

AGENDA ITEM NO: 8

Report To: Policy & Resources Committee Date: 31 January 2017

Report By: Chief Financial Officer/Chief Report No: FIN/04/17/AP/LA

Officer HSCP

Contact Officer: Alan Puckrin Contact No: 01475 712223

Subject: Welfare Reforms Update

1.0 PURPOSE

1.1 The purpose of this report is to provide the Committee with an update on the impact on the Council of the ongoing Welfare Reform changes.

2.0 SUMMARY

- 2.1 Universal Credit Full Service was implemented within Inverclyde on 23 November 2016. A delivery Partnership Agreement (SLA) has been agreed with the DWP and the Council will receive payment for services provided. Whilst it is early days, many of the concerns and impacts previously reported to Members are manifesting themselves. More details are included in the body of the report.
- 2.2 As agreed at last Committee, a letter was sent by the Convener to Lord Freud regarding specific concerns around Universal Credit and the refusal by ATOS/DWP to use a local office for PIP assessments. A copy of the letter and response are attached as Appendix 1.
- 2.3 The latest position in respect of the Scottish Welfare Fund (SWF) is that whilst the Council is currently projected to contain costs within available budgets this is only after extra funding has been allocated directly from the Council's own resources to supplement Scottish Government Funding. As expected, demand for both sources of funding is growing as Universal Credit it rolled out and, following notification of a further small reduction in Government funding in 2017/18, there is the prospect of the Committee being asked to review the Eligibility Criteria at some point in 2017.
- 2.4 Discretionary Housing Payments are projected to overspend budget in 2016/17 largely due to the impact of increases in payments relating to Benefit Cap and Temporary Accommodation. All DHP funding will be devolved to the Scottish Government from 2017/18 but Inverclyde's share of this is yet to be agreed.
- 2.5 The Council submitted a bid on behalf of Inverclyde Financial Inclusion Partnership for approximately £2.35 million over 2017/20 funding from the Big Lottery and ESF. On 12 January the Council was advised that subject to the 10 day standstill period it had been successful. The contract is due to start in February 2017.

3.0 RECOMMENDATIONS

- 3.1 That the Committee welcome the successful bid by the HSCP team on behalf of the Financial Inclusion Partnership and note the contract start date of February 2017.
- 3.2 It is recommended that the Committee agree that any DHP overspend in 2016/17 be met from the Welfare Reform Earmarked Reserve.

- 3.3 It is recommended that the Committee endorse the contents of the letter sent by the Convener to Lord Freud.
- 3.4 It is recommended that the Committee otherwise note the contents of the report.

Alan Puckrin Chief Financial Officer Brian Moore Chief Officer (HSCP)

4.0 BACKGROUND

- 4.1 The Committee receives a report each cycle providing updates on the Council's response to the major Welfare Reform changes being rolled out across the UK. The Council has set aside in excess of £1.2 million on a recurring basis from 2016/17 to meet the significant financial challenges generated by these changes.
- 4.2 Members have previously received a briefing in respect of Universal Credit and whilst numbers moving to Universal Credit have been relatively low this will significantly change in coming months with the roll out of Full Service to Invercive from late November, 2016.
- 4.3 As agreed at last Committee, a letter was sent by the Convener to Lord Freud regarding specific concerns around Universal Credit and the refusal by ATOS/DWP to use a local office for PIP assessments. A copy of the letter and response are attached as Appendix 1.

