

## **APPENDIX 2 - Grant Monitoring Information for 2014-15**

### **Case Study from the Domestic Abuse Outreach Worker**

This is a live, relatively new on-going case. Names have been changed.

#### **Background to the referral**

A call was made by a head teacher from a local school to helpline who had received disclosures of physical abuse from a father, from a 12 year old child.

The head teacher was seeking some advice and support. Helpline advised the Head Teacher to complete a safeguarding referral to social care immediately.

Helpline called the mother of the child; she also made disclosures of both physical and emotional abuse from her husband, against herself and the children.

Helpline contacted social care and confirmed that case was picked up as urgent. Referral also made for the mother to receive some outreach support.

The domestic abuse outreach worker met with the mother and as this was their introductory meeting, we had a chat about her situation and completed some paperwork and talked about the support, both practical and emotional that the domestic abuse outreach worker could offer.

The mother was very clear that she was scared and undecided about what she wanted to do in real terms. She was very confused and upset with the involvement of social care. She said she welcomed support and wanted her children to be safe but felt judged, blamed and misunderstood in the initial assessment report from social services. The domestic abuse outreach worker took this opportunity to discuss with the mother at some length, the role of social services and how they are there to support her and to support her to make protective decisions for herself and her children.

The domestic abuse outreach worker made it clear to the mother that her role was to support her and to assist in her and her children's safety not to judge or rush her into anything she was not ready to do.

This is a relatively new case; and will involve a lot of partnership working with other agencies to support this family. The mother is clear she wants her children to be safe and recognises that she is in need of support to enable her to do this. However there is a lot of confusion and the mother is very much overwhelmed.

The Child Protection case conference is pending.

Whilst the mother will need a lot of practical help such as referring/ signposting/ advising / providing numbers etc., a *large* part of the domestic abuse outreach workers support with the mother will be emotional, taking the time to listen, unpick situations occurring in her life and talk them through, to support, advice and help with confidence building.

## **ADVICE CENTRE CASE STUDIES**

Debt is an increasing issue that people are seeking help with. Clients looking for help with debt problems continue to increase for all of the Advice Centres. The total of client debt dealt with, by all of the Advice Centres, over the year amounts to £8,432,276. They are all reporting that priority debt (rent, mortgage, council tax etc) is now the biggest problem

There are a couple of ways the advice centres can help, first by helping them look realistically at their household budgets and how much they are spending. Liaising with their creditors and setting up informal repayment plans.

Another option is to apply for a Debt Relief Order (DRO).

Available from 2009, a DRO is a form of insolvency which is designed to help people who have relatively low debt (less than £15,000), little surplus income and few valuable assets - and who have no realistic chance of paying off their debts within a reasonable time.

There are strict rules for applying and anyone with assets worth over £300 or a motor vehicle worth more than £1,000 would not be eligible to apply.

There are disadvantages to a DRO it will appear on your credit rating for 6 years, it may affect some people's ability to get credit in the future and they may not be able to open a bank account.

A DRO will last for a period of 12 months and during which time, any creditor named on the order cannot take any action to recover their money unless they have the courts permission. After which, the individual will be freed of the debts included in the order (unless their circumstances have significantly improved).

Certain debts such as student loans and fines cannot be written off.

DROs don't involve the courts, and are run by The Insolvency Service in partnership with debt advisers known as 'approved intermediaries' - the people who actually help individuals apply to the Service for a DRO

### **Debt Case Study from Oxford Community Work Agency (OCWA) at Barton**

A couple went to OCWA in October 2013. They had been referred to them by Her Majesty's Courts and Tribunal Service.

They are both in their 50s and both had been required to stop working due to health problems. He was left with debilitating symptoms following a brain haemorrhage and she had cerebella ataxia. They are owner occupiers with no mortgage, they have a council tax liability and were struggling to manage their household bills.

When they met us she was in receipt of contributions based Employment Support Allowance (ESA) at the assessment rate of £72.40 and he was in receipt of Disability Living Allowance (DLA) middle rate care component and lower rate mobility at £76.90, total income £149.30 a week.

OCWA were able to advise her to claim Carers Allowance in respect of his care needs and to pursue a claim to means tested ESA.

OCWA also advised on a mandatory revision against a refusal for income related ESA that was refused due to a question of capital. The decision was overturned in their favour as the savings had been used for living expenses prior to them being referred to OCWA.

OCWA advised her to claim Personal Independence Payments (PIP) in October 2013. A decision was made that she was not entitled to this benefit in July 2014. A mandatory revision request was made and in October 2014 the original decision was revised to award her standard rate mobility component but no daily living component.

