# Herts Adviser

Updated benefits information and advice From Hertfordshire's Money Advice Unit

Issue 47 April 2025

www.hertfordshire.gov.uk/benefits



## Contents

Universal credit managed migration update2
Green Paper on welfare reform 4
Big change for free school meals 7
Carers' benefits8
PIP and driving9
Saving and spending11
Query from the MAU advice line – housing costs13

#### The wow factor!

The Money Advice Unit's annual results for 2024/25 show that we took nearly 5,000 referrals last year, and our advice led to **£26,342,971** in extra income for the people we advised.

#### **Benefit uprating**

The new benefit rates applying from April 2025 have been confirmed. An updated copy of MAU's benefit rates guide will soon be available. A one-page poster showing the main benefit rates is also available from **Rightsnet** 



# Universal credit managed migration update

In 2024, the Department for Work and Pensions (DWP) began the process of telling Hertfordshire claimants who receive tax credits, income-related employment and support allowance, and housing benefit to transfer to universal credit. This is known as managed migration. Claimants who receive a migration notice must take action to avoid losing money. They should apply for universal credit on gov.uk before their 'deadline date.' which will be three months after the date the migration notice was issued. If they cannot claim universal credit by the deadline date, they should contact the universal credit migration notice helpline on 0800 169 0328 before their deadline date, to request an extension.

<u>Transitional protection rules</u> mean that most claimants should not be immediately worse off following managed migration.

#### Update

## Employment and support allowance (ESA)

Over 200,000 income-related ESA claimants have now transitioned to universal credit.

In early April 2025, the DWP announced an increase in the volume of migration notices to 83,000 a month. The final migration notices will be issued in September 2025, and migration of income-related ESA cases to universal credit is due to be completed before the end of March 2026.

For claimants who need additional support when moving to universal credit, the DWP is providing an enhanced support journey that is triggered 12 weeks after the migration notice is issued if the customer has not claimed or made contact. The enhanced support journey utilises phone calls, and if needed, visiting officers to



make contact to support the customer to claim. A Complex Case team will undertake additional checks where the customer cannot be contacted.

#### Tax credits

Tax credit to universal credit migration has finished, meaning that nobody will receive tax credits after 5 April 2025. The HM Revenue and Customs Tax Credit department will remain open until May 2026 to deal with any appeals.

#### **Further information**

Our <u>universal credit factsheet</u> has further information. Claimants should seek advice if they have difficulty with universal credit migration, or are unsure if they have been awarded the correct amount.

Legacy benefit claimants who have not yet received a migration notice should **not** apply for universal credit without getting advice.

#### **Bedroom tax**

One of the exceptions to the "bedroom tax" restriction on housing benefit and universal credit housing costs relates to couples. A couple who cannot share a bedroom due to disability can sleep in separate rooms, and that second bedroom is not counted as a spare bedroom. The disabled person must receive the daily living component of



personal independence payment, or the middle or higher rate of disability living allowance care component, or attendance allowance. Until recently, this had to be the higher rate of attendance allowance. This has been corrected so that the exception also applies to those on the lower rate of attendance allowance from January 2025.

Eligible claimants should ask for their benefit to be revised to remove the bedroom tax.

## **Green Paper on welfare reform**

In the Green Paper <u>Pathways to Work: Reforming Benefits</u> and <u>Support to Get Britain Working</u>, the government has set out plans for reform of the health and disability benefits system and employment support. Most of the reforms will be scheduled for 2026 onwards.



#### Personal independence payment (PIP)

The Green Paper proposes a new requirement for claimants to score at least four points in at least one of ten activities to be eligible for the daily living component of PIP, on top of the current requirement to score at least eight points overall. Currently, a person can qualify for PIP by scoring two points in four different activities for example. The two-point activities tend to be ones where the person requires prompting, an aid, or supervision to perform the task, e.g. "Needs to use an aid or appliance to be able to manage toilet needs or incontinence" scores two points, but "Needs assistance to be able to manage toilet needs" scores four points.

While the mobility element of PIP will be unaffected, there will be no consultation on the daily living change, which will apply to new claims and award reviews. The government will be seeking views on how best to support people affected, for example through transitional protection.

