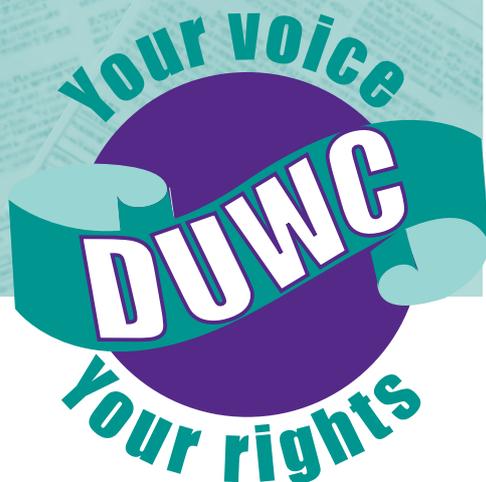




# Annual Report 2009

Derbyshire Unemployed Workers' Centres

# Who are we?



## What We Provide?

We provide welfare rights advice and representation on all aspects of Welfare Benefits for anyone who needs it.

Each year we deal with around 10,000 enquiries, represent around 200 people at tribunals and recover well over a 1.5 million pounds in one off payments and increased weekly benefits for the people of Derbyshire. The money we gain for people is spent in the local economy helping to preserve jobs and aiding regeneration.

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Established in April 1983, the Derbyshire Unemployed Workers' Centres are a part of a much larger network of TUC Unemployed Workers Centres. We aim to build unity between employed and unemployed workers, and campaign for full employment with quality training and jobs and a benefits system that allows people to live in health and in dignity.

However the impact of the recession has meant that more people are requiring our services, leaving the DUWVCs and its resources stretched to the very limit.

The effect that the recession has had during this past year is evident by the amount of people now queuing up for the advice services we offer. Whether advising on benefit issues or representing people at tribunals, our services are providing an invaluable source of help to people facing unemployment and associated issues.

Despite this economic backdrop and the lack of resources, we are still working hard to help individuals fight for the benefits and rights that they are entitled to. On the national level we are campaigning to tackle the crucial issue of poverty and miserly benefit rates.

## What We Stand For...

- Provision of a voice for unemployed, underemployed and unwaged workers.
- Provision of information concerning the issues facing people on benefits and credits.
- Campaigning on issues affecting unemployed people and related issues for the whole community.
- Provision of top quality, free advice and representation on all aspects of welfare benefits.
- Support for Trade Unions and other bodies in their efforts to save or create jobs.
- Research and dissemination of information on issues affecting employment and benefits issues.



## The Chairman writes...

**The unemployment figures continue to rise following the recession brought about by reckless financiers pushing the world economy to the brink.**

As is usual in a recession those hardest hit are not those whose actions, with scant regulation, caused the 'so called' credit crunch. It is those in insecure employment, in parts of the country already reeling from decades of industrial decline, who are, and will be, suffering the most.

With benefit levels so low, unemployment comes as a bitter shock to individuals forced out of work by the recession. Local Authorities, in the grand scheme of things can do little to act as a buffer against the pressure brought on by the global economic system. However, what

they can do is to try and give as much help and support to those affected by the slump. That is why North East Derbyshire District Council, Derbyshire County Council, Chesterfield Borough Council, and Bolsover District Council, continue to give grant aid to the DUWC and the many organisations in Derbyshire that give face to face help to those experiencing difficulties in and out of work.

There can hardly be a family in many communities of the former Coalfield area that has not at one time had a member who has needed the advice and support that the DUWC provides. I know the team of staff and volunteers at all the DUWC offices and outreach locations are being pushed to the limit with the increased demands on their time and expertise. On behalf of the funding authorities I would like to thank them for their continued dedication and the hard work



*Graham Baxter, Leader of North East Derbyshire District Council*

in delivering help advice and representation to all who seek assistance. The pages of this Annual Report are testimony to the efforts of all at the Centres whether giving guidance and support through difficult circumstances, or putting money in peoples' pockets with benefits take-up.

I hope you will be inspired by the content to lend your support in whatever way you can to make sure the centres can be there for your family should you ever need them.

### Paul Buckley

It is with great sadness that this Annual Report must again contain a tribute to another stalwart of the DUWC, our Chair, Cllr Paul Buckley.

Paul died suddenly on Sunday 17th January. He was 43 years old. I first met him shortly before he was elected County Councillor for Alfreton in 1992. He came with Stephen Harrison, one of the Alfreton Councillors on Amber Valley Borough Council (AVBC), to meet Bas Barker and myself in Chesterfield to explore the possibility of the Unemployed Workers Centre opening an office in Alfreton. There was nowhere in Alfreton and most of Amber Valley where people could access face-to-face advice on benefits and related issues around unemployment. Following that meeting, Paul and his colleagues set about the job of securing the financial support in order to bring about a service for Amber Valley based in Alfreton. Alfreton Town Council provided the premises in the ideal location on the High Street and the funding came from the AVBC. After the official opening in 1994, Paul gave practical help as well as joining the Management Committee. He



