



Northumberland
County Council



Northumbria Healthcare
NHS Foundation Trust

Welfare Rights Annual Report 2017/18

July 2018

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1. Summary

- 1.1 The Welfare Rights Advisory Unit is one of the functions that Northumbria Healthcare NHS Foundation Trust operates under its partnership agreement with the county council. It is wholly funded by the council.
- 1.2 The team currently consists of three full time welfare rights officers and one administrative assistant and is managed by the rights team manager.
- 1.3 The welfare rights team provides staff in adult social care and children's services, and the voluntary and community sector, with training and access to a telephone advice line. In addition, the team provides targeted direct support to people with social care needs in cases involving complex issues, including appeals.
- 1.4 In these complex cases, assistance from a welfare rights officer can have a massive beneficial impact on someone's life. Case studies providing examples of the type of enquiry we deal with and the outcomes from this are included in Section 6.
- 1.5 During 2017/18, the welfare rights officers and the financial assessment & benefits officers increased the incomes of older and disabled people by more than £2.9 million. This boosted the county's economy by an estimated £4.9 million.

2. Changes to benefits

- 2.1 The Coalition Government legislated between 2010 and 2012 for what were expected to be the biggest changes to the benefits system since 1948. Further changes to benefits were introduced by the 2015 Conservative Government through the Welfare Reform and Work Act 2016. Although no further, major, legislative changes have been announced since then, the implementation of previous legislation will continue until at least 2023
- 2.2 Major changes to the benefits system continue to be rolled out nationally, although not as quickly as originally expected. There have been ongoing delays in the introduction of Universal Credit across the country and also to the timetable for the reassessment of Disability Living Allowance claimants for Personal Independence Payment.
- 2.3 The replacement of Disability Living Allowance (DLA) by Personal Independence Payment (PIP) continues to be a major change affecting disabled adults. Although this started in April 2013, most of the existing DLA claimants did not start to be reassessed until October 2015. The DWP had expected to finish that process in 2017-18 however that process is continuing beyond then. In Northumberland around 8,000 people who are, or were, receiving an average of around £85 per week in DLA will be, or have been, reassessed for PIP. Looking only at adult social care clients, of those waiting to be reassessed, half had still not gone through the process by the end of March 2018.
- 2.4 The Government initially expected there would be a 20% reduction in the number of people claiming PIP, with a corresponding reduction in expenditure, against a forecast for DLA. Recent DWP statistics from the reassessment process are that 28% of reassessed DLA claimants have so far been found not to be entitled to Personal Independence Payment. The pattern of winners and losers is complex.

The Government's 20% target could approximately have been met if the effect of the changes had simply been the removal from benefit entitlement of people who were receiving, or would have received the "low" rate of DLA care component, which has no equivalent in PIP. But there were also changes in the way eligibility was defined, which has had two consequences affecting large numbers of disabled people. On the one hand, the new criteria are more generous towards disabled people who are able to live independently without regular assistance from another person but who can only do so by using aids and adaptations. This group would not have been entitled to DLA care component but may be entitled to its replacement, PIP daily living component. On the other hand, the PIP criteria impose tighter criteria for the highest rate of benefit that can be awarded to people with mobility needs, reducing the number of people eligible to receive benefit at this rate. This is leading to a reduction in the number of people who are able to access the Motability car scheme.

