



Benefits Newsletter June 2017

1. Benefit Cap –Judicial Review Decision

The High Court has ruled that the benefit cap discriminates against lone parents with children under 2, as they find it difficult to work for more than 16 hours a week to enable them to be exempt from the cap, due caring responsibilities and the high cost of child care for a child under 2. See [DA & Ors \(R\) v Secretary of State for the DWP](#)

Mr Justice Collins concludes -

'Whether or not the defendant accepts my judgment, the evidence shows that the cap is capable of real damage to individuals such as the claimants. They are not workshy but find it, because of the care difficulties, impossible to comply with the work requirement. Most lone parents with children under two are not the sort of households the cap was intended to cover and, since they will depend on DHP, they will remain benefit households. Real misery is being caused to no good purpose.' (paragraph 43)

However the DWP has issued a [Housing Benefit Bulletin](#) saying that they intend to appeal this decision so no changes have yet been made to the benefit cap rules.

2. Proposed post-Brexit benefit rights of EU nationals living in the UK

The Government has published a [policy paper](#) setting out the benefit rights of UK nationals living in the UK after Brexit.

- EU citizens with settled status will continue to have access to UK benefits on the same basis as a comparable UK national;
- EU citizens arriving before a specified date who do not have five years' residence at the time of the UK's exit, but who remain legally in the UK on a pathway to settled status will continue to be able to access the same benefits that they can access now. If these individuals go on to acquire settled status, they will then be able to access benefits on the same terms as comparable UK residents;
- existing rules on the rights of EU citizens and UK nationals to export UK benefits to the EU will be protected for those who are exporting such UK benefits on the specified date, including child benefit, subject to on-going entitlement to the benefit;
- the UK will continue to export and uprate the UK state pension within the EU.

3. New Team at the DWP

As part of the Cabinet reshuffle, [David Gauke MP](#) has been appointed as the new Secretary of State for Work and Pensions replacing Damien Green who has been appointed to the post of Deputy Prime Minister, and First Secretary of State and Minister for the Cabinet. The rest of the team is as follows

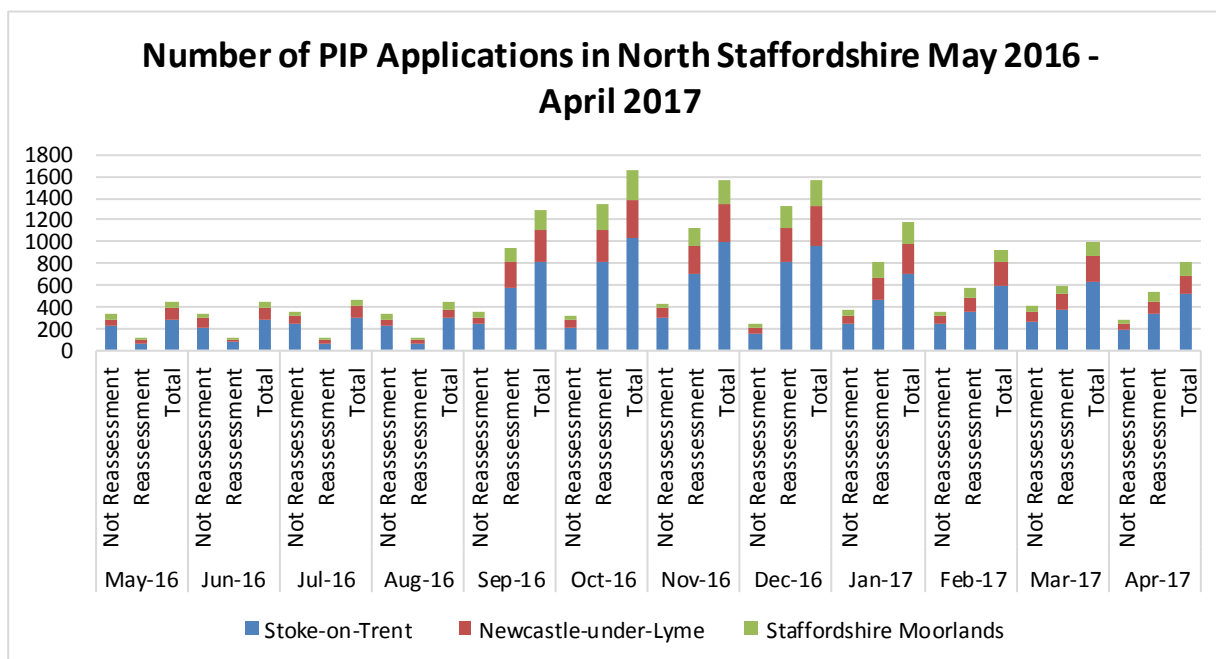
[Damian Hinds MP](#) is continuing as Minister for Employment

