

A Guide to Welfare Reforms

Provided by Islington Law Centre for
Advising Islington Together

Major changes to welfare benefits have been introduced.

Islington Law Centre has produced this practical guide to help Islington residents find out:

- Who is affected by the welfare reforms
- What can be done to reduce the impact of benefit cuts
- Where to go for help and advice

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Islington Law Centre* serves the community by providing free independent legal advice and representation. Islington Law Centre Welfare Benefits unit is funded by: Islington Council, The Cripplegate Foundation, Richard Cloudesley's Charity and Islington Giving.

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Introduction

This **Guide to Welfare Reforms** aims to provide practical advice to Islington residents on how to cope with the cuts to welfare benefits, reduce their impact, challenge decisions and find long term solutions.

If you are affected by the benefit changes then it is important to get advice. This guide also provides details of advice available within the borough.

If you work with those affected by the welfare reforms, this guide will help you understand the changes and support your client.

The cuts and changes to Welfare Benefits and Tax Credits in this guide affect working age people only.

This Guide to Welfare Reforms is for guidance only and not an authoritative statement of the law. Social Security law can change frequently so seek specialist advice if possible.

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Overview of Welfare Reforms

From April 2013

Housing Benefit

- The 'Bedroom Tax' – Housing Benefit for council or housing association tenants is reduced if the home has more bedrooms than the family is considered to need.
- The maximum rent payable from Housing Benefit will be increased in line with the Consumer Prices Index, rather than the more generous Retail Price Index.

Council Tax Benefit abolished and replaced with Council Tax Support Scheme

- Council Tax Benefit is no longer a national scheme but administered by each local authority. The overall Council Tax Benefit allowance to local authorities is reduced by 10%. In Islington Council Tax Benefit for residents of working age has been reduced by 8.5%. This could increase in subsequent years. Pensioners are not affected.

Community Care Grants and Crisis Loans

- These have been abolished and replaced by schemes to be devised by each local authority. Islington Council has developed the Islington Resident Support Scheme.

From June 2013 onwards

Disability Living Allowance (DLA) is replaced by Personal Independence Payment (PIP)

- Affects working age people only. Children and those over 65 years old are not affected;
- The disability conditions for PIP will be harder to satisfy than DLA. PIP is designed to reduce the number of claimants by 500,000.

From October 2013 (August 2013 for Islington)

Total benefit cap introduced for working age households

- A maximum amount of means tested benefits, including housing costs, to be introduced. Some groups will be exempt. If affected the cap applies as follows:
 - £500 per week maximum benefits for a couple or lone parent;
 - £350 a week maximum benefits for single people.

From October 2013 (2016 for Islington)

Universal Credit

- This new benefit will gradually replace means-tested benefits and tax credits for working age claimants. Key changes include: online claims, monthly payments directly to claimant including housing costs; increased conditionality and sanctions regime; and the benefit cap unless in an exempt group;
- In Islington, Universal credit will be phased in from 2016 and most existing claims will be transferred by 2017;
- Sanctions regime – the Claimant Commitment will be rolled out in Islington from November 2013.

Minimising the effect of Welfare Reform

Minimising the impact of Housing Benefit reductions

- Appeal 'Bedroom Tax' reductions in Housing Benefit, if appropriate.
- If you are in receipt of DLA care component or PIP daily living component there should be no non-dependent deductions from Housing Benefit. Ensure the Housing Benefit section is informed if DLA or PIP is awarded.
- Check that non-dependent deductions are correct – ensure all non-dependents have provided proof of income or status.
- Inform the Housing Benefit section promptly of all changes in circumstances, including changes in income, people moving in or out of your home, or death of a member of your household for example.
- Claim a Discretionary Housing Payment, either directly to the council or through the Islington Resident Support Scheme.

Minimising the impact of Council Tax Benefit reductions

- Ensure all reductions or exemptions from Council Tax are claimed: Single Person Discount; Disability Reduction Scheme; Severe Mental Impairment Exemption; Student Discount and Older Person Discount.
- Apply to Islington Resident Support Scheme for 'council tax welfare provision'.

Islington Resident Support Scheme

- Apply to the scheme, designed to "Offer temporary financial support to residents facing severe difficulties as a result of government cuts to welfare benefits". The scheme brings together a number of different funding schemes:
 - Discretionary Social Fund;
 - Discretionary Housing Payments;
 - Council Tax Welfare Provision;
 - Funds from the Cripplegate Foundation.

How to avoid Benefit Caps

- Claim Personal Independence Payment (PIP). But only if you are not already in receipt of Disability Living Allowance (DLA).
- Employment and Support Allowance – do you satisfy the conditions for the support group?
- Appeal DLA and ESA decisions. There is often poor decision making by DWP and ATOS medical examiners.
- Increase your hours of work and gain entitlement to working tax credits. See the Benefit Cap factsheet for the minimum number of hours you need to work.

Universal Credit

- Ensure you receive transitional protection if eligible.
- Do not delay making claims as limited backdating period.
- Be aware of increased conditions on entitlement, and possibility of sanctions.
- Seek access to internet for online applications.
- Monthly payment schedule – if this will cause problems, Universal Credit can be paid differently if necessary to protect claimant, partner or child.
- Apply for payments in advance where experiencing hardship.
- Apply for Budgeting loans where appropriate (available only until UC rolled out).

SEEK ADVICE IF YOU ARE CONCERNED ABOUT WELFARE BENEFITS, HOUSING PROBLEMS OR DEBT

The 'Bedroom Tax'

Housing Benefit cuts for households with spare bedrooms

Since April 2013, council and housing association tenants have had their entitlement to Housing Benefit reduced where they have more bedrooms than they are considered to need. This is known as the 'removal of the spare room subsidy' or 'bedroom tax'.

Housing Benefit eligible rent will be cut by 14% if you have one extra bedroom or 25% if you have two or more extra bedrooms.

The number of bedrooms a household is considered to need are:

- one bedroom for a couple
- one bedroom for each person aged 16 or over
- one bedroom for two children aged under 16 of the same sex
- one bedroom for two children aged under 10 regardless of sex
- an extra bedroom for children who are unable to share because of disability
- one extra bedroom, if you or your partner need a carer to stay overnight
- one extra bedroom if you are an approved foster carer for the foster children
- one bedroom for an adult son or daughter deployed in the armed forces, if they intend to return to the family home.

People who will not be affected by the 'bedroom tax'

- Pensioners (men and women over the state retirement age for women).
- If you have a spare bedroom because a member of your household has recently died. The 'bedroom tax' will not be applied for 12 months.
- You have lost your job and have not claimed Housing Benefit in the last 52 weeks. The 'bedroom tax' will not apply for the first 13 weeks.
- You fall into the following provision in the law exempting you from the changes:

Please Note: The government has now changed the law to close this exemption. This does not apply from 3rd March 2014. However, you can still apply to have the 'bedroom tax' removed from 1 April 2013 to 2 March 2014, if:

- 1) You have:
 - (a) Been continuously entitled to Housing Benefit since at least 1 January 1996 (breaks of 4 weeks or less are ignored, or 52 weeks if you or your partner returned to work under a welfare to work scheme); **and**
 - (b) You have lived in the same home since at least 1 January 1996.

OR

- 2) You:
 - (a) You succeeded or inherited the tenancy from your partner or family member after 1996 and they met the above conditions; **and**
 - (b) You have been receiving Housing Benefit since then.

What to do if you are affected by the 'bedroom tax'

- Appeal against the 'bedroom tax' deductions – see next factsheet.
- Apply for a Discretionary Housing Payment to help with rent payments – see section 4.
- Consider whether other family members able to contribute towards the rent?
- Consider whether you are able to increase your hours of work to meet the extra expense?
- Could you rent a room to a boarder or lodger to increase your income? **However, you must have agreement from your landlord and you need to check if the extra income from renting the room will affect entitlement to other welfare benefits.**

Your home may be at risk if you are unable to pay your rent. Payments of rent should always be considered a priority.

Appealing 'Bedroom Tax' cuts

As with most other Housing Benefit decisions, there is a right of appeal against the decision to reduce your Housing Benefit because of the 'bedroom tax' rules. An appeal gives you the right to have the decision looked at again. The Local Authority may reconsider your case in your favour. However, if they are unable to do so the appeal will then be considered by an independent Tribunal.