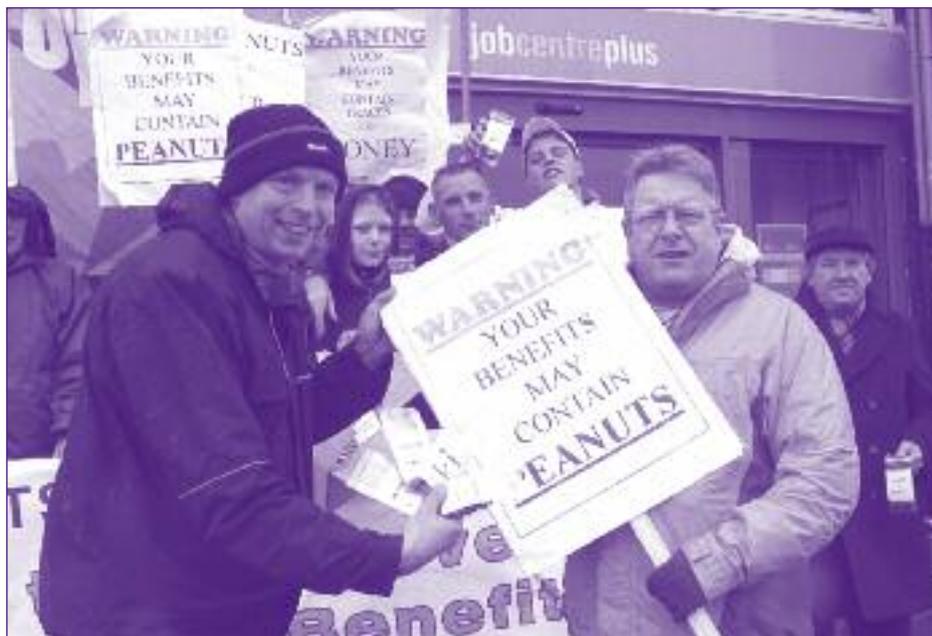
*Councillor Paul Buckley*

would liked to have become a Welfare Rights adviser but his visual impairment meant that the form filling and need to quickly read correspondence made the difficult task almost impossible. With the technological advances now at our disposal he may have been able to overcome some of the problems he encountered. He was certainly talented enough to do the job at the highest level. In 2000 he was elected Chair of the DUWC Management Committee after years of involving himself in the work and campaigns of the Centres. Sadly, the AVBC withdrew funding from the Centres and despite our attempts to reverse the decision we still have to rely on the Alfreton Town Council and Somercotes Parish Council to keep a service in the Borough. When you consider the effort that Paul and others put into establishing a Centre in Alfreton then I am sure all our supporters and funders will understand the reason why we have kept hold of our office, against all odds, and continuing to provide a limited service to areas in Amber Valley.

Paul was always available and willing to give me advice when I regularly rang him. He came on many a campaigning stunt with us and loved the comradeship and characters that have frequented the DUWC over the years. I will miss him greatly and his death is a massive loss to the Centres, the County Council and the people of Alfreton. **Colin Hampton, Co-ordinator**

# Peanuts4Benefits

This country's main benefit for unemployed people is Jobseeker's Allowance. The current rate for a single person aged over 25 is £64.30 a week (if you are aged under 25 it is worth just £50.95 a week.) Derbyshire Unemployed Workers' Centres have, during this recession, repeatedly been visited by well-paid workers who have lost their jobs; having believed the newspaper stories about the generosity of the benefits system, they are surprised and angry to learn just how low benefits really are. How, they quite reasonably ask, is anyone supposed to live on this?



*Campaigning outside Chesterfield Job Centre*

Unemployed people have to survive on benefits set at just a tenth of average earnings. The value of out-of-work benefits compared to earnings is lower now than in the 1980s and 1990s recessions; UK benefits for unemployed people are very low by international standards.

Some people may have redundancy payments or savings they can rely on, but most families that are affected by unemployment for more than a few weeks come to rely on their benefits. So the rate at which benefits are paid is vitally important.

## Unemployment benefits and earnings, 1970 - 2008

Date	Weekly out-of-work benefit rate	Weekly Average Earnings	Benefits as a proportion of earnings
1970	£5.00	£26.10	19%
1973	£6.75	£36.40	19%
1976	£11.10	£64.20	17%
1979	£15.75	£89.60	18%
1982	£22.50	£136.50	16%
1985	£28.45	£171.00	17%
1988	£32.75	£218.40	15%
1991	£41.40	£284.70	15%
1994	£45.45	£325.70	14%
1997	£49.15	£373.90	13%
2000	£52.20	£426.70	12%
2003	£54.65	£489.20	11%
2006	£57.45	£536.80	11%
2008	£60.50	£576.80	10%

If benefits become increasingly detached from the norms set by wages and salaries it is impossible for the system to protect people from the problems of meeting their commitments during periods of unemployment.

## Analysis

The situation is steadily getting worse. The TUC has analysed increases in average earnings and rates of unemployment benefits since 1970. This analysis reveals a steady decline in the value of benefits relative to earnings:

- During the 1980s recession, unemployment benefits were worth around one-sixth of average earnings.
- By the time of the early 90s recession, this had fallen to around one-seventh of earnings.
- In 2008 Jobseeker's Allowance reached a record low of one-tenth of average earnings.

## Earnings

If benefits for unemployed people had been increased in line with earnings over the last 30 years, JSA for a single person over 25 would not be £64.30; it would be worth over £100 a week. It is often argued by those who refuse to support the need for an increase in benefits that it has to be like this otherwise people would have no incentive to go to work. International comparisons show this to be nonsense. The British system is far less generous than most others. Scandinavian countries, for example, have higher benefits and higher employment rates.

## Adequate minimum income

The DUWCs continue to support the campaign for an adequate minimum income which would allow people to live in dignity helping prevent people from a descent into poverty which will cost all of society in the long run.

# Centres Continue to Oppose Benefit Sanctions

The distressing case of DUWC volunteer Zoe Smith emphasises the need for a continued campaign against Benefit Sanctions. Zoe, nineteen, came to see our advisor at our Alfreton office when four months pregnant. She later asked if she could give us some voluntary help and at the same time train as a volunteer advisor. Zoe informed the Sutton job centre that she had begun volunteering work. She was advised that as DUWCs were not a registered charity she would be classed as undertaking unpaid work, which would require further investigation. As a result she had her benefit stopped (and not reinstated when they were told she was not being paid) for six weeks. Whilst without income she was rushed into hospital as concern grew over her high blood pressure and severe pre-eclampsia.

Zoe gave birth eight weeks prematurely. DUWCs, incensed by the treatment of a volunteer in their care, instructed Pattinson & Brewer Solicitors to issue a formal complaint. They asked for an apology, compensation and an assurance that steps would be taken to ensure that this could not happen again.

Whilst admitting the service she had received was unacceptable, Job Centre Plus has continued to issue contradictory guidance that treat volunteers for organisations not registered as chari-



*The Unemployed Workers' Centres have opposed benefit sanctions since the introduction of JSA in the 1990's*

ties in a different way, looking at why the work is unpaid and whether it should be assured that payment has been made (so called notional earnings).

No compensation has been paid at the time of writing with Job Centre Plus asking for medical records throughout her pregnancy.

Job Centre Plus say they paid the arrears of her benefit within their time limits so she is not due any monies.

DUWCs are working hard to highlight the unbelievable situation under the Job Seekers Allowance system where a pregnant woman can be denied income. We are sure that, whatever your views on benefit sanctions it is impossible to justify stopping the money of a pregnant woman. It is punishing a woman, unlikely to find work at such a time (and in a recession!) as well as the health of the unborn baby. We will be raising the issue with MP's to try to change the law on this issue.



