

HSCP Advice Services

**Biennial Report
2016/2018**

**The right advice
From the right person
At the right time**



**INVERCLYDE'S ONE-STOP
SHOP FOR BENEFIT ADVICE
AND SPECIALIST WELFARE
RIGHTS AND MONEY ADVICE**

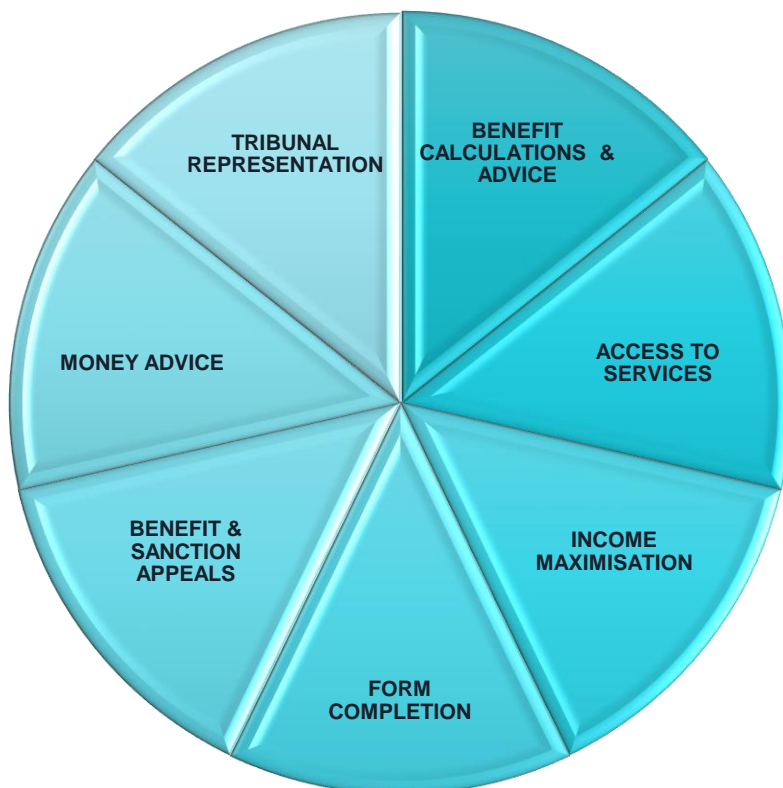
INTRODUCTION

Inverclyde HSCP Advice Service providing money advice, benefits advice and welfare rights representation, is predicated on a rights-based perspective that contributes to the alleviation of poverty and effects of debt in the community.

It plays a vital role in working to protect the well-being of vulnerable claimants and consumers; and also supports the wider Inverclyde economy by ensuring residents receive the support they require during these times of change and uncertainty.

The challenges facing Inverclyde residents are diverse and vary from the effects of continuing austerity, growing reliance on personal debt and continued welfare reform.

The provision of an effective one stop, holistic advice service is an effective method of delivering advice and is relevant to the statutory duty of Inverclyde Council to deliver advice and assistance to promote the social welfare of Inverclyde residents.



Background

This is the second report of Inverclyde HSCP Advice Services.

The Report covers a two year period from 1st April 2016 to 31st March 2018.

It builds on much of the information presented in the first Annual Report in 2015/2016.



Advice Service Quick Facts 1 April 2016 – 31 March 2018

**Advice First
calls handled**

23,644



**Appointments
scheduled
between
Greenock and
Port Glasgow**

6804

**Confirmed Advice
Worker Financial
Gains**

£3,693,931



1624

**Welfare Rights
Appeals
Scheduled**

73%

**Of final outcome decisions
in favour of client**

£2,734,195

**Welfare Rights
financial gains
achieved**

**Number of
Debt
Interventions**

1866

£53,267

**Amount of debt
written off by
creditors because
of client health
problems**



**Level of Client
Debt**

£6.67 Million

£2,832,366

**Financial gains
achieved by the
Macmillan Cancer
Support Advice and
Welfare Rights**

**Total Confirmed Financial Gains for Advice Services:
£9,260,492**

Analysis by Service

Whilst Advice Services is one integrated service, it covers three distinct areas of work:

- ▶ Social Security Advice and Information
- ▶ Welfare Rights Representation
- ▶ Specialist Money Advice Services

All 3 teams are supported by the recent development of an integrated case management system. The system mirrors the model of a single point of access and has allowed Advice Services to refresh and revitalise the way in which we deliver the service, helping mitigate the impacts of rising personal indebtedness and welfare reform.

