



Friday 10 March 2023

Northway Community Centre, 45 Dora Carr Close, Oxford OX3 9RU

Hosted by Mind

AGENDA

9.30 **Registration and refreshments**

10.00 **Introductions**

10.05 **Guest speaker:** [Fran Bennett](#), Associate Fellow, Department of Social Policy and Intervention, University of Oxford

Take-up - past, present, future

Fran has a particular interest in social security policy, gender issues, and poverty, income distribution and participation.

She has written on social policy issues for the UK government, NGOs and others. Most recently, with Prof Jane Millar of the University of Bath, she was specialist advisor to the House of Lords Economic Affairs Committee for its inquiry into universal credit (report July 2020). She has also been involved with local voluntary organisations, including the Agnes Smith Advice Centre in Oxford. Fran is a Fellow of the Academy of Social Sciences and a member of the policy advisory group of the Women's Budget Group.

11.00 **Break**

11.15 **Workshops A, B and C:** (see 'workshop options' below)

12.15 **Lunch** (not provided, some options locally or bring your own)

1.30 **Guest speaker:** Emma Vincent Miller, solicitor, Public Law Project

Recovery of official error overpayments and case update

The DWP has discretion to waive benefit overpayments, but rarely does so. This session will discuss the DWP's current policy on overpayment recovery and

preparing waiver requests. Emma will also update on the recent case of [R\(K\) v Secretary of State for Work and Pensions](#) in which the High Court found that DWP acted unlawfully in refusing to waive the claimant's UC overpayment debt, having wrongly advised her that she was entitled to the money.

2.00 **Guest speaker:** Daphne Hall, rightsnet

Seeking surviving co-habitees

Almost five years after the Supreme Court decision in *McLaughlin* [\[2018\] UKSC 48](#) and three years after the High Court decision in *Jackson and others* [\[2020\] EWHC 183 \(Admin\)](#), the DWP has finally brought in the Bereavement Benefits (Remedial) Order 2023 which enables surviving cohabitees with children to claim bereavement benefits following the death of their partner. While the Order only came into force on 9 February 2023, it has retrospective effect from 30 August 2018 bringing eligibility to individuals who would have had entitlement to either bereavement support payment or widowed parent's allowance as at that date.

This session explores the details of the Order - including how and when to make a claim, and how payments will be treated - and also seeks to discuss how NAWRA might assist in getting the message out to potential claimants, some of who may have been bereaved as long ago as 2000.

2.30 **Workshops A, B and D:** (see 'workshop options' below)

3.30 **Information exchange/workshop feedback/NAWRA updates**

4.00 **Close**

WORKSHOP OPTIONS:

Workshops A, B and C will run at 11.30am. Workshops A, B and D will run at 2.30pm.

When you arrive at the conference you will be asked to choose one workshop for the morning session and one for the afternoon.

If you'd like to facilitate a workshop at a future NAWRA meeting, please contact

kelly@nawra.org.uk

NAWRA workshop levels:

Introductory	Assumes little or no prior knowledge of the topic or a refresher session
Intermediate	Assumes a reasonable working knowledge of welfare benefits work or some knowledge of the specific topic under discussion
Advanced	Assumes a good working knowledge of welfare benefits work or detailed knowledge of the topic under discussion

Practical	Focusing on developing good practice or offering some 'hints and tips'
Theoretical	Focusing on policy debates or discussion of emerging theory
Strategic	Focusing on planning and put practical knowledge, and/or theory in to practice

A. Social Security Decisions and Aspects of European Directives & Sections

Patrick Hill

11.30am and 2.30pm workshop sessions

While the topic in question will, I suspect, raise the odd eyebrow or so, and, indeed, promote the odd yawn or two, its aim and presentation is intended to achieve quite the opposite. It is to introduce advisors to a surprisingly little used tactic in challenging decisions; whether via review, or, more likely, appeal. I speak of the use of the principles of EU Directives & Articles of the HRA. No, please, before the reader moves to another topic, this piece of work explains in the simplest and briefest of ways, that it dispels any mystique held by some about such an apparently lofty subject. The content will rely, in the main, on two issues 1) The case concerning equal treatment in matters of social security (79/7 EEC) of *Evelin Thomas & Others 'v' Secretary of State for Social Security*, and the guidance offered therein by Lord Justice Slade, and 2) the interaction between the *Thomas* case, and the general right to appeal offered in article 6(1) of the HRA.

Workshop level: Intermediate/Practical

B. Impact of freezing Local Housing Allowance rates

Atif Kaudri, Mind

11.30am and **2.30pm** workshop sessions

This continuous freeze is resulting in an average shortfall of £146 per month.