*Large ECP demonstration in Trafalgar Square*

# End Child Poverty

In October 2008, DUWC staff, volunteers, supporters and their families attended the End Child Poverty Rally in London. We joined up with more than 10,000 other people from around the country who came armed with whistles, drums and a wide variety of instruments to get the message through to the Government that they should honour their promise to end child poverty by 2020. The march began at Millbank and ended in Trafalgar Square, taking in Whitehall along the way just to make sure that Downing Street heard the noise.



*Derbyshire End Child Poverty contingent making a noise*

## Unemployed Workers' Centres Conference 2009 *An Alternative Vision for the Welfare State*

The DUWC, along with other major anti-poverty campaigning bodies including Oxfam, Save the Children, and the UK Coalition Against Poverty combined together this year to organise the Unemployed Workers' Centres Poverty conference 2009. The aim of the conference was to highlight the current issues with the present welfare and benefits system, and gave us the opportunity to discuss a benefits system that would sustain people and children in dignity not poverty. Informative sessions were held throughout the day on the dangers of the widening gap of income inequality, the issue of 'rights and responsibilities', minimum incomes, in-work poverty and dignity for Department of Work and Pensions Workers as well as claimants.

The conference is only a starting point for this discussion. We will actively work alongside other anti-poverty organisations to develop prospective policies regarding benefits within a welfare system for the future.

# European Anti-Poverty Network

The DUWC continues to play an active roll in our National and European activities. The Co-ordinator has attended the Employment Working Group of the European Anti-Poverty Network and has been involved in the Minimum Income Campaign. The Centre is helping in the production of a video, along with four other countries, highlighting good and bad practices in bringing unemployed people closer to the Labour Market. We are also working together with colleagues in Europe to produce journals/diaries of unemployed people through the recession – outlining their dealings with employment services and other authorities as well as logging the difficulties in making ends meet. We will utilise the findings to further our ‘peants4benefits’ and Minimum Income campaigns.



*EAPN Employment task force 2009*



DUWCs remain active in the Get Fair campaign, which brings together more than 50 organisations in a coalition to end poverty in the UK by 2020. By uniting the voices of children’s and older people’s organisations, refugee and disabled groups, housing groups, faith and community groups already working to alleviate poverty we will send our message loud and clear.

In June we lobbied our MP’s, with constituents raising issues and asking for support to be pledged. We emphasised the need to make sure that the poor do not pay for the recession and that our MPs should work to make sure that the unacceptable gap between rich and poor be tackled.

## Our Supporters

Local Councils at every level continue to provide the solid base on which we build our service.

### Thanks to:

- Derbyshire County Council
- Chesterfield Borough Council
- North East Derbyshire District Council
- Bolsover District Council
- Alfreton Town Council
- Brimington Parish Council
- Clay Cross Parish Council
- Clowne Parish Council
- Eckington Parish Council
- Grassmoor, Hasland and Winsick Parish Council
- Old Bolsover Town Council
- Pleasley Parish Council
- Shirebrook Town Council
- Somercotes Parish Council
- Staveley Town Council
- Warsop Parish Council

### Thanks also to our project funders:

- Various local charitable trusts
- Awards4All
- Alliance SSP
- Coalfields Regeneration Trust
- Derbyshire Community Foundation
- Salcare Heanor
- Staveley Neighbourhood Management
- Sutton Cum Duckmanton Relief in Need Charity
- TUC

**And most of all to our regular individual contributors and claimants making contributions - giving something back for the support they have received.**



*Sarah Walters*

Sarah raised more than three quarters of a million pounds in project grants, as well as maintaining our various workplace giving (OFFA) schemes, and conducting various countless fundraising activities.

Sarah said 'Working for the organisation has been an experience that I will never forget and I am sure that I will continue to draw on it for the rest of my working life. I have made lots of friends along the way and hope to keep in touch with people and monitor the Centres' future progress'.

Sarah will be greatly missed as she has been integral to the development of the organisation over much of the last decade. We wish her well in her new job and every success in the future.

This year she was successful in bringing £100,000 CRT funding to Derbyshire of which over £32,000 is for DUWC activities and management of the project. £13,700 was raised from an application to the Society for the Assistance of Ladies in Reduced Circumstances. This will enable us to employ a female part-time worker to give benefits and credits advice to elderly women who may prefer to deal with a designated female adviser. Sarah secured a small grant from Derbyshire Community Foundation for a

## Goodbye to Sarah Walters

**Sarah Walters, our OFFA Fundraiser for almost 9 years has left the DUWCs to start a new job at the Holocaust Centre at Laxton, Notts.**

grant to cover training costs in relation to Tax Credits. We were awarded the money from the Rolls Royce funding pot.

At the beginning of the year Sarah was successful in obtaining £11,700 from the Alliance SSP to fund a Benefits and Credits take-up campaign in Bramley Vale and Doe Lea.

### Excellent Bid

As well as these successful funding applications there was much time and effort spent on those that were not successful. An excellent bid was developed and submitted to the National Lottery Research Programme in relation to proposed research to be conducted by DUWCs and the Newcastle Centre Against Unemployment into Jobseekers Allowance Benefit sanctions and their affect on families with children. We will be resubmitting this application to other funding bodies as the research is becoming more and more necessary as can be seen with the case of Zoe

Smith on Page 4.

Before Sarah left she completed a bid for financial support from the Cabinet Office Hardship Fund and also via the Bolsover Financial Inclusion Strategy. We await the outcome of her efforts.

