



News in Brief

Welcome to the November edition of News in Brief. Below is a round-up of the latest benefit news that we hope you will find useful for your work.

Contents

[Warm Home Discount Scheme for Winter 2023/24](#)

[Universal Credit, Pre-Settled Status and Destitution](#)

[DWP 'Work Ability Plan' Pilot Scheme Extended](#)

[Universal Credit – Conditionality for Parents](#)

[Support for Mortgage Interest – rate changes – correction](#)

Warm Home Discount Scheme for Winter 2023/24

The Warm Home Discount (WHD) helpline opened for calls from 16 October (0800 030 9322). The WHD provides a £150 rebate onto electricity bills for eligible low-income households in Great Britain.

Generally, there is no need to claim: the discount is made automatically from bills. If eligible clients have not received a letter by 29 January 2024, they should contact the helpline before 29 February 2024.

Scheme reforms mean that different rules apply in England, Wales and Scotland. Eligibility is determined by an individual's circumstances on the qualification date (13 August 2023).

Recipients of the guarantee credit element of Pension Credit will be eligible for a WHD in England, Wales and Scotland if they are a named account holder with a participating electricity supplier. Recipients of other means-tested benefits, including tax credits, may also be eligible for a WHD in England and Wales if they meet the Government's criteria relating to home energy costs (determined by property characteristics). Letters will be issued to eligible and potentially eligible people by mid-January with more information.

People living in Scotland and in receipt of certain other benefits may be able to claim a discount direct from their energy supplier.

For more information, visit: www.gov.uk/the-warm-home-discount-scheme

Universal Credit, Pre-Settled Status and Destitution

Since 2022, a court case has been rumbling along concerning an EEA national who had been granted Pre-Settled Status. The claimant, AT, a single mother, had fled domestic violence and other than Child Benefit had no income whatsoever. She claimed Universal Credit, which was refused as she had no qualifying right to reside.

On appeal to the First-tier Tribunal (with CPAG already involved at this point), the Judge ruled that UC should be paid, relying on the EU Charter of Fundamental Rights, as there was an actual and current risk that AT and her child were not able to live in dignified conditions – a risk of being without food, clothing, accommodation, and heating.

Naturally, the SSWP appealed to the Upper Tribunal against this judgement (albeit with UC in payment for AT while the court process went on), where again, AT was successful. The SSWP then appealed again, to the Court of Appeal, which is the judgement which has just been handed down. AT was once again successful.

This is a significant judgement for those in similar positions. It is not a loophole for all claimants with Pre-Settled Status but no qualifying right to reside – there must be a real risk of destitution involved and each case must be assessed on an individual basis. It should be noted that the SSWP may try their luck and appeal again – we will keep you updated.

CPAG have produced notes for advisers helping people in this situation, which can be found here: cpag.org.uk/welfare-rights/resources/test-case/destitute-eu-nationals-pss-can-rely-eu-charter-fundamental-rights

DWP 'Work Ability Plan' Pilot Scheme Extended

The DWP is expanding its health and employment pilot scheme from Leeds to 12 new sites including York.

The scheme usually involves voluntary 1 hour discussion between a disabled benefit recipient and a health practitioner exploring their health, barriers to work and actions that could support work. They develop a 'work ability plan', which is shared with the work coach.

The pilot started in May 2022 and the DWP says it has helped hundreds of people into work. Their findings suggest that some participants were better able to communicate their needs and found greater confidence in overcoming barriers to work.

For more information, visit: www.gov.uk/government/news/back-to-work-boost-for-disability-benefit-claimants-as-ground-breaking-employment-scheme-expanded

Universal Credit – Conditionality for Parents

As you may be aware, the Government recently significantly increased the amount of help available for childcare costs through Universal Credit.

From 25 October 2023, the DWP is making changes to the requirements for parents on UC. Parents of 3-12 year olds will now be expected to 'spend more time in work or applying for jobs, up to a maximum of 30 hours a week'. This is an increase from 16 hours per week. Conditionality will be subject to personal circumstances.

For more information, visit: www.gov.uk/government/news/employment-boost-for-thousands-of-parents-on-universal-credit

Support for Mortgage Interest – rate changes – correction

Please note a correction in the information given in the previous edition of NIB – and accept our apologies! The rates are the opposite way round than what was stated:

There are two interest rates involved in Support for Mortgage Interest loans:

- There is the interest rate involved in the calculation of the amount that you can borrow – from July 2023 this has increased from 2.09% to 2.65%.
- There is the interest rate used to calculate the amount of money you have to repay – from May 2023, this has increased from 3.03% to 3.28%.

