

Plymouth Welfare Rights Forum

Thursday 28th January 2010

1 – 4 p.m.

Warspite Room

Council House

Armada Way

Agenda:

- Welcome by Chair and apologies

Present:

Gloria Davenport	Plymouth CAB (Chair)
Karen Sharpe	Plymouth CAB (note taker)
Julie Black	Routeways
Chris Johnson	JCP (Benefit Delivery)
Mo Rafferty	Affinity Sutton
Donna Ryall	Plymouth Mind @ The Zone
David Burr	Plymouth Mind Oasis
Jo Hambly	PCC Financial & Social Inclusion
Bruce Abbott	Disability Action Network
Gary Brown	Alabare
Scott Robertson	Alabare (Floating Support Service)
Jo West	Plymouth Community Homes
Pat Newton	PCC
Angie Knight	PCC Housing Needs
Scarlett Ryder	Ocean Quay
Russ King	Ocean Quay
Margaret Bennett Jones	Independent
Pat Healy	DIAC
Linus McCloskey	Westcountry Housing Association

Apologies:

Mary Partridge	Colebrook Housing Society
Steve Guy	MAP
Les Cole	FIS Queens House
Gill Joyce	Pension Service
Christina Elia	Saltash CAB
Julia Slade	LARK Children's Centre
Caroline Camm	PCC Housing Benefits
Matt Allison	JCP
Stuart Charles	Benefit Angels

1. Accuracy of minutes from 26th November 2009
Minutes agreed as accurate

2. Matters Arising

P2 Disability Benefits Centre visit – GD & KS to carry forward until after Easter

P3 Complaint to Matt Brooks at Queens House – KS still to action

3. Presentation by Angie Knight (PCC Housing Needs) on Devon Home Choice Letting Scheme & changes re Plymouth Housing Register

Angie brought a booklet "You Guide to using Devon Home Choice". This is being distributed to people on the Housing Register and is available for public information.

From 13th January 2010 Home Choice Lettings became Devon-wide. It is primarily web-based and is intended to be more customer friendly. Anyone can now go onto the Housing Register, as long as they have a Devon connection.

There are currently 6,000 people on the register and all have been sent a letter explaining the change in processes as well as the use guide. The summary on p.4 is based on PCC's previous policy.

The main changes are that Band A will only be for people who are in urgent need; Band D (those in a mobile home or caravan) has now been removed; Band B now includes Agricultural workers who are in tied accommodation

The properties across the whole of Devon for let are advertised from midnight Wednesday morning and bidding closes at midnight Monday night. Shortlisting takes place on Tuesdays.

If any agencies are willing to display the adverts, please email Angie at:

angie.knight@plymouth.gov.uk

GD: What happened to existing Housing Register applicants?

AK: They were all transferred over & if their Band changed, they were informed by letter why they were put into that Band & given the option to ask for more information or a review

DR: What if someone was told they were top of the list – when would they know if they were successful?

AK: People are now told that if they haven't heard within 2 weeks, to assume the property has been let

The plan is to inform everyone via the newsletter which properties have been let

When people bid, they are informed of their place on the list is – this will depend on the Band they are in. For those in the same Band, the priority will be based on who bid first

If someone can see they are 30th on the list, they have the choice to remove their bid and bid for another property

BA: Raised concern that this assumes capability to use the web-based system and internet access

AK: Acknowledge gap and inequalities re: internet access but trying to address this – people can access the system through Midland House or through other support services

Those who are identified as vulnerable will have information via newsletter and the hope is to raise awareness through advice and support agencies & this Forum

The aim is to promote access to this service and with the automated bidding system there is the additional option to re-bid. The system is designed so those in the highest Bands will have priority, although recognise inequalities for those without internet access

JH: What kinds of support workers do you anticipate will be able to help people?

AK: This is only a starting point – we will promote information and gather feedback to plan for future developments

SR: Are there any telephone numbers for advisers/support workers to access Home Choice – I've tried and been given the public line number but couldn't get through

AK: We have been very busy and have drafted in more staff, so apologise for that

SR: Raises concern re: cost accessing service via TV

AK: It doesn't cost anything via Virgin and it's not available on Freeview. TV access is routed through Direct.gov

Confirm that viewing your placing on list and re-bidding option is accessible via TV

DB: Can people access the service in person? If so, what is the procedure?