The Green Paper also outlines other changes to the PIP assessment process, such as

- returning to doing more face-to-face assessments, while retaining alternative assessment channels for people who require a different approach (In October and November 2024, only around two per cent of PIP assessments were face-to-face);
- recording assessments as standard;
- reducing the initial assessment requirement in PIP for certain groups with very severe conditions, for example by using evidence for other services;
- exploring methods to increase the quality of medical evidence;
- improving communication with people receiving an ongoing PIP award who are likely to remain on disability benefits for life, to address concerns about repeat assessments.

In addition, the Green Paper sets out a range of other proposals that include -

 plans to abolish the work capability assessment in 2028, with extra financial support for health conditions in universal credit available only by linking it to PIP eligibility;

- 'rebalancing' payment levels in universal credit by freezing the value of the health (limited capability for work and work-related activity) element for existing claimants until 2029/2030, and reducing it for new claimants (reducing by £47 per week to £50 per week in 2026/27). There will be an above-inflation increase in the universal credit standard allowance in April 2026, and an additional premium for those with the 'most severe, life-long health conditions';
- guaranteeing that for both new and existing claims, those with the most severe, life-long health conditions will not need to be reassessed in future;
- establishing a 'right to try' work guarantee, meaning that trying work will not lead to an immediate reassessment or award review;
- expecting more active engagement from those in receipt of the health element to 'create a space for people to be on a pathway to working';
- guaranteeing personalised employment, health and skills support for anyone with a work-limiting health condition or disability who wants it;
- a major reform of contributory benefits, merging contribution-based jobseeker's allowance (paid for a maximum of six months) and contribution-based employment and support allowance (paid for a maximum of one year, although indefinitely if remaining assessed in the ESA support group). They would be combined into a new time-limited **unemployment insurance benefit** in 2028/2029, paid at the current ESA base rate, with claimants expected to actively seek work, though with easements for those with work-limiting health conditions;
- a thorough review of the DWP's current safeguarding processes and work with stakeholders to identify areas for improvement;
- consulting on potential future approaches to Access to Work;
- changes to benefits for young people by consulting on delaying access to the health element of universal credit within the reformed system until the claimant is aged 22, and consulting on whether to raise the age at which young people transition from disability living allowance for children to PIP from 16 to 18.

#### **Consultation details**

There is an <u>Impact Assessment</u> and <u>Equality Analysis</u>, which shows around 150,000 people losing carers benefits and around 800,000 fewer people being eligible for PIP.

The DWP consultation can be found at <u>Pathways to Work:</u> <u>Reforming Benefits and Support to Get Britain Working</u>



<u>Green Paper - GOV.UK</u>. The DWP wants people to respond using their <u>online form</u> if possible, but alternative methods are available. They also say they will run accessible virtual and face to face events on the consultation. The consultation closes on 30 June 2025.

Issue 47

April 2025

## **Disabled carers to benefit from Upper Tribunal ruling**



A recent ruling by the Upper Tribunal, **Secretary** of State for Work and Pensions v MJ (2025), has assisted carers who have migrated to universal credit.

An anomaly in the law has meant that some disabled carers have actually had a reduction in their universal credit as a result of being found to have limited capability for work and work-related activity (LCWRA).

Here's an example of a carer who approached MAU for help after being affected by this issue:

Mrs P is a lone parent and carer for her disabled daughter. In 2024 she migrated from income support and child tax credit, onto universal credit. Her universal credit included a carer element, and also transitional protection of £626 per month.

After reporting her own health problems, and completing a work capability assessment, Mrs P was found to have LCWRA in January 2025. A LCWRA element (then £416.19 per month) was added to her universal credit, but then her transitional protection was reduced by the same amount. Because the carer element in universal credit overlaps with the LCWRA element, her carer element (then £198.31 per month) was then removed. As a result, she was £198.31 per month worse off.

The MJ ruling by the Upper Tribunal confirmed that the full erosion of transitional protection in these circumstances is discriminatory. The ruling said that, where the LCWRA element replace the carers element in a universal credit claim, the transitional protection should only be reduced by the difference between the two.

The situation remains complex. The relevant regulations have not (yet) been changed, meaning that many claimants will need to appeal to a first tier tribunal in order to have reductions in their universal credit corrected. A further explanation is available from <u>CPAG (Child Poverty Action Group).</u>

#### **Domestic abuse support**

Research by Stepchange has found that three per cent of the UK adult population -1.6 million people – have experienced coerced debt at the hands of a family member or friend in the last 12 months. Coerced debt is a form of economic abuse where the perpetrator coerces a victim/survivor into debt, for example by making them take out credit against their wishes.