5.0 UNIVERSAL CREDIT

- 5.1 Universal Credit Full Service (UCFS) launched in Inverciyde on 23 November 2016. The removal of eligibility criteria means that all working age welfare benefit claimants who make a new claim or have a relevant change in their circumstances will claim Universal Credit (UC) for themselves and their family instead of claiming Job Seekers Allowance, Employment and Support Allowance, Housing Benefit, Income Support and Tax Credits. As noted in the previous report UCFS is almost entirely online with claimants being required to apply; maintain their claim; record work search activity; receive correspondence from the DWP; stay in touch and reply to messages sent by their work coach.
- 5.2 As of 30 December 2016, 401 UC Full Service claims had been made in Inverclyde; 261 at the Greenock Jobcentre and 140 at the Port Glasgow Jobcentre and a further 567 claims were in the process of being made. 561 claims continue under the original UC rules however these customers will be in scope to move onto the digital UCFS between March 2017 and May 2017 and will be required to make a new online claim.
- 5.3 As reported previously, there is a built in 7 day waiting period for which there is no entitlement to UC for the majority of new UC claims followed by an extended processing time of a minimum of 32 days until the first payment is released by the DWP. Experience to date is that claimants are not prepared for this and demand for Scottish Welfare Fund Crisis Grants has increased. As expected the average level of grants awarded has increased to cover the extended duration awards are required to cover until UC payments begin.
- 5.4 The DWP increased funding to the Council for the delivery of local services to support UCFS and a revised Delivery Partnership was signed and new service level agreements are in place with River Clyde Homes (Supporting Inverclyde Future Skills) to deliver Digital Access and Personal Budgeting Support. As of 5 January 4 referrals for personal budgeting support and 38 referrals for digital access had been made to Future Skills. A common request in addition to assistance with digital skills to make and maintain a UC claim is for assistance setting up an email account. Demand for these services is currently below the DWP's projections however this will be monitored.
- 5.5 Front line staff across Council services and partner organisations completed UCFS training over a 7 week period in the lead up to the launch and a Universal Credit Guide has been produced and is widely available. The guide includes advice about how to apply for and manage on UC, the addresses of libraries and community hubs where IT facilities can be found and how to get help from Future Skills.
- 5.6 Welfare benefit advice services have had mixed experiences with UCFS. Support services have reported that clients have been delayed getting through on the phone to a DWP service centre to make an appointment to visit the jobcentre and occasional technical difficulties with the UC claim system. There have been issues with the need for claimants to make a joint claim with their partner especially those whose partners are employed and are required to be available to phone

to make an appointment and to attend the Jobcentre. Some older clients who have not previously been required to use a pc have been very concerned about digital access however referrals have been made to Future Skills. While claimants in certain circumstances are worse off on UC, positive outcomes have been identified including the simpler claim process for carers; improved award levels due to the removal of specific work eligibility criteria; and the reduced level of nondependent deductions from the housing element of UC. The local DWP Welfare Reform Team and HSCP Advice Services are tracking claims made by vulnerable customers.

- 5.7 All 4 of Inverclyde's mainstream housing associations have tenants on UC and at 5 December, 16 tenants were on UC Full Service and 134 on the original UC rules. The impact on rent arrears is being monitored and information will be reported to Committee once the process had time to bed in. The Homeless Service reports that private rented sector landlords have refused to take UC claimants, limiting the housing options available to service users.
- 5.8 Customer Services are directing customers who would normally claim Housing Benefit to claim UC where appropriate and referrals have been made to HSCP Advice First to obtain more specialist assistance.
- 5.9 Appendix 2 shows the number of UC claimants the Council has been made aware of with housing costs at the time of UC claim. The DWP does not report this data so local methods are used instead. The statistics reported however are becoming unreliable and do not reflect the current caseload because a number of claimants may have found work for a short period, stopped claiming UC then counted again when they reclaimed; others may not have qualified for housing costs and are incorrectly included. Alternative data sources will be considered for future reports given this inaccuracy.
- 5.10 Concerns have previously been expressed about the number of UC claimants who have not applied for Council Tax Reduction (CTR). Measures have been put in place with Jobcentre Plus, Housing Associations and Council services to encourage take up. Additionally, a simplified application procedure has been has been introduced replicating an approach in place in Highland Council which went live with UCFS in June 2016. A check has been carried out to ensure anyone who has qualified for UC who could have received CTR and did not complete the full application process is awarded. The numbers in this category are expected to be low.
- 5.11 Assessing CTR, Discretionary Housing Payment (DHP) and Scottish Welfare Fund (SWF) applications has become more bureaucratic and more time consuming because of a combination of the built in delay in UC processing timescales and the non-automated transfer of data from the DWP to the Council. Furthermore, advice services are being required to review the support they can offer because of the structured digital delivery of UC whereby access to information about customers' UC claims is available only by the customer logging into a pc or by them being present with an advice worker to give their consent to information being released over the phone. This is problematic when the telephony advisor is unable to answer an enquiry and makes a return call to the advisor up to 4 hours later and on occasions the following day when the customer is no longer there to consent to the information being released.
- 5.12 All services are anticipating an increase in the demand for their services when seasonal employment ends in January 2017 and UC claims increase.