OCWA appealed against this decision. A tribunal heard this appeal in January 2015 and increased the PIP award to standard rate daily living component and standard rate mobility component from October 2013.

His DLA had been reduced on renewal decision in early 2014 to lower rate care component and this was appealed. The appeal was prepared by OCWA and following a hearing of the appeal in June 2014, middle rate care component and lower rate mobility component was awarded back to April 2014.

Following the award of PIP and DLA a thorough review of the total benefits was undertaken and the income was increased to

- Disability Living Allowance at - £76.90
- Personal Independence Payment at - £76.90
- Employment and Support Allowance at £322.95 - total weekly income £476.75

They are entitled to full Local Council Tax Reduction.

This couple's income was increased by £327.45. This has enabled them to retain their independence, to remain in their home and to manage their care with the additional support of the correctly assessed benefits

This work required two appeals, 2 mandatory revision requests and a specialist knowledge of the benefits system to navigate them through.

### **Debt Case Study from Oxford Citizens Advice Bureau Money Advice Worker who is based in St Aldates Chambers.**

A woman was referred to the money advice worker by Oxford City Council's Rent Team who feared that they would soon have to bring eviction proceedings.

This woman lives on her own in a 3 bedroom council owned accommodation. Her only source of income derived from income based Employment Support Allowance she claimed at the standard rate of £72.40 per week. Due to the two bedroom under-occupancy of the property after her children left home she was subject to a bedroom tax reduction of 25% taken each week from her Housing Benefit. This woman had a significant rent shortfall.

At the time of our interview this woman was not receiving any Discretionary Housing Payments to make up the under-occupancy shortfall.

Due to the unsustainable situation she was in, this woman had rent arrears of £1,764.

In addition to her rent arrears, this woman had a number of priority debts including Council Tax, Child Tax Credit overpayments, gas, electricity and water arrears and significant non-priority debt, including loans she had taken out to help her pay the rent shortfall she could not afford.

As she had already obtained a Debt Relief Order (DRO) in 2010, this woman was not eligible for a DRO.

For an initial outcome the money advice worker assisted this woman in maximising her income by helping her reduce the deductions from her gas and electricity pre-payment meters from £10 per week to £4.00 per week and the worker applied to the Welfare Reform Team to receive Discretionary Housing Payments (DHP). The Welfare Reform Team agreed to assist her with DHP and this covered the bedroom tax shortfall for an initial period. This woman was also advised of ways of mitigating the impact of the bedroom tax, such as by doing approved work and getting lodgers.

The money advice worker also confirmed that this woman's debts were all dated from after the date of the DRO.

To help free up income, the money advice worker assisted this woman in applying to the British Gas Energy Trust and Thames Water's Customer Assistance Fund and both charities agreed to help this woman by writing off her water, gas and electricity debt.

A payment arrangement was also made with:-

- Her rents officer toward repaying the rent arrears,
- HMRC towards repaying the tax credit overpayments and
- Oxford City Council's revenues department in respect of reduced repayments towards the council tax debt.

A token offer payment arrangement was put in place with her non-priority debt owed to Barclaycard.

This woman's circumstances then changed following a failed ATOS medical assessment. (ATOS Healthcare conducts assessments on behalf of the Department for Work and Pensions (DWP) for Personal Independence Payment (PIP) claims.)

The money advice worker explained to this woman the process of applying for mandatory reconsideration within a month and of the process of appeal and advised her to apply for Jobseekers' Allowance if she decides not to appeal or in the interim of her mandatory reconsideration being considered.

The money advice worker contacted Oxford City Council and advised them of this woman's change of circumstances and of being on nil income to avoid suspension of benefits.

Following the advice from the money advice worker, this woman also took action herself towards stabilizing her finances by enrolling on a university course and found part time work.

This woman is now studying full time, working 16 -22 hours per week, has found two lodgers to help her with her rent and costs and is no longer dependent on state benefits.

**The following are some samples of the type of problems that people have contacted the Oxford Citizens Advice Bureau about in 2014/15.**

### **1. Responsive welfare?**

An elderly lady who is 61 years old and is from Pakistan. She suffered a heart attack and has been diagnosed with heart failure. She lives in her son's home and he is married.

This woman had attended a medical assessment in respect of her award of Employment Support Allowance (ESA). The assessment found her fit for work related activity despite the fact that after her heart attack her heart condition deteriorated.

She attended an appointment at Oxford CAB with her son to ask for advice and help. She had already requested a Mandatory Reconsideration.

