

welfare benefits

unit

ANNUAL REPORT 2009 - 2010

Serving
York and
North Yorkshire



Introduction

We're still reeling here after the recent budget announcements from the new coalition government.

We knew it would be harsh but you have to ask, what's happened to getting children out of poverty by 2020? I think we can safely say that it has been shelved in favour of an even tighter regime to get everyone back to work. Few would dispute that work is the best route out of poverty, but we all know it's not that simple. At a time when there are an abundance of highly educated and skilled graduates (60+ chasing each graduate job) and thousands of others seeking work after losing employment through redundancy or the recession, employers clearly have the upper hand with plenty of choice. Inevitably those with fewer qualifications, less skills or health issues are probably the ones least likely to find employment.

Employment and Support Allowance was introduced in 2008 and during 2009/2010 we have witnessed with trepidation the roll out of this benefit to thousands of people claiming benefits due to sickness. In light of the frequency of cases scoring zero

points (15 is required to be accepted as having 'limited capability for work') and the numbers of cases successfully being challenged, it does yet again make us question the system. The very system that was set up to provide specialist help and extra support to move the harder to place back to work through 'Pathways' is, it seems, beyond a claimants grasp as most fail the test (the Work Capability Assessment) denying them the chance to get this help. Instead they are ironically sent down the mainstream jobseeking route alongside all the highly skilled. The result is frustration; frustration for the claimants who are not being recognized as having limited capability for work, which they clearly have; frustration for the advisers employed by Pathways providers who cannot work with the people who need their help; and, lastly, frustration for Welfare Rights Advisers both second tier and first tier as they try to support individuals through the turbulent customer journey.

Not surprisingly when the country is hit by a recession our work increases as more people enter the world of claiming benefits so we have

been kept very busy this year offering all our normal services. Our lottery funded project couldn't have been at a better time as it has already supported over a thousand advisers with complex cases and appeals and has raised over £340,000 in benefit entitlement.

I just hope that as the Budget doom and gloom and Public Sector cuts unfold over the coming year forcing us to face leaner times, that we too can ride the storm and continue to provide the services that our clients rely upon.

The Welfare Benefits Unit team are a bunch of hardworking and committed individuals who thrive on providing top quality services. My thanks go to them and my Management Committee, several of whom have overseen this organisation for many many years.

Heather Theobald
Unit Co-ordinator

Foreword

Since this recession began the Welfare Benefits Unit has of course been under increased pressure.

In addition, the last government introduced a number of new measures that have had a huge impact on our work in the last year – not least the introduction of Employment and Support Allowance (ESA). ESA has replaced Incapacity Benefit (IB) for new claimants and the criteria for incapacity have not only become much stricter but also are being applied much more strictly. As a result large numbers of applicants are being refused the support element of ESA and when these people ask for a review a substantial proportion are being accepted! The result is chaos – and suffering.

This chaos is set to get worse because under the last government's legislation existing IB cases are to be phased into ESA using the new criteria.

But on top of that now we have a new government set to reform the social security system (or welfare as they irritatingly insist on calling it)

- and to make substantial savings. In the budget they have already announced a whole raft of measures – child benefit frozen, child tax credit cut for the better off, limits and other changes to housing benefit, new medical assessments of eligibility for Disability Living Allowance, abolition of the Health in Pregnancy Grant and Sure Start Maternity Grant only for the first child. The biggest cut of all so far is the decision to change the uprating formula – benefits are to be linked to the Consumer Price Index rather than Retail Prices Index. No Government since World War II has cut the real level of out of work benefits. This will cut the living standards of the poorest in our community as well as further widening the gap between their living standards and the rest of us.

Yet to be announced in October are the conclusions of the spending round which aspires to cut public spending by 25 per cent.

The Chancellor indicated that he was not satisfied with the last government's reforms to incapacity benefit and was looking to it for further savings.

Expect further chaos.

The prospects for employment are bleak. Local government budgets are going to be lacerated by the cuts. Poor people are going to suffer from the VAT increases and cuts in their benefit levels.

I thank the staff for their excellent work last year and the members of the Management Committee for their support. I pay tribute to the City of York Council and North Yorkshire Council for their financial and other support for the Unit.

The year ahead is going to be the worst year for benefit rights since the Unemployment Assistance Act in 1934. Everyone associated with the Unit needs to gird their loins for very tough times.

Jonathan Bradshaw
Chair of the Management Committee

Our History

The Welfare Benefits Unit (the Unit) is an independent charity. It was founded in 1968 by the local branch of the Child Poverty Action Group.

