



■ MEMBERS of the audience discuss how a tense scenario could develop and consider the characters' rights and responsibilities.

## theatreactive treads fresh boards

THE audience, pictured at a **theatreactive** performance at the Young People's Information Centre (YPIC), empathised with the hard-hitting story unfolding before them, and played a crucial role in directing the actors to resolve the crisis facing the central character.

YPIC is among several organisations which have benefited recently from the Harlow Open Door project, which is funding inter-active theatre as one way to help people access advice and information services.

Turn to page 6 to find out more

## Cash boost for debt advice

GOOD NEWS to start the year is that the Legal Services Commission is to fund Welfare Rights & Advice to provide more money advice.

This will help cut the waiting time before new clients can be seen for in-depth money advice casework, which has reached 14 weeks recently. Emergency action is taken where necessary before people are placed on the waiting list.

The LSC award is worth more than £23,000 a year, which will pay for a half-time adviser, plus management, admin support and other costs involved.

Apart from additional specialist adviser time, the money has enabled the service

*'We will help more people deal with their financial problems'*

to recruit a modern apprentice (see page 8). The support team will then take on more of the money advice case administration, which involves a large amount of routine correspondence.

The LSC award acknowledges both the proven need for specialist debt advice, and the ability of HWRA to carry out the work, as an agency which holds the LSC's quality mark for specialist advice.

A bid for funds has also been submitted to the Financial Inclusion Fund, which is part of the Department of Trade and Industry (DTI). The outcome will be known in March.

"Our hope is that the DTI bid will also be successful, as we would like to reduce the waiting list for money advice by being able to fund extra work," said Sue Jones, head of HWRA.

"Our main funding comes from Harlow Council, and we use the council's investment to attract additional funding. This in turn helps clients who seek advice in dealing with their financial problems to pay essential bills such as rent and council tax."

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## Tribunal raps Revenue for unfounded demand

**WHEN** the Inland Revenue (IR) decided that Ms C had a partner living with her, not only were her Tax Credit payments stopped, she was also presented with a bill for £10,000.

The IR claim was unfounded, but Ms C's attempts to resolve the problem failed. Her income dropped drastically.

She sought help, and then, with the help of our adviser, appealed against the IR decision on the grounds that she was a single parent who could prove she was not living with a partner, and who had not been claiming falsely.

The appeal succeeded, and Ms C learned that, far from owing £10,000, she was owed money by the IR.

At the appeal hearing, the chairperson criticised the IR decision, and thanked Welfare Rights & Advice for its help in bringing the appeal.

***Adviser's note:** Decisions involve assessing a number of factors which indicate whether two people are "living together". Even if two people share the same house, it does not necessarily mean they are a couple for benefit and tax credit purposes. (See article on page 4/5 for the position regarding same-sex couples).*

*Anyone who is told they are no longer entitled to benefit and/or tax credit as a single person because they are alleged to be part of a couple should contact Welfare Rights & Advice at the Advice Centre for advice and assistance without delay.*

## MOTHER CAN KEEP HER HOME DESPITE MORTGAGE ARREARS

**OUR** adviser met Mrs A at Harlow County Court, when she sought last-minute help in a bid to save her home.

The situation was that mortgage arrears had built up quickly when her husband had left Mrs A and their two children.

Although Mrs A had increased her working hours, she could not keep up with the second mortgage that had been taken out on the family home.

The mortgage company had refused to accept the £100 a month Mrs A offered to pay off the arrears and had taken court action to gain possession of the house.

The adviser went through Mrs A's financial circumstances, and saw that the £100 a month she had offered was more than she could reasonably afford.

He accompanied Mrs A at the hearing, and persuaded the court to make an order for £30 a month. So long as Mrs A keeps up the payments, she and her children will be able to keep their home.

Once this urgent threat had been dealt with, our adviser was able to work over many months with Mrs A to enable her to deal with the problems caused by the sudden cut in income caused by her husband's departure.

## Landlord's claim halved

**A BILL** for nearly £900 brought double worries to Mr B when he moved from his privately-rented flat.

He disputed he had caused the damage his landlord was claiming for, and he feared legal action by the landlord could result in a county court judgement (CCJ), which could lead to problems with his employer and credit rating.

Our adviser first helped Mr B to negotiate with the landlord's agents. This failed as the landlord went ahead with an application to the small claims court to secure the money.