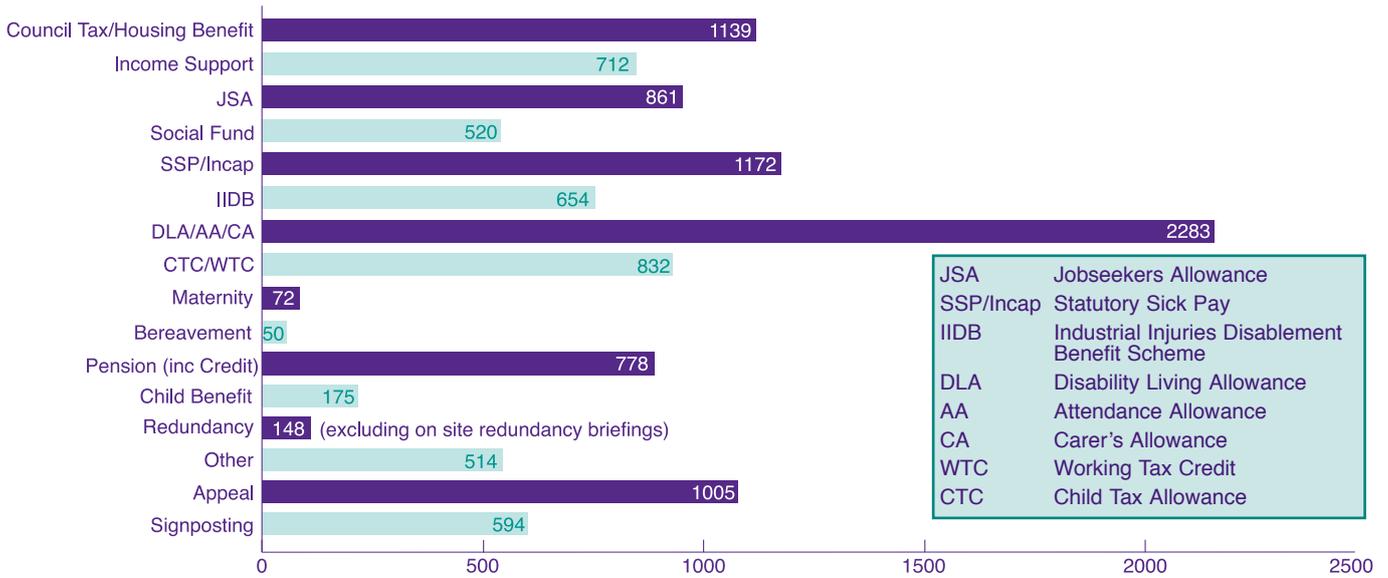
Sarah's fundraising did not end with the cheques going into the bank – these days every funding bid requires copious monitoring and reporting which can be both complicated and time consuming.

An increasingly important source of financial help comes from the donations of claimants that we have helped throughout the Year. The Annual total from this source was just over £2500. Considering the difficulties many people are in this is as valuable to us as the biggest grant!

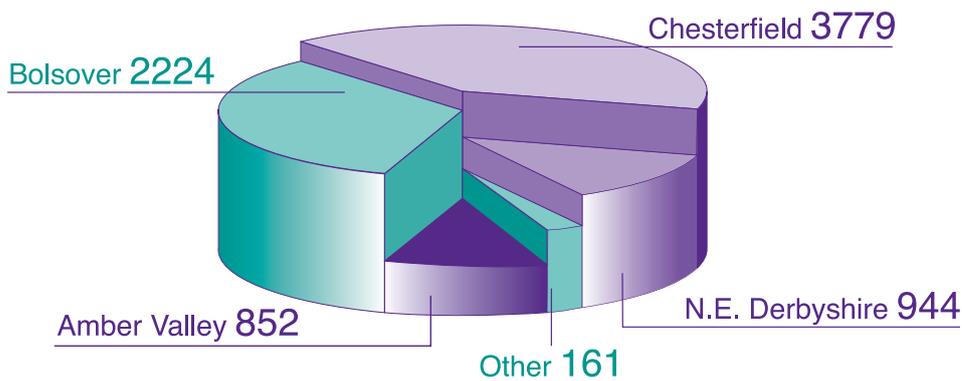


*Local Government Minister John Healey with Sarah Walters from Derbyshire Unemployed Workers Centre and CRT Chair Peter McNestry*