An appeal should be submitted within one month of the Housing Benefit decision. However, an appeal can be accepted outside the time limit (maximum 13 months) if it is in the interests of justice to do so, and there are 'special circumstances', for example family illness, bereavement, or awaiting legal advice.

You must have a reason or 'grounds' for requesting an appeal. See the next page for examples.

Some grounds of appeal relate to a mistake over the facts of your particular case. The local authority may not have up to date information about your individual circumstances. Check that your circumstances have been correctly assessed. Use our bedroom tax guide for advice on entitlement to the number of bedrooms allowed for your family.

Other grounds of appeal challenge the fairness of the 'bedroom tax' rules themselves. We believe the 'bedroom tax' rules are unfair, and as such may breach fundamental human rights and be discriminatory. Applying the 'bedroom tax' in some cases may therefore be unlawful under the Human Rights Act. In these cases the appeal is unlikely to succeed in the first instance, and may take many months to be decided. There is also NO GUARANTEE of a successful outcome. The law can be complex in these cases.

Seek specialist independent advice wherever possible to make an appeal. However, if there is a delay in accessing advice, we suggest you use our template form to submit your appeal as soon as possible.

Your home may be at risk if you are unable to pay your rent. Continue to make rent payments wherever possible whilst you are waiting for the appeal to be decided.

Possible grounds of appeal against 'Bedroom Tax' cuts

There are a number of possible grounds for appealing 'bedroom tax' cuts.

If you think any of these circumstances apply to you seek advice and/or complete the appeal form on the next pages and send to your local authority.

Grounds 1-3 below are established rights and the local authority should revise their decision on appeal. Grounds 4- 9 are not yet fully established rights, therefore a successful outcome may not be achieved initially. However this is a new law where challenges may succeed when considered by a Tribunal or through the courts.

Grounds of appeal:

1. The local authority has wrongly assessed the number of bedrooms your household needs.

Check our 'Bedroom Tax' guide to see how many rooms you are allowed. In particular ensure that an extra bedroom has been allowed if you:

- Have a disabled child who is unable to share;
- Require a carer to stay overnight;
- You are an approved foster carer;
- You have an adult son or daughter deployed in the armed forces, and if they intend to return to the family home.

2. The local authority should not have applied the 'bedroom tax' in your case because certain conditions apply to you, as follows:

- You are a pensioner;
- You have spare bedroom because a member of your household recently died. The 'bedroom tax' should not apply for 12 months after their death;
- You have lost your job and not claimed housing Benefit in the last 12 months, The 'bedroom tax' will not apply for the first 13 weeks.

3. The local authority should not have applied the 'bedroom tax' in your case because of a provision in the law exempting you from the changes and the following applies:

A) You have:

- (a) been continuously entitled to Housing Benefit since at least 1 January 1996 (breaks of 4 weeks or less are ignored, or 52 weeks if you or your partner returned to work under a welfare to work scheme); **and**
- (b) You have lived in the same home since at least 1 January 1996.

OR

B) You have:

- (a) succeeded or inherited the tenancy from your partner or family member after January 1996 and they met the above conditions; **and**
- (b) you have also been receiving Housing Benefit since you moved in.

Please Note: The government has now changed the law and closed from 3 March 2014. However, you can still appeal to have the 'bedroom tax' removed from 1 April 2013 to 2 March 2014 – See appeal form or separate letter.

4. The local authority has wrongly assessed the number of bedrooms in your home.

For example one or more of the rooms:

- a) Is a small boxroom which has been classified as a bedroom, but which is too small to be a bedroom (less than 50 sq. ft (4.64 sq. metres) or 70 sq ft (6.50 sq.metres));
- b) Is unsuitable to be used as a bedroom, for example a lift or staircase opens into the room, and it has no privacy;
- c) has never been used as a bedroom. For example, the room is used to prepare food as your kitchen is too small, or to store essential equipment;

Section 2

5. A disabled adult lives in your house and needs:

- a) their own bedroom because of their disability; and/or
- b) a bedroom for therapeutic/care purposes/or to store disability related equipment; and/or
- c) Your home has been specifically adapted to meet the needs of a disabled person.

6. A member of your household is in residential care, but needs the bedroom when s/he comes home to visit.

7. You are separated from a former partner and your children live elsewhere. You require an extra bedroom or bedrooms to enable your children to stay with you on a regular basis.

8. A member of your household has physical, mental or cognitive difficulties which would make moving home harmful.

9. Your children previously lived in a household which experienced domestic violence. They need a safe place to live and requiring the family to move would be unfair.

10. There may be other reasons in your individual case. Always provide as much information as possible to support your appeal.

We have prepared an appeal form letter which you can amend to reflect your individual circumstances. You can post it or hand it in to Islington Council offices. Keep a copy of your appeal letter and seek specialist independent advice.

Your home may be at risk if you are unable to pay your rent. Continue to pay your rent.

Section 2

Housing Benefit Appeal Form 'Bedroom Tax' (Under-occupancy deductions)

TO:

**London Borough of Islington
Benefits Service
PO Box 34750
London
N7 9WF**

FROM:

Name:

Address:

Telephone:

Date:

My Housing Benefit Reference:

My National Insurance Number:

The name of the benefit I am disputing is housing benefit (under-occupancy deductions) or 'bedroom tax' deductions.

The date of the decision I wish to dispute is: (date of decision or brief details that will allow the decision to be identified).

I would like to request three things:

- 1. an explanation of how the decision was made to reduce my Housing Benefit;**
- 2. for this decision to be looked at again under review; and**
- 3. I wish to appeal against this decision.**

I think your decision is wrong because: You have failed to base your decision upon the actual facts and circumstances of my case, or an inspection of my home. Please provide me with a copy of your policy which sets out how you define 'bedroom' for the purposes of the HB Regulations 2006 as amended by SI No.3040, and any other documentation which explains how you have reached your decision in my particular case. I believe you have applied a blanket policy, and unlawful approach, in determining that I have a spare room.

AND more particularly because:

[Tick only those circumstance which apply to you and your family]:

1. The local authority has wrongly assessed the number of bedrooms my family needs.

My family needs.....bedrooms for the following reasons. (tick those which apply to you)

- An extra bedroom for a disabled child unable to share
- An extra bedroom because I or my partner need a carer to stay overnight
- An extra bedroom because I am a foster carer
- An extra bedroom because I have a son/daughter in the armed forces who intends to return to the family home
- Other reasons:

Details:

Continue on separate sheet if necessary....

2. The local authority should not have applied the 'bedroom tax' in my case because of the following:

- I am over the state pension credit age;
- I have a spare bedroom because a member of my household recently died. On the following date:.....
The 'bedroom tax' should not apply for 12 months from that date.
- I have lost my job (Date:.....) and not claimed Housing Benefit in the 12 months before that date.
The 'bedroom tax' should not apply for 13 weeks from that date.

Details:

Continue on separate sheet if necessary....

3. The local authority should not have applied the 'bedroom tax' in my case.

They have wrongly calculated my eligible rent, because:

(Please note the government has now changed the law from 3 March 2014. However, you can still appeal to have the 'bedroom tax' removed from 1 April 2013 to 2 March 2014.)

A) I have:

- (a) been continuously entitled to Housing Benefit since at least 1 January 1996 (breaks of 4 weeks or less are ignored, or 52 weeks if you or your partner returned to work under a welfare to work scheme); **and**
- (b) I have lived in the same home since at least 1 January 1996.

OR

B) I have:

- (a) succeeded or inherited the tenancy from my partner or family member after January 1996 and they met the above conditions; **and**
- (b) I have also been receiving Housing Benefit since I moved in.

Please calculate my eligible rent pursuant to Paragraph 4(10(a) of Schedule 3 of the Housing Benefit and Council Tax Benefit (Consequential Provisions) Regulations 2006.

Details:

Continue on separate sheet if necessary....