6.0 REDUCED BENEFIT CAP

- 6.1 The reduced Benefits Cap was introduced in Inverciyde from 7 November 2016 and limits the amount of benefit most working age couples and families can get to £20,000 with £13,400 being the upper limit for single people.
- 6.2 37 households in Inverclyde where neither the householder nor their partner are employed have had their housing benefit award reduced as a result of the cap. The Benefits Team continues to work with other Council services and partner organisations to minimise exposure to the benefits cap and a Discretionary Housing Payment application form is sent immediately after the service is instructed by the DWP to make the reduction.

7.0 SCOTTISH WELFARE FUND AND DISCRETIONARY HOUSING PAYMENTS

- 7.1 Appendix 3 shows that the total projected expenditure for DHP for those affected by the SSSC is £930,000 against an upper limit of £974,000. This position will move over the coming months as new applications arrive and current awards projected to run to the end of the year stop as claimants' circumstances change.
- 7.2 The projected cost of DHP for reasons other than the size criteria has been adversely affected by the launch of UCFS. All new Homelessness service users are required to claim Universal Credit to enable them to claim housing costs. The current DHP policy allows 100% of the shortfall between UC housing costs and the rent charge. The shortfall for each service user is in the region of £720 per month. Based on the same number of service users housed by the service in 2015/16 and they are eligible for DHP. Up to an additional £76,500 of DHP would be required to meet the policy. This exceeds the 2016/17 budget by £35,500 and will be met by Welfare Reform earmarked reserves.
- 7.3 Responsibility for DHP is devolved to the Scottish Government from 1 April 2017 as well as the distribution of £23 million from the DWP to fund temporary accommodation. Inverclyde's 2017/18 allocation is still to be announced. When this is known an adjustment to the DHP policy may be required and will be presented within the next report.

8.0 SCOTTISH WELFARE FUND

- 8.1 It can be seen from Appendix 4 Scottish Welfare Fund (SWF) payments up to 31 December 2016 are in line with the Scottish Government programme funding however this position will deteriorate as more people go on to Universal Credit Full Service and the full impact of the time lag in claimants receiving payments takes effect.
- 8.2 Since the last update report the Scottish Public Services Ombudsman has reviewed two Scottish Welfare Fund decisions upholding the Council's decisions in respect of both cases.

9.0 PERSONAL INDEPENDENCE PAYMENTS

- 9.1 Statistics gained from DWP show that since the introduction of PIP to October 2016 there have been 3,715 claims for PIP within Inverclyde. 3,097 have known outcomes with 1,615 awards being made (51%). In Inverclyde, the two conditions of psychiatric disorders and musculoskeletal disease account for 71% of all PIP claims.
- 9.2 Nationally, 48% of DLA to PIP reassessments have resulted in benefit being disallowed or reduced. In addition 80% of mandatory reconsideration requests are rejected (new PIP claims the figure is 85% and for DLA to PIP reassessments the figure is 78%). However for those that go on to appeal these mandatory reconsideration decisions, there is a 65% success rate.
- 9.3 Advice Services are continuing to support clients and monitor the impact of PIP locally. For the period 1 June to 30 November 2016, Advice Services provided advice/assistance in relation to 276 PIP entitlement matters securing a recorded £110,270 gain in the process. In addition, support was given to 222 clients undergoing PIP disputes; and finally tribunal representation was provided at 151 PIP Appeal Hearings, generating a further entitlement of £188, 270.

10.0 OTHER ISSUES

10.1 The Deputy Director, DWP Business Finance and Housing Delivery Directorate wrote to councils in September emphasising local authorities' continuing role in the delivery of Housing Benefit for working age claimants until 2022 and beyond for pension age claimants. Responsibility for a small number of Supported Exempt Accommodation claims will remain with the Council with the maintenance of the "stock" working age Housing Benefit claims until claimants migrate to Universal Credit, expected to take place between July 2019 and March 2022.

11.0 IMPLICATIONS

11.1 Finance

As detailed in the report.

