

# **Plymouth Welfare Rights Forum**

Warspite Room  
Council House

Thursday 27<sup>th</sup> September 2007  
1.00 to 4.00pm

## **ANNUAL GENERAL MEETING**

### **IN ATTENDANCE:**

Colin Trend  
Steve Guy  
Laura Rossiter  
Julia Slade  
Val Willcocks  
Dean Smith  
John Williams  
Brenda Gibbs  
Donna Ryall  
Paula Pick  
Mo Rafferty  
Mary Partridge  
Anne-Marie Polley  
Glenn Roberts  
Pat Newton  
Tessa Merrett  
Les Cole  
Tony Barrett  
Chris Johnson  
Gary Edwards  
Patrick Healy  
Susan Fulcher

MAP  
MAP  
DWP DBC DLA  
Lark Childrens Centre  
Plymouth Claimants Union  
Plymouth Claimants Union  
Plymouth Claimants Union  
West Hoe DCHA  
Plymouth MIND/Zone  
Glenbourne Money Advice  
William Sutton Homes  
Colebrook Housing society  
PCAB  
Full Potential Advice Service  
PCC Welfare Benefits  
MAP  
FIS JCP Devonport  
JCP Old Tree Court  
JCP Benefit Processing  
PCC Housing Benefit  
Benefit Angels  
PCC Housing Operation

### **Apologies:**

Caroline Ackerman  
Jill Joyce  
Chris Hulbert  
Ros Pomfre  
Stuart Toll  
Maggie Dolan  
Dr Carolyn Woodhouse  
Dawn Clarke  
Karen Sharpe  
Dave Hays

Colin welcomed all to the AGM and reminded the forum that he was standing down as chair and that Anne was standing down as Secretary for personal reasons. Colin said he was aware that 2 members were going to re-stand.

Colin advised the AGM that CAB have offered to come forward and oversee the Forum, however, this may not be practical as there are other implications.

Colin reminded the Forum that the AGM minutes for the 2006 AGM were part of the body of the March 2006 Forum meeting. Colin read an extract from the March 06 minutes.

Colin extended a welcome to all statutory sector reps to this meeting and reminded them that they cannot hold position as a committee member or vote on committee members standing, however their comments and opinions were welcomed.

Colin asked for people to put themselves forward for nomination.

Paula Pick and Julia Slade put themselves forward to re-stand as committee members. (Glenbourne and Lark)

Steve Guy also put himself forward as a committee member (volunteer)

Tessa also put herself forward (MAP)

Glenn Roberts put himself forward (Full Potential Service)

Colin said that he would have reservations about the committee being heavy from any one organisation.

Colin said the forum needs to be equally balanced and not lean towards any one organisation.

DS from the claimants union said about the demise of the PWRSU and that AF had managed to stop the forum from collapse. DS said prior to the Unit taking the lead of the forum, he had run the forum for a period of time, a CAB worker typed up the minutes and others had involvement, including Shelter and Devon CAB.

DS said he can't see any major problem with the CAB taking the forum back now and perhaps still have a committee for the Forum, but with the CAB providing the support and minute typing and admin role.

Colin said that there are some similarities between the DMAF but also differences as the Forum here is its own legal entity. The Forum has funds that the committee are responsible for on behalf of the members.

Colin said that we may have to consider dissolution to go under the umbrella of the CAB due to the funds etc. CT said that the forum could be handed over lock, stock and barrel over to the CAB to run under their social policy.

The 2<sup>nd</sup> option is just for CAB to fulfill the secretary/admin support role and the forum

then still retains its legal status.

*Patrick Healy arrived at this point.*

GR asked who had suggested the idea originally? CT said he had received an email from Jane Guy.

Annemarie said about putting together a list of proposals for the CAB and asking them to consider the proposal, they will need to get their Trustees involved.

DS said not to make it too spooky for the CAB. Try not to make it too complicated. Just ask the CAB to put in secretariat support to replace AF.

Annemarie said that this worked well for when the CAB ran the DMAF.

CT said that perhaps to put this forward for a 12 month period and then for the arrangement to be reviewed.

SG said that perhaps the new committee members should move this forward with the CAB and have discussions and bring the results back to the November forum.

JW said that he proposed for the forum to move down the route of the 2<sup>nd</sup> option.