- 2.5 In the course of this programme, almost all adult social care clients below state pension age will have been or will be required to complete a lengthy and complex form, with many also needing to undergo a face to face assessment. This will also apply to some older people who have been receiving DLA since before they reached pension age, and were under 65 on 8 April 2013. If the reassessment process results in changes to the incomes of disabled people who use adult social care services, this is likely to have an impact on revenue from adult care charges, as well as affecting the service users individually. So far, from the information available, most Northumberland adult social care service users who have been reassessed for PIP who had been receiving DLA care component are now receiving the same rate, or in some cases a higher rate of PIP daily living component. But, for those who had been receiving DLA high rate mobility component, around 6% have not qualified for PIP mobility at the enhanced rate.
- 2.6 A limited version of Universal Credit (UC) was introduced in Northumberland from February 2016 however this was discontinued for new claims from 1 January 2018. The DWP has indicated that full rollout for new claims will begin here in November 2018. Nationally, DWP now expects full roll out including the transfer of existing "legacy" claims to be completed in 2023.
- 2.7 There are also significant changes in the way some benefits are being administered by DWP and this will have a considerable impact on recipients. For example, rather than being paid weekly Universal Credit payments are paid calendar monthly and most contact with DWP is expected to be carried out through an online journal.
- 2.8 Welfare Rights Officers support social care staff and others to help them understand the impact of this process so they can support the people they are working with through the changes.
- 2.9 Partnership working will be key so that Northumberland residents can access advice and support to help them cope with these massive changes to the benefits system. The Rights Team Manager is part of the Northumberland Universal Credit implementation steering group. For further information about this steering group, please see Section 8.4

3. Coordination of advice in Northumberland

- 3.1 Citizens Advice provides advice on a range of issues, including benefits, debt,

housing and employment. Representatives from Citizens Advice Northumberland meet regularly with representatives from adult services to ensure there is consistent access to advice across the county. The council's core grant funding for Citizens Advice Northumberland (£240,000) is managed through adult social care. Additional support of £150,000 a year has been provided since 2015/16 to assist the provision of specialist benefits advice as well to respond to the ongoing programme of changes to social security benefits.

- 3.3 The work of the welfare rights team, as well as other parts of adults and children's social care, contributes to reducing the impact of poverty, for example through providing advice and information to care managers, linking benefits advice to financial assessments for service users and supporting VCS organisations. In addition, the team works in partnership with other council services and a multi-agency group supporting social tenants in Northumberland.

4. Welfare rights training

- 4.1 The welfare rights team provides training to help professional staff and managers, and people working in community and voluntary organisations, to assist service users with welfare benefit and tax credit issues.
- 4.2 Training can be delivered through advertised sessions with individuals from any team booking a place or by arranging to deliver something specific to an individual team at their base.
- 4.3 During 2017/18, we provided 46 training courses, briefings or information sessions in a variety of settings. We also attended team meetings to help front line staff understand the specific impact on their clients' incomes as a consequence of benefit changes.
- 4.5 The breakdown of the training and information sessions provided by the welfare rights team during 2017/18 was:
- 17 advertised training courses open to all relevant staff
 - 24 briefings or sessions for specific staff teams
 - 5 sessions for external groups
- 4.6 489 people attended our training courses, sessions and briefings during 2017/18.
- 4.7 The welfare rights team, along with colleagues from Revenues and Benefits, delivered a briefing about Universal Credit for Members.
- 4.8 External training and briefings included sessions for employability support workers from the Bridge Project, staff working at Northgate Hospital, a talk at a Carers Northumberland event and providing information to West Northumberland Foodbank volunteers.
- 4.9 The training given to West Northumberland Foodbank volunteers enables the foodbank to support people collecting food parcels by encouraging, and helping, them to contact the DWP to find out what action is required to have their benefit income restored.
- 4.10 Training about benefits and ongoing support is also available to the financial assessment and benefits officers (FABOs) who carry out financial assessments to determine how much people can afford to pay for their social care services.

4.11 A welfare rights officer regularly attends team meetings of the disabled children team and the deputyship team managing the finances of adults who lack the mental capacity to do so themselves, so that there is ongoing support to ensure that they are able to maximise the benefit income of their clients.

4.12 An evaluation form is given out at the end of our training courses.

96% agreed with the statement “the course will be useful for my job”

97% agreed with the statement “the course was well structured”

98% agreed with the statement “the trainer answered questions clearly”

96% agreed with the statement “the hand-outs were useful”

97% agreed with the statement “the pace of the course was good”

94% (all those who answered the question) said “with the benefit of hindsight, they would still want to attend the course”