Until 1985 the Unit was known as York People's Rights. It then operated as a first tier service dealing directly with enquiries from members of the public and other advisers. Since 1985 its role has been as a second tier agency supporting other advisers.

The Unit first offered advice and information from a market stall in York city centre. Today it is in regular contact with hundreds of organisations in the City of York and North Yorkshire.

About the Unit

Information and Publications

The Welfare Benefits Unit provides services to a wide range of advisers in a number of different organisations. We try to ensure our publications offer a useful tool for advisers and members of the public. This is reflected in the subjects covered. For example, as well as the comprehensive overview provided by the Advisers Guide we also produce information relating to the cost of a care home stay or information specifically aimed at those advising young people.

Every year the Unit produces a range of Guides and information sheets for advisers. The rates card and wallchart provide quick reference to benefit and tax credit rates. The Benefits Bulletin is produced four times a year.

Our Aims

The Unit's key aim is to enable those who are eligible for benefits to have access to their full entitlement.

The Unit meets its aim by providing:

- a telephone advice service
- a consultancy service
- a wide range of training courses
- a series of publications including a quarterly Bulletin and information sheets
- benefit take-up campaigns often in partnership with other agencies.

The Unit is an independent charity established to provide specialist welfare rights advice in North Yorkshire and the City of York.

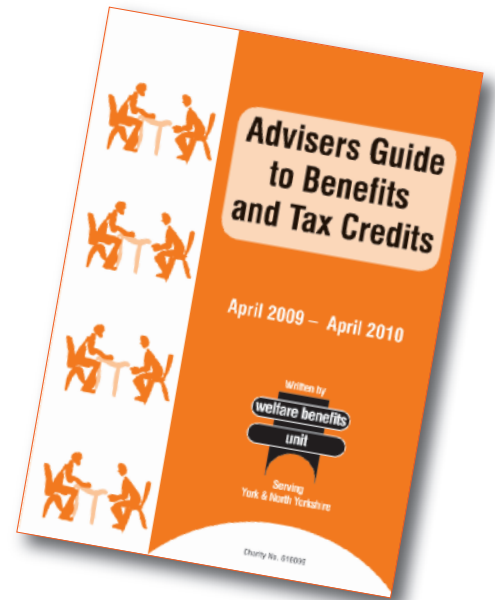
The Unit is funded by North Yorkshire County Council and the City of York Council.

The Unit also generates income from training courses, mailing list fees and the production of benefit guides.

Advisers Guide to Benefits and Tax Credits

The Advisers Guide is a compact guide to benefits and tax credits. It is updated annually in line with the changes to benefit rates and finalised after the Budget statement.

We get positive feedback from many advisers about how helpful they find it. Advisers dealing with queries on a number of levels can use it, whether simple queries or a starting point for more complex situations. Our updating process not only focuses on ensuring accuracy but also on determining how detailed information should be. We aim to provide an overview of the most essential or practical information needed.



Quantities of publications distributed during the year

Name of Publication	Number Distributed
Advisers Guide	7,500
Benefits if you are Disabled	4,000
Benefits if you are over 60	4,000
Benefit Rates Wall Chart	1,000
Benefit Rates Card	3,000
'I Care' Carers Guide	4,000
Role of the Welfare Benefits Unit	1,000
Bulletin	6,050
Council Tax Benefit Bread Leaflet	40,000
'More Great News' Leaflet	40,000

For more information and/or a copy of the accounts for 2009 - 2010 please contact the Unit on **01904 646058**