CT said this would now be put to the majority vote:

Yes: 14

Abstain: 3

CT reminded committee members that they meet after the main Forum meeting. CT thanked Anne's hard work and commitment over the last few years.

JS brought forward as Treasurer, the annual accounts. The accounts were independently audited. Copies are available for anybody who would like a copy.

On 31/3/07, Forum assets are £968.46 with no liabilities.

### **Secretary Report:**

- CPAG memberships:
  - Currently 2 memberships remaining, although we still have an commitment to Workable Pluss and the Plym & District Disabled Fellowship to obtain further information regarding their applications. Once this has been obtained, the committee will need to revisit the applications and if successful, then all applications will have been issued for 07/08.
- The memberships for Benefits & Works website have not progressed any further since it became apparent that there would need to be a change of lead for the Forum. This will be a matter for the new lead to take forward, although

all preliminary work of discussions and prices have been put forward by Benefits & Work.

- The forum website is now fully up to date.
- So what have we done through the year?
  - We have been instrumental since the September 06 conference in bringing more statutory organisations to the table so that dialogue can take place and to get advisors together.
  - We held Plymouth's first Welfare Benefits Conference which was a resounding success and this in turn has highlighted up and down the country that Plymouth is one of the first councils to have a WORKING income maximization strategy and not just another shelved document. This conference was only possible due to the dedication of personal time input by committee members and volunteers alike.
  - We worked through the BASIS lottery fund application and whilst unsuccessful, this was a good experience for the forum to go through.
  - We jumped through numerous hoops with SRB, some of which to this day remain unsolved and unanswered. The forum still holds £117.52 of ring-fenced money in its account that needs to be resolved with SRB who were demanding a rounded up payment of £119.00 back.
- On a slightly sadder note, I must report that Caroline Ackerman of Bristol DLA has now left the organisation and is now working for A4E dealing with the Direct Payments contract from South Gloucester contract. I will be remaining in contact with Caroline and she is contactable if needed.
- Dr Carolyn Woodhouse has kindly offered to come along and talk to the forum again however, she is only available up until the March 08 forum after which she will be retiring. Carolyn is very keen to keep working with the Forum and helping wherever possible. I know that from her input and advice into the forum, several of us have been able to resolve some issues regarding visits made by EMPs.

On a personal note:

- It has been difficult to follow through paperwork for the Forum when it needs to be conducted during the day for best results. Since leaving the world of Welfare Rights for alternative work, this task has been more difficult than anticipated. Compounded with the recent loss of my step dad and my mother being hospitalized, it has become more apparent that my priorities must now lie elsewhere.
- I also believe that it is actually in the best interests of the forum for my role to be taken on by another who can fulfill the requirement of the forum's work more thoroughly than what I can do.

- I have overseen various aspects of the running of the forum now since February 2003. I have loved every moment of my work with the forum and have no regrets. I anticipate that by the end of November, all forum paperwork will be filed accordingly and boxes ready and labeled to hand over to the new secretary/chair/host.
- It is with sadness that I must now resign, but I do thank the Forum members, past and present, for supporting me in my role with the forum. I would like to note and pass on my thanks to all committee members for their continuing patience with me and with particular thanks to Colin Trend who kindly stepped in as Chair of the forum over 3 years ago to 'help out' for one meeting – we didn't let him go after that. It really has been a journey.

DS said that the WRSU had worked on the anti poverty strategy. AF clarified her comment about the anti poverty strategy and how this had been shelved by PCC shortly before the closure of the Unit. This was the strategy that had been rewritten and never moved forward.

It was agreed to close the AGM at this point.

AGM closed 1.40pm.

### **MAIN WELFARE RIGHTS FORUM MEETING.**

Colin welcomed all to the main Forum meeting. Colin said that even though the AGM had elected a new committee, nobody was yet ready to take the place of Chair or secretary and so he and AF would continue with this today.

Round table introductions were done.

CT extended a warm welcome to Laura Rossiter from Bristol DBC who has taken the place of Caroline Ackerman who left Bristol DBC earlier this month.

1. VW said that from the social policy, CAB would do the admin as discussed.
2. JW said he did email his apologies.
3. SF said she had emailed her apologies.
4. Caroline Ackerman's 2 sons were in attendance.
5. Tony had given an update the third party deductions under the JCP report – highlighted by Annemarie.
6. MH should be AMH – top of page 3
7. page – talking about Lone Parents should refer to all parents.
8. tax credits – PH said page 5 “PH said there was confusion about disability elements in tax credits. If a person is not working they are penalised.” This is confusing and meant if a person is working.
9. Remove AMP had a meeting with DWP.