In Hertfordshire, people affected by economic abuse, or any other form of domestic abuse, can contact **Herts Domestic Abuse Helpline** for support: phone 08 088 088, 9am - 9pm Monday to Friday and 9am - 4pm weekends, or email <u>Kim@mailpurple.org</u>

Issue 47 April 2025 Latest factsheets at <u>www.hertfordshire.gov.uk/benefits</u>

## **Big change for free school meals**

When universal credit was introduced, the Government of the day agreed that the children of anyone getting the new benefit, in work or not, would get free school meals (FSM). This was more generous than the old system, where most lower-income working families couldn't qualify. When universal credit became more widespread, the rules were changed, to restrict eligibility for those working but on a low income. However, to protect existing claimants, 'transitional' protection to FSM was created, so those families kept their FSM even if their income rose and even if they came off universal credit.



That protection has now largely ended, and the numbers getting FSM will fall.

#### What's changing?

The transitional protection for FSM ended on 31 March 2025. Since that date, any existing claimants who no longer meet the current eligibility criteria (earnings below  $\pounds$ 7,400 a year for example) will continue to receive free school meals, but only until the end of their current phase of education (i.e. primary or secondary).

Any new applications will not be protected, meaning if they qualify initially but then become no longer eligible, their FSM entitlement will end too. As a result of protection ending, the impact is as follows:

- Applications approved by 31 March 2025 will continue to receive FSM until the pupil moves into Year 7 or Year 12, where they will be subject to regular monthly audits (re-checks) throughout each academic year.
- Applications approved on or after 1 April 2025 will be subject to monthly audit re-checks throughout each academic year.

For more information, go to Free school meals | Hertfordshire County Council or email freeschoolmeals@hertfordshire.gov.uk

Don't forget - All children can get a free lunch at school (without a means test), if they are in reception class, year 1 or year 2.

#### **Changes in childcare**

With the ending of working tax credit in April, working parents can now only get cash help with childcare through universal credit. They can get up to 85 per cent of childcare costs, on top of any 'free' childcare they may be getting.

The maximum amount for each monthly assessment period is now  $\pounds$ 1,031.88 for one child, and  $\pounds$ 1,768.94 for two or more children. The DWP has confirmed, however, that they will only help with 'basic' costs of childcare, not so-called voluntary charges such as meals, nappies or trips.

Issue 47

April 2025

### Carers allowance vs universal credit carer element

Carers who are looking after a disabled person who gets a qualifying disability benefit\* may be entitled to <u>carer's allowance</u>.

A <u>carer element</u> can be included in universal credit if the claimant or partner meets the qualifying conditions for carer's allowance, or if they would do, except that their earnings are too high. The carer doesn't need to apply for carer's allowance to get the universal credit carer element (This differs from legacy benefits, where people had to apply for carer's allowance to get a carer premium.) Claimants who are getting the carer element in universal credit have no work-related requirements, regardless of whether or not they claim carer's allowance.

It's important to note that **carer's allowance counts in full as income when calculating universal credit.** If a carer is on universal credit, in many cases there won't be any financial advantage to applying for carer's allowance. However, in some situations it can be advisable for an individual to apply for carer's allowance, or to avoid doing so. Here are some points to bear in mind:

Carer's allowance £83.30 per week	Universal credit carer element £201.68 per month
Cannot be paid if claimant's earnings exceed the earnings threshold (£196 per week). Risk of overpayment if earnings exceed threshold.	No earnings threshold for the carer element, but universal credit as a whole is affected by income
Can be paid to carers who don't qualify for universal credit (e.g. because of a partner's income, or because of capital)	Universal credit is means-tested, and claimants must have capital under £16,000
Claimants get class 1 NI credits, which can help with qualifying for new-style employment and support allowance, contributory jobseeker's allowance, and state pension	Universal credit claimants get class 3 NI credits, which only count towards state retirement pension.
Can be backdated for up to three months, or longer if an application is made within three months of a decision awarding a qualifying disability benefit	If a claimant reports being/becoming a carer, the carer element will normally be added from the start of the assessment period in which they report it. Can be backdated for longer if the qualifying disability benefit has recently been awarded.
Claimants can choose whether to be paid weekly or four-weekly	Universal credit is normally paid monthly
Taxable (if total taxable income exceeds personal allowance)	Universal credit isn't taxable

April 2025

#### Some other points to be aware of:

- If a claimant and/or their partner has other income, receipt of carer's allowance could float them off entitlement to universal credit. That could mean they lose entitlement to other benefits and concessions, and could be worse off overall.
- In some local authority areas, carer's allowance isn't counted as income when calculating council tax support, but universal credit carer element is.
- If the person being cared for is getting legacy benefits (such as employment and support allowance), or pension credit, including a severe disability premium, their benefits could be affected if a carer receives either carer's allowance or universal credit carer element.
- Universal credit carer element overlaps with the universal credit limited capability for work and work-related activity element but couples where one partner is a carer and the other has limited capability for work-related activity can get both.