4. The local authority has wrongly assessed the number of bedrooms in my home.

My home has only.....bedrooms for the following reasons. [tick those which apply to you]

- I have a small box room which is too small to be a bedroom;
- I have a room which is unsuitable for use as a bedroom because it has a lift or staircase opening onto it, and there is no privacy;
- The room has never been used as a bedroom. It is used as follows:
- I have a small galley style kitchen and you have wrongly classified my dining room as a spare bedroom.
- Other reasons

Details:

5. A disabled adult lives in my house and needs:

- their own bedroom because of the needs of their disability. To ignore the needs of a disabled member of my household and treating them as not being entitled to their own room to sleep in is discriminatory and unlawful in relation to the Human Rights Act 1998"; **and/or**
- The disabled member of my household requires a bedroom for therapeutic/care purposes/to store medical equipment in relation to their disability; **and/or**
- My home has been specially adapted to meet the needs of a disabled person.

Details:

6. A member of my household is in residential care, (or similar institution) but occupies the bedroom when s/he comes home to visit.

Details:

7. I am separated from my former partner and require the room you have wrongly classified as a spare room to meet my child care and parental duties. To ignore my duties as a parent, and ignore the needs of my children to stay with me, is discriminatory and unlawful in relation to the Human Rights Act 1998.

Details:

8. A member of my household has mental or physical health problems which would make moving from their home harmful, and requiring such a move is discriminatory and unlawful in relation to the Human Rights Act 1998.

Details:

9. My children need a safe space because they previously lived in a household which experienced domestic violence and requiring such a move is unlawful in relation to the Human Rights Act 1998.

Details:

10. Other reasons which are grossly unfair in all the circumstances of my case:

Details:

Additional Information to support this appeal:

Evidence Attached:

Continued on separate sheet: yes/no

Please now sign and date the form below (Remember **you** must sign the form, it cannot be signed by your representative).

Signature:

Date:

Section 2

Bedroom Tax Appeal – consequential provisions

TO:
Islington Benefits Service
PO Box 34750
London
N7 9WF

FROM:
Name:
Address:

Date:

Claim ref:

Dear Sir / Madam,

Please revise the decision to reduce my Housing Benefit from 1st April 2013, because I am deemed to have more bedrooms than I need, as this decision has been made unlawfully. The London Borough of Islington (LBI) has wrongly assessed my eligible from April 2013.

I am entitled to have my eligible rent calculated pursuant to paragraph 4(1)(a) of Schedule 3 of the Housing Benefit and Council Tax Benefit (Consequential Provisions) Regulations 2006 rather than the provisions which relate to the spare room subsidy (RSRS).

This is because I satisfy the following conditions:

- I have been continuously entitled to HB since at least 1 January 1996; **and**
- I have occupied the same dwelling since 1 January 1996, save for any period where a fire, flood, explosion or natural catastrophe has rendered the property uninhabitable;

OR

- I succeeded to the tenancy after 1 January 1996, however, I have **inherited protection under the regulations** from the previous tenant, who was continuously entitled to Housing Benefit and Occupier of the property since at least 1 January 1996; **and**
- I have been in receipt of Housing Benefit and occupier of the property continuously from the date I succeeded to the tenancy.

Yours faithfully,

Signed

Discretionary Housing Payments

If you are having difficulty meeting your rent or other housing costs, and you are receiving Housing Benefit or Universal Credit housing payment, you can claim a Discretionary Housing Payment (DHP) from the council.

Examples of housing costs that can be paid by Discretionary Housing Payments include:

- reductions in Housing Benefit or Universal Credit due to the 'bedroom tax', benefit cap, local housing allowance restrictions, rent officers restrictions, non dependent deductions;
- Payments to help claimants start or maintain work;
- Removal costs, rent in advance and rent deposits.

There is no absolute right to a Discretionary Housing Payment, as local councils have a set budget from central government for these awards. However, each individual case must be considered on its own merits, taking a fair, reasoned and consistent approach to decision making. You have the right to request a review if you are not satisfied with the decision for any reason (including the length of an award).

Usually Discretionary Housing Payments will be awarded for a limited period only, although the council has the discretion to award for longer periods in individual cases. When applying for a DHP provide as much information as possible about your and your family's individual circumstances to enable the council to make an informed decision.

How to apply for a Discretionary Housing Payment

- Use the attached Discretionary Housing Payment application form, and send to Islington Revenue and Benefits Service, PO Box 34750, London N7 9WF or hand in at your nearest housing office.
- Alternatively you can apply for a Discretionary Housing Payment through the Resident Support Scheme (RSS). See separate factsheet.

Section 2

Application for a Discretionary Housing Payment

Send to: LB Islington Revenues and Benefits Service, PO Box 34750, London N7 9WF

| APPLICANT DETAILS | You | Your partner |
|--|-----|--------------|
| Name | | |
| Address | | |
| Telephone | | |
| Date of birth | | |
| Marital status | | |
| National Insurance Number | | |
| Do you get Housing Benefit, or Universal Credit Housing Costs? | | |
| Housing Benefit Claim Ref | | |

| WHO LIVES WITH YOU? | Relationship to you | Date of birth | Child Benefit? | Disabled? | Disability benefits |
|---------------------|---------------------|---------------|----------------|-----------|---------------------|
| Name | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |

| ABOUT WHERE YOU LIVE | |
|---|--|
| Is it: (circle which applies) Privately rented / Council / Housing Association / Other | |
| Landlord's name | |
| How much is your rent? | |
| How many bedrooms? | |
| Does this include other charges? How much? e.g water / service / heating charges | |
| How much Housing Benefit (or Universal Credit Housing Costs) do you receive? Weekly / monthly? | |

| SPECIAL CIRCUMSTANCES | You | Partner | | Who? |
|--------------------------------|-----|---------|-----------------------------|------|
| Foster Care | | | Anyone in the Armed Forces? | |
| Care leaver | | | | |
| Recently released from prison | | | Other (give details) | |
| Homeless / previously homeless | | | | |
| Health problems/Disabilities | | | | |

| WORK & BENEFITS | You | Partner | | You | Partner |
|--|-----|---------|---------------------------------|-----|---------|
| Are you working? Net earnings? | | | Pension Credit Guarantee | | |
| How many hours per week? | | | Disability Living Allowance | | |
| Income Support | | | Personal Independence Payment | | |
| Carers' Allowance | | | Attendance Allowance | | |
| Employment & Support Allowance, Income based | | | Child Benefit | | |
| Employment & Support Allowance, Contribution based | | | Child Tax Credit | | |
| Incapacity Benefit | | | Working Tax Credit | | |
| Jobseekers' Allowance Income based | | | Council Tax Support | | |
| Jobseekers Allowance Contribution based | | | Occupational or Private Pension | | |
| Universal Credit | | | Other | | |

| DEBTS | Amount | | Amount | | Amount |
|---------------------|--------|----------------|--------|-------------------|--------|
| Rent arrears | | Gas arrears | | Family or friends | |
| Council Tax arrears | | Bank overdraft | | Other | |
| Water rate arrears | | Credit debts | | Other | |
| Electricity arrears | | Catalogues | | Other | |

| Why do you need help with housing costs? | How much do you need? Lump sum | Why do you need help with housing costs? | How much is the shortfall? Weekly / monthly? |
|--|--------------------------------|--|--|
| Imminent threat of eviction | | Bedroom Tax deductions | |
| Rent Arrears | | Local Housing Allowance | |
| Rent Deposit | | Rent Restrictions | |
| Rent in advance | | Non-dependent deduction | |
| Removal costs | | Benefit cap | |
| Emergency housing costs | | Other reason | |

Additional Information: e.g. Have you had to borrow money to pay your rent?
Do you have any savings? Could anyone help pay the rent?

Personal circumstances of you and your household

a) Do you or any one in your household have health problems/disabilities/terminal illness/learning difficulties/ other personal difficulties? Provide details:

b) Are you or anyone in your household receiving medical treatment?
Is this within 5 miles of your home? Provide details:

c) Do you or anyone in the household have/need a carer?

Does the carer live nearby?

Does the carer need to stay overnight to care for you?

d) Are you or anyone in your household a carer for someone who is disabled or has learning difficulties?
Provide details:

e) Are the children in your household in education? If so is the school or college within 2 miles of your home?
Provide details:

f) Are you or your partner in employment?

If so is your work within 2 miles of where you live?

Do you work irregular hours or a night shift?

g) Any other information to support your application? Give details. Attach relevant supporting evidence.

Continued on separate sheet? Yes or No

I understand I have the right to request a review of your decision.