## **Matters arising:**

Annemarie said that some tax aid training had been given recently which was very helpful. The tax credit act says the board has discretionary powers not to recover at all. You can put in a letter of complaint where it is felt a client is being haranged by the HMRC for repayment of an overpayment.

## **Stat sector reports**

### **Jobcentre plus**

Tony said that he is very disappointed that HMRC are not in attendance today.

Anne updated the forum on an email that she had received from HMRC that said they may need to review attendance and stop coming. Anne detailed her response back to HMRC which has then led to a partial rethink and HMRC will endeavour to attend the next Forum. Anne agreed that HMRC still don't appear to appreciate the importance of the Forum and the need to enter into dialogue with their statutory partners and the voluntary sector.

Crisis loan delivery changing from Monday. Some training just over a fortnight ago. From Monday, all crisis loans are telephone based from Bristol. Concerns have been raised. Mon and tues the system held up but from tues lunchtime, it appeared that the system was not working properly. They are hoping the system will settle back down. 125 crisis loan processors waiting to deal with claims. Tony is waiting for a text to see if he needs to implement a contingency plan.

0800 0328349 is the new number to phone for crisis loan applications now 8.30 to 4.30 pm Monday to Friday (10am on Wednesdays). Some teething problems. 2 JCP offices in Plymouth and so decisions can go to either Old Tree Court or Devonport. Plymouth and Portsmouth are confused as well. Tony said it is now easier to get/apply for a crisis loan on the new telephone system. Smoother than when dealt with in the office in Plymouth.

Turnaround time can be within 2 hours. Information is taken off the customer over the phone call and acted upon. Decision is then given and the customer is told to arrive at the office for collection half hour before payment time. Tony said that there can be delays whilst waiting for collection in the office, and that is purely down to volume of payouts. However, customers will know before they arrive of the amount given and repayment terms.

Chris J said that any problems with trying to get through on the phones may take a few weeks to sort out.

MBJ asked why are they not doing it in Plymouth. Tony said that only in exceptional circumstances will they see a customer face to face, such as a disabled person who cannot access the telephony system.

DS asked if the out of hours system was still working and Tony said yes. DS asked about evidence. Tony said that no evidence is requested which is why it is easier for

customers to get a crisis loan and can cause concern over debts being run up.

For CCG evidence will be sought. For crisis loans living expenses, evidence will not be sought. Who gives the decision – Plymouth or Bristol? Tony said the Bristol is notified by Bristol.

MBJ discussed about funeral expenses. Tony said that for funeral grant and other regulated fund payments, these will still need to be evidenced. Discussion surrounding the difference between different social fund grants. Further discussion surrounding crisis loans and benefit payment dates.

JCP must get new claims to the processing team (Chris's section) within 24 hours. Worst case scenario is 48 hours. Dean brought up 'interim payments' – these are still available and there is resistance from local offices according to Quarry House office. Chris said it is discretionary in local office although Dean noted this is a right. Chris says ask for an emergency payment or Crisis Loan. Dean suggests lobbying is needed to get more interim payments. AMP queried NINO's – Chris said it can be paid clerically if a NINO is applied for. Dean referred to Roland commentary. Chris says there should be some payment made whilst claim is outstanding, but less than potential entitlement as per claim that is processing. John – Decision Makers are supposed to be independent. Chris – no targets for these Decision Makers. Not many applications, so a small number processed. Chris will provide further details to the forum.

CJ will get guidance out and give examples of what should and should not be considered for interim payments. IB rules are very different to IS and JSA rules. DS said that interim payment rules will apply to all benefits.

Tony said that claims have to go into a TNT bag and be tracked and confirmed as being delivered into Old Tree Court the next day. From his section, the number of emergency payments has greatly reduced. All claim forms must be in the benefit delivery centre within 24 hours.

JW wanted to raise the issue of Jobseeker agreements. Only need to make 3 active steps per week. Entitled to a permitted period when just finished one occupation. Interviewing officer says you need to put down several occupations when they shouldn't need to as they have this permitted period.

Tony asked JW if he had evidence of examples so that he can do something about this. He cannot try and bring attention to this without having examples to flag up.

