

**NEATH PORT TALBOT COUNTY BOROUGH COUNCIL  
SOCIAL CARE HEALTH & WELL-BEING SCRUTINY  
11<sup>th</sup> October 2018**

**REPORT OF THE HEAD OF COMMISSIONING & SUPPORT  
SERVICES – Angela Thomas**

**Matter for Information**

**Wards Affected:** All

**WELFARE RIGHTS OVERVIEW**

**Purpose of Report**

To provide Members with an overview of the Directorate's Welfare Rights Unit.

**Executive Summary**

The Welfare Rights Unit (the Unit), established in 1996, is a non-statutory, preventative service. The role of the Unit is to promote benefit maximisation to people living in the County Borough. The Unit support the most vulnerable and disadvantaged people with advice and assistance in claiming the benefits to which they are entitled.

Welfare rights benefits advice is a very specialist area of work in an ever changing benefits world. It is extremely important to receive correct advice in this area as the implications of wrong advice can be detrimental to a person's financial security.

The Unit contributes to the Council's Corporate Plan 2017-22 well-being objective "to improve the well-being of all adults who live in the County Borough" which is measured by "people unable to work can maximise their income". The Unit's target is to maintain current performance in relation to financial income levels.

The Unit offer its services to all residents living within the County Borough, including Social Services and Housing service users, as well as encouraging referrals from Members, Local Authority staff and health care professionals to promote social inclusion through the maximisation of income, maintenance of maximum income and development of an understanding of entitlement to income through the benefits system.

The Unit consists of 13 members of staff, made up of a Senior Officer, Benefits Officers, an Appeals Officer, MacMillan Benefits Advisors, administrative support and a modern apprentice; we are fortunate to receive external funding for 7 of these staff through working in partnership with Macmillan Cancer Charity and Communities for Work Legacy Fund.

The Unit provide advice and assistance through a number of different ways, for example, its Advice Line Service; at one of its 8 outreach Advice Surgeries situated throughout the County Borough; at Appeals Tribunals; through Advisors based at Neath Port Talbot, Singleton, Morriston and Bridgend Hospitals; or in some cases via home visits.

The Unit is a dependable source of advice and assistance for front-line social work teams who often deal with families in financial crisis, ensuring further hardship is avoided; this may include completion of benefit forms, which are often very daunting and lengthy and carry out 'better off' calculations if circumstances are about to change. The Unit also undertake Special Guardianship Order calculations for Social Workers who prepare reports for Court outlining the financial support the Local Authority are duty bound to give.

The Unit has recently began working with Finance Directorate colleagues within the Financial Assessment team and Council Tax team to ensure service users and residents are maximising benefit entitlement and are able to pay towards the services they receive from the Council.

The Unit prides itself on the services it provides and has been successful in gaining an Advice Quality Standard (AQS) in recognising excellence. Since April 2018, The Unit has opened over 1,400 cases, including 600 via the advice line. The Unit has represented at 164 benefit Appeals Tribunals since April and has a further 173 appeals pending; the Unit has an 80% success rate at overturning decisions at appeal.

The Unit has currently raised over £4m for residents in this financial year and is on target to at least match the £8.2m raised in 2017-18. Members will note the case studies provided in Appendix 1.

The Unit faces a number of challenges in the future; it is currently bolstered by external funding which, to date, has enabled it to provide a non-exclusive, comprehensive and high quality service. Core funding

has been reduced year-on-year which means the Unit heavily relies on the partnership working and associated funding; the challenge is to maintain its funding beyond this year, as without it, the service provided at present would be seriously depleted.

The Unit and its staff has to keep up-to-date with the very latest changes in the benefits system and this is done in many ways; one of the most important ways is receiving specialist training from external organisations when significant change is due to occur. This is becoming more and more difficult to access due to budget constraints both internally and externally.

### **Financial Impact**

The work delivered is funded by existing revenue budget and external funding streams.

### **Equality Impact Assessment**

Not Applicable

### **Workforce Impacts**

There are no workforce impacts associated with this report.

### **Legal Impacts**

There are no legal impacts associated with this report.

### **Risk Management**

Not applicable.

### **Consultation Outcome**

Not applicable.

### **Sustainability Appraisal**

Not applicable.

### **Recommendation**

This item is for information only.

### **Reasons for Proposed Decision**

Not applicable.

### **Implementation of Decision**

Not applicable.

## **Appendices**

Appendix 1: Welfare Rights Overview - Case Studies

### **List of Background Papers**

Not applicable.

### **Officer Contact**

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### Welfare Rights Overview – Case Studies

#### Case study A

Mr A has dementia, hearing loss and physical problems with Chronic Obstructive Pulmonary Disease (COPD); he is 83 years old and his wife, 82, cares for him full time. Mrs A has problems with her legs and suffers with arthritis throughout her body; she is subject to falls and receives a lifeline service.

Following a referral to The Unit, a Welfare Rights Officer assisted Mr & Mrs A to complete the required Attendance Allowance (AA) forms; they were both successfully awarded the higher rate of AA at £85.60 per week (each); this had a positive knock-on effect to other means tested benefits. They now have entitlement to Pension Credit of £223.10 per week and full Council Tax reduction. This extra income means they are able to pay for a cleaner, to have their lawns mowed and can now afford to pay the maximum home care charge as they receive 4 calls a day.

Maximising their benefit income through assistance and advice from the Unit has ensured they maintain their wishes to remain independent in their own home.

#### Case Study B

Mr B, 22 years old, has a visual impairment and learning disability; he works part-time. He had previously an award of Disability Living Allowance (DLA) at the lower rate for both care and mobility, a total of £45.30, along with Working Tax Credits (WTC) as a disabled worker. Due to changes in the benefits system Mr B was made to claim Personal Independence Payments (PIP) as this replaced his DLA. Following an assessment for PIP it was found that he did not satisfy the criteria and his DLA subsequently stopped as he failed to migrate to the new benefit. He also lost his WTC as he was no longer classed as a disabled worker.

The Unit assisted Mr B to challenge this decision and subsequently represented him at his appeal, which was successful and he was awarded PIP standard rate daily living of £57.30pw and standard rate mobility of £22.65pw. The Unit also helped with a successful claim for Universal Credit to top up his earnings from his employment as he could not reclaim WTC because of the break in his claim.

Successfully representing Mr B at Appeal Tribunal has ensured he has maintained the maximum income possible following changes in the benefit system.

### **Case Study C**

Mrs C is 45 years old and lives with her 19 year old son in a privately rented house. She worked 40 hours a week on a zero hour contract and also received Working Tax Credits to top up her low income. She was diagnosed with pancreatic cancer and had to stop working; her employers agreed to pay her until the end of the month.

The Macmillan benefits advisor supported her to make a claim for Employment and Support Allowance (ESA) and also helped her with housing benefit and council tax support. She was also eligible for a Macmillan grant for help with heating costs, clothing and travel costs.

Following surgery Mrs C was advised that they were unable to remove the tumour and was given a terminal prognosis. The MacMillan benefits advisor made a claim for Personal Independence Payments (PIP) under 'special rules' on her behalf. Mrs C secured an enhanced rate of PIP.

Intervention and support from Macmillan advisors has ensured Mrs C has maximised her income during this very difficult time.