



WELFARE BENEFITS OVERVIEW

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PRESENTATION OUTLINE

- Disability Rights UK overview
- The main benefits – means and non means tested
- Other benefits
- Appeals / mandatory reconsiderations
- Reassessments / worsening of condition
- Our stance

DISABILITY RIGHTS UK BACKGROUND



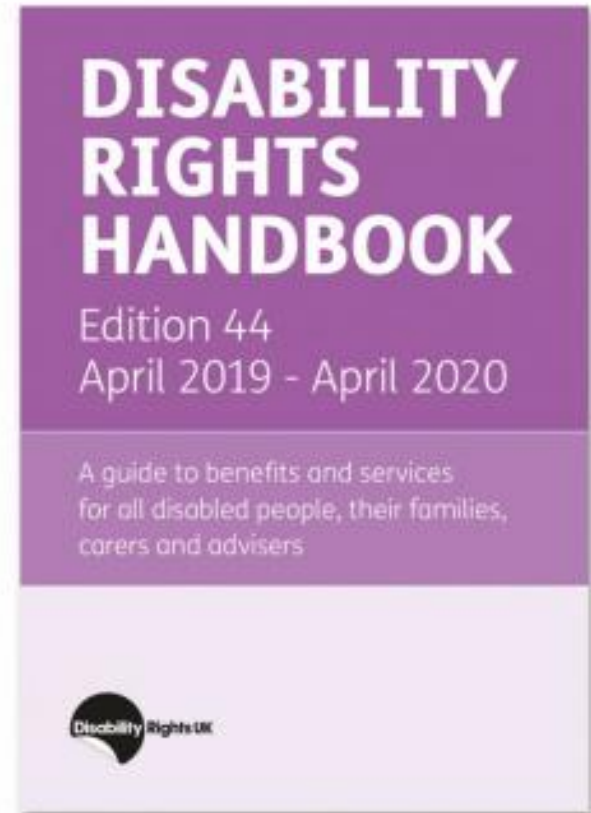
- Formed in 2012 from Disability Alliance, RADAR and NCIL
- Over seventy years of combined work and history
- Member driven organisation
- 'Showing Not Telling'

PRIORITIES 2016-19



- Independent living: getting a life
- Career opportunities – getting work, education and skills
- Influencing public attitudes and behaviours: seeking a sea change in perceptions of disability and tackling hostility, bullying and hate crime
- 4th focus is Access – to services, buildings, transport, etc

DISABILITY RIGHTS HANDBOOK





THE MEANS TEST

- Calculate needs - includes children, age, status, specified additions eg disability / severe disability
- Calculate resources – wages, maintenance, savings/capital
- Calculate benefit



EMPLOYMENT & SUPPORT ALLOWANCE

Who can claim Employment & Support Allowance?

- Employment and Support Allowance is a work related health/disability benefit for people of working age. It is paid to people who are not expected to work due to either *a limited capability for work* or *a limited capability for work related activity*.



UNIVERSAL CREDIT

Universal Credit combines and replaces:

- Housing Benefit
- Income-related Employment and Support Allowance (ESA)
- Income-based Jobseeker's Allowance (JSA)
- Child Tax Credit
- Working Tax Credit
- Income Support



WORK CAPABILITY ASSESSMENT

Completion of ESA50 /
UC50 form

‘Limited capability for work’
assessment (LCW)

‘Limited capability for work
related activity’ (LCWRA)
assessment

Think about ‘worst day’



PERSONAL INDEPENDENCE PAYMENT (PIP)

- PIP is paid to people of working age to help with the additional costs associated with a health problem or a disability
- Two components – daily living and mobility
- Replaced new / renewal DLA claims for adults – DLA still exists for under 16s



PERSONAL INDEPENDENCE PAYMENT (PIP)

Keep a diary - look at activities and focus on those for which support is needed – eg preparing food, taking nutrition, washing and bathing etc – rather than how the condition has worsened

Name:

National Insurance No:

Page:

ACTIVITY	Morning 7am–12pm	Afternoon 12pm–6pm	Evening 6pm–11pm	Night 11pm–7am
Cooking				
Eating				
Managing therapy				
Medication				
Washing/bathing				
Going to the toilet				
Dressing/Undressing				
Communicating				
Reading				