CJ said it is the longer term unemployed who will be more targeted.

Discussion surrounding permitted periods and interviewing officers stating IT problems.

Can all those who have experienced this problem please get their client details across to JCP in order that this can be investigate please.

Envelopes, Tony said that he may have an address that can be provided for prepaid

envelopes. Seems there may be an external store that has been found and Tony and Chris are working to get advisors a supply of envelopes.

Patrick suggested that this can be emailed to the Forum and then passed around? CJ and Tony agreed.

Annemarie asked how the postal system was working now? Tony said there are still problems with the system. Confidential mail opened etc, items take 3 days to arrive.

Annemarie said still a problem with med certs being received.

Chris said that working alongside targets which is improving. IS claims being cleared in 6.5 days compared to targets of 11 days. This is another reason why there are less emergency claims. 90% of calls are answered. Appeals, previously been asked why they take so long. IS and JSA have a target of 51 working days of all papers to the Appeals service. JSA is working on 31.5 days and IS at 35 days. IB does not have any target, although the section do try to work to the 51 day target on other benefits.

Generally things appear to be going ok.

SF said she has access to the benefits systems in her post. She has come across examples of where the award notification has come across but the application form has not come across. SF was under the impression that when an award of benefit came over so did the application form, but this is not happening.

Tony said this is part of the CMS. The application should get over to PCC before the award. SF will provide examples to Tony for him to look into.

## **Housing Benefit**

Gary Edwards presented a power point presentation on the forthcoming Local Housing Allowance.

### **MATTERS ARISING FROM PREVIOUS MEETING:**

Claims from European Nationals – this is a complex area and guidance is evolving as more claims are received. We have a small team of people who have received in depth training on claims relating to what is termed as Persons from abroad and these staff advise on the processing of these claims. We apply the regulations and guidance received by the DWP and make decisions on this basis to each claim processed. If a customer/agency is not happy with the decision made then they have the right of appeal to the Appeals Tribunal.

### **UPDATE -**

The current situation regarding claims awaiting processing is as follows:

Working Age-

New Applications/Change of address – 303

Pension Age -

New Applications/Change of address - 32

Total claims awaiting processing = 335

Claims pending further information

New Applications/Change of addresses – 494

Our work position is slightly higher than our last stated position. We are currently training staff in preparation for the upgrade to our DIPS system. We have put in place overtime working to maintain our work levels during this period. Where we have all the information to process a claim, they are still being put into payment within 2 to 3 weeks.

Quarterly report of total number of claims processed and the number of defective claims

Period 01/07/07 to 30/09/07	New Claims Decided	Defective Claims	% Defective
Working Age	3187	466	14.62%
Pension Age	428	25	5.84%
Total	3615	491	13.58%

Defective claims are claims that are not put into payment because the information required to process the claim has not been provided within 4 weeks of the request. The majority of defective claims are due to the customer not replying to requests, rather than stating they are unable to provide the information. We work with customer's who have genuine difficulty in providing the information or proof we have requested. It is often the case that when we notify the customer that their claim has been cancelled, they then contact us with the information we have asked for.

Upgrade of our Document Management System – this will go live on 22<sup>nd</sup> October 2007.

Local Housing Allowance – National roll-out will take place on 7<sup>th</sup> April 2008, this will affect new claims only, or existing claims if there is a break in entitlement.

Ge/27/09/07

Matter arising from last meeting re nationals from outside EU area. GE said this is a complex area and he has a trained team dealing with this although they will need to take advice where required. The case referred to them by CAB is still ongoing and likely to go to appeal. Annemarie asked on behalf of PM if the guidelines have now been clarified and if other cases have been or are to be revisited. Also thanks from PM for GE quick response.

Work position slightly higher as going into training session on new DIPS system.  
Overtime in place for processors.

GE will send via email, the number of defective claims for the last quarter.

Customer still has the right of appeal if HB choose/allocate the wrong room rate.  
Example of absent parent – need for additional rooms will give grounds for appeal for the customer.

Annemarie asked about sharing rooms – is there a min room size, for example, you cant get 2 beds into the room as it may be too small. Will this be taken into account? GE said no, the LHA is appropriate to a room rate and the number of rooms needed. Where it is identified that the children are expected under the LHA rules to be sharing, then the children will only need 1 room and the parent the other room – hence a 2 room rate. It doesn't take into account that perhaps you cant get 2 beds into one room.