I have read and understand this form and declare that the information I have given is true and accurate.

I understand that I must report any changes of circumstances that will affect my claim for a Discretionary Housing Payment immediately to the benefits service.

Signature: **Date:**

Income and Expenditure

Income

| Source | Amount | Monthly / Weekly | Joint / Single |
|------------------------------|--------|------------------|----------------|
| Employment | | | |
| State Pension | | | |
| Private/occupational pension | | | |
| Welfare Benefits | | | |
| Tax Credits | | | |
| Disability Benefits | | | |
| Other | | | |

Savings

| Details (name, type of account, reference) | Amount |
|--|--------|
| Bank | |
| Building Society | |
| Other | |

Expenditure

| Description | Amount | Arrears | Monthly / Weekly |
|--------------------------|--------|---------|------------------|
| Rent/Mortgage | | | |
| Water Rates | | | |
| Council Tax | | | |
| Electricity | | | |
| Gas | | | |
| Food | | | |
| Clothes | | | |
| Household and toiletries | | | |
| Travel | | | |
| Car expenses | | | |
| TV licence and rental | | | |
| Telephone and Internet | | | |
| Newspapers/magazines | | | |
| DIY/Repairs | | | |
| Credit Cards | | | |
| Loans | | | |
| Other debts | | | |
| Other | | | |

| | |
|--------------------------|--|
| TOTAL INCOME | |
| TOTAL EXPENDITURE | |
| DISPOSABLE INCOME | |
| TOTAL DEBT | |

Signature:

Date:

Council Tax Support

Claim a reduction or exemption to Council Tax

The Council Tax Benefit system has been abolished from April 2013 and most people under pension age will have to pay some council tax. Islington residents have had Council Tax Benefit cut by 8.5% for the year 2013/14. However, there are exemptions or reductions for some groups which may minimise the amount you have to pay. Use our letters to apply if you think the exemptions apply to you.

1. Single Person Discount

If you are the only person aged 18 or over in the property you are entitled to a 25% reduction in your council tax bill. When working out how many adults live in a property some people are not counted: These are called **disregarded people** and include:

- students;
- long term patients in hospital or care home;
- someone who is severely mentally impaired;
- care workers;
- persons in detention;
- apprentices;
- youth training trainees;
- student nurses;
- members of certain religious communities;
- partners of non-British students who have no entitlement to public funds;
- people in respect of whom child benefit is payable;
- school leavers;
- members of visiting forces;
- members of international headquarters and defence organisation

2. Disability Reduction Scheme

Council Tax can be reduced by one banding rate if the property is occupied by someone who is permanently and substantially disabled and has an additional room that is essential or of major importance to the welfare of the disabled person, or sufficient space to meet the needs of a wheelchair user.

You can apply for this reduction if, for example, your partner has to sleep in a different room from you due to your disability or if the room is required for a carer. If you think you may be eligible and wish to apply please use the attached form.

3. Severely Mentally Impaired (SMI) Discount

If you have a severe mental illness or learning difficulty you may be entitled to a complete exemption from council tax if you live alone or a 25% discount if another adult in your household is in this situation.

To qualify you need a signed certificate from your doctor and must be entitled to a qualifying benefit such as Incapacity Benefit, Employment and Support Allowance, Disability Living Allowance (higher or middle rate care component), Attendance Allowance or the disability element of Working Tax Credit (seek advice if your benefit is not on this list).

If you think you may be eligible and wish to apply please use the attached letter. You will need to provide proof of your benefit together with the date it was first awarded, and the attached certificate signed by your doctor.

4. Student discount

If you are a full time student, apprentice or youth training trainee you be entitled to a reduction on your council tax.

A property will be exempt from council tax if the only person in the property is a full time student. If there are only two adults in the property and one is a full time student, the non student will be liable to pay council tax but will be entitled to a 25% discount. If two or more people live in the property and only one is a full time student, the non students will be liable for full council tax.

If you want to claim a student discount you will need to provide a student certificate as proof, obtained from the school, college or university.

5. Older Person Discount

Islington Council provides a £100 Council Tax discount for households where the tax payer or partner is 65 years old or over. To apply call: 020 7527 2633 (Monday to Friday 9am to 5pm).

Section 3

Application for a Single Person Council Tax Reduction

To:

Council Tax Department
LB Islington Council Tax Section
222 Upper Street
London, N1 1XR

Date:

Dear Sir/Madam,

Name:

Address:

Council Tax Reference Number:

I wish to claim a single person discount in respect of my council tax.

I am *[please delete where applicable]*:

- the only adult over 18 years old living in the property; or
- Other adults do live in the property but they are disregarded people for council tax purposes.

I became eligible for the single person discount from the following date:

I enclose the following:

1. Proof that the other adults are disregarded person.

Yours faithfully,

Signed:

Application for council tax reduction – facilities for people with disabilities



ISLINGTON

Please answer every question.

1. Name of the council tax payer

2. Address:

Postcode:

3. Telephone number:

4. Council tax reference (if known):

5. Name of the person with a disability:

6. Please describe the type of disability/disabilities:

7. When was the disability first diagnosed?:

8. Is it a permanent disability (please tick)? Yes: No:

9. Is there an extra bathroom, toilet, kitchen or other room in the property that is used mainly to support the person with a disability (eg for equipment, physical therapy) Yes: No:

If yes, how is the room used?

Please give as much information as possible. You can write on the back of this form if you need more space

10. Is a wheelchair used inside the house? Yes: No:

Declaration (This section must be signed)

I am the council tax payer at this property OR I am completing this form on behalf of the council tax payer

I declare the information on this form is correct and complete to the best of my knowledge. If I give information that is incorrect or incomplete, you may take action against me. This may also include prosecuting me or charging fines.

Signature:

Date:

Name (block letters please)

If you are completing this form on behalf of the council tax payer, how do you know them? Please tick one box:

I am their: Father Mother Sibling Friend Doctor Lawyer Other

Please state

Please send this form to:

Islington Council, PO Box 34750, London N7 9WF

Your personal information

Any personal information you give us is held securely and will be used only for council purposes. Information that was collected for one purpose may be used for another council purpose, unless there are legal restrictions preventing this. Islington may share this information where necessary with other organisations, including (but not limited to) where it is appropriate to protect public funds and/or prevent fraud in line with the national fraud initiative guidelines. Please see www.islington.gov.uk/dataprotection for more information.

Section 3

Application for Severe Mental Impairment Exemption or Discount

To:

Council Tax Department
LB Islington Revenues and Benefits Service
PO Box 34750,
London N7 9WF

Date:

Dear Sir/Madam,

Name:

Address:

Council Tax Reference Number:

I wish to claim a severe mental impairment exemption/discount in respect of my council tax.

I enclose the following:

1. Statement signed by my GP
2. Proof of benefit entitlement
3. Proof of date benefit first awarded.

I look forward to your response to this request.

Signed:

Revenues and Benefits Service

PO Box 34750
London, N7 9WF
Tel. 020 7527 2633
Fax. 02075272168
W: www.islington.gov.uk

Please reply to: Council Tax
Our Ref:
Your Ref:
Date:

Dear Sir/Madam

RE: The Council Tax: Severe Mental Impairment.

The person named on the attached form wishes to claim exemption as above. You will no doubt be aware that in order to establish this, a registered Medical Practitioner must be prepared to confirm and sign the statement below.

If you agree that this person falls within the statements' definition, perhaps you would sign it and return it. If you do not agree, it would be helpful if you would let me know.

Yours faithfully

John Allen
Head of Revenues and Customer Relations
Islington Council

Reference:

Name and Address of Person:

In my opinion, the above named person is severely mentally impaired and has been since (please provide date), Le: he/she has a severe impairment of intelligence and social functioning (however caused) which appears to be permanent.

Signed:

Surgery/hospital:

Date:

Doctor's stamp below please:

Section 3

Application for a Council Tax Student Discount

To:

Council Tax Department
LB Islington Revenues and Benefits Service
PO Box 34750,
London N7 9WF

Date:

Dear Sir/Madam,

Name:

Address:

Council Tax Reference Number:

I wish to claim a student exemption or reduction in respect of my council tax.

