



**Nottinghamshire
County Council**

Nottinghamshire Welfare Rights Service

Benefit Briefing

November 2007

Issue no. 62

The intention of this Briefing is to raise reader's awareness of new issues relating to social security benefit and Tax Credit entitlements, in an accessible format. Although every effort is made to ensure that the items in the Briefing are correct, it only gives what is intended to be general guidance. The information should not be treated as a complete and authoritative statement of the law. Items of interest to readers should be checked and further details sought before acting on the information.

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BENEFITS

This edition of the Briefing is largely devoted to covering the various changes that have been recently introduced.

Changes to Benefits

Tax Credits

Notification

- From April 2007 claimants are required to notify relevant changes of circumstances within one month. These include a partner leaving or joining the household, no longer being responsible for a child or young person becoming 20, child or young person under 20 joins household, your childcare costs decrease by £10.00 or more for four consecutive weeks; your working hours drop below 16 or 30 per week (Note: this list is not exhaustive).

Tax Credit run-on

- From April 2007, a four-week Working Tax Credit run-on will be introduced from the day a claimant ceases to work over 16 hours, which should reduce the number and level of overpayments.



Specialist Help
Welfare Benefits

Tax Credits Website

- There is a new area for advisers on the rightsnet website devoted solely to covering Tax Credit issues. The address is:

www.rightsnet.org.uk/taxcredits

Asylum Seekers and Refugees

- Integration Loans are to replace backdated benefits when asylum seekers are granted refugee status or humanitarian protection after 11th June 2007. Applications can be made for between £100 and £1000 to help settle into a new life. Loans can be allowed for:- rent or deposits for a home; tools for work; initial childcare; vocational training etc. The Integration loan is interest free and replaces backdating of Income Support, Housing Benefit and Council Tax Benefit but backdating will continue for Tax Credits and Child Benefit claims. Application forms can be downloaded from the Border and Immigration Agency website or picked up from your local Citizens Advice Bureau.

Lone Parents Work Focused Interviews

- From April 2007 all lone parents with dependent children who have been on benefit, such as income support, for a year will be expected to attend work focused interviews at Jobcentre Plus every six months.

Work and Families Act – From 1st April 2007

- Payment of Statutory Maternity Pay (SMP), Statutory Adoption Pay (SAP), Maternity Allowance (MA) is extended to 9 months – this may be extended to 12 months in the future.
- Women will be able to work for up to 10 days during their Maternity Allowance period without losing their right to benefit.
- This Act also introduces a minimum of annual leave for employees of four weeks on top of Bank Holidays.

Carers and Flexible Working from April 2007

- Carers of adults, as well as of children, are now given the right to request flexible working. The definition of a carer is someone caring for a partner or relative and people who are living with them.
- Flexible working includes term-time working, compressed hours, working from home, etc.

Healthy Start

- From 27th November 2006 – Vouchers for vegetables and fruit, infant formula and milk replaced free milk and Vitamins.

This applies to:

- Women ten weeks (plus) pregnant or who have a child under 4 years and are claiming Income Support, Income based Job Seekers Allowance, and Child Tax Credits only without the Working Tax Credits and income less than £14,495 per annum.
- Women under 18 years (as above) and not on benefit.

Young People's Bridging Allowance – Abolished

- From 28th September 2007, the Young People's Bridging Allowance which paid £15 per week for up to 8 weeks to 16-17 year olds between education and training, has been discontinued. Child Benefit and Tax Credits can be payable to parents of young people in education up to the age of 20 and some young people may be able to claim Jobseekers Allowance or Income Support in their own right.

National Minimum Wage and effect on Benefits

- From 1st October 2007 the National Minimum wage rates are as follows:-
 - Under 18 £3.40
 - 18–21 £4.60
 - Over 21 £5.52
- **Incapacity Benefit** permitted work earnings limit rises from £86 to £88.50 per week.
- **Carers Allowance** earnings limit rises from £87 to **£95 per week**.

Independent Case Examiner (Department for Work and Pensions)

- The Department for Work and Pensions announced the appointment of an Independent Case Examiner to consider complaints from customers who are dissatisfied with the way in which their complaints have been handled by the Department.
- This service has been available to customers of the Child Support Agency since 1997 and will now be extended to customers of: Jobcentre Plus, The Pension Service, Disability and Carers Service, Debt Management, The Rent Service and the Financial Assistance Scheme.

Other Developments

- Disability Living Allowance (DLA) and Attendance Allowance (AA) for terminally ill people (reviews). People receiving DLA/AA under the special rules for over 7 years may be contacted for a review of their benefit by the Department for Work and Pensions to see if a reassessment is appropriate.

From March 2007 : New Claims

New claims for benefits for people under 60 i.e. Jobseekers Allowance, Incapacity Benefit and Income Support etc. should be made to Jobcentre Plus, contact National Number: 0800 0556 688.

For queries about claims for these benefits ring 0845 608 8528.

From 1st September 2007 : Adult Learning Grants

Up to £30 per week can be claimed (similar to EMA) by adults over 19 studying at college for either a level 2 qualification e.g. 5 x GCSE or NVQ level 2 or level 3 e.g. 2 x A levels or NVQ level 3.

The applicant must have earned less than £19,513 if single and a combined income of under £30,810 if one of a couple in the previous financial year.

