Government agrees extra £74m to fund local welfare provision in 2015/2016

The government has agreed an extra £74m funding to local authorities to assist with local welfare provision in 2015/2016.

Whilst the government had announced that funding for local welfare provision would end from April 2015, it agreed to reconsider its decision following a judicial review – in which the Child Poverty Action Group intervened – that resulted in the DWP, DCLG and the Treasury being required to –

- conduct an ‘appropriate’ consultation that would include consideration of the impacts on equality and discrimination
- before making a new decision on funding for 2015/16.

As a result, whilst at the end of last year the government had said that it would allocate £126.9m toward local welfare nationally, on 3 February 2015 Local Government Minister Kris Hopkins announced that –

‘The consultation ... received a large number of responses which

(continued at foot of page 3, col 2)
Introduction of shared parental pay and leave from April 2015

New regulations have been issued in relation to the introduction of shared parental pay and leave from April 2015.

In force from 1 December 2014, the Maternity Allowance (Curtailment) Regulations 2014 (SI No. 3053/2014) enable a woman to end her maternity allowance early so that an eligible person (a spouse, civil partner, partner or the child’s father) can take the remaining number of untaken weeks of maternity allowance as shared parental pay and/or shared parental leave.

In addition, also in force from 1 December 2014, the Statutory Maternity Pay and Statutory Adoption Pay (Curtailment) Regulations 2014 (SI No. 3054/2014) enable a woman or a primary adopter to end their statutory maternity pay or statutory adoption pay early so that an eligible person can take or share the remaining number of untaken weeks of statutory maternity pay or statutory adoption pay as shared parental pay and/or shared parental leave.

NB – the changes set out in both statutory instruments will affect women who are due to give birth on or after 5 April 2015 or those parents who will have a child placed with them for adoption on or after 5 April 2015.

SI No. 3053/2014 and SI No. 3054/2014 are available from legislation.gov.uk.

DWP writes to existing EEA national JSA claimants about three-month time limit to their claim

The DWP has begun to write to existing European Economic Area (EEA) national jobseeker’s allowance (JSA) claimants about the three-month time limit to their claim.

Since January 2014, all EEA nationals making a new claim for income-based JSA have had time-limited access to the benefit. However, the DWP has confirmed that, from 9 February 2015, it has begun writing to EEA nationals whose existing claim for income-based JSA was made before 1 January 2014 to say that their claim and their right to reside in the UK will be reviewed in three months’ time. The DWP also confirms that this will apply to EEA nationals who have a right to reside status as a ‘jobseeker’ or ‘retained worker’.

The new measure means that all EEA nationals who get income-based JSA are treated in the same way, regardless of when they made their claim for benefit.

In addition, the DWP says that, due to the numbers involved, the letters will be issued as part of a rolling programme over a number of weeks, and that – ‘One month before their income-based JSA claim is due to stop, the claimant will receive a second letter reminding them about the change and inviting them to attend an assessment interview.

At the interview, they will be given the chance to show that they have a genuine prospect of work or, where appropriate, an alternative right to reside in the UK. Those who have an alternative qualifying right to reside will continue to receive income-based JSA.

If the claimant can provide compelling evidence that they have a genuine prospect of work, a short extension to income-based JSA might be considered. If not, their income-based JSA claim will stop.

DWP staff will seek to support any vulnerable people who might be affected by the change and will draw on specialised help where needed.’
DWP’s phone call ‘to explain’ PIP decision will no longer take place

The DWP’s phone call routinely made to claimants of personal independence payment (PIP) whose claims have been disallowed or reduced will no longer take place.

The DWP advises that, as part of its on-going drive to improve the PIP process, it carried out a pilot to test the effectiveness of phone calls to claimants whose claims had been disallowed or whose benefit had been reduced. Results showed that most claimants had already received and understood the written notification before being called by the DWP and that some of them did not need or want further explanation of the decision. As a result the phone call will no longer take place.

Increase in maximum administrative penalty from £2,000 to £5,000

New legislation has been issued in relation to an increase in the maximum administrative penalty for benefit fraud.

In force from 1 April 2015, the regulations increase from £2,000 to £5,000 the maximum amount of an administrative penalty – a financial penalty that may be offered as an alternative to prosecution for a benefit fraud offence or an attempt to commit such an offence. The penalty is now set at £350, or 50 per cent of the recoverable overpayment, up to the maximum of £5,000.

Piloting of universal credit in-work conditionality: New regulations and guidance (continued from page 1, foot of col 1)

NB – the DWP says that the pilot will test –
‘The support we can offer – including looking at who is best placed to provide effective support; what types of digital support can help people progress and what are the role of skills and other provision.

The role of employers – exploring how we can best work with employers to drive progression and to get employers to shape our approaches.

The impact of conditionality – including exploring what impact that applying conditionality to people in-work has and how this affects earnings progression.

Using financial levers – exploring whether additional financial levers, over and above the inherent incentives in universal credit, can drive earning progression.’

ADM Memo 5/15 is available from gov.uk

Government agrees extra £74m to fund local welfare provision in 2015/2016 (continued from page 1, foot of col 3)

predominantly called for additional funding to be made available in order to maintain schemes and prevent costs increasing in other services, including preventing homelessness [and] the costs of providing social care services.