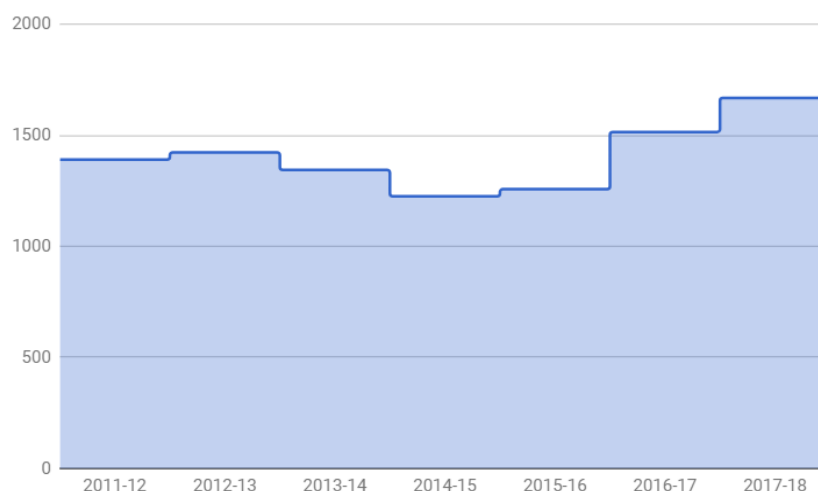
5. Welfare rights enquiries and case work

5.1 The welfare rights team’s primary function is to provide training and support to social care staff, plus staff and volunteers from other statutory and independent sector organisations whose work brings them into contact with disabled people who may have an entitlement to welfare benefits.

5.2 The welfare rights team also provides direct support in complex cases relevant to social care and works closely with other advice providers to ensure that others needing advice, including any members of the public who make direct contact, get access to the support they need. This support could be from the Department for Work and Pensions (DWP) to make a claim, or it could be an advice provider such as Citizens Advice Northumberland or Age UK Northumberland.

5.3 1,668 enquiries from professionals and others who contact the team were received during 2017/18. This is an increase of 10% on the previous year and follows a 20% increase in 2016/17 after a period of slight decline in the number of enquiries received. See chart below for year on year comparison.

Number of enquiries received 2011/12 to 2017/18



5.4 One potential reason for this fluctuation over the last six years is that delays in the administration of Personal Independence Payment (PIP) and Employment and Support Allowance (ESA) had led to a reduction in the number of decisions being

made in relation to these benefits but now that processing times have improved, a greater number of decisions have been made over the last year to eighteen months resulting in a significant increase in the number of benefits enquiries over the last two years.

- 5.5 Many enquiries involve more than one benefit issue, therefore the amount of work required to resolve enquiries is increasing. This is because of the complexity introduced into the system through changes to the benefits themselves whilst, at the same time, continued changes have been made to the administrative structure of the DWP. It can take several calls, over a day or longer, just to find the right person to speak to before being able to begin to resolve a query.
- 5.6 A limited amount of direct “hands on” assistance is provided, where appropriate, for more complex cases. 62 new cases were opened during 2017/18 and with the 26 cases brought forward from the previous year a total of 85 cases were worked on during the year. 46 case files were closed, leaving 39 to be carried forward to 2017/18.
- 5.7 A successful appeal against one benefit can lead to the reinstatement of others, especially in cases involving sickness and disability benefits, because of the interaction between different benefits and tax credits.
- 5.8 The Northumberland Adolescent Service invited the welfare rights team to be involved in their Finance Panel for payments to care leavers. We have worked closely with the 14+ team to identify when care leavers are eligible to claim benefits and to ensure that these claims are made to avoid local authority funding being used to support these young people when alternative, more appropriate sources of funding are available.

6. Case studies

All names in these case studies have been changed to protect individuals' privacy.

Case study 1

Welfare Rights became aware of Nigel after being contacted by the Early Response Team, which arranges preventative support to reduce people's need for long-term social care services.

Nigel is single and had been in the Support Group for Employment and Support Allowance (ESA) because of significant health issues related to unstable diabetes. He managed to find a job for 16 hours a week which meant his ESA claim ended but he was able to keep his Disability Living Allowance (DLA) as well as make a new for claim Working Tax Credit.


Unfortunately, because of complications with his diabetes Nigel had to undergo a lower left-leg amputation which left him unable to work. Nigel reclaimed ESA but, following an assessment, was placed in the Work Related Activity Group (WRAG) rather than the Support Group. He now had to undertake work related activity, which he struggled to do, and his weekly ESA was £73.10 (same as Jobseekers Allowance) rather than the £125.25 he had received in the Support Group.