Our adviser then helped Mr B assemble his defence of the

claim, because the amount claimed was unreasonable, particularly as it was in addition to his deposit.

The landlord then decided he wanted to settle out of court, and both sides agreed on £400 as a full and final settlement.

This outcome meant Mr B was not saddled with a CCJ against his name. For someone who relies on privately-rented accommodation, this is an important point, as a CCJ could prevent him obtaining future private tenancies.

In addition, Mr B is employed through agencies, and some employers require a credit check on agency staff.

# IT'S IMPORTANT TO BE AWARE OF YOUR EMPLOYMENT STATUS

**CLIENTS Mr D and Mr E had worked together at a building firm for several years until the work ran out and the boss told them he was letting them go.**

Both had been led to believe they were self-employed, and they had taken responsibility for their own National Insurance contributions and income tax.

However, they decided to check with Welfare Rights & Advice if they should have been entitled to holiday pay.

Our adviser examined their employment status and found Mr D and Mr E may actually have been employees.

This would mean they were certainly entitled to holiday pay, and also to redundancy pay and notice. Their dismissal may have been unfair.

An employment tribunal application was lodged by both men. However, the case did not reach a tribunal because the claim was settled, with both men receiving several thousand pounds.

*Adviser's note: It is important to establish employment status, and this is not always as clear as it could be. Most employment rights rely on someone being employed rather than self-employed, although with holiday pay this is not so.*

*Some employers maintain, wrongly, that someone is self-employed so that they can avoid their employer responsibilities. Paying their own National Insurance and tax does not necessarily make workers self-employed.*

## Our service can offer help via e-mail

**E-MAIL can be a boon for some people who cannot attend Welfare Rights & Advice at the Advice Centre in person; perhaps because of disability or illness.**

In fact, a client recently e-mailed the following to one of our housing advisers:

"I thank you most sincerely for all the information you have given me, which helped me to see things clearly, as well as having given me hope to carry on."

This client needed information on her housing rights and options, and on benefits. She was in poor health and unable to leave her home, and it was a friend who initially suggested she should contact us via e-mail.

In this case, our adviser could neither provide a clear solution to the client's problem nor intervene on her behalf. But she did give her accurate information on her rights and the implications of different courses of action.

"Our specialist advice service is for Harlow residents, with very few exceptions, such as people advisers help on the spot under the County Court scheme," explains manager Sue Jones.

"However, there are clearly benefits in offering a limited e-mail service, and for providing helpful information on our website.

"Generally, we limit our specialist advice to Harlow residents who can attend for interview, or

request a home visit because they are housebound, but we will provide information via e-mail and suggest making an appointment should further help be appropriate."

E-mail inquiries for information can be sent to [admin@hwra.org.uk](mailto:admin@hwra.org.uk), or refer to the website: [www.hwra.org.uk](http://www.hwra.org.uk)

## Meet the evening shift



■ Pictured (l - r) are SUE HANNINGTON, FRED FOX and SHIRLEY MCLAUGHLIN, who are the Advice Centre's cleaning and caretaking team. Sue joined Harlow Council in 1979 and has kept our building spick and span for 12 years. Shirley has recently become part of the team, after 26 years with the Council's cleaning team. Fred, who also undertakes caretaking duties, joined in 2004. All three also staff reception for the MP's surgeries.

# ENTERING A CIVIL PARTNERSHIP SOME CHANGES IN BENEFITS

**BEFORE** the Civil Partnership Act 2004, same-sex relationships were not recognised by the benefits system, and each one of a couple was required to claim separately.

Now, all same-sex couples will be treated in the same way as opposite-sex couples whether they have registered their partnerships or not.

This will mean that some people will find that they no longer qualify for benefits. For example, someone who claims Income Support (IS), but whose same-sex partner works full-time will no longer be entitled.

Benefit claimants in same-sex relationships are now required to notify the relevant benefit authority of their relationship. People who do not declare their circumstances may be overpaid benefit, with the implications involved when the money has to be repaid.

In relation to Tax Credits, single claimants, who are, in fact, one of a same-sex couple, must tell the Inland Revenue within three months of December 5. They will then need to make a joint claim.

Benefits affected by these changes include:

- Income Support
- Income-Based Jobseeker's Allowance
- Pension Credit
- Housing Benefit
- Council Tax Benefit
- Working Tax Credit
- Child Tax Credit

**FROM** December 5, 2005, people in same-sex relationships became entitled to form civil partnerships with the same rights and responsibilities as married couples.