As well as supporting the provision of an efficient, quality service to users – the system ensures that our service keeps clear, concise

records of advice given and actions taken, and we are able to generate data that allows the monitoring of the types of work undertaken by advisers and the time taken on each case.

The system provides an immediate view of current case numbers to ensure work is fully represented, that advisers work within their capacity, and reports fully on financial gain secured by the service on behalf of clients.

The system has time bound triggers to allow the service to follow up on the outcome of benefit applications, respond to legal deadlines in relation to debt; or to assist clients challenge an adverse social security decision within the statutory timeframes, or respond to a sheriff court summons.



Advice First, Duty Advice Service and Access to Service

The Advice Service telephone helpline, known as Advice First, is the main point of access to Advice Services.

Many of the clients who contact the service often have multiple issues, many of which can be resolved over the telephone, thus either removing the need for an appointment or addressing some of the issues prior to attending an appointment.

To ensure the service is as accessible as possible, there is a monitored email address where referrals are received from other agencies, clients and other HSCP services.

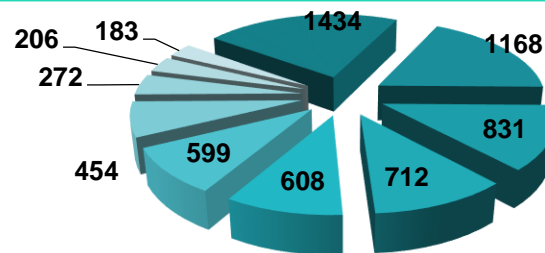
The single biggest role for Advice Workers is related to assistance given in the completion of benefit applications. Given the complexity of the benefit system, claimants often fail to include all the necessary and relevant information required by the Department of Work and Pensions (DWP). Advice Workers are familiar with the claims and decision making process and are aware of what is relevant to an application.

The nature of the support provided by Advice Workers to claimants has changed over the past couple of years, becoming more intensive with

increasing numbers of claimants requiring enhanced levels of ongoing support over many months. The one-off advice intervention is being replaced with the need to remind claimants of the continuing obligations to furnish DWP with information and certificates such as fit notes; of the two stage processes of challenging decisions and the strict statutory time limits involved, and assistance with the long term management of claims in general.

The Advice Service is committed to assisting Inverclyde residents to navigate the welfare benefits system successfully.

Top 10 Enquiry Types



■ General Entitlement Enquiries: 1434

■ Personal Independence Payment Advice: 1168

■ Personal Independence Payment Dispute: 831

■ Employment and Support Allowance Dispute: 712

■ Universal Credit Advice: 608

■ Employment Support Allowance Advice: 599

■ Foodbank Referral: 454

■ Attendance Allowance Advice: 272

■ Universal Credit Dispute: 206

■ General Housing Enquiry: 183

Another key aspect of the Advice Service is providing a single point of access for people who need assistance with daily living tasks and require support to maximise their ability to live as independently as possible at home.

This service is available to people living within the community whether alone or as a member of a family. Services include:

- ▶ Homecare
- ▶ Re-ablement
- ▶ Community Alarms
- ▶ Tele-healthcare
- ▶ Respite at Home

The routes available to access services are currently under review and may be subject to change over the coming months.

Specialist Money Advice

HSCP Money Advice provides a holistic service for residents of the Inverclyde area and is the only service which acts as a gateway for consumers who are seeking access to statutory debt remedies such as the Debt Arrangement Scheme and Scottish bankruptcy.

Although money advisers can help their clients by securing financial gains for them, unlike the functions of Welfare Rights and advice workers, the primary role of a money adviser is to help consumers become more financially resilient by addressing their problem debt.