- I am enrolled on a full time course of education of at least 21 hours per week, with attendance of at least 24 weeks in the year; and
- I live alone; or all adults in the household are full time students; or
- There are two adults living in the household and one is a full time student.

I became eligible for the student discount or exemption from the following date:

I enclose the following:

- Proof of student status from for each student in the household from the school/college/university, providing full details of the course/s.

Yours faithfully,

Signed:

Section 3

Application for an Older Person's Council Tax Reduction

To:

Council Tax Department
LB Islington Revenues and Benefits Service
PO Box 34750,
London N7 9WF

Date:

Dear Sir/Madam,

Name:

Address:

Council Tax Reference Number:

I wish to claim an older person's discount.

Yours faithfully,

Signed:

Resident Support Scheme replaces Community Care Grants & Crisis Loans

From April 2013, benefit claimants can no longer claim assistance from the discretionary social fund for community care grants or crisis loans.

Claims for welfare assistance will have to be made to Islington Council which has been allocated a budget by central government. This budget will not cover the anticipated level of demand, which will be greatly increased by the welfare reforms and cuts to benefits and tax credits.

Islington Council is working with Cripplegate Foundation to increase the amount of money available to those in need. Applicants will also be given advice on matters affecting their income, e.g. dealing with debt, fuel costs, benefits advice etc.

The Resident Support Scheme brings together several funding streams: Social Fund, Discretionary Housing Payments, Council Tax Welfare Provision and Cripplegate Foundation charitable funds.

Eligibility criteria include:

You must: be resident in Islington (or linked through temporary accommodation or provide a function on behalf of the council); have recourse to public funds; be able to prove identity; in receipt of certain means tested benefits; not be eligible for a budgeting advance or budgeting loan from Jobcentreplus. Certain items such as clothing are excluded, although there may be exceptions.

How to apply to the Resident Support Scheme

Applications for help from the Scheme are by referral only as follows:

Statutory Services and Trusted Partners will hold notional budgets and are able to make recommendations into the scheme.

- Statutory Services include: Adult Social Services, Housing and Children's Service.
- Trusted partners include: The Single Homeless Project; Age UK, six of the largest Social Housing providers; Cranstoun Drug Services; Solace Women's Aid and Centre 404.

Designated Local Referral Organisations are able to assist with an online application:

- The following organisations will be Referral Organisations: Islington Law Centre; Citizen's Advice Bureau; Islington People's Rights; Help on your Doorstep; Disability Action in Islington. Other groups may be added over time.

Resident Support Scheme – Where to apply

Applications to the Resident Support Scheme (RSS) can only be made by referral through the following agencies (more agencies may be added).

Statutory Services

Contact Islington
Adult Social Services
Children's Services

Telephone

020 7527 2000
020 7527 2299
020 7527 2000

Email & web address

222 Upper Street, N1 1XR
Access.service@islington.gov.uk
childrens.services@islington.gov.uk

Area Housing Offices:

Highbury House
Holland Walk
Old Street
Income Maximisation Team

020 7527 5300
020 7527 7480
020 7527 6250
020 7527 4990

highbury.house@islington.gov.uk
holland.walk@islington.gov.uk
old.street@islington.gov.uk
claimit@islington.gov.uk

Trusted Partners

The Single Homeless Project
Age UK
Cranston Drug Services
Solace Women's Aid
Centre 404
Peabody Housing Association
Hyde Housing Association
Circle Housing Association
Partners for Improvement

Telephone

020 7520 8660
020 7281 6018
020 7923 8010
020 7619 1350
020 7607 8762
020 7021 4444
020 8297 7500
020 7288 4000
020 7288 8310

Email or web address

info@shp.org.uk
www.ageuk.org.uk/islington/
Info28b@cranstoun.org.uk
http://www.solacewomensaid.org
www.centre404.org.uk
Peabody.direct@peabody.org.uk
Southwark andlewishham@hyde-housing.co.uk
www.circleanglia.org
enquiries@partnersislington.net

Designated Referral Organisations

Islington Law Centre
Citizen's Advice Bureau
Islington People's Rights
Disability Action Islington
IMECE Womens Centre
Arab Advice Bureau
Islington Carers Hub

Telephone

020 7288 7630
020 3475 5080
020 7561 3685
020 7226 0137
Minicom: 020 7359 1891
020 7354 1359
020 8800 3374
0800 085 1141
020 7561 5517

Email or web address

info@islingtonlaw.org.uk
www.adviceguide.org.uk
info@ipradvice.org.uk
disabilityaction@daii.org
http://www.imece.org.uk
arabadvicebureau@yahoo.co.uk
info@islingtoncarershub.org

Help on your doorstep:

EC1 Connect
Finsbury Park Connect
Canonbury Connect
Caledonian Connect
Good Neighbour scheme

020 3142 5065
020 7281 9542
020 3227 0077
020 7833 4548
020 7354 0319

Ec1@helponyourdoorstep.com
finsburypark@helponyourdoorstep.com
canonbury@helponyourdoorstep.com
Caledonian@helponyourdoorstep.com
vhenney@helponyourdoorstep.com

Personal Independence Payment

What is PIP?

Personal Independence Payment (PIP) is a new benefit for people with long term mental and/or physical health problems who have difficulty with mobility and their ability to undertake daily living activities. It is also payable to those with a terminal illness.

PIP replaces Disability Living Allowance (DLA) for people between the ages of 16 and 64.

How to make a claim

To start a claim call the DWP:

Telephone: 0800 917 2222 or

Textphone: 0800 917 7777

Lines are open Monday to Friday 8am to 6pm

Calls are free from UK landlines and most mobile networks. If you are concerned about the cost of the call, ask the DWP to call you back. An interpreting service is available.

Preparing for the call – The call will take about 15 minutes.

You will need the following information before calling the DWP:

- Your full name, address and telephone number;
- Your National Insurance Number;
- Your date of birth;
- Your bank or building society account details;
- Details of your GP and any other health professionals supporting you;
- Details of any recent stays in hospital or care homes;
- Your nationality or immigration status;
- Details of time spent abroad for 4 weeks or more over the last 3 years.

It may be easier to answer these if you have the information required in advance.

What happens next

If you satisfy the basic qualifying conditions the claim form will be posted to you to complete. If you do not meet the basic qualifying conditions, you will be sent a letter to say PIP is disallowed. You have the right to ask for the DWP to look at this again.

Completing and returning the PIP form

You have 4 weeks to complete and return the form. If successful an award will be made from the date of your initial phone call. If not allowed you have the right to ask for the decision to be looked at again by the DWP. If this is refused you can appeal.

Benefit Cap

Introduced from July 2013 (August in Islington)

There will be a limit on the amount of certain benefits working-age households can receive. If affected by the cap, excess benefit above the cap will be reduced from Housing Benefit.

How much is the benefit cap?

- £500 per week for couples with or without children
- £500 per week for single parents whose children live with them
- £350 a week for single adults with no children living them

Benefits included in the cap

- Child Benefit & Guardians Allowance
- Child Tax Credit;
- Housing Benefit
- Income-based JSA
- Income-related ESA (unless in receipt of the support component)
- Income Support
- Carers Allowance
- Maternity Allowance
- Bereavement Allowance
- Severe Disablement Allowance
- Widowed Parents' Allowance

Households in receipt of the following benefits will NOT be affected by the cap

- Disability Living Allowance or Personal Independence Payments
- Attendance Allowance
- Employment & Support Allowance (ESA) and in the support group
- War disablement pension/money from armed forces compensation scheme
- Widow or Widower's Pension
- Working Tax credit (even if you qualify but have not claimed)*
- Where a person has been in work for the last 12 months and loses their job through no fault of their own, the cap won't apply for the first nine months
- Industrial Injuries Disablement Allowance; War Disablement Pension; or money from the armed forces compensation scheme

Increase your hours of work to gain entitlement to Working Tax Credits

*Minimum hours you need to work

- 16 hours per week, lone parent, or couple with children and your partner is disabled or a carer
- 24 hours per week between couples with children with one partner working at least 16 hours. If only one partner works s/he must work a minimum of 24 hours
- 30 hours per week if single, with no children and 25 years old or over
- 16 hours per week if entitled to the disability element and 16 years old or over
- 16 hours per week if aged 60 or over.

