Jobseekers with ‘skills gaps’ to be required to attend compulsory training

Benefits claimants who need to improve their skills in order to get a job will have to attend compulsory training under new proposals announced by Secretary of State for Work and Pensions James Purnell.

Under the plans, published in a government welfare and skills paper ‘Work Skills: Unlocking talent’, people claiming jobseeker’s allowance who have gaps in their skills will have to attend training to help them find a job -

‘It is not acceptable that a lack of skills should prevent someone claiming jobseeker’s allowance from getting sustainable employment ... We will take the legislative powers needed to require JSA customers to address their skills needs as part of the conditions of receiving benefits.

... From autumn 2008 we will begin to test requiring jobseekers to attend a full skills health check where the screening has identified a need. Where a need for training is identified, attendance at an appropriate course will also be required.’

The government also announced that it intends to consult over the summer on making it compulsory for lone parents and people on employment and support allowance to attend skills training. Depending on the results of the consultation, the government says that

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DWP to use data-sharing to help combat fuel poverty

The DWP is to use data-sharing to help combat fuel poverty, the government has announced.

Amongst a package of measures designed to ‘help vulnerable consumers and especially the elderly make their homes warmer and more energy efficient’, the DWP is proposing to introduce an amendment to the Pensions Bill to allow it to share data with energy suppliers to -

‘... help those who need the help most to be easily identified.’

However, ‘appropriate safeguards’ will be put in place, Work and Pensions Minister Mike O’Brien said -

‘I am making it clear that we are willing to seek changes in the law to allow data-sharing with energy suppliers. But they must promise to use that data securely.’

NB - other measures in the package include a pilot scheme to ensure people applying for Warm Front grants are referred to their energy supplier for tariff advice; and £150,000 to fund a roll out of Ofgem’s national CAB awareness campaign on social assistance for the vulnerable.
DWP launches online ‘Benefits Adviser’

The DWP has launched an online ‘Benefits Adviser’ service via the Directgov website.

The new service is part of the ‘My DWP’ project that DWP Minister James Plaskitt said last year is designed to:

‘... give customers access to far more information about their records, their potential entitlements, than they can establish quickly at the moment.’

According to the Directgov website, ‘Benefits Adviser’ -

‘... provides a signposting service that directs you to further information on benefits that may be relevant to your circumstances. By answering 12 simple questions about your circumstances or the circumstances of someone you care for you will be signposted to information on benefits that may be relevant to your current circumstances.’

The service covers 13 benefits and tax credits - attendance allowance; carer’s allowance; child benefit; disability living allowance; housing benefit and council tax benefit; incapacity benefit; income support; JSA; pension credit; state pension; and child tax credit and working tax credit. It does not however support use by certain claimant groups including students; prisoners; non-UK nationals; under 18s; those in a polygamous marriage; and those living permanently in residential or nursing care or a hospital.

In evidence to the Work and Pensions Select Committee in August 2007, Mr Plaskitt said that the ‘My DWP’ project will also ultimately provide a customer benefit enquiry service that shows which benefits are in payment and when from; and an initial calculation of benefit entitlement.

The ‘Benefits Adviser’ is available @ http://benefitsadviser.direct.gov.uk

Government sets out three-part strategy for reform of the tax credit system

A three-part strategy for reform of the tax credit system, designed to improve service delivery and offer better choice to claimants, has been set out in a discussion paper published jointly by HM Treasury and the Revenue.

In ‘Tax Credits: improving delivery and choice’ the government says that its proposals for reform are influenced by lessons learnt from the first five years of tax credits in the UK, and from the experience of similar systems in Australia and New Zealand, and are designed to -

- continue to improve the service provided to the diverse range of people receiving tax credits by tailoring support more closely to individuals’ needs, to make the process of claiming, receiving and renewing tax credits easier for customers and to reduce the scope for error;

- give customers more control over their tax credits affairs, by providing them with greater certainty about their awards, and more choice about how they receive tax credits and how they repay any overpayments that might arise, while continuing to provide additional support where their income falls or their circumstances change; and

- simplify the delivery of childcare support through tax credits, to further reduce customer error.

To this end, the proposals include -

- introducing further situations in which a run on, which extends entitlement to tax credits for a set period after a change in circumstance, is allowed;

- helping customers who give inaccurate income estimates or report changes late, by rounding up any income estimates that are provided in-year through the use of income bands;

- consideration of whether, in the longer-term, further reforms should be introduced to help customers build up end-year top-up payments by following the Australian example and giving customers more choices about how they receive their awards; and

- consulting on a range of options to reform the delivery of childcare support, including measures to simplify the way entitlement to childcare support is calculated; to give customers more certainty over the childcare support they are entitled to receive; and to make the childcare support customers receive more transparent.