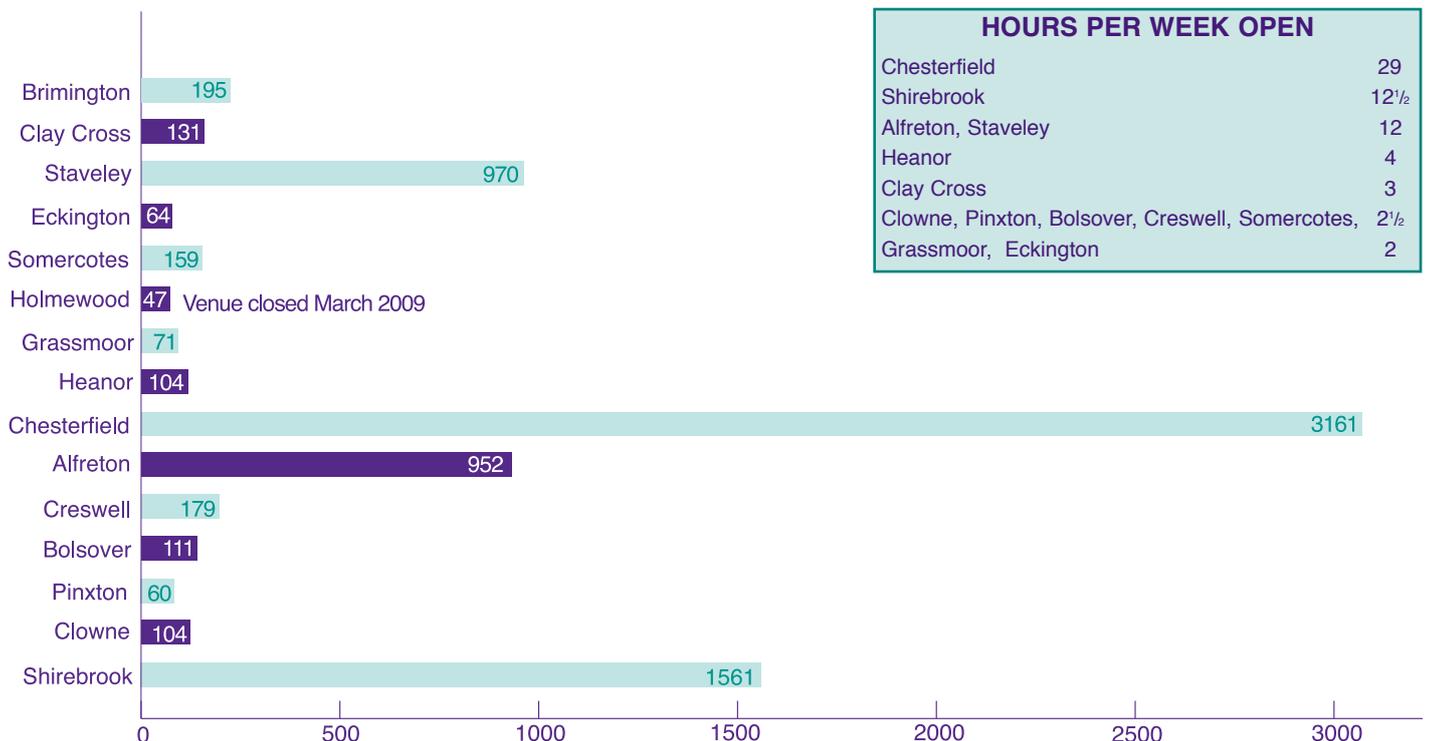
## ENQUIRY TOTALS 2008/2009



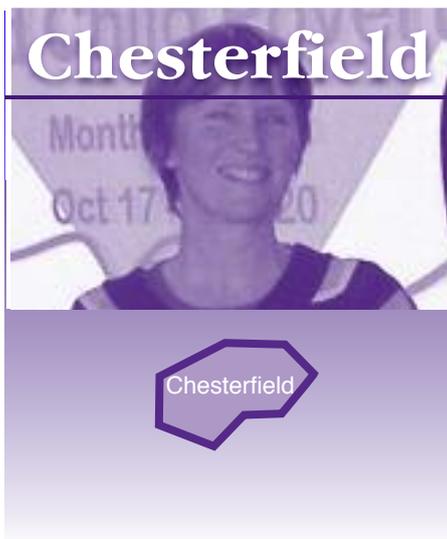
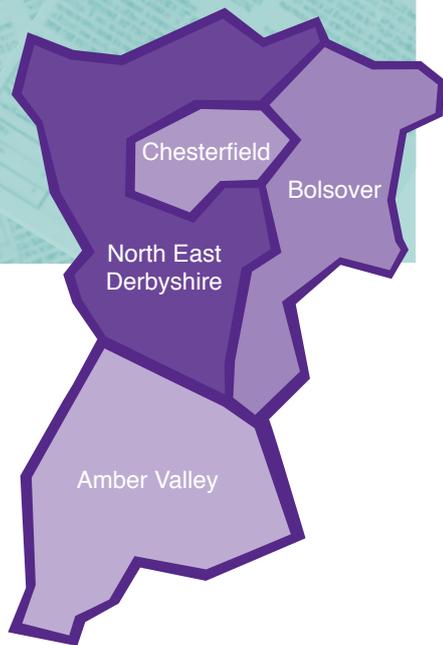
## ORIGIN OF ENQUIRIES



## VENUE CALLER TOTALS 2008/2009



# Around the area



## Chesterfield

Operating from the smaller premises on Saltergate has been challenging to say the least. Even before the recession we were struggling to accommodate all those who were seeking advice. During the period covered by this annual report the Chesterfield Centre has seen a rise of more than 30% in enquiries year on year. People seeking help have had to be patient and put up with a cramped waiting area, or be prepared to make the visit later when the queue might have died down. The urgent nature of many of our

*Thanks so much. The award will allow me to live a bit better.*

**Mr. B.  
Chesterfield**

enquiries and our desire to help those hardest to reach has meant that we have kept our open access policy. Many come to us with crises that cannot be put off for an appointment. However, the situation is not ideal with people already experiencing problems having to endure poor and cramped facilities. For some the situation is worse as they recall stressful moments sitting in the same building 20 years ago waiting to take their driving test!

If the building isn't first class then our staff and volunteers have been; Hilary Cave, Katrina Hudson, Tim Wilkinson, Jim Miller, Sarah Smith and Caroline Tipple have worked hard and long to give help to those newly out of work, or seeking help with in work benefits and credits, sickness or caring responsibilities. An increasing number of people have been seeking our advice with regard to in work problems, a good percentage of referrals to the Law Centre coming from initial enquiries to our offices.

We have had an increased number of new volunteers at the

**A** Chesterfield Claimant visited our centre regarding an appeal. Our Advisor established via a discussion that the premium which should have been paid with the benefit the claimant was appealing against had, in fact, never been in payment. After consultation with the DWP, the claimant was then refunded over £6000 in arrears of benefit.

**A** Chesterfield woman, who is the main carer for her Granddaughter, had received notification from HMRC (after she'd sent her annual declaration in) that she had been overpaid £1,600 in Tax Credits. When we looked in to this, it appeared that HMRC had made an error in respect of her occupational pension. The woman had disclosed the correct figures, and it was HMRC that had made an official error. After several months HMRC accepted their error and the 'overpayment' was cleared.

Chesterfield Office but the size of our premises has limited the number we are able to train.

Snowy (John) Bradley has staffed our Brimington session at the Community Centre, supported by the Parish Council. As word has spread of our service, the numbers using the service have increased with some notable success stories. We have also been able to take on two volunteers from Brimington during the year.

## Staveley Outreach

In September, it was with great sadness that the Staveley Neighbourhood Management Project (SNM) came to an end. The project has been a focus for co-ordinated activity for both economic regeneration and support for those out of work in its many areas of involvement.

Our advice sessions this year have been supported by SNM and Staveley Forward, as well as crucial support from the Coalfield Regeneration Trust (CRT). The CRT made £50,000 available in the light of the recession for Debt Management and Income Maximization.

The DUWC led a partnership project involving the Chesterfield Law Centre, Chesterfield CAB and Erewash CAB to provide extra help to people in Staveley and

*I would like to acknowledge the help and support and show my many thanks to the people who work for the DUWC because without the help I have received I feel that my case would have gone unheard.*

**Mr .W.  
Brimington**

Ilkeston. This support has been much needed as the recession has hit hard. It has meant that we have been able to support more people as can be seen by the 80% increase in the number of callers.

The big worry is that when the money runs out in March 2010, there is no funding to keep the Staveley Advice sessions going at The Learning Matters Centre on High Street. As well as the loss of an essential service, it will also leave a fine building, with full disabled access unused in the middle of a recession. The DUWC has done its utmost to bring this dire situation to the attention of the

**M**r and Mrs A, a couple in their 30s from Mastin Moor, first came for help and advice a few days before Mr A was due to be made redundant in May 2009. They wanted to know what benefits they were entitled to claim and how to go about claiming. Mrs A is disabled from childhood and already gets Severe Disablement Allowance and DLA and their son aged 12 gets DLA for learning disabilities. We advised Mr A to claim Jobseekers Allowance, Housing Benefit and Council Tax Benefit and then gave some practical help with completing the lengthy claim forms. We also identified that Mrs A should be entitled to claim Carers Allowance for the care of her son and that this would give an additional premium of £29.50 a week added to the JSA claim. We helped her to complete the claim form for CA. We also reminded them to make sure that they informed Tax Credits of the change in household circumstances so that Child Tax Credits could be reviewed. Mrs A also asked us to help her to complete a claim for free school meals for her son.