They also assist residents to understand their finances better, by drafting financial statements and looking at means of helping them minimise their expenditure and maximise their income.

Importantly they can also assist clients with the now well established relationship between unmanageable debt and mental health problems.

“The Royal College of Psychiatrists, for example, has found one in two adults with debt have a mental health problem, noting that debt can cause, and be caused by, mental health problems”.

Seeking debt advice can both help a client's mental health from getting worse and assist a client to feel more in control of their situation.

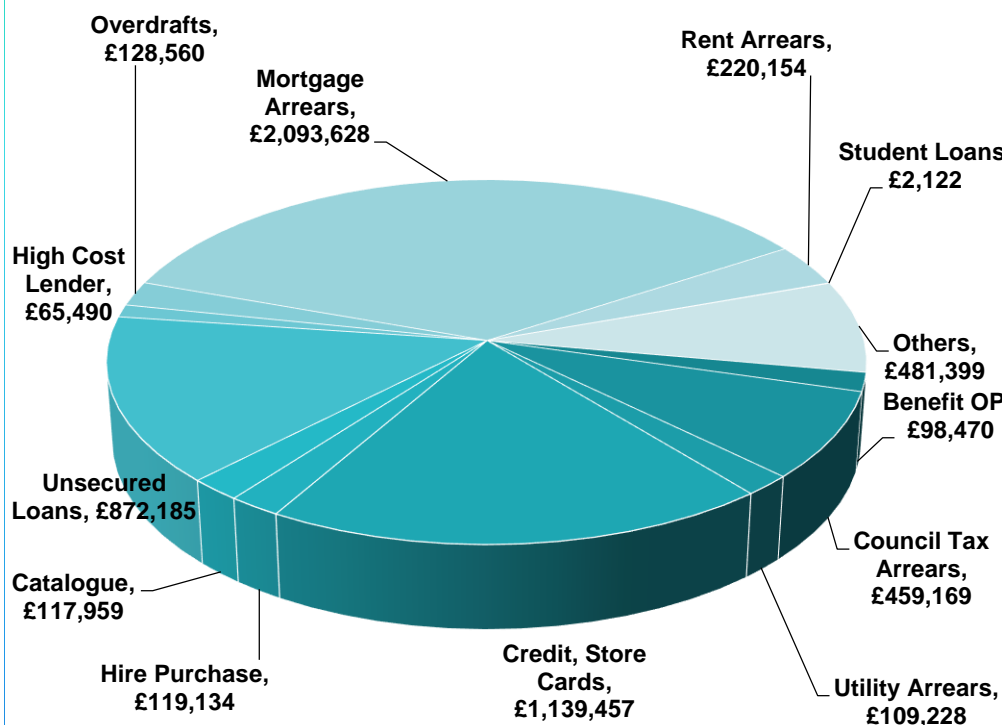
HSCP Money Advice offers client's access to a free money advice service that can offer a comprehensive package of support options that may otherwise be unavailable to many residents unless willing and able to pay the fees charged in the private sector.

These services include dealing with debts such as benefit overpayments, council tax arrears, and mortgage and rent arrears (when the home is at risk) and normal unsecured, consumer credit debts. The service also provides lay court representation in relation to a number of areas under consumer credit, debt enforcement and personal insolvency legislation.

In 2016-18, HSCP Money Advice opened 591 complex, debt cases, involving Inverclyde residents, many of whom formed parts of households with multiple residents, including children, dealing with £6.67 million of personal debt. The average debt per client was £11,297.21.

The service also made 1,866 interventions on behalf of those clients in relation to their creditors and dealt with £459,168 in council tax arrears. The Financial gains for Inverclyde Council Residents over the 2016-18 period was £2.3 million, with £90,531 of debts being voluntary written off by creditors.

Types of Debts



Welfare Rights

The core task of Welfare Rights is to help claimants prepare for appeal by:

- ▶ Gathering evidence and researching relevant case law
- ▶ Preparing submissions and providing representation for claimants at oral hearings
- ▶ Finding errors of law in the First Tier Tribunal statement of reasons
- ▶ Preparing submissions to and attending hearings before the Upper Tribunal (UT)

The driver of demand for representation is a combination of social security legislative change and DWP policy and practice.