Universal Credit

Introduced from October 2013

Universal Credit is a new benefit which brings together several different income-based benefits and tax credits, combining them into one monthly payment. Under Universal Credit claimants are expected to either look for work or take action to find work.

When does Universal Credit Start?

From October 2013 (2016 in Islington) – Universal Credit will replace income based benefits and tax credits for new working age claimants.

April 2014 (2016 in Islington) to October 2017 – Existing claimants will be moved over to Universal Credit.

The following benefits will be abolished and replaced by Universal Credit

- Income Support
- Income based Jobseeker's Allowance
- Housing Benefit
- Child Tax Credit and Working Tax Credit
- Budgeting Loans and crisis loans will be replaced by payments on account (an advance of Universal Credit) in cases of need.

These benefits remain and can be paid alongside Universal Credit if eligible

- Contribution based JSA
- Contributory ESA (limited to 52 weeks if in the work-related activity group)
- Attendance Allowance, Disability Living Allowance, Personal Independence Payment
- Carer's Allowance
- Bereavement Benefits
- Industrial Injuries disablement benefit and war pensions
- Maternity allowance and statutory sick/maternity/paternity/adoption pay
- Child Benefit and Guardians Allowance
- Pension Credit – unlike now both partners need to be over the prescribed age
- Social Fund maternity, funeral, winter fuel and cold weather payments
- Passported benefits.

Other aspects of Universal Credit

- Claims will be made and managed through an online account;
- If an overpayment arises due to incorrect information, a £50 fine can be imposed;
- The benefit caps (see previous factsheet) will apply;
- Transitional protection – the government has pledged no-one will lose benefit when they transfer to Universal Credit from existing means tested benefits and tax credits.

Appeals & Reconsiderations

What is an appeal?

If you have received a decision about your benefits but do not agree with it in most cases you have a right of appeal. This gives you the right to have the decision looked at by an Independent Tribunal.

Mandatory Reconsiderations before Appeals

New rules apply to all Department of Work & Pension (DWP) benefit decisions made after October 2013.

Before you can appeal the benefit decision you to ask the DWP for a **Mandatory Reconsideration**. This is where the DWP will look again at the decision. If you are still not satisfied with their reconsideration decision, you can then appeal directly to the Courts and Tribunals Service.

Which benefits are affected?

The new rules apply to all decisions made by the DWP, including Employment and Support Allowance, Jobseeker's Allowance, Income Support, Personal Independence Payments, Attendance Allowance etc.

The new rules also apply to decisions by HMRC (from April 2014) including Child Benefit, Guardian's Allowance, Child Tax Credit and Working Tax Credit.

Housing Benefit appeals are not affected. You can make a direct appeal to your local authority.

Time limits for an appeal or reconsideration request

A mandatory reconsideration or appeal request must be received by the appropriate office within one month of the date on the decision letter.

It is very important to request a mandatory reconsideration within the one month time limit. If your request is late and not accepted by the DWP you may lose your right of appeal.

If you disagree with the decision, then act immediately. Do not wait for advice or until you have all the supporting evidence. Additional information can be supplied later.

In very exceptional circumstances the time limit for mandatory reconsiderations and appeals can be extended to up to 13 months. You must be able to demonstrate that it was difficult to lodge an earlier challenge, for example due to ill-health, bereavement, postal strike, awaiting legal advice.

Important notice

If asking the DWP, Local Authority or Tribunal Service to look again at a benefit decision any existing award can be reduced as well as increased.

Seek advice where possible.

How to request a Mandatory Reconsideration

A Mandatory reconsideration request does not have to be in writing but it is better to do so if possible. The most important thing is to make sure it is received by the DWP within one month of the decision letter. Include the following information in your letter:

- Your name, address, date of birth and National Insurance Number
- The name of the benefit you have claimed
- The date of the decision letter
- Why you think the decision is wrong
- If a late appeal or reconsideration request, reasons as to why it is late
- If possible - further relevant evidence, for example medical reports

Keep a copy of your letter and a record of when you sent it.

Send the Mandatory Reconsideration request to the address at the top of the benefits decision letter.

How to request an Appeal

You should receive a 'Mandatory Reconsideration Notice' that tells you the outcome of the reconsideration request. If you are still not happy with the decision, you can appeal directly to the Independent Tribunals Service.

An appeal should be made in writing, either by letter or on form SSCS1 from the DWP. You must enclose a copy of the Mandatory Reconsideration Notice with your appeal, and any additional evidence you may have to support your appeal.

For Employment and Support Allowance (ESA) you must continue to provide medical certificates.

The appeal should be sent to:

HMCTS Appeals Centre
PO Box 1203
Bradford
BD1 9WP

Keep a copy of the appeal and a record of when you sent it. Seek independent advice as early as possible.

Employment and Support Allowance

What to do if your claim fails

New appeal rules affect Employment and Support Allowance (ESA) decisions made on or after 28 October 2013.

If you do not agree with an ESA decision you must first ask the DWP for a mandatory reconsideration **before** you are able to appeal to the independent Appeals Service. The time limit for requesting a mandatory reconsideration or appeal is **one month** from the date of the decision.

It is important not to miss this time limit. You must continue to provide medical/sick notes in order to keep your ESA claim live. See our factsheet 'Appeals & Reconsiderations' for more detail.

Your payments will stop if the DWP decide that you are not entitled to ESA. Under the old rules, once you submitted an appeal, you would be paid ESA at the basic rate until the appeal was decided. This rule still applies but **ONLY** when the appeal stage is reached.

You will receive NO ESA payment while you are waiting for the outcome of the mandatory reconsideration. There is no time limit for the DWP to make their mandatory reconsideration. You may be without ESA for weeks or months.

What you can claim during the Mandatory Reconsideration period

You can make a new claim for Job Seekers Allowance or Employment and Support Allowance

- **Jobseeker's Allowance (JSA)**

As soon as your ESA payments stop, sign on to claim JSA and seek advice from the Islington Advice line on 020 3485 4085.

To claim JSA you must show you are available and actively seeking work. However, if you have a physical or mental health condition you may restrict your availability for work and travel time to work provided the restrictions are reasonable in light of your health problems.

It is still possible to claim JSA, even where your doctor is continuing to provide a medical statement saying you are 'not fit for work'.

To claim JSA - call Jobcentre Plus on 0800 055 6688.

- **New ESA claim in certain circumstances**

It is not usually possible to submit a new claim for ESA within 6 months of a negative decision. However, if your condition has worsened or you have a new condition affecting your ability to work, a new ESA claim can be submitted.

It is important to seek advice as soon as possible if your Employment and Support Allowance has ended. We may be able to advise you on other benefits which you can claim.

How to make a new claim for Employment and Support Allowance during the Mandatory Reconsideration stage

The claim can be made by calling Job Centre Plus on 0800 055 6688 or by visiting your local Job Centre or online at <https://www.gov.uk/employment-support-allowance/how-to-claim>

If your claim for Employment and Support Allowance has ended because you have failed the work capability assessment you can only make a new claim within six months of that decision if your condition has worsened or you have developed a new condition.

If that is the case for you, follow these steps to make a new claim:

- When you make your claim you must explain that you are making a new claim because your existing condition has worsened since the date of the decision refusing your previous claim or that you have developed a new condition.
- You will be asked to provide a medical certificate (Med 3) from your GP.
- It is important that the Med 3 clearly states that you now have a new or deteriorating condition therefore you must discuss your health needs with your GP as soon as possible after your entitlement to Employment and Support Allowance ends.

- If your claim is accepted you will be paid the basic rate of Employment and Support Allowance while you go through the assessment phase again.
- You may be asked to provide Med 3 certificates during this period.

If your claim for Employment and Support Allowance has ended for reasons other than failing the work capability assessment you may be able to make a new claim immediately without having to demonstrate that your condition has changed. This is known as the “linking rules” where two periods of limited capability for work can be linked if a claim is made within 12 weeks of an earlier claim.

Ask for Advice

It is important that you seek advice immediately whatever the reason for the ending of your claim.

This guide is simply to enable you to maintain a claim for either Job Seekers Allowance or Employment and Support Allowance whilst your earlier claim is being looked at. It is not a definitive guide to the law and individual cases may require different responses.

