of the standard allowance.

Universal Credit Contingency Fund

- Contingency Fund grants are available to people experiencing financial difficulty during their first UC assessment period.

- Applications can be made online or by calling the Finance Support freephone number on 0800 587 2750.

- During the pandemic the amount payable for short-term living expenses has been increased to the full daily Income Support personal allowance for a person, their partner and any dependent children. There is no limit on the number of children that can be included in an award.

Useful contacts

- **Law Centre advice line**: 028 9024 4401
- **COVID-19 Community Helpline**: 0808 802 0020
- **Make the Call, the Department for Communities benefit uptake helpline**: 0800 232 1271