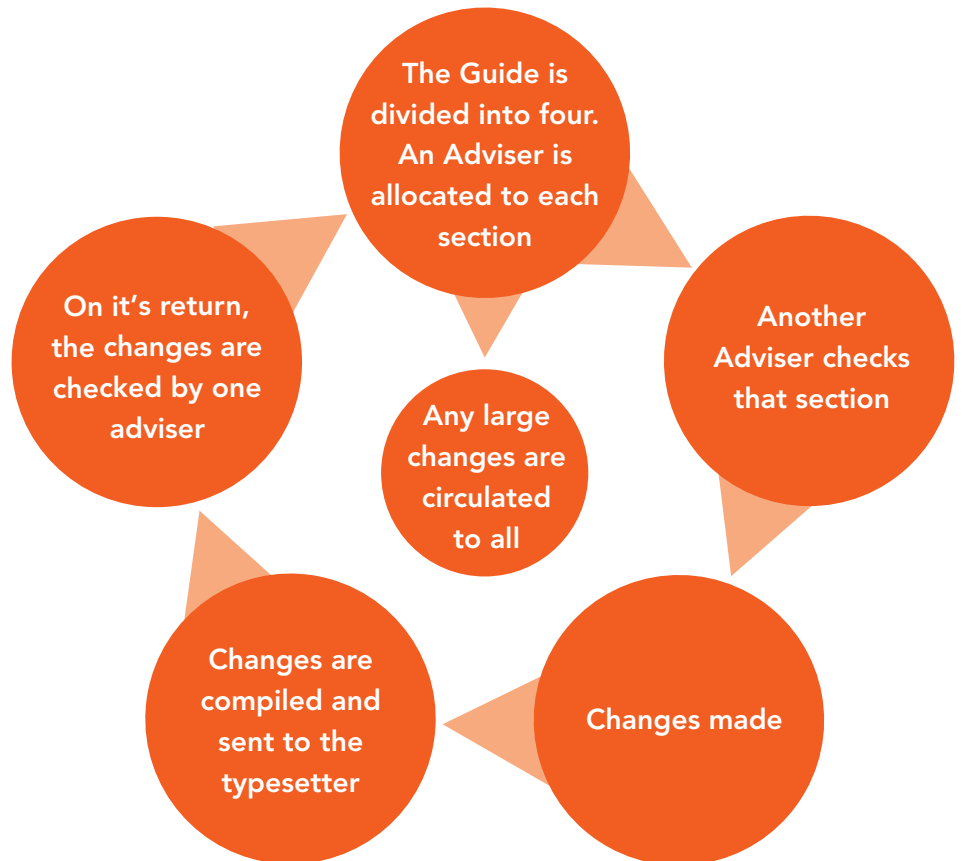
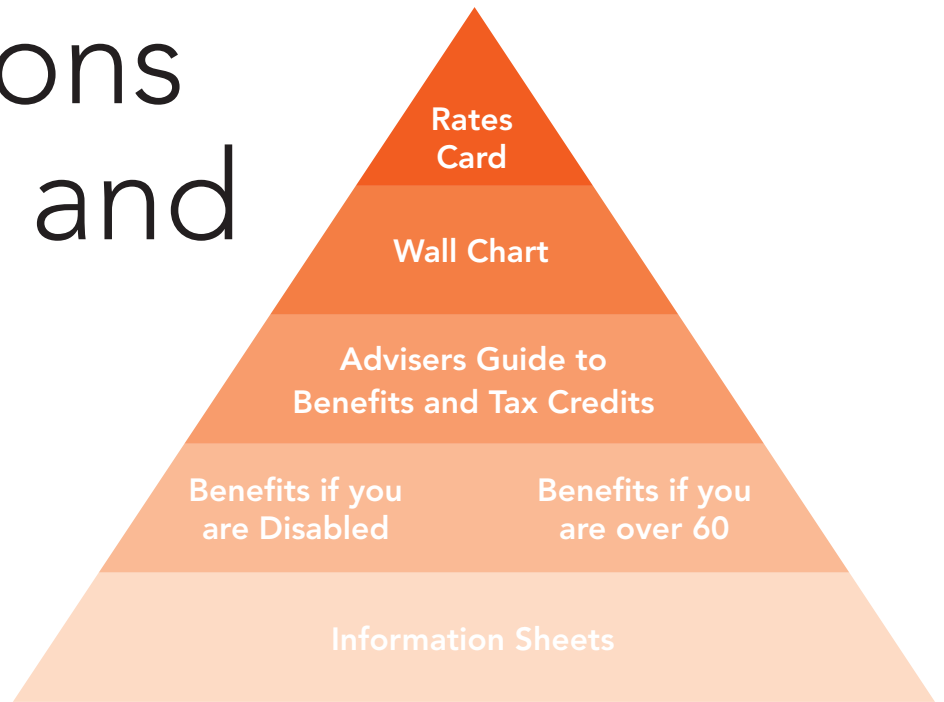
Benefits Bulletin

The quarterly Bulletin complements our annual publications by providing details of new changes or an examination of issues affecting clients. Pulling together information and discussions from within the Welfare Rights sector and from statutory sources we are able to keep advisers up-to-date on essential issues.

Publications Priorities and Process

All year information and amendments to the Advisers Guide are collected and compiled in preparation for updating. The Department for Work and Pensions publish draft social security rates in November so work can begin on the rates card at this time. Updating the Advisers Guide to Benefits and Tax Credits begins in January and usually finishes within two weeks of the Chancellors Budget. The updating is overseen by one person and shared between four Advisers. On the right is a representation of the process.