Responses to the proposals are invited by 5 September 2008.

Child Maintenance Act 2008 receives Royal Assent

Legislation that paves the way for the abolition of the Child Support Agency (CSA) has received Royal Assent. The Child Maintenance and Other Payments Act 2008 provides for the introduction of a new system of child maintenance and the creation of a Child Maintenance and Enforcement Commission (C-MEC) in place of the CSA.

It is expected that C-MEC - whose main objective is to ‘maximise the number of children who live apart from one or both of their parents for whom effective maintenance arrangements are in place’ - will begin to deal with new applications from 2010/2011, and that all clients will be subject to a single set of rules managed by a single organisation from 2013/2014.

NB – separate proposals, giving mothers and fathers a right to insist that the other parent acknowledges their responsibilities by being registered on their child’s birth certificate, have been welcomed by Secretary of State for Work and Pensions James Purnell –

‘Registering a child’s birth isn’t just a legal requirement, it’s a lifetime commitment by both parents to safeguard their child’s development, health and welfare, and provide them with direction and guidance throughout childhood.’

The proposals are contained in a White Paper - ‘Joint birth registration: recording responsibility’ - published earlier this month.
DWP’s Out of Hours Service cut ‘to reflect customer need’

Cuts to the DWP’s Out of Hours Service ‘will not discriminate against any particular group, minority or otherwise’, according to a Departmental equality impact assessment.

Provided by Jobcentre Plus, the service operates to provide cash payments in exceptional circumstances - for example where there is a serious risk to the health or welfare of a benefit claimant or a member of their family. In the latter half of 2007, payments averaging £30 were made in more than 95% of cases where a Local Emergency Officer visited an applicant.

However, with approximately 300 staff from across the Department involved in delivering the service, administration costs have exceeded £1 million, the DWP reports, and the service is ‘over-resourced’.

As a result, and despite the fact that approximately 35% of the more than 500 referrals made each week are received between Monday and Friday, changes are being introduced to -

‘... bring the service into the modern environment by standardising it across regions and making it a weekend and holiday service to reflect customer need and business efficiency.’

The impact assessment notes that local authorities have a statutory requirement to act where children or vulnerable adults are at risk and that, whilst they have no statutory requirement to provide financial help in emergency situations outside office hours, they operate a 24-hour emergency helpline and their intervention usually results in the provision of care, respite or accommodation and more rarely, food hampers.

The fact that cash payments are only made by local authorities in exceptional circumstances, the DWP says, reinforces its view that on weekday evenings when its services are available the next morning, there is no risk serious risk to health and safety.

As a result, the revised service, introduced from 12 May 2008, is not available during the normal working week and instead operates at weekends, on statutory holidays and ‘exceptionally, on other days where no service is available’ for 6 hours daily, from 10.00 to 16.00 hours.

Whilst the impact assessment highlights that the DWP has no data on the customers who previously used the service - for example their disability, gender or ethnicity - it concludes -

‘There is no significant negative impact of this change and no evidence of discrimination to any groups of customers or staff. There is no expectation of a need for any further Assessment or Monitoring at this time.’

The DWP’s equality impact assessment is available @ www.dwp.gov.uk/resource centre/outofhoursserviceeia.pdf

Introduction of ESA to lead to 26,500 more appeals

The introduction of employment and support allowance in October 2008 will be likely to lead to an extra 26,500 appeals each year, the government has said.

In an impact assessment published alongside the Employment and Support Allowance Regulations 2008, the government advises that it expects there to be an increase in the number of appeals and appeal hearings as a result of the new benefit’s tighter ‘gateway’ and the introduction of appealable decisions which do not currently exist under incapacity benefits (for example, appeals challenging decisions relating to whether the claimant should be placed in the new support group).

Amongst the government’s own estimates are that -

- 60,000 more people a year will fail the work capability assessment than are currently failing the personal capability assessment;

- around a third of those who fail the work capability assessment will appeal and around 70% of these will reach an appeal hearing;

- 6,000 fewer claimants will be placed in the support group, compared to those who are currently exempt from the personal capability assessment; and

- appeals against sanctions will number 1,500 each year.

Of the extra 26,500 appeals lodged each year the government anticipates that 21,000 will reach a tribunal hearing.

NB - the cost of these extra appeals could amount to £9 million/year, the government advises, with £4 million covering Jobcentre Plus costs in processing the appeals and £5 million in respect of Ministry of Justice costs, for example in relation to provision for hearings by the Tribunals Service and provision of legal aid by the Legal Services Commission.