Financial Implications:

One off Costs

Cost Centre	Budget Heading	Budget Years	Proposed Spend this Report £000	Virement From	Other Comments
Welfare Reforms	Earmarked Reserves	2016/17	Up to 36		Funding any overspend in DHP funding from the DWP/SG

Annually Recurring Costs/ (Savings)

Cost Centre	Budget Heading	With Effect from	Annual Net Impact £000	Virement From (If Applicable)	Other Comments

11.2 **Legal**

There are no legal implications arising from this report.

11.3 Human Resources

There are no HR implications arising from this report.

11.4 Equalities

Has an Equality Impact Assessment been carried out?

Yes	See attached appendix
X No	This report does not introduce a new policy, function or strategy or recommend a change to an existing policy, function or strategy. Therefore, no Equality Impact Assessment is required.

11.5 Repopulation

There are no repopulation implications arising from this report.

12.0 LIST OF BACKGROUND PAPERS

12.1 None

Councillor Stephen McCabe Ward 1 – Inverclyde East Municipal Buildings Greenock PA15 1LX

Leader of the Council

The Rt. Hon. Lord Freud Minister of State for Welfare Reform House of Lords LONDON SW1A 0PW Direct Line: 01475 712727

Email: stephen.mccabe@inverclyde.gov.uk

Our Ref: SMcC/sc

Your Ref:

Date: 29 November 2016

Dear Minister

Ongoing Issues with the Implementation of Welfare Reform in Inverclyde

Councillors receive regular updates from Senior Officers detailing the ongoing changes arising from Welfare Reform and the impact on the residents of Inverciyde.

At the most recent meeting of the Policy & Resources Committee it was unanimously agreed that I write to you raising concerns over the impact aspects of Welfare Reform are having on claimants. The comments contained in this letter are out with the financial impact which, in some cases, is clearly significant and is putting extra pressure on Council Services at a time of significant funding reductions.

The first concern which I would raise relates to the difficulty in contacting DWP Offices outwith Inverciyde. I understand that those wishing to contact the DWP in many cases are having to wait half an hour to get access to someone who can provide support and advice. Even after achieving this calls can be dropped or individual's queries cannot be answered due to the complexity of individual circumstances. Not only is this extremely stressful for the claimant, but it builds in delays to the claim process and potentially the award leading to increased financial hardship and unnecessary worry.

Related to this are the difficulties which I understand officers from the Council have in getting through to the Service Centre operated by DWP. Given that Inverclyde has moved to Full Service from Universal Credit with effect from 23 November, then the need to contact the DWP Service Centre will increase exponentially and this problem will put increased pressure on officers and lead to delays, increased cost of service delivery and increased indebtedness for claimants.

Whilst recognising that the implementation of Universal Credit is a major undertaking, the problems being experienced by early adopters will be magnified in areas such as Inverclyde with its high level of deprivation and require to be addressed as a matter of urgency. I would seek your support in achieving this at the earliest possible juncture.

A further issue raised is the recent move related to Universal Credit from implicit to explicit consent in respect of officers being able to advocate and act on behalf of claimants, many of whom are amongst the most vulnerable in the welfare system. Whilst accepting that care is required in the use of personal information, the move to explicit consent does not align with the Service Delivery Model which has been operating successfully in Inverclyde around a telephone triage system.

29 November 2016

The Rt. Hon. Lord Freud

Given the aforementioned delays in getting through to the DWP separate appointments are having to be organised for the claimant and the officer before contact can be made with the DWP. As our Advice Triage service took in excess of 12,000 calls last year you can appreciate the massive impact this has on both cost and operational delivery of this vital function. I understand that this issue is being discussed at a national level and, again, I would ask that all efforts are made to resolve this issue as soon as possible.

Finally, a specific issue within Inverclyde is in respect of the carrying out of PIP assessments. The Council had requested that a DWP office in Greenock be used but this has been rejected by ATOS on two points: firstly they are required to utilise their own estate rather than DWP's and secondly their office from which they operate from in Glasgow is within their operating procedures i.e. 90 minutes travel by public transport or 60 minutes by car. This arrangement appears to be meeting the needs of DWP and ATOS rather than delivering a service with the client at the centre. The very nature of the characteristics of many of the individuals who are attending the assessment centres is such that a 90 minute journey on public transport can be extremely stressful and uncomfortable, and can lead to non-attendance with the resultant significant impact on the finances of the individuals concerned.