This process is repeated at least 6 times before it is ready to print. Each Adviser is responsible for updating the section they are allocated at the start of the process. We are committed to making sure the guide is user-friendly, accurate and available as soon as possible after the budget.



Training

In 2009/2010, we delivered 56 days of training attended by 626 trainees, some travelling from as far afield as Carlisle and St. Helens.

The figures represent decreases on 2008/2009 of just under 15% in the number of training days provided and almost 55% in the number of trainees. The demand for training was particularly high last year with the introduction of Employment and Support Allowance and the reduced figures reflect this.

Of the courses, 31 were on our quarterly programme and 21 by request. In delivering the requested training, we have travelled to Leeds and Northallerton, Skipton and Scarborough, and venues around York. The organisations we provided training to include Henshaw's, Carer's Resource, Foundation Housing and local Citizens Advice Bureaux.

Our ever popular 3-day Introduction to Benefits and Tax Credits course was delivered 8 times with an average attendance of 12 fledgling advisers per course. It came third in our league table of popularity.

In second place, with 10 courses and 91 trainees, was Employment and Support

Allowance delivered in both our quarterly programme and by request. This course is the overall greatest contributor to the reductions in our figures, in both delivery and attendance. This is because Employment and Support Allowance was a new benefit, last year, about which all advisors needed to learn.

Our most popular courses were our more general overview and signposting courses. The content of these is specifically tailored to match organisations' needs, particularly those whose front-line staff need a general rather than an in-depth knowledge. We delivered these 11 times to 150 trainees.

In 2009/2010, we continued to build our reputation as a respected training organisation. We introduced

two new courses: an extended Employment and Support Allowance course that concentrates on the more complex areas of this benefit; and one on benefits and redundancy to ensure advisors' awareness of the impact redundancy may have on clients.

There is much uncertainty, through both political and financial pressures, for many of us in 2010/2011. We, at the Unit, along with many of you, are considering potential changes. There is, however, one certainty; 'The System' continues its constant change and there is unlikely to be a slackening in the pace of work for advisors or their need for training.

	Number of Delegates	
	Quarterly Training	Requested Training
City of York		
Community Services	31	0
Citizens Advice Bureaux	11	51
Others eg. voluntary organisations	39	46
North Yorkshire		
Adult & Community Services	66	70
Citizens Advice Bureaux	75	32
Others eg. voluntary organisations	84	68
Outside The Area	39	14

6 most frequent comments on our training: useful, valuable, interesting, thorough, challenging, practical. Very closely followed by comprehensive and enjoyable.

Check out our new website

The website outlines each area of our work and includes pages on publications, campaigns, training and consultancy. You can download an Advisers Guide order form, Benefits if you are Disabled or Benefits for People over 60 guide, or you can check out our latest Annual Report or campaigns leaflets. We also include many links to other independent and statutory advice organisations.

www.welfare-benefits-unit.org.uk

Campaigns

Council Tax Benefit Take-up Campaign April 2009 - 2010

- 8 local authorities involved (North Yorkshire and City of York)
- Third year of a Council Tax Benefit campaign in partnership with the North Yorkshire Benefits Group
- £218,008.20 take up of Housing Benefit and Council Tax Benefit
- 2,150 people made enquiries
- £15,431.36 in lump sum payments made

The partnership also decided to raise awareness about a change in Housing Benefit and Council Tax Benefit rules by producing the More Great News leaflet. Since distributing this to child related venues within North Yorkshire the Local Authority benefit teams have reported increased Housing Benefit and Council Tax Benefit awards.



Advice Line

The Unit maintains day to day contact with advisers via its telephone advice line.

The advice line is open Monday to Friday 10am to 1pm and also from 1pm to 4pm on Wednesdays. We offer comprehensive advice on all queries, ranging from benefit checks to appeals to the Upper Tribunal. Our client group is varied; approximately a third of our calls are from experienced advice workers who want to debate a point of law or require access to our extensive reference material. The other two thirds have less welfare rights knowledge and require detailed explanation of the benefit position their client is facing. On average 28% of calls are from within the two Local Authority Social Services departments. 8% of calls were from the Health Authority, 10% of calls came from the nine Citizens Advice Bureaux, 19% from housing-related agencies and 1% of calls from Educational establishments. Of the remainder, 13% were from Carers organisations and 18% from other organisations. We try only to deal with advisers on a second tier level but inevitably calls are received from members of the public, this year around 3%.