Where appropriate, Welfare Rights Officers also provide representation at the Upper Tribunal (Administrative Appeals Chamber). This is a superior court of record whose decisions are binding so we can contribute to establishing new case law. Appeals to the UT are based

on legal argument only.

Establishing Case Law Precedent

Awards of PIP are based on a points scoring system. DWP held that points could only be awarded for supervision if harm was likely to occur on more than 50% of the time a claimant attempted an activity. For example, DWP would not award points to a claimant with epilepsy for preparing food unless it could be shown that it was more likely than not the claimant would have a seizure each time they cooked a meal. This view was challenged by Inverclyde HSCP Welfare Rights at a three Judge UT hearing held in Edinburgh. The argument made by welfare rights that the correct approach was to focus on the real possibility that harm might occur was accepted by the UT. On 2 November 2017 the Minister of State for Disabled People, Health and Work announced the Government would not look to challenge the decision

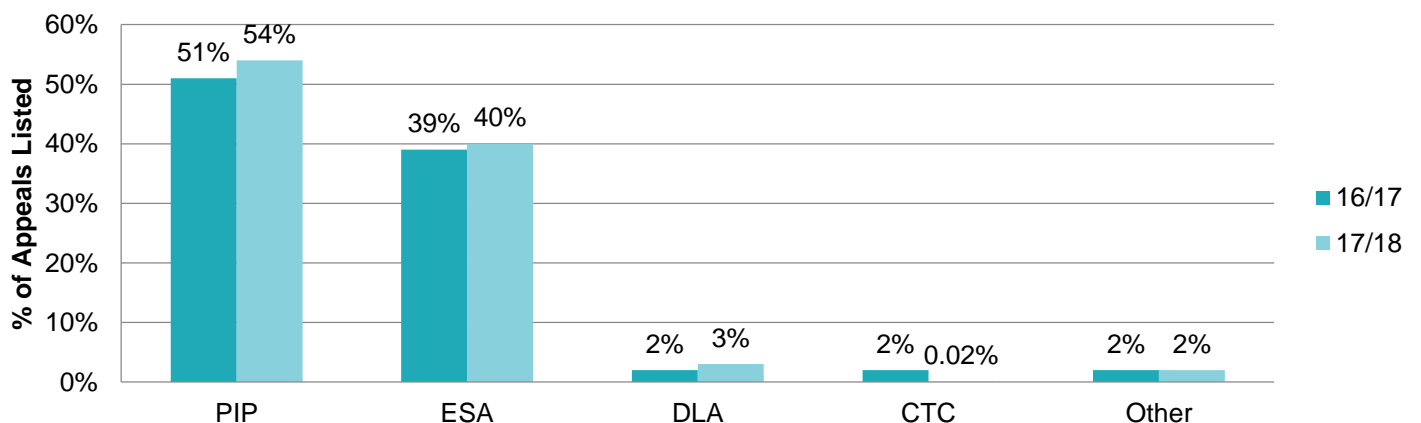
One case from Inverclyde Welfare Rights establishing new case law, increasing PIP entitlement across the UK to the tune of £41,600,000 per year

and issue new DWP guidance to reflect the new case law:

“This will increase entitlement for a number of both new and existing claimants...

The Department estimates approximately 10,000 claims will benefit by £70 - £90 per week in 2022/23.” Penny Mordaunt (Minister of State for Disabled People, Health and Work)

Appeal Hearing by Top 4 Benefit Types



Specialist Services

Vulnerable Groups Outreach: Homelessness, Addictions, Mental Health

The impact of Universal Credit on clients of the Homelessness Team quickly proved to be of significant concern in terms of establishing and maintaining claims and securing the correct levels of housing costs.

Given the continuing success of the outreach Advice Worker it was decided to replicate that model in terms of clients affected by homelessness.

Council Anti-Poverty monies have allowed for the creation of a second outreach Advice

Worker post, funded until April 2020, working with clients in the Inverclyde Centre in particular.



