



**Benefits and Work**  
Guides you can trust

# Getting help with your benefits

**May 2014 Factsheet Gen1**



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## Quick help

Looking for benefits help in a hurry? Here's a quick reference guide to the main agencies who might be able to help.

### **Civil Legal Advice helpline 0845 345 4 345**

Free advice on a range of subjects, including welfare benefits and discrimination, if you are eligible for Legal Help. More details from <https://www.gov.uk/civil-legal-advice>

### **Disability Information Advice Lines**

Visit the Scope website at <http://www.scope.org.uk/help-and-information/dial-groups> to find out if you have a DIAL group in your area. Or you can telephone the helpline on 0808 800 3333. DIALs are staffed by disabled people and offer free telephone advice on benefits for disabled people, people with long-term health conditions and carers.

### **Citizens' Advice Bureaux (CAB)**

To find your local bureau look under Citizens Advice Bureau in your phone book. You can also find details of your nearest bureaux, including ones with a welfare benefits specialist, at: [www.citizensadvice.org.uk](http://www.citizensadvice.org.uk)

### **Citizens Advice Scotland**

To find your nearest bureau, look under Citizens Advice Bureau in your phone book or visit the CAS website at: [www.cas.org.uk](http://www.cas.org.uk)

### **Advice Northern Ireland**

To find your local independent advice centre in Northern Ireland, visit [www.adviceni.net](http://www.adviceni.net)

### **Law Centres**

Contact details of your nearest Law Centre, where you may be able to get free advice and representation at appeals, are available from the Law Centres Network website at [www.lawcentres.org.uk](http://www.lawcentres.org.uk)

### **Shelter**

Shelter offers help with benefits, but generally only in relation to housing or if your home is at risk because of your benefits problems. For help call the Shelter helpline on **0808 800 4444** or visit their website at [www.shelter.org.uk](http://www.shelter.org.uk) for details of your nearest Shelter Housing Aid Centre.

## What you can get help with

Claiming benefits can be a complex process involving a number of different stages, from finding out which benefits you may be entitled to right through to appealing against a decision to refuse you a benefit. Below is a list of some of the many aspects of a claim that you may be able to get help with.

**Benefits checks:** these involve checking to make sure you are receiving all the benefits you are entitled to and at the correct rates. You should definitely get your benefits checked at least once a year, as changes in the rules and annual increases in amounts may mean your entitlement has changed. Whichever agency does it for you, always get a printed copy of your benefits check. It should detail what benefits you are definitely entitled to based on your income, capital, age and other personal circumstances and what amount you should receive. It should also give details of any benefits, such as Personal Independence Payment, that you may be entitled to but which will depend on medical and other evidence. If you miss out on benefits because any agency (whether government, voluntary sector or private) got your benefits check wrong, get advice elsewhere about whether you can be compensated for the error.

**Better-off calculations:** these involve working out how much better or worse off you would be if you start work, increase your hours or your circumstances change in some other way. You can find out if you would be better off working full-time or part-time and what benefits you will still be eligible for. Whichever agency does it for you, always get a printed copy of any better-off calculations. If they don't have enough confidence in their calculations to give you a copy then don't rely on them. If you miss out on benefits because any agency (whether government, voluntary sector or private) got your benefits check wrong, get advice elsewhere about whether you can be compensated for the error.

**Getting claim forms** your local Jobcentre Plus office should be able to supply you with most claim forms or tell you where you can get them from. Some forms can be downloaded from the gov.uk website at <https://www.gov.uk/browse/benefits>,

To claim Employment and Support Allowance (ESA), Jobseeker's Allowance or Income Support, you can telephone 0800 055 6688.

For Personal Independence Payment, the number is 0800 917 2222

For Disability Living Allowance claims (under 16 year olds) and Attendance Allowance claims, the number is 0845 712 3456

For Carer's Allowance, the number is 0845 608 4321

For Tax Credits, the number is 0345 300 3900

For Pension Credit, the number is 0800 99 1234

For Universal Credit; <https://www.gov.uk/apply-universal-credit>. It is an on-line claiming process but you can telephone 0845 600 0723 for help to claim on-line.

At the time of writing, whether you can claim Universal Credit depends on where you live and your personal circumstances, as it is being rolled out gradually by 2017.

