

'Helping you build  
expertise in Welfare  
Benefits'

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### NEW COURSE

Benefits and Mental Health 2018

Cardiff 10/4/2018  
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Manchester 17/04/2018  
London 23/04/2018

Universal Credit and Housing Costs 2018

London 24/04/2018  
Cardiff 25/04/2018  
Birmingham 30/04/2018  
Manchester 02/05/2018

Introduction to Welfare Benefits 2018

Birmingham 04/06/2018  
Cardiff 06/06/2018  
Manchester 20/06/2018  
London 05/07/2018

### In house training

We regularly train in-house throughout England and Wales. To view our current in house training courses [click here](#). [Contact us](#) for in-house training provision.

## Free Benefits Newsletter

for professionals

### ESA Mental Health Descriptors- Aids, and Adaptations not Relevant

A recent ESA case ([TM v SSWP \(ESA\) \[2018\] UKUT 9 \(AAC\)](#)) has ruled then when we view the descriptors 11-17(part 2) for ESA (Mental, cognitive and intellectual function assessment) then we shouldn't take into account aids and adaptations.

For physical Impairment(descriptors 1-10)- the law was changed in 2013- 'Regulation 19(4) of the Employment Support Allowance Regulations 2008 (SI 2008/794), as substituted by regulation 3(2)(a) of the Employment and Support Allowance (Amendment) Regulations 2012 (SI 2012/3096) with effect from 28 January 2013, is in the following terms:

"(4) In assessing the extent of a claimant's capability to perform any activity listed in Part 1 of Schedule 2, the claimant is to be assessed as if—  
(a) fitted with or wearing any prosthesis with which the claimant is normally fitted or normally wears; or, as the case may be,  
(b) wearing or using any aid or appliance which is normally, or could reasonably be expected to be, worn or used."

However the Judge in this upper tribunal case says at paragraph 21- '...I can see the force in Mr Hampton's point that if it was intended that regulation 19(4) should apply to the mental health descriptors then the words "Part 1 of" would have been omitted. In addition, given the way that the mental health descriptors are formulated, it may be difficult to see quite how assistance with aids or appliances might be relevant.'

The DWP had sought to argue that a client with a learning disability using a mobile phone app. as a navigation aid for descriptor 15 (c) was allowable- '...namely "is unable to get to a specified place with which the claimant is unfamiliar without being accompanied by another person".'

**Book Now** for our **new Benefits and Mental Health 2018** course.

### In House Benefits Training this May

Training for your team at a location to suit you. We have lots of availability for in house courses this May.

We regularly train in-house throughout England and Wales. To view our current in house training(including Universal Credit) courses [click here](#). [Contact us](#) to discuss in-house training provision.

### Support for Mortgage Interest to be a Loan from April

From 6/4/2018 [regulations](#) have changed the support that people with a mortgage get from the benefits system. Instead of a payment the support will now be a loan.

Here are some of the main features-

- The scheme applies for those on Universal Credit, Income Support, JSA(income based), ESA(income related) and State Pension Credit(guarantee credit).
- Existing claimants who currently receive payments already(support for mortgage interest or SMI) will continue to do so for only a short period after 6/4/2018- either a week(most claimants) or a month after(UC claimants). This can be extended a little to allow documentation to be received by the DWP.
- Like the existing scheme- waiting periods- there is the same waiting periods to get help, often 39 week waits (or 9 months) before payment start. Interest is 2.61% at present. The maximum eligible loan is either £200,000(for most claimants) or £100,000(for Pension Credit or pre 2009 claimants).
- Unlike the existing scheme- There is no ceasing of payments after 2 years for JSA claimants. SERCO have won the contract to administer the gathering of information including a telephone call. There is no passporting to free school meals, health benefits or full council tax reduction if the only reason for eligibility for that benefit is that the loan payments have been included in the applicable amount.

Your clients will need detailed advice around these rules.

**Book now** for our **updated Introduction To Welfare Benefits 2018** course.

## Million Children to Miss out on Free School Meals

Up to now, claimants of Universal Credit with children would be entitled to free school meals. Even recipients who only get a few pounds of Universal Credit per month.

[New regulations](#) have been issued (applying from 1/4/2018) that decide at what point Universal Credit claimants will be entitled to free school meals and milk for their children.

The earnings thresholds below which there is entitlement to free school meals and milk are -

- Lower than £616.67 where there is earned income in a relevant period made up of one universal credit assessment period that immediately precedes the date of the request for a free school meal; or
- Lower than twice that amount (£1,233.34) where the relevant period is two assessment periods before the date of request (in cases where the single period threshold is exceeded in the first assessment period); or
- Lower than three times that amount (£1,850) where the relevant period is three assessment periods (in cases where the single and double period threshold is exceeded in the first two assessment periods preceding the request for free school meals).

There is a fear that these new 'cliff edges' will provide a deterrent to those seeking work.

[The Childrens' Society suggest](#) this may mean over £1 million children missing out compared to if all UC claimants continued to receive the entitlement.

**Book Now** for our [updated Universal Credit 2018](#) and our [Housing Costs and Universal Credit 2018](#) courses.

## Get better informed- book UC our Housing Costs course

Want to know more of the detail on how people get their housing costs under UC?

This course examines the similarities to Housing Benefit and differences under the Universal Credit system.

**Book Now** for our [updated Housing Costs and Universal Credit 2018](#) courses.

## UC- Latest Statistics

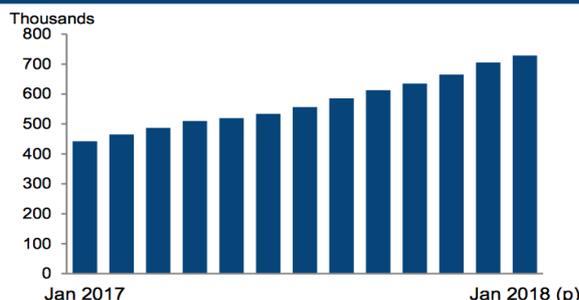
Roll out for the digital(full)service continues to gather pace. By the end of April around 40% of the country will be covered.

The government aims for roll out to the whole of the country by the end of December 2018.

(See our guide to the [roll out timetable](#)).

### 730 thousand claimants

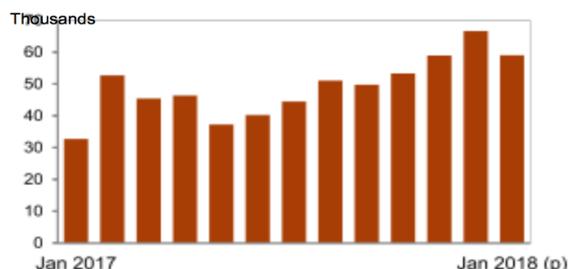
At 11 January 2018



The number of people on Universal Credit rose to 730 thousand in January 2018. This is a 3 per cent increase from last month.

### Starts at 54 thousand

Month to 11 January 2018



The total number of starts that have been made since Universal Credit began is 1.3 million. The number of starts made to Universal Credit was 54 thousand in the month up to 11 January 2018.

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