With our help, this family currently has full Council Tax and Housing Benefits (total value £80/week) and Mr A is getting JSA at a rate of £86.50/week. Meanwhile, Mr A has been actively seeking work with the help of the local Jobcentre.

authorities and continues to look for support so the people in Staveley can easily access the help they need.

Volunteers from Staveley have been crucial to the delivery of the service. Nicola McManus, Angela Webster and Nicola Ferrara have provided Kathy Farr with great support and helped staff reception at these former college premises.

*In April, my son came to your office with regards for claiming mobility. It was rejected the first time but due to your persistence an appeal was accepted.*

**Mrs .W.  
Chesterfield**

**M**r B from Staveley came to see us in July because his Income Support payments had suddenly been stopped and he did not understand why. He gets Incapacity Benefit, DLA and industrial Injuries Disablement Benefit.

From enquires to the DWP, we established that Mr B had been getting the Severe Disability Premium as part of his Income Support entitlement but this had been lost because his son was now classed as a non-dependent adult from his 18th birthday. In further discussion with Mr B, we found out that his son was still at college studying a level 2 course. Mr B had not been claiming any Child Benefit for his son since his son left school at the age of 16 despite the fact that his son had been at college. We helped Mr B to make a backdated claim for Child Benefit and we negotiated with Income Support to ensure that they were aware of the situation and did not close his claim down. We also informed Housing and Council Tax Benefits that Mr B had applied for Child Benefit for his son and helped Mr B to complete the necessary forms to keep his claims ongoing.

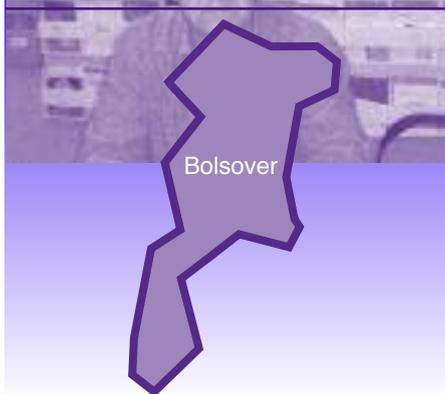
Mr B has recently had the letter to confirm that Child Benefit for his son is reinstated and backdated by the maximum allowed. He received a lump sum of £400 and will get an additional weekly £20 in Child Benefit. He will also be eligible to claim Child Tax Credit for his son for this tax year. His Income Support of approx £20 per week will be reinstated along with his full Housing and Council Tax Benefit payments, both to be backdated to early July.

During the suspension of his Income Support, he has accumulated debts which he can now pay off using these lump sums. By claiming Child Benefit, Mr B is in better financial position to support his son while he gets his qualifications at the college.

**M**r C receives State Retirement Pension with Pension Credit top up. He received a letter from Carers Unit of DWP to say he had an underlying entitlement to Carers' Allowance going back to 2005. We wrote a letter to the Pension Service on his behalf to request that his claim be revised and backdated to take this information into account. Initially they agreed to backdate the Carers' premium to Mr C's Pension Credit to May 2009. We made an appeal asking that full backdating to 2005 should be applied because the DWP had never correctly applied the rules for CA to Mr C's case. Mr C recently received a lump sum payment of £2,700 in backdated Pension Credit. He has decided to use this for home improvements (double glazing) and has employed a local firm to do this work.

His entitlement to a Carers' premium also means that he is now entitled to Housing and Council Tax benefits totalling £34.36/week.

# Bolsover District



## Bolsover

Over the last twelve months our advice team have had to deal with the effects of both recession and the Governments Welfare Reforms, thrust upon the communities of the Bolsover District. With the help of Keith O'Neill, Gill King, Cindy Andrews, Mike Houghton, Allison Hallam and of course Natalie Woodward coming to the rescue every now and again, the team at Shirebrook have coped with a difficult year. With levels of unemployment not seen for many years (Bolsover being



The Team at Shirebrook

one of the hardest hit areas in North Derbyshire) and the introduction of the new Employment Support Allowance (replacing

*"Yesterday I attended a tribunal in Chesterfield to overturn the decision on my case, and with the help from the DUWC my appeal was found in my favour and I can now resume to claim ESA."*

Incapacity Benefit for most new claimants), our services have been stretched to the absolute limit.

From our centre in Shirebrook and our outreach venues in Creswell, Clowne, Bolsover and Pinxton, advisors have reported a steady rise in the number of people facing lay offs, redundancy or short time working, as well as those with ESA related problems. Many residents are finding that once in receipt of ESA, they then struggle to remain entitled to it; the all new Work Capability

A 64 year old single woman came to visit our outreach venue in Creswell back in the spring of 2009. She was quite nervous and became a little distressed during the interview. She indicated that she had multiple debts including some priority ones such as gas and electricity, with some substantial arrears needing to be paid. We made arrangements for her to see a debt advisor; we also carried out a full benefits check to try and find out if we could help increase her overall income. We identified that she had long term health problems; she had suffered for years with mental health problems. We discovered that she was in receipt of Pension Credit and Severe Disablement Allowance and Housing/Council Tax benefit. She had in her possession some letters she had received in the past from the various benefit Departments. She also had bank statements which we checked to establish what she was actually receiving.

We uncovered that at some point in the past her SDA had stopped being paid in to her bank account, which certainly explained the problems she was having paying her bills from week to week. She had not checked why her benefit had stopped and appeared very confused; even genuinely believing that she was no longer entitled to the benefit. She had used up what little savings she

did have trying to pay the utility bills, but could not continue doing so once her savings ran out. We contacted the Incapacity Benefit Section who informed us that as far as they were aware the Pension Service should be paying the Severe Disablement Allowance to the woman. We contacted the Pension Service who informed us that the responsibility was with the local office as the benefit had ceased being paid with Pension Credit some time ago.

We again rang the Incapacity Benefit Section at the local office and did manage to speak to a line manager, who took the matter away with her and rang back half an hour later informing that she had identified the problem and would sort it out very soon. The woman's SDA was re-instated a day or so later, with a few thousand pounds worth of arrears which did ease the woman's financial worries. We also helped her make a successful claim for Disability Living Allowance which further increased her income by approximately forty pounds a week.

At the end of her visit to us in Creswell, the woman was a little happier and could not thank us enough, and did say that she was glad she had found the courage to drop in at our outreach.