**Filling out forms:** some agencies can help with filling out any benefits claims forms, others only with specific ones such as disability living allowance or attendance allowance.

**Help dealing with officials:** this might be, for example, making telephone calls or writing letters on your behalf to the DWP.

**Making complaints:** if you're unhappy with the treatment you receive in connection with benefits claims there are complaints procedures in place which you are entitled to use. These vary depending on which agency is involved and some are more satisfactory than others. If you are unhappy with the results of an initial complaint you make be able to take things further via your MP.

**Challenging decisions:** this involves helping you to decide whether to ask for a benefits decision to be looked at again and helping you to begin the process, e.g. by requesting a mandatory reconsideration in writing and completing an appeal form.

**Legal Help for Welfare Benefits** You can find out which agencies or Solicitors in your area are funded to do welfare benefits work under the Legal Help scheme, if you think you may be eligible, by ringing the legal aid telephone gateway on 0845 345 4345. Work at Upper Tribunal and beyond, only once you have been granted or refused permission, is covered

**Accompanying to medicals:** if you have to go to for a medical assessment in connection with your capacity for work or have a doctor's visit in connection with disability living allowance, personal independence payment or attendance allowance, some agencies can provide someone to stay with you throughout the medical.

**Preparing a submission for a hearing:** some agencies cannot actually represent you at a hearing, but may be able to produce a written submission containing legal arguments and evidence which you can send to the tribunal to read in advance.

**Representation at hearings:** a representative can put forward arguments on your behalf and help you to give evidence at an appeal hearing about your benefits.

**Accompanying to hearings:** some agencies cannot supply a representative but can provide someone to accompany you to the hearing and help you put your case. Just having someone with you may give you a lot more confidence and they may be able to help in other ways, such as reminding you about things you want to tell the tribunal.

**Appealing to the Upper Tribunal:** if you lose your case at a tribunal, you may be able to get help to appeal one stage further, to the Upper Tribunal.

**Discrimination issues:** if you think you have been discriminated against, for example because you are disabled,.

If you think that the DWP, jobcentre plus staff or private sector work programme staff are discriminating against you, for example by failing to make a reasonable adjustment that you need because of your health, you may be able to get legal help to bring a claim. See Civil Legal Advice further on in this guide.

Examples of discrimination could include:

- being forced to travel long distances by public transport to attend group activities with strangers, even though you have a mental health condition that makes travelling alone and interacting with strangers extremely distressing for you;
- being forced to attend appointments in the late afternoon even though you suffer from severe fatigue and your condition is at its worst at that time of time of day;
- being kept waiting for long periods of time, even though your condition makes this difficult or painful for you;
- being obliged to provide information over the telephone even though you have great difficulty in concentrating because of your health condition and would rather be able to give information in writing;
- being expected to discuss your health condition in an open-plan office where you can be overheard by other people, no matter how distressing you find this.

It's vital that you get advice as early as possible because it takes time to work through the legal aid system and there are strict time limits for bringing a claim.

So don't wait until you've been sanctioned. As soon as you are told that something is mandatory and you think that this amounts to discrimination seek advice – the act of threatening you with a sanction can be discrimination whether the sanction is applied or not.

## **Who can help**

Finding anyone to help with your benefits can be extremely difficult. Advice agencies may be almost impossible to get through to on the phone, have no appointment system and long queues. They may also only be able to offer specialist benefits help to people who meet the Legal Help criteria which involves a means test.

Solicitors may have very little benefits knowledge and may charge for their services. Staff at jobcentre plus offices may not have been adequately trained to give benefits advice. Even if you find an agency that can help, they may not be able to give you all the support you need.

However, there are a lot of organisations that offer help of one sort or another, including: advice agencies; law centres; solicitors; disability organisations; local authorities and government agencies. Often it's a case of needing persistence combined with being prepared to 'mix and match' support services.

### **Using more than one agency**

If you can't get all the help you need from one agency you may need to use several. For example, you may be able to get help completing a disability living allowance claim pack from an advice agency. If your claim is turned down the same agency may be able to help you put in an appeal, but you may have to go to a solicitor to get funding for a medical report from a consultant. If you can't get a representative from an advice agency for your tribunal, you may be able to get someone from a support group such as MIND if your claim involves mental health or Arthritis Care if arthritis is your major health condition, to accompany you and help you give evidence.