Carers who are unsure if it's worthwhile claiming carer's allowance, or whether they should be getting a carer element in their universal credit, should seek advice.

## **PIP and driving**

As part of the assessment for personal independence payment (PIP), claimants are often asked whether they can drive. Some claimants then find that their ability to drive is used as a reason for not awarding points in certain areas of the PIP assessment. We have seen many cases where the DWP has said the claimant can drive and can



therefore plan and follow journeys, or that driving indicates dexterity and ability to plan, so the claimant should be able to cope with daily living activities such as cooking or budgeting.

To ensure PIP claimants are fairly assessed, here are some points to bear in mind:

- Make clear if they can only drive an automatic car, or if their car has been adapted due to their disability
- Explain if there are any restrictions on when and how they drive, due to their disability or condition can they drive only on good days, only for short familiar journeys, or only if someone accompanies them?
- Would they be able to reliably cope with a delay or disruption such as a traffic jam or diversion, or recover from getting lost on an unfamiliar route?
- The 'planning and following journeys' activity in PIP includes ability to use public transport. Some claimants with mental health conditions such as OCD or anxiety may be able to drive, but unable to use public transport (without another person).

Issue 47 April 2025

#### **Compliments corner**

- For Jo Silcox, MAU benefits adviser: "I've received the outcome of the PIP appeal you attended with me. It was a very positive outcome and I've been awarded £14,922 in arrears, backdated to 2023, as well as an extra £108 a week. I would like to say a big thank you to you for your commitment, hard work and dedication you have shown in my case. This case would have not been completed without you,"
- This email is from an Advanced Practitioner in an ADT to Helen Lydon, benefits adviser:

"Some wonderful news, you and the Money Advice Unit have done it again!

The DWP contacted me today with an offer to reinstate Mr L's personal independence payment - enhanced daily living, and maintain his standard mobility, meaning there's now no need to progress to tribunal. This offer has been accepted, and Mr L is understandably ecstatic.

Both Mr L and I cannot thank you enough for your counsel, candour,

calm professionalism and for pulling all the evidence together, including letters and great communication. The outcome for Mr L, both financially and in terms of his wellbeing, is immeasurable."

 A compliment for Sally Hattle and Yvonne Deal, advisers in our Children with Disability team:

"I would like to say a huge thank you to you and your team for the amazing job you do in helping people like my son and myself with the disability living allowance claim and the extra universal credit it triggers.

With all your guidance and professional help, challenges such as those forms are definitely more bearable. I wish my son was healthy like other kids, and we don't have to rely on other form of help. But I have a hope that he will learn to get more independent in a few years' time, so I can get back to work full time. Perhaps my son can get an apprenticeship and learn to integrate with real world so we wouldn't be in need to ask for help"

#### **Goodbye to Gary!**

On 17 April, Head of the Money Advice Unit Gary Vaux is retiring after 28 years with the Unit. Throughout this time, Gary has been an impactful presence promoting welfare rights advice, fighting poverty, and raising awareness across Hertfordshire, as well as participating in policy work and welfare rights networks nationally. He will be much missed by those who have worked with him, both within Hertfordshire County Council and in partner organisations, and we wish him a happy retirement.

A new Money Advice Service Manager will be appointed soon.

Issue 47 April 2025 Latest factsheets at www.hertfordshire.gov.uk/benefits

## Saving and spending





Community Help Hertfordshire, supported by Hertfordshire County Council, is opening community supermarkets to assist Hertfordshire residents in financial hardship. Starting in March 2025, the community supermarkets are open weekly and initially operating in five locations across the county: Welwyn Hatfield, Hertsmere, North Herts, Three Rivers and Broxbourne. It is anticipated that the number of locations will increase to cover all ten Hertfordshire districts by the end of May.