Kinship

For the reporting period Welfare Rights continued to provide dedicated support to Kinship.

The value of this support was recognised in the recently published 'Care Inspectorate, joint inspection, report on

'Services for Children and Young people in Inverclyde':

"The detrimental impact of welfare reform was alleviated for many families through the involvement of welfare rights staff. Of particular note was the work undertaken to maximise

their income, which has been nationally recognised as a model of good practice."



Macmillan Welfare Rights Officer

The work of the HSCP/Macmillan WRO was recognised with the worker being short listed for the final of the prestigious UK Macmillan Excellence Awards held in Birmingham in November 2016. Although not named the overall winner, the worker in reaching the final

was recognised for their 'vision and commitment that has led to tangible, lasting improvements in the quality of service offered to people with cancer.'

From 2016 to 2018 782 clients were provided with assistance, with £2,832,366 secured.

**WE ARE
MACMILLAN.
CANCER SUPPORT**

Healthier Wealthier Children

As part of Inverclyde's strategy to tackle child poverty and improve lives, Advice Services have continued to deliver the Healthier Wealthier children project.

The focus is to maximise the income of pregnant women

and families with children under the age of five.

Referrals are received from community and hospital midwives; health visitors and GPs.



The links between poverty and ill health are well documented, as are the links between debt and mental health problems.

Advice Services has a clear role in improving the quality of life and wellbeing of people who live in Inverclyde, whilst tackling the inequalities which exist across the area.

As was noted in the 2015/16 Annual Report, partnership between Advice Services and health care providers have the potential to affect system change.

Improving the material socio-economic circumstances of people presenting at primary care can underpin sustainable improvements in health relating to poverty and deprivation. Recognition of the importance of socioeconomic influences on health is a key consideration for ensuring that Advice Services remains firmly entrenched as an integral component in the portfolio of services Inverclyde HSCP has to offer.

This has become an area of particular interest to the Scottish Government which is keen to explore the potential for embedding welfare rights and money advisers within GP practices. A limited number of projects are already established elsewhere in Scotland with independent evaluation demonstrating these services not only address health inequalities, but ease some of the pressures faced by health service providers in some of Scotland's most deprived communities.

With improved financial and social circumstances, patients experienced improved feelings of health and general well-being, and practice staff makes better use of time, focussing on clinical interventions.

Inverclyde HSCP will look to explore the possible application of such a model in Inverclyde in the coming months.



Working in Partnership and to Standards

Inverclyde residents are facing many challenges which may affect their ability to become financially included.

As the UK struggles to recover from the recession and the international banking crisis, there are still existing issues with employment, rising personal debt and sustainability of housing.

This coupled with the reforms to the welfare system, which have already been highlighted, have resulted in profound effects for the Inverclyde population.

All of these challenges have brought about a higher demand on financial inclusion services.

It is, therefore, essential that to give the Inverclyde community the best possible support, Advice Services work in partnership with a range of organisations to explore areas where joined up working can maximise the much needed advice and support.

Financial Inclusion Partnership

Many of these initiatives have been developed through Inverclyde HSCP being the lead for Inverclyde's Financial Inclusion Partnership.

This partnership is made up of a range of public and 3rd sector organisations that are working towards:

- ▶ ***Ensuring that everyone's incoming money is maximised;***
- ▶ ***that they have access to appropriate financial services and products which enable them to manage their money on a day to day basis; and***
- ▶ ***that they can plan for the future and deal effectively with unexpected financial pressures***

The following highlights some of Advice Services' achievements through working with others.

Development of Referral pathways

Discussion with the Council's Revenue and Benefits service revealed through their housing benefits data systems that they were able to identify clients known to them who had been:

- ▶ sanctioned for non-compliance with the DWP conditionality arrangements;
- ▶ those clients who had been negatively affected by the migration from Disability Living Allowance (DLA) to Personal Independence Payments (PIP); and
- ▶ those clients impacted by the benefit cap.