AK: Yes, at Midland House – the procedure and prioritising works in the same way

RK: previously PCC put restrictions on those with history of drug/alcohol or ASBO being able to access the service. Any clarity on when restrictions would be lifted & record wiped?

AK: This restriction is decided by senior managers – I think it may be 2 years although not certain

Action: AK to find out & report to next Forum

RK: Previously there used to be a drug panel & people could be put into a higher Band based on the assessment Once they are clean for 2 years, they

are no longer eligible for drug panel so are put into a lower Band - it seems PCC are giving with one hand and taking with the other.

AK: one advantage now though is that previously people in Band E couldn't bid, but they can now especially for the hard to let properties

BA: Agree this system meets the needs of the majority but most of the people we deal with are vulnerable. Emphasise need for PCC to continue to make service accessible otherwise they may fall foul of Disability & Equality legislation

MBJ: Specific question for AK re tenants in Sheltered Housing – issue to be brought to AK separately

MR: We help our vulnerable tenants to bid – would encourage other RSLs to do the same

SR: As tenancy support worker used to be able to bid on behalf of clients – will this still be accepted?

AK: Yes – bid will be recognised

GD thanked Angie for her presentation and for attending the Forum

4. Statutory Sector Reports to include:

i. Jobcentre Plus/Benefit Delivery (Chris Johnson)

Chris started by informing the Forum that he is no longer permitted to give local statistical information (as in previous reports). He can only provide the national or regional public information that's available. Any other information could be requested under the Freedom of Information Act, if relevant

Action: Forum to challenge this – GD

CJ: Calls to the 0800 numbers at DWP are now free from mobile phones – all networks should now be on board with this

The first 3 notification letters that claimants on ESA receive don't make any sense – for example one states "You are not entitled to ESA" (referring to the contribution based benefit) but overleaf it states "This is how much we will pay you" (referring to the income-based benefit) – claimants aren't always turning over the page and contact BDC to query

These letters are in the process of being re-drafted – those who have benefits knowledge will input to the phrasing

Regarding the issue over employers not issuing SSP1s (previous emails sent round Forum members) – JCP can do nothing about this and HMRC would have the duty to chase this.

The only time this would come up as an issue for JCP is if the benefit being claimed is Contribution Based, otherwise JCP would write to employer for confirmation that they are no longer paying claimant if claiming Income Based benefits

No further action from previous minutes – Matt didn't pass on the query from the previous Forum (bottom p3 re vital post not being received at JCP)

Chris informed Forum about future plans for re-structuring. A lot of the Decision Making and Appeals work is due to be centralised at Bristol – some elements might be regionalised but not clear at this stage. Chris might no longer be rep at Forum if this happens as decisions won't be made locally, although we could request that someone in decision making attends. Also JCP (Matt) will still attend.

BA: will the new ESA letters make sense in future?

CJ: Yes as I will have input

JH: Have claimants been consulted?

CJ: No. Currently have 20 outstanding complaints, 10 of which are about not being able to understand the letters

DB: Raised issue that Citizens Advice recommends that decisions are made more locally – see website for details

DR: ESA50 form is very complicated – often with mental health claimants has had to write an additional note on the form to say that the question cannot be answered because no matter how many different ways the questions are explained to clients, they are unable to respond to the question appropriately

CJ: Recommend writing a letter of complaint about this to Head of Policy (via Chris) – state what you're unhappy about and why. I'm unable to do anything about it internally – it needs to come from an external organisation

RK: Wants to raise a complaint on behalf of a client who continuously received JSA payments late causing arrears in rent payments and bank charges

CJ: Send this to me for investigation

*PH: Raised general concern around ESA and medical assessments for people with mental health problems. Often the questions aren't going beyond descriptors and people are failing to accrue any points. Have won a couple of appeals recently as the Tribunal Chair has accepted client's evidence and set the decision aside. Feels that mental health claimants are being victimised
DB & DR agree – are only successful at appeal if they attend with the client*