Obviously this is far from an ideal solution, but it may be the best that is available for many people. Always tell the different agencies if you are going to get help from more than one – having more than one organisation working on your claim at the same time can lead to confusion.

### **Help if you can't visit an office**

If your physical or mental health condition means that you can't leave home or can't sit in a busy waiting room, it may be possible to get help via the telephone or arrange a home visit.

For telephone advice try Civil Legal Advice, or Scope for a DIAL Agency. (See *Voluntary sector agencies* for details).

If you can't get through to your local CAB or similar advice agency on the phone, you can try writing to them, explaining your difficulties and ask if they will telephone you or arrange a home visit. Also try contacting your local council to see if they can arrange for a welfare rights worker to do a home visit.

If you are disabled or have a long-term health problem you are likely to be covered by the Equality Act. This means that service providers, such as advice agencies, have a duty to make reasonable adjustments to ensure that you can use their service. If you are unable to get to the agency for an interview because of, for example, mobility problems or because the advice agency isn't accessible, then a reasonable adjustment would be to provide you with help over the phone, by post or via a home visit.

If an agency isn't prepared to do any of these things contact the Equality and Human Rights Commission <http://www.equalityhumanrights.com> on their Equality Advisory Support Service.

Contact the EASS if you need expert information, advice and support on discrimination and human rights issues and the applicable law, especially if you need more help than advice agencies and other local organisations can provide.

Contact details for the EASS are as follows:

Phone: 0808 800 0082

Textphone: 0808 800 0084

Website: <http://www.equalityadvisoryservice.com/>

Post: FREEPOST Equality Advisory Support Service FPN4431



## **Voluntary sector agencies:**

Voluntary sector agencies get their money mainly from local and national government and from grant making trusts. They will not charge you for helping with your benefits. Some of them employ benefits specialists and can offer an extremely knowledgeable and professional service and some can pay for medical evidence to support an appeal – although this is much less common following the removal of legal aid funding.

## **Advice agencies:**

These are agencies whose main job is providing advice and information – they should be able to offer help with enquiries about any benefit. Many employ welfare benefits specialists. You can usually find numbers for advice agencies in your local Yellow Pages in one or more of the following sections: disability information and services; information services; social service and welfare organisations; counselling and advice.

### **Advice Northern Ireland**

To find your local independent advice centre in Northern Ireland, visit [www.adviceni.net](http://www.adviceni.net)

### **Citizens' Advice Bureaux (CAB)**

There are over 338 bureaux in mainland Britain, offering advice in 3,300 community locations. Look under Citizens Advice Bureau in your phone book or visit the Citizens Advice website at: [www.citizensadvice.org.uk](http://www.citizensadvice.org.uk)

### **Citizens Advice Scotland**

To find your nearest bureau, look under Citizens Advice Bureau in your phone book or visit the CAS website at: [www.cas.org.uk](http://www.cas.org.uk)

### **Disability Information Advice Lines**

Visit the Scope website at <http://www.scope.org.uk/help-and-information/dial-groups> to find out if you have a DIAL group in your area. Or you can telephone the helpline on 0808 800 3333. DIALs are staffed by disabled people and offer free telephone advice on benefits for disabled people, people with long-term health conditions and carers.

### **Shelter**

Shelter offers help with benefits, but generally only in relation to housing or if your home is at risk because of your benefits problems. For help call the Shelter helpline on **0808 800 4444** or visit their website at [www.shelter.org.uk](http://www.shelter.org.uk) for details of your nearest Shelter Housing Aid Centre.

### **Law Centres**

Contact details of your nearest Law Centre, where you may be able to get free advice and representation at appeals, are available from the Law Centres Network website at [www.lawcentres.org.uk](http://www.lawcentres.org.uk)

## **Disability and health related organisations**

If you are disabled or have a long-term physical or mental health condition, there is almost certainly an organisation that can offer you support. Some of the larger disability organisations have helplines where trained staff can help with some benefits queries and some employ a benefits specialist. A few organisations produce free or low cost guides to claiming benefits such as disability living allowance specifically for people with a particular condition.