The Statistics

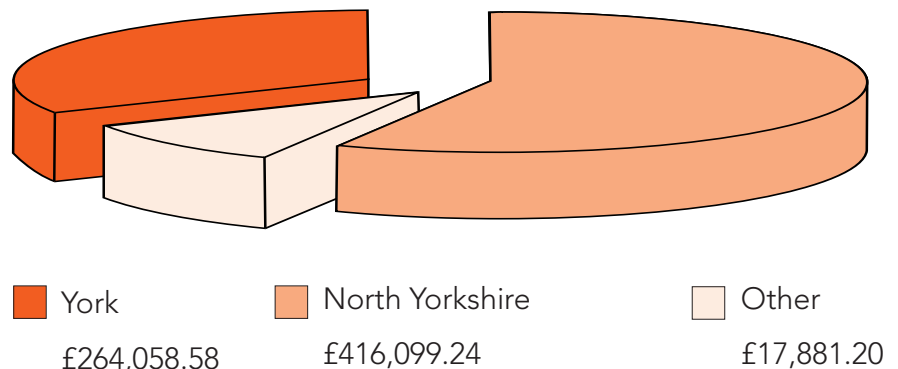
During the year there were 1,568 calls to the advice line generating 3286 benefit enquiries.

30% of calls concerned benefits for people who are disabled or caring for someone. A high proportion of advisers who called for advice

need help and support to regain their entitlement.

55% of calls were from advisers dealing with someone claiming a means-tested benefit. Many of their clients are people whose income is below the poverty level (measured as less than half average household income), and the advisers are

Total take-up by area and type of organisation 2009-2010

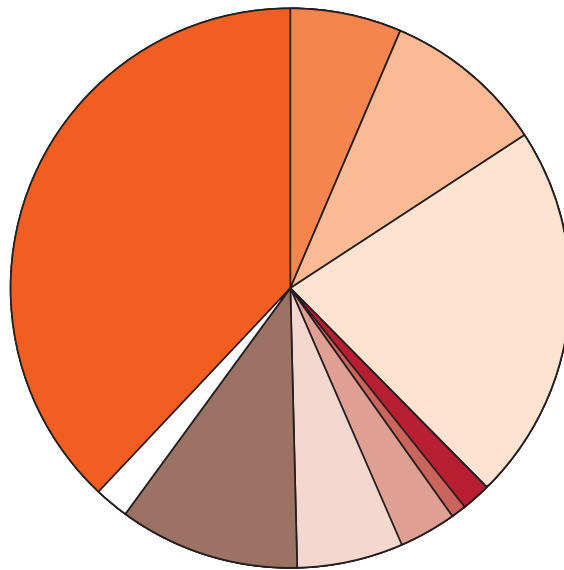


on disability or incapacity benefits asked us how they can help to protect their client's rights to benefits. Callers also sought information on how to help their clients through the often stressful and daunting claim procedures for incapacity and disability benefits. Many clients find the forms too difficult to negotiate without substantial help from an adviser. They may, where advice is not sought, lose benefit and

seeking advice on how to maximise their clients' income. The Unit strives to ensure that advisers are aware of the means-tested benefits available to clients to enable them to achieve a more acceptable lifestyle.