This legislation changes the way same-sex couples are treated for the purposes of entitlement to benefits.

The Autumn 2005 *Welfare Rights News* featured the impact of civil partnerships on the benefits system.

Here, Lisha Whittet, benefits advice supervisor, explains some of the effects this new legislation will have on people who register civil partnerships.

Some other benefits, such as Maternity Allowance, Carer's Allowance, Incapacity Benefit and Severe Disablement Allowance, can include increases for a partner, and these will now be potentially available to same-sex couples.

If you have registered as a civil partner, you may become entitled to Bereavement Benefits or State Retirement Pension if your partner dies. (See item below in question-and-answer section)

However, if you already receive Retirement Pension based on your former spouse's

contributions, and you register a civil partnership, the pension will stop. This is the same for bereavement benefits.

For Child-Benefit purposes, if each member of a same-sex couple claims Child Benefit for their respective children, they will no longer benefit from receiving two payments of the rate for the eldest child.

People still receiving the protected lone-parent rate of Child Benefit will lose this if they become a member of a same-sex couple.

## HOW TO REGISTER

**A civil partnership is formed when each partner signs a schedule in front of a registrar and two witnesses.**

The first step is to give notice of the intention to register to the local Registrar's Office. In Harlow this is at the Water Gardens building, close to the Civic Centre, in The High.

Fifteen days after registering, the registration can go ahead. Apart from the registrar's office, numerous venues are approved for registration, but people cannot register a civil partnership at a religious venue.

For more information, pick up a free leaflet on Civil Partnerships from the Advice Centre.

# CIVIL PARTNERSHIP MAY BRING BENEFIT ENTITLEMENT



COLLECT this free booklet from the Advice Centre, or from DTI Publications, tel 0845 015 0010, quoting URN 05/1485.

It sets out details of the new Civil Partnership legislation, and how people can register a civil partnership. The autumn issue of *Welfare Rights News* explained several aspects of the legislation and the possible impact on benefits and other rights.

The Women and Equality Unit website provides more information about civil partnership on [www.womenandequalityunit.gov.uk/civilpartnership/links.htm](http://www.womenandequalityunit.gov.uk/civilpartnership/links.htm)

The gay rights organisation Stonewall has produced a mini guide to Civil Partnership under the title: *You're gay, you're in love. You want to be together forever ... Get Hitched!* Go to [www.stonewall.org.uk](http://www.stonewall.org.uk) for "Everything you need to know about civil partnerships".

## SOME QUESTIONS AND ANSWERS

THE snippets below cannot provide in-depth information to cover particular circumstances, but they may help clarify aspects of the implications of the changes.

### ***Might I lose Housing Benefit?***

Possibly. It would depend on your partner's earnings and savings. If your benefit goes down or you find you are not entitled at all, ask a benefits adviser to check whether the decision is correct.

Some couples may have another problem with their Housing Benefit. While your relationship wasn't recognised, you were counted as two single people and were therefore entitled to have a bedroom each. Now your relationship is recognised, you're only entitled to one bedroom between you. This may mean that some couples' Housing Benefit is reduced. If this happens, get advice from a benefits specialist.

It isn't a good idea to just not tell the office that deals with your benefits – you will have to pay back any benefit you received that you shouldn't have, and you could end up being fined or even be prosecuted for benefit fraud.

### ***What about Council Tax?***

Civil partners and same-sex couples living together will now be "jointly and severally liable" for Council Tax. This means that both you and your partner are legally responsible for paying the bill, even if your name is not on the account.

From April 1, 2006, same sex couples will be treated in the same way as heterosexual couples when applying for council-tax discounts and exemptions, and the way that Council Tax is recovered.

### ***Tax Credits?***

If you receive Tax Credits and you live with your partner, you must inform HM Revenue and Customs within three months. You will then make a joint claim, as though your circumstances had changed, and the new amount you receive will be based on your combined income and savings.

A fine of £300 could be levied on top of repayment of any overpayment of Tax Credits if you do not tell HM Revenue and Customs, so correct completion of renewal forms is important

### ***Bereavement Allowance or Widowed Parent's Allowance?***

You now need to inform the benefits office if you are living with anyone as a couple. Unfortunately, this means your entitlement to Bereavement Allowance or Widowed Parent's Allowance based on a former spouse's contributions will end.