PH: One client didn't even recognise the questions – it appears they weren't asked at the medical assessment

Additional problem for clients is that they suffer hardship with benefits until the appeal is heard and they are successful

ESA medical assessment doesn't recognise mental health problems, unlike the previous test for ICB

Sometime the evidence from these assessments is being used to make adverse decisions on other benefits – eg DLA

Stuart Toll stated at the last meeting that this is now written into the legislation that it's lawful

LM: DLA can use the same evidence from an ESA assessment, but if a client appeals a DLA decision, they aren't permitted to use the ESA assessment as evidence

PH: This seems to happen with the walking test, despite it having different criteria for each benefit

This seems to be a problem with ATOS – Forum to request attendance to discuss issues

Action: KS to contact Customer Service to request

ii. Housing Benefit (Caroline Camm)

Apologies from Caroline. Email received with the following information:

Was going to update the forum that from Monday I am going to have HB staff working on frontline counters, so putting the experienced staff at the front. This will improve our customer service by customers seeing experienced staff straight away. Initially this will involve 4 service points.

PH: The main problem seems to be getting through on the phone

DR: Believes they have been trying to improve on processes – rather than just being a “message-taking” service, claimants should now be able to discuss claim with Decision Makers and processing staff.

iii. Disability Benefits Centre

No report, no apologies. KS & GD to plan visit to DBC after Easter

iv. HMRC

No report, no apologies. Forum members queried why no attendance.

Action: KS to chase Denis Fitzgerald for update & request attendance

It has been reported in the press that there are problems with the Tax Codes for the coming tax year. Advice is to contact HMRC and they will correct the code

v. Pension Service (Gill Joyce)

GJ gave apologies, no report

vi. Social Inclusion (PCC) (Jo Hambly)

Jo welcomed to her first Forum meeting as Financial and Social Inclusion Officer

The Financial inclusion Strategy is on target to raise £6.4 million in benefits take up this year

There is progress on the Credit Unions – a consultant has been employed on a 6 month basis to work with the current Credit Unions and to raise awareness of credit Unions

Fuel Poverty action – there have been successful awareness raising sessions and a conference, which was very well attended.

The Financial Inclusion Strategy Team meeting dates have been set for the year.

“Parents Apart” project caseworkers have now been appointed at Routeways

5. Conference

Jo H: The Government theme for this year is combating poverty and social exclusion - Older People’s Day is 1st October – as the conference might be around that time, maybe we could consider theming the conference around issues affecting older people?

SR: Agrees – lots of changes in benefits and housing choices recently – possibly ask Age Concern to be involved?

MBJ: Would like to see the rights of older people with mental health problems included as a theme. Raises concerns about the way older people are treated – for example in controlling their own finances and being treated as incapable of making choices

DB: there is still a lot of stigma amongst older people in claiming benefits, leading to a large amount being unclaimed

GD: See this a lot at CAB outreach at Age Concern

BA: Government recognises this and there are discussions about renaming benefits “rebates” to tackle the problem

DB: Often lack of awareness of benefits and rights to claim

6. Any Other Business

Pat N: Brought flyers for the Housing Advice Outreach surgeries – for copies please contact Pat: Patricia.Newton@plymouth.gov.uk

The surgeries are being held in Bt Budeaux, Efford and Laira.

People can access advice and appropriate signposting, regardless of whether they are a tenant or a homeowner and the aim is to work towards avoiding crisis and prevent homelessness.

Any casework will be taken on at Midland House

Russell: Have a client who was on DLA – this has been stopped and as a result IS, HB & CTB have also been stopped – it will take 10 weeks to get to appeal – what can they do?

PN: Advise they go to Housing Advice Service

KS Promotes Claiming DLA for people with Mental Health problems course, been delivered recently by Julie at CAB – recommends contacting CAB Training Manager for another course: martin@plymouthcab.org.uk

Next Meeting: 8th April 2010 at 1pm

**Barbican Suite Training Room, Plymouth CAB, Cobourg
House, Mayflower Street**