[Penny Mordaunt MP](#) is continuing on as Minister for Disabled People

[Guy Opperman MP](#) replaced Richard Harrington MP as Parliamentary Under-Secretary of State at the DWP.

4. Personal Independence Payment Statistics

The number of people undergoing a DLA to PIP reassessment in North Staffordshire has decreased over the last quarter; there was a 30.5% reduction in reassessments between January and February 2017.



The number of people awarded PIP in Stoke-on-Trent is much lower than the national average, particularly those who are making a new claim.

Percentage of claims that received an award for PIP in April 2017 under normal rules			
Local Authority	Reassessment	Not Reassessment	% of total
Stoke-on-Trent	71.4%	43.3%	55.0%
Newcastle-under-Lyme	73.8%	48.3%	59.0%
Staffordshire Moorlands	72.0%	48.9%	59.2%
Total North Staffs	72.0%	47.0%	57.7%
Great Britain	73.0%	46.9%	56.2%

5. Mandatory Reconsiderations and Appeals

The [Mandatory Reconsideration \(MR\) and appeal statistics](#) show how important it is people appeal to a First-Tier Tribunal if their MR is unsuccessful.

- 84% of PIP new claims reconsiderations result in no change to the award
- 79% of reassessed disability living allowance (DLA) mandatory reconsiderations result in no change to the personal independence payment (PIP) award,
- 86% of Employment and Support Allowance (ESA) assessment outcomes are not revised following a mandatory reconsideration. See detailed [stats](#)

However when cases were considered by a First-Tier Tribunals

- 64% of PIP decisions considered were successfully overturned.
- 70% of ESA cases were overturned;
- 61% of Disability Living Allowance cases were overturned; and
- 41% of jobseeker's allowance cases were overturned.

6. Universal Credit

Statistics

The [latest statistics](#) published by the DWP show that 530,000 people were on the Universal Credit caseload across the UK as of 11th May 2017 (an increase of just 10,000 over last month). Of these 200,000 (38%) were in employment. In North Staffordshire the numbers on the UC caseload decreased slightly from 2,430 to 2,426. The numbers claiming UC who were in employment were higher than the national average with 47.2% of claimants in Staffordshire Moorlands who were working.

Local Authority	New Claims 20 th April – 11 th May 2017	Caseload 11 th May 2017		
		Total	Not in emp	In emp
Stoke-on-Trent	153	928	606 (39.3%)	1,536
Newcastle	47	391	267 (40.8%)	655
Staffs Moorlands	20	129	108 (47.2%)	229
Total*	214	1,443 (59.6%)	981 (40.4%)	2,426

42% of claimants on the UC caseload in North Staffordshire are under 25 a slight decrease from 43% in April.

under 25s	Not in employment	In employment	Total*
Stoke-on-Trent UA	401	231	634
Newcastle-under-Lyme	163	111	278
Staffordshire Moorlands	57	48	104
Total*	626	391	1,018

In May 2017, 172 claimants (7.1%) had in-work conditionality and were expected to be looking for better paid work and 529 claimants (18.9%) were working with no conditionality applied to their claim.

Conditionality Regime	Searching for work	Working with requirements	No work requirements	Working no requirements	Planning for work	Prep for work	Total*
Stoke-on-Trent	1,073	112	30	319		7	1,536
Newcastle	426	46	24	160	..	6	655
Staffs Moorlands	150	17	7	58	229
Total*	1,647	172	55	529	6	11	2,426

**Figures in these tables have had statistical disclosure control applied to avoid the release of confidential data. Totals may not sum due to the adjustments.*

7. DUP and Conservative ‘Confidence and Supply Agreement’

As part of this [agreement](#) the Government has agreed to continue with the Pensions ‘Triple Lock’ which guarantees at least a 2.5% increase in State Pensions each year and the universal nature of the Winter Fuel Payment.