



Cabinet
Date: 1.9.09

Subject: Welfare Rights Unit

Recommendations:

1.1 Retain the Welfare Rights Unit (WRU). Approve option 3.

Background:

- 2.1 There has been 80% increase in unemployment in Barnet. This will disproportionately affect disabled residents.
- 2.2 We are concerned the decision to delete the Welfare Rights Unit is based on erroneous information. The information in the Appendices demonstrates this.
- 2.3 The report submitted by Adults Services at 9.50 states "referrals currently handled in the Welfare Rights Unit would either not be dealt with or be displaced onto advice organisations unprepared to cope with any additional volume or disability specialism". We agree they are "**unprepared**" and so remain concerned vulnerable groups of people, particularly those with disabilities or mental health issues, will be left with little or no support.
- 2.4 At Option 3 the report asserts there would be a "continuation of duplication of services". We reject the idea that there is duplication with the Voluntary Sector for Reviews and Appeals. The WRU provides a specialist welfare rights service. Furthermore at other points in the report there is mention of increasing the services operated by CAB and DABB to take on the extra demand, "Both organisations have confirmed they could have the additional capacity in place by the time in line with the proposed cessation date of the Welfare Rights Unit" (9.51) and "Council Officers are in dialogue with the CAB to operate a similar arrangement to the operated by the Welfare Rights Unit" (9.43). This clearly demonstrates these services are **not duplicating** the work of WRU since they have been approached to take on this work. We believe this work should remain with the WRU.
- 2.5 The proposed cessation of the WRU comes at a time when another closure of a psychiatric ward has been announced for the end of the year. Supporting people services is not a service which can deal with complex reviews or appeals. We know when this group of vulnerable people are unable to resolve their benefits issues in a timely fashion it has an immediate and damaging knock-on effect on their mental well being. The letter from Igor Tojic, commissioning manager for Mental Health Barnet PCT at p.18 of the appendices, is evidence of a shared concern.

- 2.6 On **Reviews** the cases WRU is dealing with have been referred by the voluntary sector or Social Services precisely because the individual has complex personality and literacy issues and may have been subject to financial penalties by the Department of Work & Pensions or because they can't access what they need from existing agencies. All the named agencies do some of what WRU does but not all of it and not to the complexity and depth. Nor do they investigate and resolve the problems relating to **all** the benefits someone is on up to Review and Appeal. The problem is how someone with multiple disability and disadvantage would get the same level of benefits and advice from an organisation that does not do Reviews or Appeals when that individual is deemed highly vulnerable. It is a matter of some concern that many individuals under a new system will never reach those agencies because they are not given adequate support over a sustained period of time.
- 2.7 **Pre-appeal Reviews** are often lengthy and complex and cannot be dismissed as 'simple' work and are done with care so that the individual does not have to go through the difficult and often stressful Appeal system. This work has been misrepresented in management reports.
- 2.8 Barnet Law Service cannot do home visits and only do work on the benefit for the Appeal under the Legal Aid system. They would find it difficult to achieve the same results as the Unit for those with complex mental health problems or difficult health diagnoses. Local Solicitors have been equally unsuccessful.
- 2.9 There is a time problem for those with poor literacy and language skills and they would not know how to ask for help as they don't understand what they are being given. Also as mentioned previously, there is a conflict of interest for Housing Benefit Section, if they have to help someone to challenge a decision.
- 2.10 The Unit does free training for staff in the Council and voluntary sector amounting to 27 days a year. The Manager produces information on a regular basis for Social Services and Housing staff. He supervises the advisors and has legal skills that enhance the Review and Appeal work. Of the four advisor posts, one has always been part-time. There will be a detrimental effect on Sure Start if the Unit goes.
- 2.11 The calculations of cumulative benefit entitlement are correct as at 2008/9 and the formula is used nationally by the CAB and other advice agencies in the UK for policy on recording gains, therefore we refute the accusation of poor record keeping from management. The figure used is the actual benefit entitlements of the individual at the close of a case. If anything there is slight under calculation because a small percentage suffer physical or mental deterioration and contact is lost with the Unit.
- 2.12 We dispute the idea that the Unit is not value for money particular for Reviews and Appeals. As mentioned before pre-Appeals were successful for the clients because of the work done to ensure those individuals did not have to go to Appeal.