

COVID-19 – Welfare Benefits Update



Jobcentre appointments

People receiving benefits don't have to attend Jobcentre appointments for three months, starting 19 March 2020. People will continue to receive their benefits as usual, but all requirements to attend the Jobcentre in person are suspended.

People will be able to make applications for benefits online, but the Jobcentres will remain open and will continue to support people who aren't able to make contact via phone or online.

Face-to-face assessments for sickness and disability

In order to protect vulnerable people from unnecessary risk of exposure to coronavirus, the DWP has confirmed that all face-to-face assessments for sickness and disability benefits are to be suspended for three months from 17 March 2020.

Anyone with an appointment scheduled doesn't need to attend and alternative arrangements will be made which the DWP have confirmed could involve either telephone or paper-based assessments.

New claimants to disability benefit

Health professionals will be moved onto telephone systems to help cope

Expert advice

The COVID-19 pandemic has meant that changes have been made across the country to a vast majority of the UK's services, and that includes our welfare benefits system. Whether you're already in receipt of benefits, or need to make a new application, it's our aim to keep you up to date and provide you with as much guidance and information as possible. These are the changes so far.

with demand so that new claimants have priority for telephone and paper-based disability assessments.

Temporary reforms

In force from 13 March 2020, the Employment and Support Allowance and Universal Credit (Coronavirus Disease) Regulations 2020 (SI. No.289/2020) make provision for those entitled to ESA and/or Universal Credit who are either:

- Infected or contaminated with coronavirus
- Self-isolating
- Caring for a child or qualifying young person who falls into either of the above categories

This is to provide additional help with the financial impacts arising from the coronavirus outbreak.

In particular, the Regulations enable the Secretary of State to exercise discretion to:

- Remove waiting days in ESA claims
- Determine when claiming ESA or UC, affected claimants are treated as having Limited Capability for Work (LCW) without the requirements for any medical evidence or having to undergo a Work Capability Assessment; and
- Suspend the Minimum Income

Floor for self-employed UC claimants treated as having LCW as a result of Coronavirus, and to extend the suspension period after a claimant ceases to be treated as having LCW because of Coronavirus

These regulations will expire eight months after coming into force.

Contingency arrangements in the First-Tier Tribunal and Upper Tribunal

During the COVID-19 pandemic, the following will apply:

Practice Directions for hearings to be decided without a hearing whenever possible for a period of six months although this may be reviewed at any time.

Where a Chamber's procedure rules allow decisions to be made without a hearing, decisions should be made in this way, providing it in accordance with the overriding objective, the parties' European Convention of Human Rights and the Chamber's procedure rules about notice and consent.

In addition, the Direction provides guidance to Chamber Presidents on how to operate a scheme to 'triage' appeals and application where paper determinations are possible, including for tribunals to:

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- Consider assessing a case on the papers where the parties haven't already consented to a determination without a hearing;
- Provide a provisional decision to the parties if the tribunal considers it could decide the matter without a hearing;
- Ask the parties whether they consent to the tribunal making a binding decision on the papers that is in the same terms as the provisional decision;
- List a hearing if one or both of the parties confirm that they require a hearing (which may be conducted remotely);
- Issue a final decision in the same form as the provisional decision if the parties consent to a paper determination, subject to exceptions including for error or change of circumstances; and
- Undertake hearings remotely where in a particular case a tribunal decides a hearing is necessary, if practicable and in accordance with the overriding objective.

In the second Practice Direction guidance to tribunals includes:

- If a salaried judge considers that a case couldn't proceed, or would be subject to unacceptable delay, if Standard Composition Arrangements were applied, that judge may decide that the case shall be heard by a judge alone, or by panel consisting of fewer or different members
- When making a decision under paragraph 6.a., salaried judges must have regard to the urgency within which a case needs to be heard and the need to ensure the case is dealt with in accordance with the overriding objective

- Where a salaried judge decides to alter the composition requirements in accordance with paragraph (a), that salaried judge may determine which members will hear the case and can select salaried or fee paid members

Jobcentre Plus closures

In line with Government advice, to help protect customers and colleagues of Jobcentre Plus, from 24 March Jobcentre Plus doors will be temporarily closed.

Customers can access support online www.dwp.gov.uk where telephone services are also listed (or for UC customers, through the UC digital account)

Customers needing to speak to DWP about an existing claim should call:

- Universal Credit - 0800 328 5644
- Jobseekers Allowance, Employment and Support Allowance & Income Support - 0800 169 0310

All local office Jobcentre Plus Centres can be contacted but in EMERGENCY ONLY matters.

Universal Credit and Tax Credits increase

On Friday, 20 March 2020 the Chancellor announced that the standard rate in Universal Credit and Tax Credits will be increased by £20 a week for one year from 6 April.

Housing assistance

The Government announced a package of measures to protect tenants and landlords affected by coronavirus. Renters will receive nearly £1bn additional support, through increases in housing benefit and Universal Credit.

From April 2020, Local Housing Allowance rates will pay for at least 30% of market rents in each area.

Other measures to protect tenants and landlords include:

Emergency legislation to suspend new evictions from social or private rented accommodation while this national emergency is taking place.

No new possession proceedings through applications to the court to start during the crisis.

Landlords will also be protected by extending the three-month mortgage holiday to Buy to Let mortgages.

As a result, no renter in either social or private accommodation will be forced out of their home during this difficult time.

Adroit will keep you informed

As soon as we know more, we'll provide you with an update. To keep informed, visit our website www.adroitfp.co.uk

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