The community supermarkets offer a wide range of food and essential goods at a more affordable cost. For example, fruit and vegetables will be charged at 50p, coffee will cost £1, and most other items will be either 50p or 60p. There is a limit of 20 items per visit. The <u>Healthy</u> <u>Start card</u> is also accepted, and holders can purchase additional items above the 20 item limit.

The community supermarkets operate on a membership model. Individuals get two months' free membership when they join. Thereafter, weekly charges apply: £1.25 per week for people over 65, and £2.50 per week for under 65s.

Referrals will initially be from Citizens Advice, Age UK and the Money Advice Unit only. For more information, see

www.communityhelpherts.net, email info@communityhelpherts.net or call 01727 649980. **Herts Card** 

Herts Card launched in March 2025 and provides discounts on participating local services and activities. All families in Hertfordshire who are eligible for benefit-related free school meals should have received an email with a link to access their card.



The card is in the name of the parent who made the free school meals application. The number of children applicable to the card will be shown inside the star. Parents should not have to provide further identification when presenting the card to businesses offering a discount.

Families of children with SEND (special educational needs and disability) are also eligible for a Herts Card – see <u>Herts Card - additional</u> <u>needs database</u>

Further information about the card, including a list of participating businesses, is available on the <u>Hertfordshire County Council</u> website.

Issue 47

April 2025

# Deals on days out for benefit claimants

Some special discounts have made day trips to London more affordable for lower income families.

 The Tower of London, Hampton Court Palace, and Kensington Palace are offering £1 tickets to people in receipt of universal credit, pension credit, employment and support allowance, income support or jobseeker's allowance.

Customers must book online in advance, see £1 Tickets to Our Palaces | Historic Royal Palaces

There are also free carer tickets even if you have booked £1 tickets.

 London Zoo is offering tickets from £3 per person for those receiving universal credit, pension credit, housing benefit, income-related employment and support allowance, income support or income-based jobseeker's allowance

These tickets are **only** available to purchase <u>online in advance</u>



#### **Energy bills**

Following the increase in the energy price cap on 1 April 2025, households are facing an increase in utility bills. The ever-reliable Money Saving Expert website has lots of useful information about tariffs, saving energy, going green and switching suppliers - see <u>Energy comparison</u> | <u>gas & electricity | MSE</u>.

It also has a <u>calculator</u> that can give consumers a more accurate picture of what they might be paying under the new rates.

#### White goods

If you work with Hertfordshire residents in need of white goods (such as fridges, freezers, washing machines), you can refer them to the Hospital Community Navigation Service initiative, which is funded by Hertfordshire County Council. Referrals can only be made by professionals. Each referral will be assigned a community navigator who will undertake a needs assessment, including financial checks. If the application is successful, they will order the white goods and arrange delivery. Please note, a referral is not a guarantee of white goods, and you should make sure your client is advised of this.

## Query from the MAU advice line

Every working day, the Money Advice Unit answers benefits queries from statutory and voluntary organisations on our advice line on **01438 843444** (9.30 am - 12.30 pm) or by email at <u>moneyadvice.unit@hertfordshire.gov.uk</u> This advice line is for professionals only.



#### Question

My client (single, 30 years old) lives in a privately rented flat. Her rent is £800 per month, but universal credit only pays about £500 per month for housing costs. She has serious health problems, and doesn't have any other income apart from universal credit. She is getting into substantial rent arrears. What can she do?

#### Answer

For private tenants, universal credit housing costs are capped at the level of the local housing allowance, which varies according to the local area and the number of bedrooms the claimant (and their household) is deemed to need.

In this case, because the client is single, childless and under 35 years old, her benefit is based on the local housing allowance for 'shared accommodation' (equivalent to a room in a shared flat).

We suggest the following:

- Apply for a discretionary housing payment to help meet the shortfall in universal credit housing costs. See the local authority website for details of how to apply. Factors relating to health and disability can be taken into account.
- Speak to the landlord about arranging for universal credit housing costs to be paid directly to the landlord.
- Consider applying for personal independence payment (PIP). If she is awarded PIP daily living component, her universal credit can then be based on the local housing allowance for self-contained one-bedroom accommodation, which is much closer to her actual rent. It usually takes many months for PIP claims to be decided, but any resulting increase in universal credit can be backdated to the assessment period in which PIP entitlement began.
- Has she had a work capability assessment? If she hasn't already got 'limited capability for work and work-related activity' status, a work capability assessment could result in an increase in her universal credit.



Issue 47

April 2025