Nigel couldn't understand why he was receiving less after trying work than he had beforehand especially after losing part of his leg.

Nigel developed severe depression following the amputation and he asked for a review of his DLA claim. Now that DLA is being replaced by PIP, a new claim for PIP had to be made instead and an assessment was arranged at his home. Unfortunately, on the day the Health Care Professional visited Nigel to carry out the assessment, he was feeling so depressed he wasn't able to let them in.

The consequence of this was the end of his DLA claim and no award of PIP, leaving Nigel with £73.10 per week.

It was at this point, his family contacted adult social care and a support planner arranged for Nigel to be visited by someone from the Early Response Team.

 **Following the involvement of a welfare rights officer, Nigel's PIP claim was reinstated and he was awarded the enhanced rates of both mobility and daily living components. After an appeal, the ESA decision was changed and Nigel was placed in the Support Group again.**

To achieve this outcome, the welfare rights officer needed to liaise with Nigel's family, his GP, adult social care staff, his MP and several DWP offices however he is now living independently without social care involvement

Case study 2


Nicola, was a looked after young person who was a long-term hospital inpatient with severe and enduring mental health issues.

Nicola's social worker made a request to the Northumberland Adolescent Service (NAS) Finance Panel for weekly payments of £57.90 so that she could buy clothing, snacks and other basics while in hospital.

The welfare rights officer on the Finance Panel identified that because Nicola had a long term illness she was likely to be able to claim benefits to meet these costs. Although Nicola's status as a looked after child (LAC) would usually prevent a benefit claim before the age of 18, the welfare rights officer advised that a claim could be made for Employment and Support Allowance (ESA) in certain circumstances.

The welfare rights officer also advised that, following a change in social security legislation in 2016, a young person under 18 could also be paid Personal Independence Payment (PIP) whilst in hospital.

The welfare rights officer supported Nicola's social worker to help her with claim forms for ESA and PIP.

 **After welfare rights involvement the young person was able to claim social security benefits of £156.20 a week instead of needing ongoing financial support with daily living expenses from the local authority.**

Case study 3

A social worker supported Zaneb to make an application to the Greggs Trust for a charitable donation to help her buy furnishings for her son's bedroom. She had a long-term health condition and claimed Employment and Support Allowance (ESA) and Disability Living Allowance (DLA).

Greggs Applications are assessed by the Northumberland Adolescent Service finance panel and the welfare rights officer on the panel checks the income given on the application.

The welfare rights officer was able to see that Zaneb was being paid too little ESA for someone in her circumstances and then advised how Zaneb could ask the DWP to pay the correct amount of benefit to her.


 **Zaneb was applying to charity because she could not manage on her weekly income. The welfare rights officer was able to help Zaneb to receive her correct entitlement - an additional £62.45 per week.**

Case study 4

A care manager contacted welfare rights about Sonia, aged 48. Sonia has a learning disability, has insulin dependent diabetes, is a survivor of breast cancer and has significant ongoing problems with one arm.

Sonia had been reassessed for Employment and Support Allowance (ESA) and was initially placed in the Work Related Activity Group (WRAG) rather than the Support Group. She is unable to attend appointments without support but was now expected to undertake work related activity.

The welfare rights officer helped the care manager to provide evidence to support an appeal and this was enough for the decision to be changed without the need to go to a Tribunal.

 **This meant that Sonia was £8.60 better off per week and was no longer expected to meet work related requirements that she wouldn't have been able to do on her own. For example, she would have been expected to attend interviews at a Jobcentre which she would not have been able to do without someone helping her. Failure to attend an interview could lead to a benefit sanction.**

7. Financial outcomes

7.1 When a welfare rights officer opens a case-file, the outcomes are followed up and recorded once benefit has been awarded or reinstated following a successful appeal. If assistance has been given without opening a case-file, for example by giving advice and support to a care manager who then assists the person they are working with, then we only know about the outcome if that is reported back to us. There will be other enquiries that have resulted in additional benefits being paid however these gains are not included in the figures we report unless they have

been confirmed to us.