The Council will promote the availability of home visits but this is not suitable to everyone and a local assessment centre would be far more preferable than the current arrangements. Finally, whilst it is appreciated that individuals are reimbursed for their travel costs the upfront costs of travelling to Glasgow from Inverclyde is a significant drain on individual's resources.

I look forward to receiving your reply on the above points and am more than happy to provide further information and examples if this would assist.

Yours sincerely

Councillor Stephen McCabe Leader of Inverclyde Council Welfare & Inclusion Champion

c.c. The Rt. Hon. D Mundell, MP
Alan Puckrin, Chief Financial Officer
Brian Moore, Chief Officer, Inverclyde Health & Social Care Partnership



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Councillor Stephen McCabe Ward1-Inverclyde East Municipal Buildings Greenock PA15 1LX Your ref: SMcC/sc

Our ref: POS(2)4070/566

0 9 JAN 2017

Du CIL Mccah,

Thank you for your letter of 29 November 2016 to the former Minister for Welfare Reform regarding ongoing issues with the implementation of Welfare Reform in Inverclyde. I am replying as the Minister with responsibility for this area of the Department's work and I apologise for the delay.

I was sorry to read of the difficulties that residents in Inverclyde have been experiencing.

I can assure you that the Department for Work and Pensions (DWP) is committed to providing the best service possible and makes continuous efforts to improve. Our telephone infrastructure supports contact centres nationwide, handling 60 million calls a year. Given the nature and size of the organisation, it is inevitable that occasionally we experience technical problems. Universal Credit services are accessed primarily online and any Universal Credit telephony enquiries are via an 0345 number. There is also an option to ask for a call back if the claimant requests it.

The Universal Credit online application form is designed around user needs and the full service system generally works well for both claimants and agents. The online account, which is a fundamental part of the digital full service, provides claimants with all the information about their claim. The claimant is required to pass security tests or challenges to use the service.

Where claimants are confident and capable, they have the ability to access their online account and advise their representative or landlord of relevant claim information without intervention by the Department.

It follows that operating on an implied consent basis would undermine the cyber security measures put in place to protect claimants personal and financial information. This is why implied consent cannot be given in the same way as for other benefits and services. A claimant can give explicit consent at any time via their account or on the phone.

I can confirm that more sites have moved to the Universal Credit full service over the last couple of months which has increased the claimant caseload, this has resulted in an increase in telephone calls. Plans are in place to respond to this and there has been a significant reduction in the average time for calls to be answered. This is expected to reduce further over the coming weeks.

Regarding the Council's request for a DWP office in Greenock to be used for Personal Independence Payment (PIP) assessments, unfortunately this has been rejected by Atos.

The DWP offices in Greenock have not been specifically set up or designated for PIP assessments. However, Atos will review on a case by case basis and if it is the right course of action they can arrange (with the DWP's co-operation) to conduct some assessments at the Greenock site. The Atos sites in Glasgow are fully catered to deliver PIP assessments and are within the travelling distance as advised by DWP.

With regard to reimbursed travel costs for travel to Glasgow from Inverclyde, I can confirm that when a claimant travels to a face-to-face consultation they are able to claim travel expenses for themselves and a companion, carer or young children who would otherwise be left unattended.

Payments can be made for public transport fares, travel by private motor vehicle and other costs that relate to the journey. There are circumstances in which taxi fares can be reimbursed however, this should be discussed with the Assessment Provider before attending the consultation. Payments relating to other costs of the journey such as parking, tolls or congestion charges can also be met. Travel expenses will be reimbursed within 14 days of the claim but cannot be paid in advance or at the Assessment Centre.

Should a claimant have any difficulties attending a consultation they should discuss it with the Assessment Provider as soon as possible. If a claimant contacts the Assessment Provider in advance to advise they are unable to attend their consultation, they will be offered a second appointment. This may enable them to arrange for a companion to assist with their travel arrangements.

Regarding the Assessment Centres, as part of the specification for the PIP assessment service, Assessment Providers must provide sufficient suitable accommodation for face-to-face consultations. The Department has set clear requirements in terms of geography/travel, security and claimant experience in relation to the sites used for PIP consultations.

Based on the Department's forecast volumes of PIP assessments the providers have demonstrated that they have the capacity and geographic coverage to meet current demand. More centres will be made available as the number of PIP claims increase.