### ***Non-means-tested benefits?***

If you receive some non-means-tested benefits, such as Disability Living Allowance, you don't need to tell the benefits office about your partner.

# SOME NEED NO LONGER ATTEND A WORK-FOCUS INTERVIEW

PEOPLE claiming Carer's Allowance and bereavement benefits, such as Widowed Parent's Allowance, Bereavement Allowance or Bereavement Payment, are no longer required to attend an interview at the Jobcentre as a pre-requisite for claiming.

The change came into effect on October 31 2005.

Although there is no obligation to attend an interview, people who want to

talk to the Jobcentre about work opportunities that might be available to them will be invited to do so.

This change does not affect people claiming Incapacity Benefit (ICB) or Income Support (IS) as a sick person, or IS as a lone parent who has been claiming for a year and whose youngest child is 14 or over.

These categories of claimants are still required to attend work-focused interviews as a condition for receiving their benefit.

Where someone is required to attend a work-focused interview, the Jobcentre can defer or waive the interview where it would not help the person concerned or could be inappropriate in the circumstances.

Examples of this include where someone is emotionally distressed; for example following relationship break-up or bereavement, or has a serious illness, or where benefit is likely to be paid for only a short time.

## LEAFLET GUIDES TO ADOPTION



SEVERAL government leaflets on aspects of adoption have been published in the wake of the Adoption and Children Act, which came into force on December 30, 2005.

They are available at the Advice Centre, and range from a guide to birth parents on changes in the law to benefits eligibility for adoptive parents.

## Actors engage new audiences in inter-active performances

SEVERAL Harlow organisations which work with people who may find it difficult to access advice and information services have hosted inter-active drama sessions in recent weeks.

The performances have been delivered by *theatreactive*, a professional theatre company which has developed powerful techniques for engaging audiences, and encouraging them to consider often-emotionally-charged situations which any one of us may face.

Harlow Community Legal Services Partnership initially funded three days a year of inter-active theatre in each of the town's six secondary schools through its three-year Open Door project.

The project is in its final months, and its expansion into community groups is the result of requests, based on the success of the work in schools.

The aim is to place difficult themes before audiences, and enable them to examine the legal aspects of some actions, and the rights and responsibilities everyone has.

The new audiences have included staff and clients of the Youth Offending Team, probation service, the Foyer and EYS, an employment training agency for young people.

Scenarios are tailored to audiences, and one explores family tensions, leading to eviction, homelessness, debt and loss of self-confidence and self-worth (see picture on page 1).

It is hoped that education providers and community groups will be able to fund future inter-active drama, now that the project has proved its worth.

Harlow CLSP received £164,000 from the Legal Services Commission to develop the Open Door project, which was one of seven projects selected in the East of England. Its three strands have each been designed to improve access to good advice and information for people perceived to be "hard to reach". A final report, with evaluation, will be delivered to the Legal Services Commission later this year.

## INCREASED CAPITAL LIMITS MAY MAKE CLAIMS WORTHWHILE

**THE CAPITAL limits for people aged under 60 and claiming means-tested benefits will change in April.**

In light of these changes, if someone has previously applied for benefit and been turned down because they had too much capital, it may be worth re-applying, or seeking advice, after the changes take effect.

At present, people under 60 who claim a means-tested benefit lose £1 each week from their benefit for every £250, or part of £250, they or their partner have in capital over £3,000.

From April, that limit will increase to £6,000 before a person's benefit is affected for income-based jobseeker's allowance (JSA) income support (IS), housing benefit (HB) and council tax benefit (CTB).

Benefit entitlement is calculated on a sliding scale and, the maximum capital level for claimants under 60 claiming income-based JSA and IS will double to £16,000.

This change brings the limit for those benefits in line with that used for HB and CTB.

### OVER-60s

The first £6,000 of capital is already ignored for people aged over 60 and claiming HB or CTB.

There are no capital limits used for pension credit. This means that some people may still be entitled to pension credit even if they have substantial savings, depending on their circumstances.

*Continued at foot of next column*

## More organisations are using BAMB for advice on benefits entitlement

**MORE organisations are taking advantage of the offer of a free computer programme which helps them and their clients to discover more about the benefits system, and whether they are eligible for help.**

The programme is called BAMB (Benefits Advice in Multi-Media), and it is being provided by the Harlow Community Legal Services Partnership through its Open Door project. This is the final year of the project, which has been funded by the Legal Services Commission.