In addition, there are often local groups with members who have claimed benefits and are prepared to share their experiences or accompany you to a medical or to a tribunal. Some mental health organisations, such as MIND, have advocacy projects with staff who will accompany you to medicals and hearings.

To find out about any groups dealing with your health condition, visit the websites below.

### **Contact a family [www.cafamily.org.uk](http://www.cafamily.org.uk)**

Although this is a site for families with disabled children it also contains a great deal of information that is of value to adults. The conditions index contains information on over 1,000 conditions along with details of support groups.

### **NetDoctor [www.netdoctor.co.uk](http://www.netdoctor.co.uk)**

This site features a support groups index with contact details for groups covering a very wide range of conditions.

[http://www.netdoctor.co.uk/support\\_groups/index.shtml](http://www.netdoctor.co.uk/support_groups/index.shtml)

### **UK Self-Help groups <http://www.self-help.org.uk/>**

Details of about 1000 self-help groups, including many relating to different health conditions.

## Solicitors

Be very cautious about engaging the services of a solicitor. Solicitors may charge you for help with benefits claims and will always charge you for representation at a hearing.

Before getting a solicitor to do any work for you, always ask them whether you are eligible for free help under the Legal Help scheme. If you are not, you could face a bill running into thousands of pounds for help with a benefits claim.

You also need to be aware that many solicitors have very little knowledge of welfare benefits and very few are as expert as an experienced welfare rights worker, so you need to select with care. You may also want to use these sorts of solicitors for relatively straightforward tasks, such as:

- writing letters on your behalf if the Department for Work and Pensions are being very slow making a decision;
- helping you make a complaint or ask for compensation if your benefits claim has been handled very badly.

## Civil Legal Advice

If you are eligible for Legal Help then the [Civil Legal Advice](#) service may be able to help you with some types of benefits appeal and with discrimination issues.. They will ask you about your income and savings before offering any advice.

Telephone: 0345 345 4 345

Minicom: 0845 609 6677

## Government agencies

### Department for Work and Pensions (DWP)

Your local Jobcentre Plus may be able to help check your benefits and do a better-off calculation if you are considering taking up work or training. Make sure you get a copy in writing, see *What you can get help with* for further details. You can get contact details of your nearest office from: <https://www.gov.uk/contact-jobcentre-plus>

### Her Majesty's Revenue and Customs (HMRC)

For information about tax credits and to get a claim pack, visit <http://www.hmrc.gov.uk/index.htm> or call 0345 300 3900

## Other sources of help

### Housing Associations

Some housing associations employ a welfare rights worker. If you live in a housing association property contact your local office.

**Doctor's surgeries**

An increasing number of surgeries and health centres have a welfare rights worker on the premises, part-time or full-time. Check with the receptionist.

**Local Authority**

Your local council may employ welfare rights workers who can help you with your claim. Start by asking your council's main switchboard if they can put you through to a welfare rights worker. If the operator doesn't know of one ask to be put through to the Social Services Department and if they can't help try the Housing Department, either department may employ welfare rights workers.

## What to take to an appointment

A lot of initial appointments connected with benefits don't get as far as they could because the client hasn't got all the information the adviser needs in order to offer them help.

The information you'll need to bring will depend on what you want help with. But if you want to make sure you have everything necessary, then try to bring all of the following, if you have them:

<b>What to bring with you</b>	✓
Your national insurance number, if you have one.	
Any letters telling you about benefits you've been awarded or refused.	
Recent letters you've had about your benefits. And the rate they are paid at	
Letters giving details of any tax credits or pension credit you receive	
Details of any savings or investments you have. (But it's safer not to bring actual bank books, bring a recent statement or just jot down a note of the amounts instead).	
Details of your mortgage payments.	
Rent book or details of how much rent you pay.	
Details of your council tax.	
Details of any occupational or other pension you receive.	
Details of any maintenance payments you receive.	
Details of the income of anyone you share your home with.	
Any forms you want help completing.	
<i>If you work:</i>	
Record of your hours, if they vary.	
Recent payslips or details of your earnings.	
If you've lost your job any letters saying why, giving details of your final pay, etc.	
<i>If your benefits enquiry is connected with your health also bring:</i>	
Contact details for your GP.	
Contact details for any specialists or other health professionals you see.	
Details of any medication you're taking.	