The Department has specified circumstances where a home consultation will be offered, in particular where the claimant is unable to travel to a consultation as a result of their health conditions or impairments. More specifically home consultations could be offered when the claimant provides confirmation from their health professional that indicates they are unable to travel on health grounds.

PIP consultation appointments are booked via an automated booking tool that schedules claimants into the next available appointment slot that is closest to their home. This ensures their appointment takes place sooner than it might at another assessment centre. The Atos delivery model utilises the staff and premises of supply chain partners already established in the healthcare sector and as such, have access to a large flexible network of sites - locations such as private medical centres, physiotherapy practices and hospitals which are usually at the centre of established transport links, minimising the travel needs for many claimants.

If I can be of further assistance please do not hesitate to contact me.

Damian Hinds MP
Minister for Employment



Appendix 2

Universal Credit - Inverclyde - cummulative stats

	Inverclyde UC Caseload				No. of UC	Council Tax	
UC meeting	Greenock JCP	Port Glasgow JCP	Total	Evidence of Earnings after 3 months	claimants with Housing Costs (approx.).	Reduction - number of applicants on UC	No. of SWF Crisis Grants
1.12.15	61	35	96	not applicable	19	10	12
12.1.16	127	57	184	not applicable	47	32	33
23.2.16	229	115	344	32%	58	53	52
30.3.16	342	156	498	39%	100	84	62
24.5.16	418	192	610	34%	206	107	67
27.7.16	563	255	818	35%	244	117	72
31.8.16	593	268	861	35%	264	136	81
11.10.16	608	277	885	27%	279	111	94
27.10.16	576	259	835	35%	305	102	102
5.1.17	644	318	962	tbc	383	170	179

Notes

- 1. Caseload is the number of individuals in receipt of Universal Credit either individually or as part of a couple
- 2. "Evidence of Earnings after 3 months" is the percentage of customers with earnings included in the assessment of their UC award 3 months after the date they first claimed UC



Appendix 3

<u>Discretionary Housing Payments</u> <u>Positives 31.12.16</u>

1/	SSSC (Bedroom Tax)		
	Applications Approved	1536	97.40%
	Applications Not Eligible/Refused	15	0.95%
	Applications Being Assessed	26	1.65%
		1577	
		£000	
	Paid to Date	916	
	Estimated Payments to 31.3.17	14	
	2016/17 Budget	974	
	(Under)/Overspend	(44)	Note 2
2/	Other DHP Cases	£000	
	2016/17 Budget	119	
less	: Paid to Date	67	
	: Estimated Payments to 31/3/17	88	Note 1
	(Under)/Overspend	36	

Notes

- 1/ Includes £11k Benefit Cap and £76.5k Temporary Accommodation.
- 2/ Represents 97% of those households affected by SSSC.

Finance Services 5/1/17

Scottish Welfare Fund 31st December 2016

Calls Answered	7006		
Applications	3333		
Applications Granted	2345	70.36%	
Applications Refused	522	15.66%	Note 3
Applications Withdrawn	420	12.60%	
In Progress	46	1.38%	
Referrals to DWP	185		Note 2
	<u>Spend</u> <u>£000</u>	Budget £000	Spend <u>%</u>
Crisis Grant paid (1598)	123.1	195.8	62.87%
Community Care Grants paid (771) (includes 24 applications paying both CCG & CG)	385.3	655.5	58.78%
	508.4	851.3	59.72%

Note 1 1st Tier Reviews = 38 (1.16%)

1st Tier Reviews Upheld in Customer Favour = 17 (44.74%)

2nd Tier Reviews = 4 out of 36 1^{st} tier review decisions (11.11%)

2nd Tier Reviews Upheld in Customers Favour = 0 - 2 awaiting SPSO response (0%)

- Note 2 Referrals to DWP relates to customers who are awaiting payment of a new claim for Universal Credit JSA / ESA from DWP. In these circumstances an application for an advance payment of benefit, repayable to the DWP can be made.
- **Note 3** The most common reasons for refusal of claims are, applicants not meeting the eligibility criteria, not being in receipt of a qualifying benefit or incomplete evidence provided.
- Note 4 Core Budget is £681,000 to which is added a residual underspend from 2014/15 of £70,000 plus £100,000 from the Welfare Reforms Budget