

Changing Futures

— Stoke-on-Trent —

Changing Futures & Citizens Advice North Staffordshire (CANS)

Specialist Welfare Benefits Advice & Support

Case Study

Background

Carter had been sleeping rough for more than 2 years. He has complex needs for DWP purposes and can't manage his benefit claims without support however, he struggles to communicate with others he doesn't know or trust, especially about his serious health conditions. He moved into his supported housing soon after engaging with Changing Futures and is liable to pay the service charges not covered by HB. While homeless Carter had been getting UC until it stopped several months ago.

At the time of our first meeting, he'd been told that his UC had been subject to at least 4 sanctions because he'd failed to attend work focused interviews. We were soon after made aware that one of the sanctions had been lifted, however he was only being paid £16.00 a fortnight after recovery of two hardship payments. In addition to his Changing Futures case coordinator, he was being supported by FUSE (a micro support provider linked to Triband Care Services).

Issue

Carter needed to challenge each separate decision to sanction his UC. He had good reason for not attending the job centre interviews because he was experiencing significant physical and mental health difficulties, he'd been rough sleeping at the time with no support, no access to the internet, and no phone. Changing Futures were now providing some financial support but this could not continue long-term.

What We Did

- We submitted a written mandatory reconsideration to the DWP requesting all sanctions to be lifted due to good cause, as a matter of urgency. We asked that if the sanctions were lifted, recovery of the existing hardship
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payments should also be halted because if he hadn't been wrongly sanctioned, he wouldn't have had to apply for a hardship payment.

- When the CANS specialist returned from annual leave there had been no communication from UC, so we escalated the issue, using the dedicated team at the local Job centre. Unfortunately, we'd heard nothing from the DWP when we checked a week later so we contacted them again. This time a member of staff within the team emailed the 'good cause' decision maker directly and highlighted the need for urgency due to Carter's circumstances.
- Within 24 hours every sanction had been lifted, recovery of the hardship payments ceased, and Carter had been fully reimbursed.
- We advised both his case coordinator and FUSE worker that they now need to check if the appropriate easements had been applied to his claimant commitment to prevent any further sanctions. A complex needs alert was handed in at the job centre, and this has been attached to the additional needs tab on his UC journal.
- Carter had never claimed Personal Independence Payment (PIP) so working with FUSE we helped him make a new application. He has submitted a fit note to UC so we will also support him to complete the WCA50 which is issued prior to the medical examination to see if he's eligible for the limited capability for work element within his UC.

Impact on the Customer

- With support, Carter has been engaging well and is attending the job centre when necessary.
- He had been at risk of eviction should the financial support from Changing Futures had to end. A return to rough sleeping would have exacerbated his serious health conditions and destroyed any hope of an independent life. Having provided specialist representation our successful intervention means that he no longer has to worry about becoming homeless again or rely on the financial support of others, restoring some measure of dignity and autonomy.

Key Learning Points

- For people experiencing multiple disadvantage, accessing early legal advice is almost impossible. Vulnerable customers can't get help with welfare benefits which leads to or exacerbates circumstances like serious mental health conditions and homelessness.
- Without our expertise very complex legal issues might not have been addressed where local statutory and third sector organisations may be out of their depth. Expert legal knowledge and a holistic approach to the legal rights of vulnerable customers experiencing multiple disadvantage and

complex trauma is crucial to resolving many of the intricate Welfare Benefits issues presented.

- CANS in partnership with Changing Futures is in an excellent position to tackle these situations, demonstrating the necessary legal literacy and best practice in partnership working while supporting customers with multiple disadvantage and complex trauma.