In response to these representations the government has now decided to allocate an additional £74m to upper-tier authorities, to assist them in dealing with pressures on local welfare and health and social care. This will further help councils as they develop localised arrangements and enable them to continue to provide assistance to the most vulnerable people in their communities as well as maintain their other frontline services.’

NB – to find details of your local welfare assistance scheme, see www.cpag.org.uk/lwas

DHP allocation for local authorities in 2015/2016 reduced by £40m

The discretionary housing payment (DHP) allocation for local authorities in 2015/2016 has been cut by £40m, the DWP has confirmed.

In new guidance to local authority housing benefit staff, HB Circular S1/2015, the DWP says that the total government contribution towards DHPs in 2015/2016 will be £125m (compared to £165m in 2014/2015) and that this is allocated in four strands –
• core funding – £15m;
• local housing allowance reforms – £25m;
• removal of the spare room subsidy (or ‘bedroom tax’) – £60m; and
• benefit cap – £25m.

The Department goes on to set out the government DHP contribution and overall limit for each local authority in Appendix A to the Circular.

HB Circular S1/2015 is available from gov.uk

Increase in the carer’s allowance ‘earnings limit’ from April 2015

New regulations have been issued in relation to the carer’s allowance ‘earnings limit’.

In force from 6 April 2015, SI. No.162/2015 increases the carer’s allowance ‘earnings limit’ from £102 to £110.
Universal credit roll-out to single jobseekers and families

(continued from page 1, column 3)

- Tranche 1 – February 2015 to April 2015;
- Tranche 2 – May 2015 to July 2015;
- Tranche 3 – September 2015 to November 2015; and
- Tranche 4 – December 2015 to April 2016.

NB: Details of which local authorities and jobcentres are included in each tranche are available from www.gov.uk/government/publications/universal-credit-national-expansion

A person will however only be able to claim universal credit in these areas if they meet certain ‘gateway conditions’ at the point of claim which, in addition to them being single, include that they must –

- be between the ages of 18 and 60 years six months;
- be a British citizen who has lived in the UK for the last two years and not have been abroad continuously for more than four weeks during that time;
- not be homeless, in supported temporary accommodation or a homeowner;
- have a NI number and be fit for work;
- not be working or not expecting to receive take home pay of more than £330 in the next month, and not be self-employed;
- not be receiving JSA, employment and support allowance (ESA), income support (IS), incapacity benefit, severe disablement allowance, disability living allowance, or personal independence payment;
- not be awaiting a decision on a claim for JSA, ESA, IS, HB, WTC or child tax credit (CTC);
- not be appealing a decision of non-entitlement to JSA, ESA or IS;
- not be awaiting the outcome of an application to revise a decision of non-entitlement to JSA, ESA, IS or HB;
- not be pregnant or have given birth in the last 15 weeks;
- not be a carer; and
- not have savings in excess of £6,000.

In relation to families, the DWP started to take claims for universal credit –

- from 24 November 2014, in six areas in the North West of England – Birkenhead, Bromborough, Hoylake, Upton, Wallasey and Warrington; and

In addition, from 2 March 2015, family claims will be expanded to the remaining sites that went live up until the end of 2014, meaning that all 96 live sites will be taking claims from single people, couples and families.

NB: Details of which areas are taking claims from families (and couples without children) are available from www.gov.uk/jobcentres-where-you-can-claim-universal-credit

Claimants in these areas will still need to meet the same ‘gateway conditions’ as set out above at the point at which they claim, with the exception of being single.

* * * * *

The DWP has also started to test its new ‘Digital Service’ in the postcode part-district SMS 2 in Sutton between 26 November 2014 and 20 December 2014, and from 28 January 2015. The ‘gateway conditions’ do not apply in this area but any claimant must be a British citizen who has lived in the UK throughout the period of two years ending with the date the universal credit claim is made; and has not during that period left the UK for a continuous period of four or more weeks.

Personal independence payment roll-out

The DWP has provided details of the further roll-out of personal independence payment (PIP).

From 26 January 2015, reassessment of existing disability living allowance (DLA) claimants for PIP has extended to postcode areas G (Glasgow), NE (Newcastle), WA (Warrington), WN (Wigan), DH (Durham), SR (Sunderland) and IV (Inverness).

In addition, from 23 February 2015, reassessment of DLA claimants for PIP will extend further to AB (Aberdeen), BB (Blackburn), BD (Bradford), DD (Dundee), DN (Doncaster), EX (Exeter), HX (Halifax), KA (Kilmarnock), KY (Kirkcaldy), LS (Leeds), PH (Perth), PL (Plymouth), PO (Portsmouth), PR (Preston), S (Sheffield), SO (Southampton), TS (Cleveland), and WF (Wakefield).

In these areas existing DLA claimants will be ‘invited’ to claim PIP if –

- the DWP receives information about a change in their care or mobility needs;
- their fixed term award is due to expire on or after 15 June 2015 (for the January roll-out) or 13 July 2015 (for the February roll-out);
- the claimant turns 16; or
- someone chooses to claim PIP rather than DLA.

For more information see the Timetable for PIP replacing DLA from www.gov.uk/government/publications/timetable-for-pip-replacing-dla

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