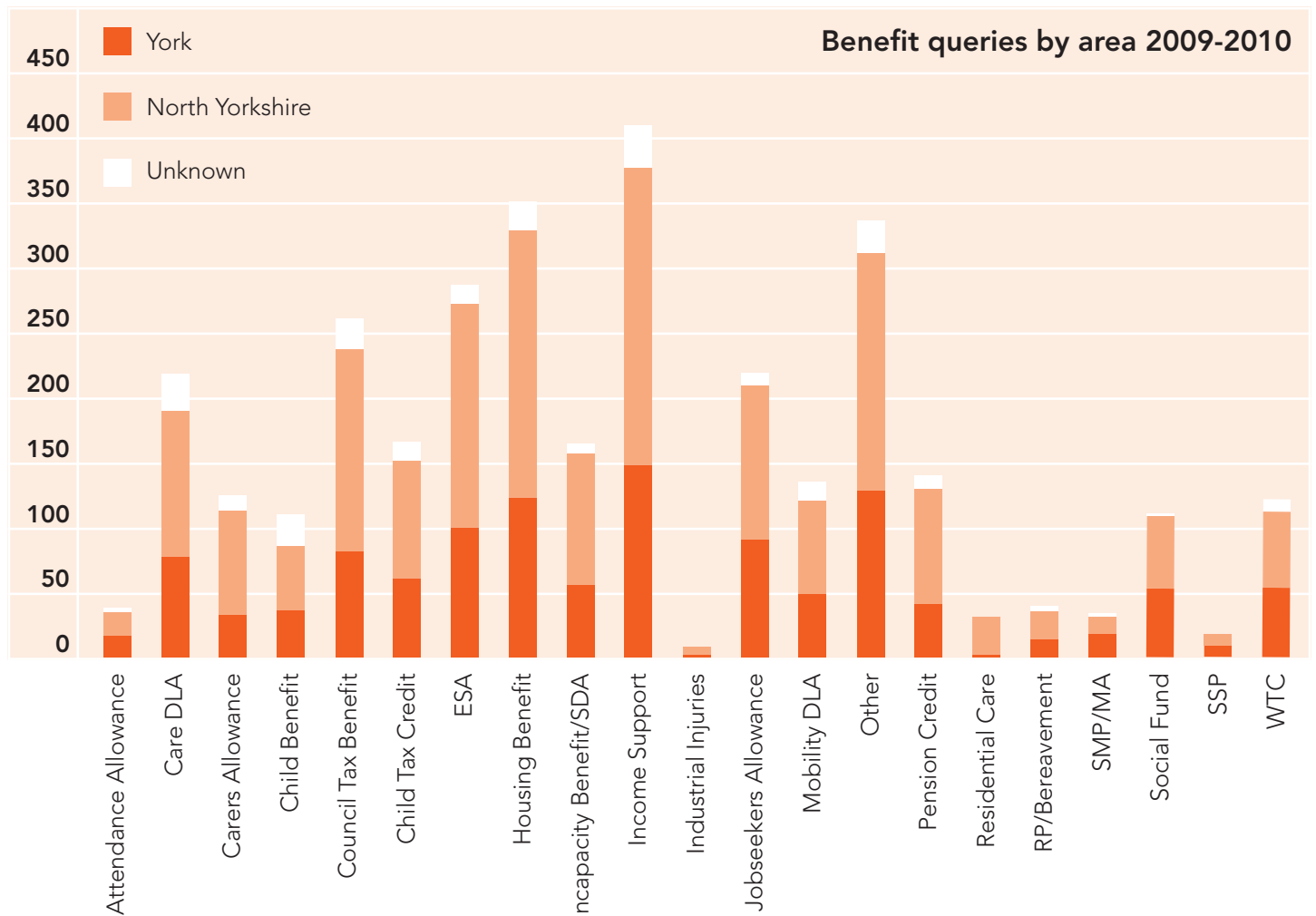
Take-up of benefits from advice line queries 2009 - 2010

This figure only includes benefit and tax credit entitlement that is newly identified in the course of the telephone query. Entitlements referred to by the caller are not included in the take-up figures, even when asking for detailed information to help their clients claim.



Craven	£41,419.70
Hambleton	£69,460.40
Harrogate	£147,885.60
Other	£8,733.60
Richmondshire	£3,820.00
Ryedale	£34,062.40
Scarborough	£44,072.64
Selby	£75,378.50
Unknown	£9,147.60
York	£264,058.58

Total take-up **£698,039.02**



There has been a big push in the last year by the DWP to simplify the benefits system.

The Work and Pensions Committee prompted it, sometime back in 2007, by describing the rules regulating social security as having a “dysfunctional complexity”. So, a number of people from different sectors, all with extensive experience of benefits, convened around a table, and produced a report: a “Guide to Best Practice”. This published in July 2009, for use by DWP staff, when interpreting new rules.

The year 2009 - 2010 was relatively stable at the Unit. Then, there was a change of government. A change of government means a change