DWP Payments on account

When someone makes a new claim for benefit they can sometimes experience a period of financial need before receiving their first payment. From April 2013, the DWP can issue a 'short-term advance' of the following benefits to claimants in 'financial need' to assist claimants through this period:

- Income Support
- Jobseeker's Allowance
- Employment & Support Allowance
- Incapacity Benefit
- Universal Credit
- Pension Credit
- State Retirement Pension
- Maternity Allowance
- Bereavement and widow's payments
- Carer's Allowance
- Industrial Injury Benefits.

A short-term advance is a **loan**, which is normally recovered from on-going benefit entitlement. Payments are discretionary. There is no right of appeal but you can request a reconsideration of the decision if a payment is refused.

Eligibility criteria include:

A 'short-term advance' can be paid if you are in 'financial need', with a serious risk of damage to your health or safety, or to the health or safety of your partner or your children, because either

1. You are waiting for your claim to be decided (or for an award to be made, if you are not required to make a claim), and it appears to the DWP that you will qualify for benefit. Or,
2. You have been awarded benefit and are
 - waiting for the first payment or an increased payment, or
 - have not received payment on the due date, or
 - have received a first payment for a shorter than normal period.

If you do not have sufficient funds to meet basic needs, because for example, your money has been stolen or there is some other unexpected crisis, a payment on account is not payable and an application for a Crisis Payment should be made to Islington Council's Resident Support Scheme.

The DWP also continue to administer Budgeting Loans (which will be incorporated in Universal Credit as Budgeting Advances).

Request for a Mandatory Reconsideration

To: (DWP address at the top of the benefit decision letter)

My Name:

My National Insurance Number:

My Address:

My Date of birth:

Benefit claimed:

Date of the decision letter:

Why I think the decision is wrong:

(If a late appeal or reconsideration request) Reasons as to why this is late:

Further evidence enclosed:

Signed:

Print Name:

Date:

Notice of appeal against a decision of the Department for Work and Pensions

You should use this form to appeal against a decision made by the Department for Work and Pensions (DWP) about social security benefits. For decisions regarding child support or child maintenance, you should use form SSCS2. For appeals regarding recovery of compensation you should use form SSCS3. If you need this form in an alternative format, please see the note on page 6 of this form.

Further guidance to help you fill in this form is available in booklet SSCS1A *'How to appeal against a decision made by the Department for Work and Pensions'*. You can download the booklet or find out where it can be obtained from by visiting the justice website www.justice.gov.uk

About this form

This form helps you provide all the information the tribunal requires to register your appeal. It will also ensure that your appeal contains all the necessary details which the law requires.

How to fill in this form

Please use black ink to fill in this form and use BLOCK CAPITALS unless the form tells you not to.

You must complete Sections 1, 2, 5, 6 and 8

If you want to **attend a hearing**, you must also **complete Section 7**

If you are appealing on **behalf of someone who a court or DWP has appointed you to act for**, you must also **complete Section 3**

If you have a **representative**, you must also **complete Section 4**

What to include with this form

You **must** include a copy of the **mandatory reconsideration notice** which shows the decision you are appealing against. You do not need to include evidence/information you have already sent to DWP as they will send it to us as part of their response.

Section 1 ABOUT THE DECISION YOU ARE APPEALING AGAINST

This section is about your **mandatory reconsideration notice**. This is the letter sent to you by DWP explaining that they have looked at your decision again.

Does your **mandatory reconsideration notice** tell you that you have the right to appeal against the decision?

Yes No

If No, please ensure you have read the section 'Can I Appeal?' in the booklet SSCS1A *'How to appeal against a decision made by the Department for Work and Pensions'* before continuing with this form.

Please tick this box to confirm that you have attached a copy of the **mandatory reconsideration notice** with your appeal form.

Remember to include a copy of your mandatory reconsideration notice with your appeal form. If you do not do so, we will be unable to register your appeal until this is provided.

Now go to Section 2 

Section 2 ABOUT YOU

Fill in this section if the decision you are appealing against is about **your** benefit or the benefit of a person **you** have been appointed by DWP or a court to take care of. If you are appointed by DWP or a court to take charge of another person's benefit, you should also record **their** details in Section 3.

Mr Mrs Miss Ms Other (please specify)

First name(s)

Surname

Address

Date of birth (DD/MM/YYYY)

/ /

National Insurance number*

| | | |
|----------------------|----------------------|----------------------|
| letters | numbers | letter |
| <input type="text"/> | <input type="text"/> | <input type="text"/> |

** If you are appealing on behalf of a child or other person and you have provided their National Insurance number in Section 3, you do not need to provide your own National Insurance number.*

Postcode

Daytime phone number

Mobile phone number

Now go to Section 3 

Section 3 ABOUT A CHILD OR OTHER PERSON YOU ARE APPEALING FOR

This section is for people who are making an appeal on behalf of someone they have a legal responsibility for. This might be a parent acting for a child or a person who has been appointed by DWP or a court to look after the affairs of another adult.

Are you appealing on behalf of a child or other person whose affairs you have been appointed to take care of? Yes If Yes, please tell us about the person below No If No, please go to Section 4 

Mr Mrs Miss Ms Other (please specify)

First name(s)

Surname

Address (if the person's address is different from your own)

Date of birth (DD/MM/YYYY)

/ /

National Insurance number

| | | |
|----------------------|----------------------|----------------------|
| letters | numbers | letter |
| <input type="text"/> | <input type="text"/> | <input type="text"/> |

Postcode

Now go to Section 4 

Section 4 ABOUT YOUR REPRESENTATIVE (If you have one)

This section is about your representative (if you have one).

By representative we mean someone acting on your behalf in a formal capacity. This might be an organisation like the Citizens Advice Bureau or a welfare rights service or it may be a friend or advisor who knows about social security matters. If you name a representative here and give your signature at Section 8, this will authorise us to deal with your representative about your appeal. If you are unsure about this, please read the section 'About Your Representative' in the guidance booklet SSCS1A.

Do you have a representative?

Yes If Yes, please tell us about the person below

No If No, please go to Section 5 

Name of organisation or of person representing

Phone number

Address

Postcode

If you are being represented by an organisation and you know the name of the person acting on your behalf, please tell us below

Mr Mrs Miss Ms Other (*please specify*)

First name

Surname

Now go to Section 5 

Section 5 ABOUT YOUR APPEAL

Grounds for appeal

In this section we need to know why you are appealing. Please write down in your own words the reasons why you disagree with DWP's decision. You do not have to use BLOCK CAPITALS in this section if your handwriting is clear. If you do not complete this section this will delay dealing with your appeal and the appeal form may be returned to you. For more information on grounds for appeal please refer to the 'About Your Appeal' section of the guidance booklet SSCS1A.

(if necessary, continue on a separate sheet)

Is your appeal in time?

According to the law, your appeal **must be received by the tribunal** no later than **one calendar month** after the date the **mandatory reconsideration notice** was sent to you. If your appeal is received after this date, it is a late appeal and the tribunal will need to know why it is late.

Is your appeal late?

- Yes If Yes, you must give reasons below why your appeal is late
- No If No, please go to Section 6 

If your appeal is late, you must give an explanation why. The tribunal will consider your reasons and can extend the time limit for you. If you do not give reasons why your appeal is late your appeal form may be sent back to you. Please tell us below why your appeal is late. You do not need to use BLOCK CAPITALS.

The Department for Work and Pensions has the right to object to a late appeal. The tribunal will consider any objection they make and we will let you know the outcome.

Now go to Section 6 

Section 6 ABOUT YOUR CHOICE OF HEARING

Appeals are considered by an independent panel. We will make arrangements for your appeal to be heard by the panel and you or your representative will be expected to attend the hearing. If, however, you do not wish to attend a hearing you can ask for your appeal to be decided on the papers. Please tell us below how you would like us to deal with your appeal.

I want to attend a hearing of my appeal If you have ticked this box, please go to Section 7 

I want my appeal decided on the papers If you have ticked this box, please go to Section 8 

If you change your mind about this, you must tell us as soon as possible as it may be too late to change this once the hearing has been arranged. For more information, please refer to the 'About Your Choice of Hearing' section in the guidance booklet SSCS1A.

Section 7 THE HEARING — YOUR NEEDS AND REQUIREMENTS

You only need to answer these questions if you told us in Section 6 that you wanted to attend a hearing. If you have asked for your appeal to be decided on the papers, please skip this section and go straight to Section 8.