This information is now passed through a secure email, with the client's consent, to Advice Services, who then contact the client to offer support with financial issues and offer advice relating to challenging adverse decisions if appropriate.

This is all underpinned by a robust data sharing agreement between the services.



Inverclyde Delivering Effective Advice and Support Project (I:DEAS)

The Inverclyde Financial Inclusion Partnership was successful in its funding bid for £2.3 million to deliver a 3 year programme, aiming to increase the financial capacity and improve the social inclusion of the most disadvantaged individuals and households in Inverclyde.

The programme will aim to help individuals in workless, lone parent or low income households and will provide

new services to improve financial capability and reduce debt, complementing the current range of core services available locally.

All participants will have an action plan based on their individual needs and a local mentor to support them.

Delivery of the project commenced in September 2017.



Working to National Standards

The Scottish Government has re-launched the Scottish National Standards for Information and Advice Providers (SNSIAP), placing responsibility for the development of a new accreditation and audit model in the hands of the Scottish Legal Aid Board (SLAB).

Inverclyde HSCP Advice Services has submitted an application to SLAB for peer review audit.



Continuing Impacts of Welfare Reform

Findings of the Scottish Governments Annual Report published June 2017, “Welfare Reform (Further Provisions) (Scotland) Act 2012” concluded that as a result of the reduction in welfare spending from the Westminster Government, that by 2020/21 the loss per adult, per annum, in Inverclyde will be £298.

In October 2017, Sheffield Hallam University’s Centre for Regional Economic and Social Research, supported by the Joseph Rowntree Foundation produced a further report, ‘The Real Level of Unemployment 2017.’

The report presents alternative estimates of the level of unemployment based on a re-working of official ONS and

DWP statistics for every local authority area in England, Scotland and Wales.

In the top 50 districts with the highest rates of real unemployment Inverclyde ranks 9th (highest ranked Scottish Local Authority) with a real unemployment rate of 10.5% of the working population.

Universal Credit Full Roll-out

It was noted in the previous annual report that Universal Credit Full Service (UCFS) roll out was due to commence in Inverclyde on 23 November 2016.

The experience to date has been one of claimants reporting difficulties in communicating with DWP, making even relatively straightforward issues difficult to resolve.

As a consequence of DWP policy at a national level relating to the issue of explicit consent there are now significant barriers to DWP sharing client information with Advice Services, when acting on behalf of a client, making meaningful engagement with DWP at times problematic.

As UCFS continues to roll out in Inverclyde it will be important to ensure Advice Services has the capacity to absorb the additional demands arising from that roll out.

Claiming benefits can be a bewildering process. Having the support of an Advice Worker who understands DWP terminology and the complexities of the social security system can be pivotal in securing timely and fair outcomes for claimants.

Inverclyde HSCP Advice Service has developed a positive relationship with DWP at a local level and other operational stakeholders to try and ensure the most effective roll out of UCFS in Inverclyde that is possible.



Growing Indebtedness and Future Demands on Money Advice

In March 2017, the level of UK personal debt was £1.52 trillion. This was £5 billion more than it was at the beginning of the financial year, when it stood at £1.47 trillion. Personal debt again is on the rise after years of stagnation following the credit crunch and is now expected to continue rising in the next period, driven by stagnating earnings and social security benefits and inflationary pressure on household costs.

As interest rates now begin to enter a period of increases, most informed commentators are of the opinion that the rise in personal debt is a trend that will continue for the foreseeable future, with the Bank of England expressing its concerns in relation to the level of personal loans, credit cards and car finance agreements being entered into by consumers.

It is anticipated demands on local authority money advice services will increase in the coming period, with rising debt levels being forecast. The Improvement Service has called for local authorities to consider how they can transform their services to meet that demand and has said transformational change will be required.

In Inverclyde, HSCP Money Advice offers two main channels for delivery of advice: face to face and by telephone. There are online money advice services and telephone services, delivered free by the third sector. However, there remains a significant demand for face to face services for vulnerable clients dealing with complex debt problems, which often do not fit into any of the above formal and informal solutions. Many of these clients struggle daily with household budgets

that are constantly in deficit.