In brief, the mandatory reconsideration is a process by which the decision you are unhappy with is looked at again, usually by a different decision maker. Once you receive the mandatory reconsideration notice, telling you whether the decision has been changed and, if so how, you can then appeal if you are still unhappy.

Oxford CAB helped her gather evidence to support this, but the DWP did not change their decision, so Oxford CAB helped her start the appeal process.

Oxford CAB attended the appeal with this woman and her son. They won the appeal and this woman and her son are expected to return soon for help to make an application for Personal Independence Payment (PIP).

### **2. The cost of official error**

A man lives on his own in Oxford and says he gets easily confused by letters he gets, and over organising his money. He came to the CAB because he was falling behind with his bills.

There were a number of issues identified, but one thing was particularly puzzling . because this man had fallen behind with one of his utility bills the utility company had asked the DWP to deduct an amount each week from this man's benefits to pay them.

The problem was that the utility company which was supposed to be getting its money directly from this man's benefits, was still chasing him, saying he still hadn't paid his bills. This had gone on for quite some time, and in the middle of last year they had threatened court action.

At first it was assumed that the deduction shown on his benefits correspondence must be for a previous property or another bill. Oxford CAB asked the DWP to check and they said yes, the deduction was for this man utility bill. But when they checked it

turned out that the money being taken from this man's benefits was going to the wrong company. The DWP said they had to investigate this.

By this time, it was almost two years since the deductions had started and nearly £1,000 had been taken from this man benefits and paid to the wrong utility company.

After Oxford CAB complained, the DWP paid this man some compensation and apologised.

This is an unusual example but advisers at Oxford CAB are increasingly faced with the problem of getting answers to quite simple questions about a client's situation because clients are unsure who to contact or are just unable to deal with these types of problems.

### **3. Samples of Employment problems Oxford CAB are helping clients with**

A man was working in a local café. He worked without pay for the first week and was told by the café owner this was because he was being trained. When he did get paid the rate was £5.00 an hour which is below the national minimum wage. This man wasn't given a written confirmation of employment, a contract or payslips.

A woman has been employed locally by a national company as a cleaner and has been trying now for over four months to get them to pay her money she is owed for her wages. Her manager threatened that she would lose her job if she came to see Oxford CAB. In the end this woman resigned – but Oxford CAB is still trying to get her money for her.

A man visited Oxford CAB because his employer tried to underpay him by over £1,000, and claimed to have lost his contract and then, after finally paying up, cut back the hours on his zero hours contract so that he was forced to leave.

### **Housing and Debt Case Study from Blackbird Leys Neighbourhood Support Service (Agnes Smith Advice Centre) .**

A couple visited Agnes Smith advice centre because their Housing Benefit had been reduced by the under-occupancy penalty, known as the 'bedroom tax.' They had lived in a three bedroomed house for many years and now that their children had left home and the Housing Benefit regulations had changed, they were under-occupying by two bedrooms, meaning that they had an extra £19 per week rent to pay, where previously they had been entitled to full housing benefit because they were on means tested income benefits. Their housing benefit had been reduced even further by an overpayment, which the clients did not understand, because they had no income for the period in question.

The clients wanted to move to a one-bedroomed property so that they would not have to pay the bedroom tax, but their landlord would not let them exchange or transfer due to their rent arrears. They had accumulated high rent arrears over the years due to ill-health, sporadic work and difficulty with managing their benefit claims.

The clients were also having difficulties with bailiffs enforcing several years of unpaid Council Tax, and had been paying non-priority doorstep lenders at the expense of their rent and Council Tax.

Agnes Smith advice centre advised the clients on priority and non-priority payments and helped draw up a budget to ensure that priority creditors were paid first, to avoid the risk of losing their home or having goods removed by bailiffs. It was clear that even with the use of budgeting there was a shortfall for priority payments, leading to ongoing hardship.

Agnes Smith advice centre contacted Housing Benefit and explained that the clients had had no income for the period of the alleged overpayment, and they cancelled the overpayment, reducing the deductions from the weekly benefit. We looked into options for dealing with the clients debts.

The clients were both eligible for Debt Relief Orders, due to their low income and lack of assets, and we negotiated with their landlord not to enforce the possession order on the property and to allow them to downsize and have a fresh start with no rent arrears and no bedroom tax on the smaller property. The Debt Relief Orders also provided for the write-off of the Council Tax and all non-priority debts. Debt Relief Orders cost clients £90 due to Insolvency Service fees and so the advice centre raised the funds from a local charity.

The clients are now settling into their new one-bedroomed home and are debt-free, and the hardship that they were suffering has been alleviated now that they are free from debt repayments and the bedroom tax.

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