

Changing Futures

— Stoke-on-Trent —

Changing Futures & Citizens Advice North Staffordshire (CANS)

Case Study: Specialist Welfare Benefits Advice & Support

Background

Aoife is a vulnerable single female with ongoing complex trauma after a lifetime of abuse. She has a history of homelessness, experience of the CJS, substance misuse, engaging in survival sex, victim of DV, and sexual assault on multiple occasions. Aoife has been diagnosed with PTSD, EUPD, and suffers significant mental health symptoms including continual auditory hallucinations, and self-harm. She's also in poor physical health with a large hernia, and the beginnings of gangrene in her fingers.

She is currently working with Changing Futures and other services and has recently been supported into her own private rented accommodation. Aoife is hopeful that she will recover this time with the help she has in place.

Nevertheless, her severe mental health symptoms can be overwhelming at times so there's an ongoing risk that she may return to self-harm, drug/alcohol misuse and lose what she has worked so hard for.

Issue

When Aoife was released NFA from prison she made a new UC claim and has been submitting fit notes over several months. However, her capability for work had still not been assessed, and she hadn't received the form that precedes this assessment (WCA50) because she had been homeless. Aoife had downloaded the form and needed help to complete it.

What we did

- Based on the information provided by Aoife and her CDAS worker we provided the legal advice needed to understand the assessment and decision-making process, and our assessed outcome.
- After completing the form with her we advised Aoife should qualify for the LCWRA element within her existing UC award. If she fails to score sufficient points, we expect her to be treated as having LCWRA because she's *"suffering from a specific illness, disease or disablement by reason*

of which there would be a substantial risk to the physical and mental health of any person were she not to have LCW and LCWRA.”

- We were able to include a statement on her WCA50 outlining the above legal test, thereby alerting the assessor to the need to consider this where so often it's overlooked.

Impact on the Customer

- Both Aoife and her CDAS worker are now aware of all relevant time limits and where to go for help should the decision need to be challenged.
- If Aoife is awarded LCWRA she won't have to submit to any of the work-related requirements to continue receiving her UC and the risk of sanction is removed.
- An award of the LCWRA element within her UC will mean that she will be better off by £216.26pcm.
- Aoife expressed thanks for our trauma informed approach throughout the meeting.

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 poverty, physical and mental health conditions, self-harm, susceptibility to exploitation, substance misuse, homelessness, etc.
- Without our expertise 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.