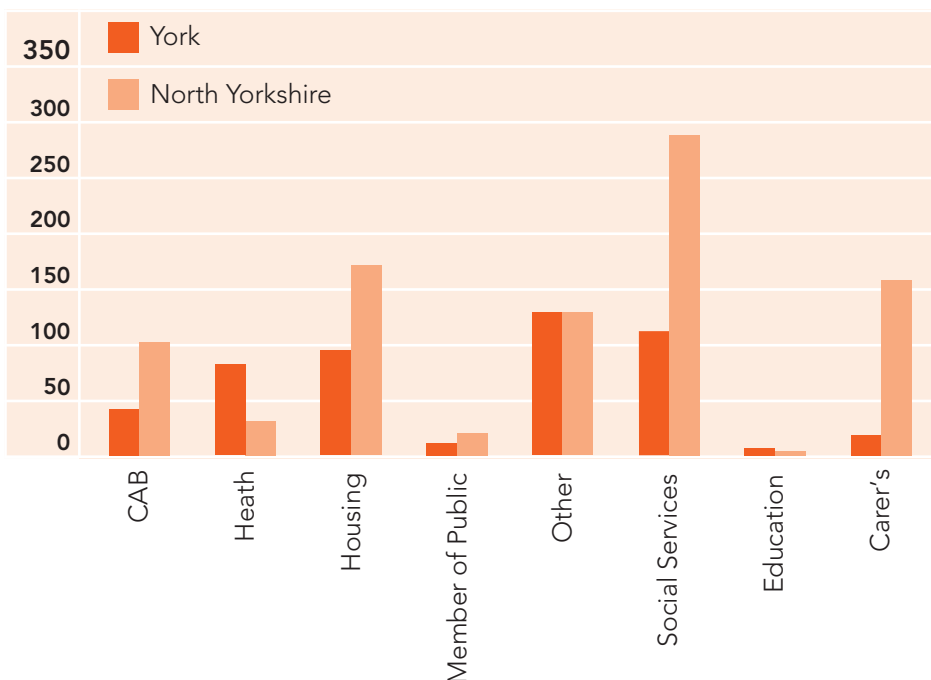
All Change!

of ideas, and in terms of processing information, which is essentially what our work is about, this means two things: another Welfare Reform Bill (we had an earlier one, culminating in an Act of 2007), and a Pensions and Savings Bill. We can't tell you about the details, mainly because there aren't any, as yet. And even if there were, there would be far too many to mention. The Bills were both announced in the Queen's Speech on 25th May 2010, along with twenty others that are “designed to build a strong and fair society by reforming public services and encouraging individual social

responsibility”. Strong words, indeed.

The incoming government has stated that the simplification process we referred to above is to continue and will have two aims: easing the passage from claiming to working, and promoting the easy identification of fraud and error by the staff of the DWP and other agencies. Easy identification must be a good thing if it makes their jobs easier. Sometimes we think it must be too grave a responsibility to administer such a complex benefits system. The Unit shares about seventy years of welfare rights experience between its members of staff – that is a lot of change we've seen in the social security system. So, our empathy and respect for the people who have to use it week in week out – whether they be staff, claimants or advisers - grows deeper everyday. As for simplification, the only way to make the rules understandable for those subject to them is to simplify human behaviour – and we don't think anyone will achieve that in a month of Sundays.

Number of calls by area and type of organisation 2009-2010



Power2Empower

The second year of the P2E project has seen greater activity and even more successes than the first year.

Ongoing cases

During the course of the year 555 new cases have been opened, these led to 2272 requests for some form of advice. This can vary from simple 'one-off' enquiries or confirming or clarifying a particular point to giving help and assistance throughout the whole of the appeals process (ie. from helping with the original appeal through to actual representation at a First-tier Tribunal).

57 successful revisions/appeals were dealt with during the year; these generated over **£240,000** in benefits being paid to claimants as a direct result of the project.

In total 121 organisations throughout York and North Yorkshire have accessed the project, with some organisations accessing the project repeatedly by many advisers in numerous departments.

A number of appeals that failed at the First-tier Tribunal stage have been sent to the Upper Tribunal, the outcome of these will be known in the coming

months. However, even if successful at Upper Tribunal the usual result is to have a new First-tier Tribunal hear the case again.

All in all 32 Tribunals have required representation, either by an adviser or the P2E worker.

Case Study

An adviser contacted the project to seek help for a client who had suffered serious injuries following a road traffic accident. The client had a number of injuries including an amputated left thumb, shattered bones in his left arm, broken bones in his left leg – this was left permanently shorter than his right and numerous other injuries. He was then examined for the Work Capability Assessment for Employment and Support Allowance and 'scored' a total of zero points! Apparently the Health Care Professional (HCP) who examined him thinks there is no problem with manual dexterity if you 'lose' a thumb! Two consultant reports were available to the Decision Maker (35 pages of detailed information) but the evidence of the HCP was preferred. After all, what would a Consultant Orthopaedic Surgeon and a Professor of Hand Surgery know that the HCP didn't? At the

subsequent Tribunal the Judge's introductory comments took longer than the actual hearing. Result; one happy client and one seriously brassed off representative for having to go through this.

Training

The project is required to deliver four training courses on the Decision Making and Appeals process throughout the year; due to the level of demand for this the training has been delivered five times; four in York and one for a Housing Association in Northallerton.

The feedback given by attendees has been very positive throughout and has allowed the training to develop to take into account the suggestions given.

One of the more positive aspects of the training has seen those attending going on to either pass on their experiences to colleagues or feeling confident enough to take on cases they otherwise may not have felt confident enough to do before attending the course.