SF asked about what if 2 children are expected to be sharing but perhaps due to disability there is the need for an additional bedroom. GE said this is not clear yet, but expects this will be covered.

PP asked about when carers are needed to stay over – will this be taken into account in the room rate? Will the tenant be able to have an account in a 3<sup>rd</sup> persons name, such as parent's account etc?

Discussion around 3<sup>rd</sup> party bank accounts as some basic bank accounts have limits as to the value of benefits that can be paid in each month. AF highlighted this to be addressed in order to make sure that people don't lose their basic accounts. GE said they will be looking at being able to nominate a 3<sup>rd</sup> party bank account etc but it cant be the landlord's account though. GE said that all these things will be taken into account and he will feed back into next forum as there are also problems highlighted from other groups as well.

Will the 13 week rule and other regs such as this still apply? GE confirmed all existing regs will apply. The purpose of the LHA is to remove the need to refer every single rent/accommodation to the Rent Service.

GR asked about the level of rent changing midway through the claim. GE said there is no link to the rent payable. GR asked about if rent is put up will the LHA change? GE said no this will not change. What about the £15 rent cap though? If the rent is increased, wont the value of the HB payable also increase? GE said no. it may be revisited upon the end of the 12 month period but the LHA is set for 12 months of the claim and will not be revisited unless a change in number of rooms required etc during the claim.

GR asked if the tenant will need to declare rent increases still even tho the level of LHA will not change? GE said yes.

CT asked if the landlords could increase rent to take advantage of the tenant getting additional spare money to make sure they get it and not the landlord? GE said so

long as the rent increase is in accordance with the grounds of tenancy then yes this can be done. Some landlords will always try and take advantage of the scheme, however, mainly this will tell landlords what they can expect to get from HB for their properties and will be easier.

GR and PP asked about surplus LHA will this affect benefits such as IS and JSA. JCP confirmed that any benefit paid to the customer as rent will not affect benefits even if the LHA is higher than the level of rent paid.

Discussion surrounding this.

MP asked if it was all supported accommodation that is exempt as Colebrook are not a registered social landlord. There is a lot of panic about this at the moment. Concerns over rent being paid to tenants, however even tho some tenants may not be fully capable, Colebrook do not go down the route of appointees. What can happen with this?

GE said that these circumstances would be looked at. Part of LHA being paid to landlords is to ensure that the landlord and tenant have a relationship and dialogue on a regular basis.

CT advised for GE and Colebrook to have this conversation about specifics outside of the forum to work it forward and come back to the next forum meeting and update everybody.

## **DLA**

Laura introduced herself as Caroline's replacement. She does not have a full report today but wanted to come along and introduce herself to the forum and carry on with the good work.

Renewals are still going up to blackpool and all DBC sites are shortly due to have new PO box numbers.

Mail redirection will go on for approx 12 months. All new claim packs have the new envelopes in.

Currently there are under 2900 claims in holding in Bristol waiting to be processed. All staff have been roped in to break the backlog of claims.

AA 18 day target – clearing after 15 days  
DLA couple of days over target. Usually have to write out for DLA for further information and that can be slow in the summer period.

New DLA claim pack with emphasis on tick boxes. New AA claim pack currently being tested in Bootle, Liverpool. AA claim packs are short anyway and it is hard to imagine how they can shorten it down further.

New CA earnings limit from 1<sup>st</sup> October 2007 £95.00 per week. This will increase in October of each year at the same time as the minimum wage increase.

JS said that been on news that CA limits will increase every time the minimum wage increases.

PP asked for Laura's contact number 0117 9718305.

[Laura.rossiter@dwp.gsi.gov.uk](mailto:Laura.rossiter@dwp.gsi.gov.uk)

AOB:

JW brought to our attention the investigation into Advice Inc for wrongfully/illegally trading and the official receivers are now investigating this further. Deadline to official receivers by the 3<sup>rd</sup> October 2007. mark for the attention of the insolvency practitioner.

AF asked if this is where advisors should be writing in to state how they had raised their concerns over funding with the funders a long time before the funders actually took any action. JW replied yes.

Meeting closed 4.05pm

## **Date of next meeting**

**Thursday 29<sup>th</sup> November 1 pm – 4 pm.**

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