In this section we need to ask you a number of questions to help us arrange a suitable hearing for you. We will try to accommodate your needs and availability, but it may not always be possible to do this. Please answer questions 1 to 4 to give us the information we require. If you do not answer some of the questions we will have to contact you again and this may delay your appeal. You do not have to answer these questions using BLOCK CAPITALS.

Question 1 – Your availability

Tribunal hearings are held Monday to Friday from 10am to 5pm and in our larger hearing centres also on Saturday. To allow you to attend your hearing, we will try to arrange a time and date in line with your availability. It is important that you tell us here if there are any days of the week or times of the day when you **cannot** attend a tribunal or any dates when you are unavailable because of things like booked holidays and hospital appointments. You should consider your availability for the six months ahead.

Are you available to attend a hearing at any time? Yes No If No, please tell us when you cannot attend in the box below

Question 2 – Your needs

Please tell us here about any special needs you may have which we need to take into account when arranging your hearing. This might be things such as hearing loops or disability access.

Do you have any special needs? Yes If Yes, please tell us about this in the box below No

Question 3 – Your signer or interpreter and language requirements

Do you require an interpreter or signer to assist you at the hearing?

Yes If Yes, please tell us the language and dialect required below No

Language or type of sign language interpreter

Dialect

We will arrange for a professional interpreter to be present at the hearing. Please refer to the section 'Completing form SSCS1' in the guidance booklet SSCS1A for more information about interpreters.

Question 4 – Your notice of hearing

We will usually give you at least 14 days' notice of the date of the hearing. If you agree, we can also give you less than 14 days' notice. This may allow the hearing to be arranged more quickly if, for example, another hearing is cancelled and yours can replace it at short notice.

Do you agree to receiving less than 14 days' notice of a hearing? Yes No

Now go to Section 8 

Section 8 YOUR SIGNATURE

You must sign your appeal form for it to be valid. If you have named a representative in Section 4, your signature will also give HMCTS your authority to deal with them when they contact us on your behalf.

Signature

Date (DD/MM/YYYY)

/ /

Name

If you are a representative signing this form on behalf of the person who is appealing, you must send their signed authority for you to act on their behalf with this form.

WHAT TO DO NOW

You need to send your appeal form **and a copy of the mandatory reconsideration notice** to HM Courts & Tribunals Service.

If you live in England or Wales send your appeal to:

**HMCTS SSCS Appeals Centre
PO Box 1203
BRADFORD
BD1 9WP**

If you live in Scotland send your appeal to:

**HMCTS SSCS Appeals Centre
PO Box 27080
GLASGOW
G2 9HQ**

We will send you a letter to tell you we have received your appeal and explain what happens next.

CHECKLIST

You may find this checklist useful to help you make sure you have given all the information we need.

- I have included a copy of the **mandatory reconsideration notice** (Section 1)
- I have given grounds for my appeal (Section 5)
- I have chosen the type of hearing I want (Section 6)
- I or my representative have signed my appeal form (Section 8)

Alternative Formats

If you need this form in an alternative format, for example in large print or Welsh, please call 0300 123 1142 if you live in England or Wales and 0141 354 8400 if you live in Scotland

Independent Advice Project

The Independent Advice Project provides Islington Council residents with free access to independent, expert advice on a range of housing, welfare and legal problems. The advice is provided by Islington Law Centre, independent of Islington Council and Partners for Improvement in Islington. All advice given is impartial and confidential.

What kind of advice is available?

Legal and housing advice on issues such as:

- Disrepair problems in your home
- Tenancy related problems
- Possession proceedings
- Homelessness
- Transfer and bidding issues

Welfare rights advice on issues such as:

- Rent arrears
- Housing Benefit and Council Tax Benefit
- Welfare benefit entitlements, including pension credits and disability living allowance
- How to maximise your income

Who can use the service?

Tenants and leaseholders of Islington Council can use the service regardless of whether their home is managed by the Council or Partners for Improvement in Islington. Former tenants who owe money to Islington Council or Partners for Improvement in Islington can also access the service.

Information about appointments

Appointments take place between 1pm and 4pm on Monday and Tuesday at Islington Customer Centre, Wednesday at Holland Walk Area Office and Thursday at Old Street Area Office.

What you will need to bring

Please do not forget to bring with you any letters or other information about your problem that might assist the advisor.

How can I make an appointment?

Appointments must be booked through an Area Housing Office. Please let us know if you need an interpreter or signer to be present during your appointment or if you need any other assistance.

Islington Customer Centre

222 Upper Street

London N1 1XR

Tel: 020 7527 2000

Email: advice.housing@islington.gov.uk

Minicom: 020 7527 1900

Holland Walk Area Housing Office

85-88 Holland Walk

London N19 3XS

Tel: 020 7527 7480

Email: holland.walk@islington.gov.uk

Minicom: 020 7527 7405

Old Street Area Housing Office

41-47 Old Street

London EC1V 9HX

Tel: 020 7527 6250

Email: old.street@islington.gov.uk

Minicom: 020 7527 6202

Essex Road Advice Project

Debt, Housing & Welfare Benefits Advice

The Essex Road Advice Project provides free, independent and confidential advice from Islington Law Centre for Islington residents living in or around Essex Road.

The advice sessions are held at local community organisations.

To make an appointment to see an adviser please telephone the organisation:

Debt Advice – Tuesday 1-4pm

Canonbury Connect

Walter Sickert Community Centre
Canonbury Crescent, N1 2FB

To make an appointment please telephone **020 7288 7242 / 020 3227 0077**

Housing Advice – Wednesday 10am-1pm

The Packington Hub

53 Packington Square, N1 7FG

To make an appointment please telephone **020 7527 5688**

Welfare Benefits Advice – Tuesday 9.30am-12.30pm

New River Green Children's Centre

23 Ramsey Walk, N1 2SX

To make an appointment please telephone **020 7527 4813**

Finsbury Park Advice Project

Debt, Housing & Welfare Benefits Advice

The Finsbury Park Advice Project provides free, independent and confidential advice from Islington Law Centre for Islington residents living in Finsbury Park.

The advice sessions are held at local community organisations: Finsbury Park Connect, Ambler Children's Centre and Community Language Support Services.

To make an appointment to see an adviser please telephone the organisation:

Debt Advice – Thursday 1-4pm

Finsbury Park Connect

Durham Road Community Rooms
Under 32-43 Bolton Walk,
Durham Road, N7 7RW

To make an appointment please telephone **020 7281 9452 / 020 7263 9466**

Housing Advice – Monday 1-4pm

Community Language Support Services (CLSS)

The Presbytery
St Mellitus Church
Tollington Park, N4 3AG

To make an appointment please telephone **020 7281 3228**

Welfare Benefits Advice – Thursday 9am-12noon

Ambler Children's Centre

Ambler Primary School
Blackstock Road, N4 2DR

To make an appointment please telephone **020 7359 7628**

South Islington Advice Project

Debt, Housing & Welfare Benefits Advice

The South Islington Advice Project provides free, independent and confidential advice from Islington Law Centre for Islington residents living in South Islington.

The advice sessions are held at local community organisations: Caledonian Connect, Somali Speakers Association and Islington Bangladesh Association.

To make an appointment to see an adviser please telephone the organisation:

Debt Advice – Wednesday 1-4pm

Caledonian Connect

Hugh Cubbitt Community Centre
48 Collier Street
London, N1 9Q7

To make an appointment please telephone **020 7837 0056 / 020 7833 4548**

Housing Advice – Tuesday 12-3pm

Somali Speakers Association

12 Barnsbury Road
London, N1 0HP

To make an appointment please telephone **020 7833 9893**

Welfare Benefits Advice – Wednesday 10am-1pm

Islington Bangladesh Association

71 Caledonian Road
London, N1 9BT

To make an appointment please telephone **020 7713 8991 / 020 7833 2608**

Form Filling Clinic

**We may be able to help you to
reduce the effects of benefit cuts**

Islington Law Centre is providing help to
complete benefit claims each
Wednesday between 10am and 4pm

If you would like an appointment please ring:
020 7288 7630

**Islington Law Centre
38 Devonian Road
London
N1 8JH**