Rates are £10, £20 and £30 per week as follows:

| Adult Education Grant | Single Salary Band | Couple Salary Band |
|-----------------------|--------------------|--------------------|
| £30.00 | up to £11,810 | up to £20,817 |
| £20.00 | £11,811–£15,405 | £20,818–£25,521 |
| £10.00 | £15,406–£19,513 | £25,522–£30,810 |
| £0.00 | Over £19,513 | Over £30,810 |

Debt Advice Project – There is a new money advice project run through Nottingham Citizens Advice Bureau covering the city and south of the county: EMMA – Citizens Advice Bureau East Midlands Money Advice.

Tel: (0115) 938 8078/07

Fax: (0115) 958 5628

Forms are available to make referrals to this service.

The Nottingham and District Citizens Advice Bureau has moved to:

32-36 Carrington Street
Nottingham
NG1 7FG

Tel: (0115) 938 8050 Fax: (0115) 958 5628

The Tribunal Appeal Service – New Venue, Nottingham

- On 1st June 2007 the Nottingham Tribunal Suite moved to Byron House, 4th Floor, 2a Maid Marian Way, NG1 6HS – next door to the Albert Hall, on the roundabout at the top of Maid Marian Way.

New protection for Lesbian, Gay and Bisexual People

- On 30th April 2007 new regulations came into force protecting people from being discriminated against because of their sexual orientation in the provision of goods and services.

Lasting Power of Attorney

The final clauses of the Mental Capacity Act 2005 were implemented on 1st October 2007:–

- Lasting Power of Attorney replaces Enduring Power of Attorney and now covers welfare as well as financial affairs.
- There is a new Court of Protection and an Office of the Public Guardian which is the regulatory body for Lasting Powers of Attorney.

Independent Living Fund (2006)

- On 1st October 2007 the Independent Living (Extension) Fund and the Independent Living (1993) Fund were merged to form the Independent Living Fund (2006).

This is an administrative change and service users will not be affected in any way.

The Independent Living Fund (ILF) is payable at up to £455 per week on top of Social Services input to those between 16 and 65 (before application), who receive the highest rate of Disability Living Allowance care component, expect to live in the community for the next six months, receive £10,400 per year in services or direct payments from social care services or direct payments from social care services and have capital of less than £18,500.

Changes to the Blue Badge Parking Scheme

From 15th October 2007 the Blue Badge parking scheme for people with disabilities who have severe mobility difficulties has a new design. This is aimed at tackling misuse. The design includes a hologram which makes the badge harder to copy and a serial number which tells you the gender of the badge-holder. New criteria also include:

- Children under two now qualify for the badge if they have a medical condition that requires them to be close to a motor vehicle for emergency medical treatment if they need to have bulky medical equipment transported with them.
- People with severe upper limb disabilities who don't drive adapted cars will also now be entitled, because they may have difficulty in operating parking meters or automatic barriers in car parks.
- Badges to be issued for a period of less than three years to people who are awarded the Higher Rate Mobility Component of the Disability Living Allowance or the War Pensioners' Mobility Supplement for less than three years.

Nottinghamshire County Council now has to adopt the new national scheme. This will mean some people who previously qualified for a badge automatically will have to be assessed under the discretionary criteria, or may not be eligible under the new system. There is an appeal process for people who are refused a badge and their case will be considered further.

In April 2008 further amendments to the scheme are planned. The Blue Badge Helpline can give you more information about using the scheme. The Helpline number is 020 7944 2914 or 0161 367 0009. You can also find more information on the Department for Transport website at: www.mobility-unit.dft.gov.uk or <http://www.opsi.gov.uk>

COMMUNITY CARE NEWS

NHS-funded Continuing Health Care

- The National Framework for NHS Continuing Healthcare and NHS-funded Nursing Care became operational on 1 October 2007. The Department of Health also published the following documents on 20 September 2007: a fast-track pathway tool for NHS continuing healthcare; a decision support tool; and a continuing healthcare checklist. All documents can be found on the Department of Health website.

NHS-funded nursing care

- From 1 October 2007 a single rate of payment for NHS funded nursing care replaced the previous three bands for nursing care. The weekly rate for care home residents is now £101. Residents receiving low or medium band funding prior to 1 October 2007 will have their payments increased to the new single rate.
- Residents receiving high band funding prior to 1 October 2007 should continue to receive this higher level of payment until their case is reviewed in line with the National Framework. If on review a resident is not eligible for NHS continuing health care but their nursing needs remain at the level of high band nursing care, this payment should continue. If a resident's needs have decreased to what would have been the medium or low band nursing care, their funding will be reduced to the single rate.

Nottinghamshire Welfare Rights Service – Change of Department

From October 2006 the welfare rights service was transferred from Trading Standards in the Communities Department of the County Council to the Department of Adult Social Care and Health. Our locations and contact details remained unchanged.

Publicity

Our publications have been updated, including the April 2007 Benefit and Tax Credit Rates cards. Most publications are available to download from our web pages at:

www.nottinghamshire.gov.uk/benefitsadvicepublications

You can also request copies of our leaflets or publications list by telephoning NWRS on (0115) 977 4018.

Disabled Children's Welfare Rights Officer Post

NWRS has been successful in getting temporary funding from the Children and Young People's Department for a Welfare Rights Officer for Disabled Children. Polly Tyler took up this post in July and her role is to

- provide consultation and casework for the Disabled Children's Social Work teams,
- undertake a pilot take up project with families of disabled children,
- provide training on benefits for disabled children and their families,
- produce a Disability Living Allowance leaflet to assist with claims for disabled children.