- 7.2 Benefits advice given by financial assessment and benefits officers (FABOs) as part of financial assessments provides extra income for service users and this, in turn, often generates an increase in revenue to the council from charges.
- 7.3 Work carried out by the financial assessment and benefits officers during 2017/18 included identifying 416 potential claims for disability benefits Attendance Allowance and Personal Independence Payment. These benefits alone generated increased income of £1,353,512 for service users.
- 7.4 Financial assessments also led to an increase in other benefit income generated through awards of Pension Credit, Employment and Support Allowance, Housing Benefit, Council Tax Support and Carer's Allowance of £901,631 giving a total of £2.25 million in increased benefits for people using adult social care services.
- 7.5 The main role of the welfare rights officers is to provide training and telephone support for care managers however they are able to take on a limited amount of casework. This welfare rights casework, combined with the gains that we know about from 2nd tier telephone support, increased the incomes of older and disabled people by a total of £664,792.
- 7.6 The total amount of benefits generated for service users as a result of work carried out by welfare rights officers and financial assessment and benefits officers during 2017/18 was over £2.9 million.
- 7.7 There will be additional benefit gains that we cannot readily calculate as a result of information, advice and training provided to other people who then went on to help their service users to claim benefits.

8. Looking forwards

- 8.1 Over the coming year, and beyond, a continuing focus for the welfare rights team will be supporting the council and its partners in addressing the challenges of the ongoing programme of changes to social security benefits.
- 8.2 Within our core training and support role, we will continue to develop new training programmes and give up to date information to front-line staff and elected members about the major changes taking place to the benefits available to their service users.
- 8.3 The ongoing DLA reassessment process has increased requests for help to advice services and social care services as disabled people seek help to complete PIP forms. Many DLA claimants had indefinite awards of benefit because of the nature of their long term health condition or disability, however people claiming PIP are regularly reassessed. This means increased demand for support with PIP forms will continue after the DLA reassessment process has been completed.
- 8.4 A previous change still to be fully implemented across the country is the rollout of Universal Credit to disabled people and families with children. In Northumberland, this process is expected to start in November 2018. Full implementation of Universal Credit is not expected before 2023. The Council's Universal Credit implementation steering group has been set up to coordinate information and support for claimants around the rollout of Universal Credit in Northumberland. An action plan has been developed to ensure that up to date, accurate information

is available to Members, staff, partner organisations and residents.

Ongoing changes to Universal Credit continue to be announced by the Government so it remains difficult to assess the potential impact to the county however information is being obtained from other areas that already have Universal Credit Full Service to ensure we are as prepared as we can be once roll out begins in November 2018.

- 8.5 Recent statistics show that the number of older, disabled people claiming Attendance Allowance (AA) in Northumberland remains lower than might be expected. Compared to take up nationally, there has been improvement in recent years through action to raise awareness amongst older people, their families and health and social care professionals. However, the proportion of older people who claim AA remains lower in Northumberland than it does nationally and also when compared to most neighbouring authorities.

The table below shows the percentage of older people receiving Attendance Allowance in Northumberland, nationally and in neighbouring areas.

Attendance Allowance claims as a proportion of population aged 65 and over

Cumbria	13%
Darlington	11%
Durham	13%
Teesside	14%
Tyne and Wear	15%
Northumberland	12%
National	13%

To support the ongoing take up work to address this, a further three staff have been recruited into the Support Planning team in the care management service, to promote take up of Attendance Allowance, signpost people to sources of help to claim and to provide hands-on assistance to make claims if that is the most appropriate course of action to ensure a claim is made.

A further long-term benefit of increasing the take up of Attendance Allowance is likely to be ensuring that the Council receives the income which it needs to meet its adult social care duties from the national funding system. Formulae used to assess councils' funding needs for social care have for many years included Attendance Allowance figures as an important element, and recently-published proposals for assessment of relative spending needs under the revised local government funding arrangements suggest a formula in which assumed annual expenditure needs will increase by around £1,500 for each person claiming Attendance Allowance.

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