NI number allocation where partner has no right to be in the UK

The government is to tighten the criteria for the allocation of national insurance numbers where a benefit claimant’s partner has no right to be in the UK.

In a written ministerial statement to Parliament last month, Work and Pensions Minister Stephen Timms said that as part of a cross-governmental enforcement strategy –

‘… the DWP will further tighten the criteria for national insurance number (NINO) allocation to ensure that where the partner of a legitimate benefit claimant has no right to be in the UK, DWP will no longer issue the partner with a NINO.’

The change follows the successful introduction, in 2006, of right to work interviews for those applying for national insurance numbers, Mr Timms added, and will be introduced at the earliest opportunity using the regulation-making powers under section 1 of the Social Security Administration Act 1992.

NB – other measures in the strategy include the reintroduction of procedures to count foreign nationals in and out of the UK and the introduction of compulsory ID cards for foreign nationals to guard against fraudulent access to jobs and benefits.

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Two-tier tribunals system to be launched later this year

A simplified two-tier system - consisting of a first tier and upper tribunal - will go live later this year, the government has confirmed.

With the publication last month of the government’s response to the ‘Transforming Tribunals, Implementing Part 1 of the Tribunals, Courts and Enforcement Act 2007’ consultation paper, Parliamentary Under-Secretary of State for Justice Bridget Prentice said that:

‘Bringing individual tribunals into a single integrated system is at the heart of the most radical change to the tribunal system in 50 years.

This truly modern and unified service will help people to find their way around the system and get solutions to their issues more quickly and efficiently.’

The 2007 Act creates a two-tier tribunal structure, the first-tier tribunal and upper tribunal, which will bring together existing Ministry of Justice tribunals and tribunals in other government departments. The first-tier tribunal will be the natural starting place for most jurisdictions, with onward appeal to the upper tribunal.

In its response to the consultation the government confirms that -

- the first-tier tribunal will include the social entitlement; general regulatory; health, education and social care; taxation and land, property and housing chambers; and
- the upper tribunal will include the administrative appeals; finance and tax and lands chambers.

NB - the social entitlement chamber will incorporate social security appeal tribunals, and the administrative appeals chamber will incorporate the existing jurisdiction of the Social Security and Child Support Commissioners.

However, whilst the government has indicated its intention for tax credits to transfer initially into the social entitlement chamber, in the longer-term they will be incorporated in the tax chamber because, the government says, the issues involved in tax credits relate more to issues of tax than financial assistance through the benefit system.

Subject to Parliamentary approval the new tribunals will commence in November 2008 and the transfer of all jurisdictions will be complete by April 2009.

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DWP rolls out use of Voice Risk Analysis technology

The use of Voice Risk Analysis (VRA) technology to ‘catch out benefit fraudsters’ is to be rolled out to a further 15 local authorities, Work and Pensions Minister James Pilkington has announced.

VRA - also used in the insurance industry to analyse changes in a caller’s voice giving an indication of whether they are ‘genuine’ - has already been piloted across 14 local authorities with the support of Capita Group who supplied the system, advised on its use and provided training.

Anning further funding of £1.5 million to support the roll out of the pilots, Mr Plaskitt said -

‘... this cutting edge technology can be used to stop criminals and is a unique weapon in the fight against benefit fraud. Overall, the huge majority of people who receive benefits are entitled to them. However, there is a minority who will still try to steal money from those people who are most vulnerable. We need to continue to do more to make sure that taxpayers’ money always goes to those who need it the most.’

An evaluation of the pilots will be published later this year.

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Jobseekers with ‘skills gaps’ to be required to attend compulsory training

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Guidance issued to local authorities could start in 2010/2011 to establish ‘what works’ for these groups.

Mr Purnell said:

‘Signing up for benefits should be a contract for individuals to do whatever they can to get themselves into work - skills training is pivotal in getting people equipped to work.

We want to ensure that we give people the help they need to get back on their own two feet. But it’s a two way responsibility, that’s why we want to make sure that everyone who needs training is required to do it as part of their benefit.’

The welfare and skills paper is available @

www.dius.gov.uk/publications/works.pdf

New version of rightsnet goes live

We’ve launched a new version of our rightsnet welfare rights website for advice workers.

The new site looks quite different, but all the information advisers have come to rely on is still available and is now even easier to find.

Key changes include –

- improved navigation and search functions;
- a brand new ‘toolkit’ area, incorporating legislation, guidance and caselaw;
- the latest benefit and tax credit rates; downloadable leaflets and factsheets; claim forms; and benefit calculators;
- improved accessibility in compliance with W3C Web Content Accessibility Guidelines; and
- RSS feeds for the news and briefcase subscription areas.

The new version of rightsnet is available @

www.rightsnet.org.uk