One idea for the future came from the Unit's quarterly forum. Because of the complexities involved in Employment and Support Allowance appeals there is a need for further training/support on 'tips and tactics' to win at the reconsideration/appeal stage. Watch this space...

Carers Guide

Cuts in funding to other organisations and their tightening belts inevitably leads to us as an organisation feeling the effects.

We produced the Carers Guide for over 12 years. It was commissioned by other organisations for their clients. This year when funding was slashed the Carers Guide was discontinued. However, as an organisation with a strong commitment to the needs of Carers we decided to self-fund and produce a one-off shorter

guide called 'I Care'. It replaced our old Carers Guide to Benefits with a less technical, more accessible and user-friendly booklet. It is intended for direct use by carers to aid understanding and access to the benefits system where appropriate. After researching the wide range of information available to carers nationally and consulting with the Carer's Centre locally, we came up with this new format which incorporates case studies to

demonstrate the range of people and situations for which help may be available.

Since its publication around 9000 'I Care' booklets have been delivered to carers' organisations and benefits teams across our region. Initial feedback has been very positive, suggesting that 'I Care' is simple and easy to use and is regarded as a valuable and informative resource for carers.

Other things we've done this year

- 30 hours Consultancy to assist the University of York Social Policy research team in their work for the Audit Commission on updating and developing work on the cost of being NEET (Not in Education, Employment or Training) aged 16-18. This involved 9 very detailed case studies following cases from age 16 to the end of their life.
- In-depth work writing and updating training as sub-contracted by Citizens Advice for Money Advisers, an initiative that was being undertaken by the Financial Services Authority.
- Updating the benefits section of the York Young Peoples Survival Guide for Castlegate Support and Advice for Young People.
- A benefit take-up and awareness presentation for Acomb Kingsway West partnership at the start of their project.
- Two lectures on benefits for 70 Social Work undergraduates and postgraduates at York University, in preparation for their placements in the community.
- A seminar for Careers Advisers who deal with young students with disabilities.
- Facilitation of a Benefits Workshop at the York Carers Awareness open day.

Networking

The Unit represents and participates in many networks, committees, consultation groups and conferences around North Yorkshire and nationwide. These include:

- North Yorkshire Advice Services Partnership
- North Yorkshire Benefit Training group
- Leeds Disability Benefits Centre External Liaison meeting
- National Association of Welfare Rights Advisers
- Child Poverty Action Group annual national conference

Management Committee

Jonathan Bradshaw (Chair) Department of Social Policy and Social Work, University of York

Robert Jenkinson (Treasurer) Customer Finance team, City of York Council

Terry Atkinson Economic Development, City of York Council

Sheila Crosby Citizens Advice Bureau volunteer, UNISON representative, School Administrator-retired

Rachel Boyes Scarborough Citizens Advice Bureau

Julie Gunnell Shadow Executive Member for Corporate Services

John Robertshaw Housing 21 Benefit Manager

Sam Royston Welfare Rights Adviser Ripon CAB

Left during the year

Christine Skinner Department of Social Policy and Social Work University of York

Lisa Barker North Yorkshire County Council

Many thanks for all their hard work

Unit Staff

Heather Theobald

Co-ordinator

Amy Blythe

Welfare Rights Adviser

Margaret Callaghan

Welfare Rights Adviser

Andrew Davies

Welfare Rights Adviser

Mary Lister

Welfare Rights Adviser

Richard Porter

Welfare Rights Adviser
(Power2Empower project)

Jane Helm

Office Administrator

Carron Whorley

Administrative Assistant

Left during the year

Liz Wilson

Welfare Rights Advisor

Many thanks for all her hard work

Welfare Benefit Forum

This Unit co-ordinates a forum for welfare benefit workers within North Yorkshire. The Forum aims to provide a network for communication and support to advisers who often work in isolation. The Forum is an informal, well attended, quarterly meeting where advisers can discuss issues affecting their work and share good practice. Topics, for example, include partnership working, take-up work, information exchange and identifying social policy issues. Every 6 months the Unit arranges a guest speaker for the Forum. We also held a follow-up for our Power2Empower lottery funded project.

The Welfare Benefits Unit

Serving North Yorkshire
and the City of York

17 Priory Street
York
YO1 6ET

Administration
01904 646058

Advice Line
01904 642512

Power2Empower Project
01904 654821

Fax
01904 654737

E-mail
admin@welfare-benefits-unit.org.uk

Web
www.welfare-benefits-unit.org.uk

welfare benefits

unit