DLA - KIDS

Similar descriptors to PIP, however without cooking test

Attention or supervision needs “substantially in excess of ‘normal’ for his/her age”

Satisfy conditions 3 months before and 6 months after award



ATTENDANCE ALLOWANCE

‘PIP for over 65s’

Higher rate - terminally ill
or satisfy both day and
night conditions

Lower rate - satisfy one of
day or night conditions



CARERS ALLOWANCE

Must provide care for
someone in receipt of
qualifying benefit for 35
hrs+ per week

Don't need to be related
or live with person

No extra payment for 2
people+



TAX CREDITS

Child Tax Credit

- For those responsible for children and on lower income
- Receive max amount if in receipt of means tested benefit
- Only payable for up to 2 children (with exceptions)



TAX CREDITS

Working Tax Credit elements:

- Child
- Disabled worker
- Over 25
- Over 60
- Must work 16 hrs+ (or combined 24 if couple)
- Disabled worker is 16 hrs+



BEDROOM TAX

Or 'Spare Room Subsidy'

- Applies to those living in housing rented from a local authority, housing association or registered social landlord
- Applies under Housing Benefit, or housing element of Universal Credit

Benefits Cap

- Introduced in WR Act 2012
- A limit on the total amount of money a household can receive from benefits.
- Applies if in receipt of housing benefit or universal credit



Appeals and Mandatory Reconsiderations

**If in any doubt re decision
– challenge it!**



Mandatory Reconsiderations



- If disagree with decision, first step is mandatory reconsideration
- Request MR within one month of decision letter
- Claim is revisited by DWP decision maker
- Can provide additional evidence

Appeals

- If decision upheld after mandatory reconsideration, can appeal
- Appeal heard by 1st tier tribunal (HMCTS)
- Can provide additional evidence
- Can appeal the Appeal decision



Reassessments

- Most benefits awarded for two years
- Some awards reassessed after ten years
- Can request review if condition has progressed
- DR UK stance – incurable or progressive conditions – no reassessment



Reassessments – possible additional support

Higher rate of payment eg

- Enhanced PIP
- Support group ESA
- LCWRA element of UC
- Disabled worker element in tax credits



Reassessments

– possible
additional
support

- Non financial support eg
- Disabled facilities grant
- Blue badge
- Disabled person's railcard



Reassessments – considerations

- Further engagement with complex system
- Benefits can go down as well as up
- Can trigger ‘change in circumstances’



HOW FREQUENTLY ARE BENEFITS PAID?

Benefit	How often it's paid
Attendance Allowance	Usually every 4 weeks
Carer's Allowance	Weekly in advance or every 4 weeks
Child Benefit	Usually every 4 weeks - or weekly if you're a single parent or you or your partner get certain benefits.
Disability Living Allowance	Usually every 4 weeks
Employment and Support Allowance	Usually every 2 weeks
Income Support	Usually every 2 weeks
Jobseeker's Allowance	Usually every 2 weeks
Pension Credit	Usually every 4 weeks
Personal Independence Payment	Usually every 4 weeks
State Pension	Usually every 4 weeks
Tax credits, such as Working Tax Credits	Every 4 weeks or weekly. Check your payment date if you're paid every 4 weeks.
Universal Credit	Every month

Backdating

Most benefits can be backdated by up to three months

Exceptions:

CTC / WTC – 1 month

HB – 1 month

UC - 1 month with conditions



OUR STANCE



- WELFARE REFORM HAS ALWAYS BEEN ABOUT CUTTING EXPENDITURE
- RADICAL CHANGE NEEDED TO ASSESSMENTS
- COST OF OUTSOURCING BETTER SPENT ELSEWHERE
- CUMULATIVE IMPACT ANALYSIS NEEDED

Useful sources of information



- Disability Rights Handbook
- disabilityrightsuk.org/factsheets
- MS Society factsheets and helpline
- Benefits calculators:
 - Turn2us.org.uk
 - Entitledto.co.uk
- Advicelocal.uk
- Citizen's Advice Bureaux (UC service)