Assessment seems to favour those claimants with the more severe conditions or disablement. Large numbers of people are either scoring very low on the medical assessment or receiving no points at all. Had these claimants been assessed under the old incapacity benefit rules using the Personal Capability Assessment, they possibly would have been found incapable of work. It is the Governments intention over the next few years to reduce the numbers of those claiming sickness related benefits, and have made the necessary changes to the method of assessment to achieve this aim. There are a growing number of people turning to us for help following the receipt of decisions informing them that they are capable of work and no longer entitled to benefit.

## ESA

So how is Employment Support Allowance working? Figures from the National Association of Welfare Rights Advisors (NAWRA) make for interesting reading.

- Two thirds are failing the Work Capability Assessment nationally, up to 90% in some areas
- The Department of Work and Pensions anticipated a 51% failure rate at the medical assessments
- On Incapacity Benefit 39% failed the Personal Capability Assessment
- Most of those failing the new Work Capability Assessment are claiming Job Seeker Allowance or coming off benefit, rather than taking up work

When consideration is given to those appealing against Employment and Support Allowance decisions and the outcomes at Social Security Tribunals, the latest statistics from NAWRA reveal that under ESA only

## Sorry but all our lines are busy

**W**ith the introduction of any new benefit, you would expect teething problems, and a few administrative slip ups, however you would not expect the difficulties encountered by one Shirebrook man.

He claimed the new Employment and Support Allowance back in November 2008. In March 2009 he was asked to attend a Work Capability Assessment at an examination centre. Following the assessment he received no correspondence regarding the outcome. In May 2009 he rang the ESA section in Nottingham to informing them that he had changed banks and needed to provide new bank account details. Whilst on the phone he enquired as to the outcome of his medical assessment back in February.

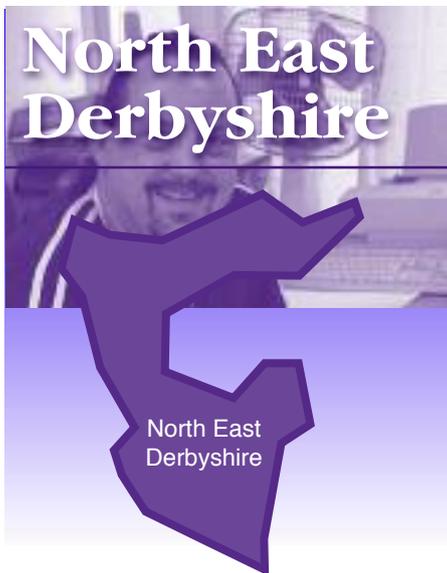
The man was told that he had indeed passed the medical and would receive an increase in benefit in the near future. Nothing happened; no new increase in ESA; and then he received a letter requesting that he attend a Work Focussed Interview at the Shirebrook Job Centre in June 2009. No sooner had he arrived in the building he was told that he should not be there, because it had come through on the electronic system that he had failed the assessment which he attended in February. When he came to see us at our Shirebrook centre in June 2009, he was quite distressed. The first thing we tried to do was contact the ESA section in Nottingham for an explanation. The message we got then and on other occasions was "we are sorry but all our lines are busy, please call back later"

30% of appeals are favourable as against 51% under Incapacity Benefit. Our own statistics are definitely in line with those produced by NAWRA; over the last few months of 2009 we have seen a marked increase in those seeking to appeal against ESA decisions.

We tried to get a response by firstly writing to and e-mailing the ESA Manager in Nottingham on the same day; no response. A few days later the man's benefit ceased to be paid; he also received a letter informing him that he had failed the Work Capability Assessment but with no details as to why he had failed. So this man had no benefit and no real grounds for making an appeal. We decide to appeal highlighting the mans plight and why we could not give proper reasons for appealing (confused ) It was at this point we decided to bring in the heavy artillery. We e-mailed both senior Job Centre Managers and the man's local Member of Parliament, giving a history the case and the mistakes made by ESA staff. Within a few hours we had a phone call from Derby Benefits Delivery Centre apologising and informing that a new decision would be sent out allowing us to provide grounds for an appeal; benefit payments were quickly reinstated. A few days later we received a letter from a Job Centre Plus District Manager, confirming that the mans problems were due to official error and maladministration, on the part of ESA staff. A full apology was given and a guarantee that a special compensation payment would be considered once the case had been to Tribunal.

At the time of writing we are still waiting for a Tribunal date. We continue to have major problems with the administration not only of ESA but most benefits; we continue to raise issues with Job Centre Management at every opportunity.

As we approach the end of 2009 and look to the year ahead we know that times will continue to be hard for many within the Bolsover District. The DUWC's are committed to helping those affected by recession, unemployment and the ongoing changes to the welfare benefits system.



## North East Derbyshire

Our Eckington, Clay Cross and Grassmoor advice surgeries have been increasingly busy. There has been some notable success stories resulting from the enquiries of residents accessing advice at outreach and main centres. Support from Parish Councils has been welcome as the recession bites.

The Centres have agreed to help at Credit Crunch Roadshows in Killamarsh and North Wingfield and have conducted a number of Home Visits in parts of the district where we do not have an easily accessible community venue. Volunteers recruited in North East Derbyshire include Glyn Power and Jane Marriott whilst Sarah Smith has boosted the numbers of people asking for our help in the Eckington area.

**W**e received a referral concerning an Eckington couple where the husband was terminally ill. We carried out a home visit and made claims for Attendance Allowance via Special Rules, and, following discussion, realised that their Housing and Council Tax Benefit award was incorrect. After liaising with the local authority it was agreed that our calculations were correct and their award was increased.

**A** Clay Cross Claimant visited our centre: the claimant had been advised that as he had savings over £16000 he was unable to claim Housing and Council Tax Benefit. After discussion with a Welfare Rights Worker, it was established that the claimant was on Pension Credit Guarantee, and therefore was entitled to full Housing and Council Tax Benefit of £66.21 per week Housing Benefit and £19.52 per week Council Tax Benefit. The revenues section was contacted and these benefits were then put into payment. In addition, the claim was backdated for three months and arrears of £895.71 Housing Benefit and £240 Council Tax arrears were paid to the claimant.