HSCP Money Advice will continue to explore whether additional channels for delivering money advice can be utilised to address what is expected will be a growing demand, including referring more simple debts to generic advisers and advice agencies in the Inverclyde area and also to other third sector providers of telephone and online services. It is not anticipated this will remove the need for face to face services, but in a landscape where that demand is growing, may help mitigate the pressures the services will face.



The Next 12 Months

The Social Security (Scotland) Act 2018 is now on the statute books alongside The Child Poverty (Scotland) Act 2017. The continuing roll out of devolved social security and the requirements of the Child Poverty (Scotland) Act will undoubtedly influence the direction of travel for Inverclyde HSCP Advice Services over the next period.

Section 10 of the Child Poverty (Scotland) Act requires local authorities along with the relevant Health Board to prepare and publish a local poverty action report on an annual basis. The Report 'must in particular', describe income maximisation measures taken in the area of the local authority. A key task for

Advice Services will be to revisit the 'Healthier Wealthier Children' income maximisation model currently operating in Inverclyde to consider improvements in referral pathways and consider how to further extend the coverage and effectiveness of the initiative.

Within the context of the continuing impacts of welfare reform and devolved social security, Inverclyde Council has commissioned a review of all advice provision across Inverclyde. This offers the opportunity for Inverclyde HSCP Advice Service, and other partner organisations, to consider if the current models of service delivery best meet the needs of service users going forward. The findings will be available autumn 2018.

In March 2018 the positioning statement of Social Security Scotland (SSS) was published with a strapline of 'Dignity, Fairness, Respect. Advice Services have engaged in a discussion with SSS to explore job shadowing opportunities for SSS workers to understand the role of Advice Services and the challenges of dealing with the current social security system. SSS are keen for this to happen viewing it as, "an opportunity that will be of great benefit."

In this as with all other activities and undertakings Advice Service remains as committed as ever to make an active contribution to Inverclyde HSCP's vision of improving lives.



Appendix 1: Case Studies

Client A

An EEA national, presented to Inverclyde Advice Services having had their claim for Income Support rejected, as the DWP did not believe they had Genuine Prospect for Work or meet the Habitual Residence Test. This also impacted their eligibility for Housing Benefit and Council Tax Reduction. In addition to this the client's Child Tax Credits had stopped and the client was destitute.

The client had sufficient National Insurance Contributions and was in ill health and, therefore, we made a claim for Contribution Based Employment Support Allowance and renewed the Tax Credits.

A mandatory reconsideration was submitted for the Income Support, which was subsequently rejected.

The client was then represented at a First tier Tribunal by the Welfare Rights Unit and it was found in the client's favour, meaning that the client was eligible for Housing Benefit and Council Tax Reduction, both of which were backdated.

The annual financial gain for Client A was £23,067.

Client B

As part of the Benefit Cap Project an Advice Worker had identified a lone parent with 4 dependent children.

The client was unaware that the cap was going to affect them and was going to be worse off by £144.04 per week.

The client was in a private tenancy as it was a much more suitable property for the family's needs. There was a shortfall in the Local Housing Allowance and the Advice Worker assisted the client to successfully apply for Discretionary Housing Payments, which was awarded at £54 per week.

In addition, one of the children had a disability and a successful application for Personal Independence Payment (PIP) was made, allowing the client to claim Carers Allowance for the care which was already being provided. Due to the successful claim for PIP, the household is now exempt from the Benefit Cap and the household is better off by £5,798 per annum.

A referral was also made to Inverclyde Centre for Independent Living for a full Occupational Therapist assessment for aids and adaptations to be put in place.

Appendix 2: Client Feedback

“... We wouldn't have known or requested this (benefit application form) without your assistance and it is very much appreciated”

“...I am pleased to inform you I am entitled to Attendance Allowance. Was totally shocked when reading how much then had to sit down... Thank you”

“... amazing and helpful worker. Totally respectful and so patient. He made us feel better.... Highly recommended service”

“Thank you very much! As I said both of you made my life much better...”

“Thank you for guiding us through the process. We couldn't have done it without you!”