In November last year, the government announced that Local Housing Allowance rates will be kept at the level first set in April 2020. So, while rents are rising at their fastest rate in 16 years, many people are now finding their welfare payments are nowhere near enough to cover the rent. In fact, more than half of private renters who receive Housing Benefit or Universal Credit are in this situation.

The workshop will highlight the impact of the rent shortfall. Not only this makes it difficult to cover their housing costs, but they may also face difficulties moving to somewhere cheaper due to their circumstances. This will particularly be the case where a child has mental health or neurodiverse condition/disability such as Autism or ADHD. They would find moving house extremely difficult. As their parents need to look after them it is unlikely the parents would be able to make up the shortfall through work.

Workshop level: Intermediate/strategic

C. Housing Benefit and supported housing

Peter Barker, [HB Anorak](#)

11.30am workshop session only

The English Social Housing Regulator has been taking a keen interest in the rents charged by providers of “exempt” supported accommodation. This workshop looks at the typical breakdown of the rent payable for a supported housing scheme, including the costs that contribute to the “core rent” and service charges. With few self-funders in exempt accommodation, the costs are normally funded by HB. Local authorities are showing an increasing willingness to challenge what they regard as exploitative and excessive rents, both in the regulated social sector and in the charitable/voluntary sector. The workshop will summarise the mechanisms available to local authorities and the evidence burden they face if they want to take on a rogue provider. The session touches on “specialised supported housing” (SSH), properties owned by investors and leased to RPs, and the rather vague concept of “intensive housing management”.

Workshop level: Intermediate/Theoretical

D. Court of Protection Awareness Campaign (#COPAC): Mental Capacity, Financial Safeguarding & the Court of Protection

Tom Evans, [Qualia Law Community Interest Company](#)

2.30pm workshop session only

Tom Evans is a Solicitor and Court of Protection Deputy at Qualia Law CIC, a non-profit advice and support organisation specialising in mental capacity and financial

safeguarding. Qualia Law is the only non-profit in the UK to provide Court of Protection Deputyship by qualified Solicitors.

Tom will provide an overview of:

- the role of the Court of Protection
- the differences between a Lasting Power of Attorney and Deputyship
- recognising mental capacity and financial abuse
- how and when to refer for specialist advice

Workshop level: Introductory/Practical

LOCATION AND TRANSPORT

The conference will take place at Northway Community Centre, 45 Dora Carr Close, Oxford OX3 9RU.



By public transport:

- From **Oxford** railway station take the [number 14 bus](#) to 'Westland Drive shops' then it is a three minute walk along Maltfield Road to the venue.
- From **Oxford Parkway** railway station take the [number 700 bus](#) towards Thornhill and alight at 'Northway Copse Lane' then walk for ten minutes along Copse Lane to the venue.

For other bus routes check www.traveline.info or [Google Maps](https://www.google.com/maps) or www.oxfordbus.co.uk

By car: The venue is within a controlled parking zone which is in operation between 9am and 5pm so you will be unable to park on neighbouring streets. At the venue, there are only 15 car parking spaces available, plus 3 more for Blue Badge holders. If you park in the car park you will need to register your vehicle at reception to avoid a penalty notice. Instead, please use the [Park and Ride](#) if you can.

- From [Water Eaton Park and Ride](#) near Oxford Parkway railway station take the [number 700 bus](#) towards Thornhill and alight at 'Northway Copse Lane' then walk for ten minutes along Copse Lane to the venue.
- From [Thornhill Park and Ride](#) take the [number 700 bus](#) towards Kidlington and alight at 'John Radcliffe Hospital West Wing' then it is a ten minute walk to the venue.

- From [Redbridge Park and Ride](#) take the [X3 City bus](#) towards the city centre/Barton and alight at 'Northway Copse Lane' then walk for ten minutes along Copse Lane to the venue.

By bicycle: Plan your route using Oxford's [Transport Paradise](#) map. There are covered outdoor cycle racks on the far side of the centre. A shower and changing room are available.

ACCOMMODATION

Premier Inn Oxford City Centre Westgate is a centrally located budget option.

SOCIAL EVENING

NAWRA members will be meeting up for food and drinks from 7pm on Thursday 9 March at The Three Goats Heads, 3 St Michael's St, Oxford OX1 2DR.

ACCESSIBILITY

Accessibility information about the venue is available at [AccessAble](#). There is level access, a lift and an accessible toilet. There are three 3 Blue Badge parking bays.

If you have any accessibility requirements please contact kelly@nawra.org.uk so that we can make arrangements.

The meeting is free to attend but open to NAWRA members only. [Find out more about joining.](#)

If you have any queries about the meeting please contact
Kelly Smith, NAWRA secretary
kelly@nawra.org.uk

www.nawra.org.uk