After April, organisations may be able to buy an annual subscription to the software for less than £200 – much less than the market price – through the CLSP, which would retain the licence. The cost will depend on how many groups decide to participate.

Public access to BAMB is available at several venues such as the Advice Centre, Young People's Information Centre, Age Concern and Harlow Sportcentre's HOLLi suite. Organisations which use BAMB for their members include Surestart, Homestart, Victim Support, Harlow College, ITEC, Grandparents Association and the Adult Carers Project.

To find out more about BAMB, and the Open Door Project, and how it could help you, please contact Alan Humphreys, co-ordinator, on 07939 939709 or e-mail at [opendoorproject@googlemail.com](mailto:opendoorproject@googlemail.com) before the end of March. Alan has visited the organisations to brief staff on how to help others to get the most out of BAMB.

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## A new home support service for elderly

**AGE CONCERN ESSEX has set up a home support service for older people in Harlow.**

The service covers housework, shopping and collecting pensions, but it will not include personal care.

The aim is to help people live independently by providing a little extra help.

*Continued from previous column*

People aged over 60 can also ask for a backdate of up to 52 weeks when they claim a pension credit if they would have been entitled but for some reason did not claim. There are different capital rules for people in care homes.

For details of costs and how the scheme works, contact **Richard** on 01279 454304.

Other good news from Age Concern is that it has received a grant in partnership with Moat Care & Repair to set up a gardening scheme.

Overgrown and neglected gardens will be tackled, as will those that could be considered a safety risk because of high hedges or overhanging branches.

Once the worst of the work is done, volunteers will continue to maintain gardens. There is an hourly charge.

Contact Age Concern of 01279 415553 or Moat Care & Repair on 01279 454328 for more details.

# Modern apprentice joins support team



## ■ MEET Danielle Mathias, our new modern apprentice.

Seventeen-year-old Danielle, a former Stewards School pupil, will spend the next two years learning admin, customer care and IT skills while she works, and through day-release training and regular contact with an NVQ assessor and adviser.

Danielle will have plenty of support from two former

modern apprentices, Stuart Cunningham and Nikki Brierley, who are now fully-fledged support officers. Both completed Business Administration at NVQ 2 and 3 levels.

Before she applied to join Welfare Rights & Advice, Danielle had spent six months as a trainee dental nurse and had begun a college IT course. But she did not hesitate when the modern apprenticeship was advertised.

## Service from Welfare Rights & Advice

**HARLOW Welfare Rights & Advice is open each weekday from 10am until 4pm.**

Specialist advice is available on debt, benefits, employment and housing.

Assisted information is provided on a wide range of other subjects.

Out-of-hours appointments can be made if necessary, and home visits are available for house-bound people.

The number for out-of-hours messages for people in full-time work is 446777, and the number for inquiries during opening hours is 446622.

The e-mail address is: [admin@hwra.org.uk](mailto:admin@hwra.org.uk).

The website is: [www.hwra.org.uk](http://www.hwra.org.uk)

The free and independent service is primarily for Harlow residents. It is largely funded by Harlow Council and the Legal Services Commission.

The centre's address is: 2 East Gate, The High, Harlow, Essex, CM20 1MD.

## MONEY ADVICE FOR YOUNG PEOPLE



■ **WELFARE RIGHTS & ADVICE** adviser Roni Marsh (far left) and YPIC's Maryla Foley (standing) are providing money advice sessions to help young people who live at Occasio House in The High, where the The Foyer project provides supported housing.

## CAB to add a second outreach session

**HARLOW Citizens Advice Bureau at the Advice Centre is open on Mondays, Wednesdays and Fridays. To see a trained volunteer adviser, attend a drop-in session from 10am – 12 noon. Appointments can be made for 2pm and 2.30pm.**

A telephone advice line is available from 2 – 4pm on 0845 1203717.

The bureau also runs a drop-in session at The Gateway Centre in Staple Tye on Thursdays from 10am – 12.30pm, and is soon to offer an outreach evening session at the Young People's Information Centre.

## TWICE-MONTHLY MP SURGERIES

**BILL RAMMELL MP** holds surgeries for constituents on the first Friday of each month, from 5 – 7pm and the third Saturday, from 10am – 12 noon.

No appointment is needed, but people are asked to bring

all relevant information with them.

It's wise to check with the Harlow Welfare Rights & Advice Centre by calling 446622, in case of unavoidable changes in surgery dates.