*Recently, my wife and myself, sought information and advice from Derbyshire Unemployed Workers Centres, in Chesterfield, they were very helpful and courteous.*

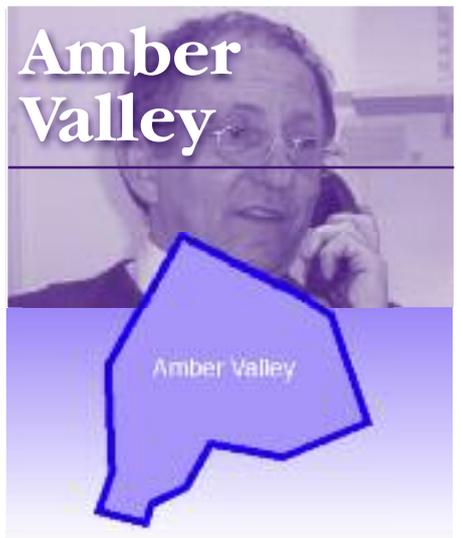
*After an interview at the Centre, they sorted out our situation, for which we are very grateful.*

*I wish to commend them for being there to help people.*

*Our grateful thanks*

**Mr and Mrs .M.  
Dronfield**

We have received many referrals from agencies within North East Derbyshire. In the Summer we put on a roadshow in Dronfield Town Centre where we dealt with enquiries in the Civic Centre and distributed publicity material in the street to raise awareness of the full range of advice services available to the people of North East Derbyshire.



## Amber Valley

Snowy Bradley has been staffing our Alfreton Office as well as the Somercotes and Heanor Advice Sessions. Our thanks go to Alfreton Town Council and Somercotes Parish Council for their support. A special thank you goes to Heanor Salcare who have successfully sought funding – when all had seemed lost- to keep providing our service out of their Ray Street premises.

At Alfreton, the CRT put in £50,000 to help provide Debt Management and Income Maximization. This allowed DUWC to head up a project which brought together the Mid Derbyshire-CAB and Chesterfield Law Centre. Based at our Alfreton House Office we are now able to

**A** Clay Cross Claimant visited our offices regarding a Housing and Council Tax Benefit overpayment. This debt had resulted in the claimant receiving a notice seeking possession of their home. This situation was discussed with a Welfare Rights Worker and consequently it was established that a non dependant deduction had been incorrectly applied. The revenues section was alerted to this case and this resulted in £1668.92 in Housing Benefit and £256.15 of Council Tax Benefit overpayments were written off.

assist with employment enquiries, debt advice as well as benefits and credits advice and take up. This extra help has led to over 100% increase in the number of people using the service with our office being open an extra morning. As an added bonus the Mid-Derbyshire CAB is now moving its generalist service into our Alfreton Centre meaning that the premises will be better utilised. Their central position in the town is a real positive serving communities that gravitate towards Alfreton such as South Normanton, Tibshelf, Leabrooks, Swanwick and Ironville to name but a few.

The sad loss of Councillor Paul Buckley, who fought hard to establish and maintain a service for the people of Alfreton has made us work even harder to ensure his efforts were not in vain. His brother Paddy is joining as a volunteers alongside Zoe Smith and Jethro Waldron. Heather Riggott and Jade Surah, two university students, helped

through the summer at Alfreton and Staveley documenting the cases when the Centre had gained lump sums and additional weekly incomes for people as a result of

their enquiries. They have now returned to their studies but their help was appreciated and will provide evidence and case studies for the CRT project.

**A** 75 year old Alfreton man came into the High Street office saying that he had been advised through word of mouth to come and see us to see if he was entitled to anything. He told us that he had never claimed his old age pension as he had been a window cleaner and at the age of 65 he just carried on cleaning windows and never gave a thought to his pension! He told us he had now been diagnosed with cancer so he needed to find out to what he was entitled. However, he did not know his national insurance number. Our first job was to trace his NI number through the Department of Works and Pensions. The man had never

had a bank account so we helped him open a Post Office account and we took him to the post office to show him how to use it. The DWP agreed to pay him his old age pension back dated for one year. Following our advocating on his behalf the DWP eventually agreed to pay him from his 65th birthday. His back pay amounted to £11,000 However, as a result he has been made to pay several thousand pounds in Income Tax which we are now in the process of recovering for him. The man was not awarded a full pension so he should have been entitled to Pension Credit this we are attempting to get for him also.

**A** Somercotes man came to see us who was over 65 years old and had serious breathing problems. When asked about his work history he said he had worked as a coal miner in the South Wales coal field for ten years. We assisted him with a claim for Attendance Allowance and this was consequently awarded at the lower rate of £47.36 per week. Now he has been diagnosed with pneumoconiosis we are pursuing a claim for reduced earnings allowance even though he is over 65 years old. This is £57.30 per week. He will also be entitled to a lump sum from The Workers' Compensation scheme under the 1979 act of several thousand pounds or from the Coal Industry Pneumoconiosis scheme. This will make a great deal of difference to this man's quality of life with an extra £118.90 per week and approx £3400 lump sum to fall back on in emergencies.

Type of Appeal	Completed	Pending
<b>Disability Living Allowance &amp; Attendance Allowance</b>	<b>77</b>	<b>117</b>
<b>Incapacity Benefit</b>	<b>59</b>	<b>105</b>
<b>Income Support</b>	<b>4</b>	<b>14</b>
<b>Industrial Injuries Disablement Benefit (see note 1)</b>	<b>13</b>	<b>24</b>
<b>Housing Benefit &amp; Council Tax Benefit</b>	<b>0</b>	<b>1</b>
<b>Job Seekers Allowance</b>	<b>12</b>	<b>35</b>
<b>Tax Credits</b>	<b>2</b>	<b>8</b>
<b>Other</b>	<b>2</b>	<b>10</b>
<b>TOTAL</b>	<b>169</b>	<b>314</b>

**Note 1:** Industrial Injuries Disablement Benefit covers payments on a weekly basis for accidents at work and diseases contracted as part of work. These include Bronchitis and Emphysema for miners, Vibration White Finger, Deafness, Carpal Tunnel Syndrome, Pneumoconiosis and many Asbestos related diseases.

**As a result of these Tribunals the following amounts were awarded:**

<b>Lump Sum Arrears:</b>	<b>£147,987</b>
<b>Ongoing Weekly Benefits p.a.:</b>	<b>£272,953</b>

**Over a year general enquiries at the Centres and Outreach Offices (as well as by home visits) resulted in payments amounting to £1,170,450 for Derbyshire residents.**

**During the last year this has meant a total of**  
**£1,591,390**  
**has been won through our advice and representation and at appeals**

# Management Committee 2008/2009

*The Management Committee would like to thank all those who have given freely of their time and talents throughout the year in pursuit of the aims and objectives of the Derbyshire Unemployed Workers' Centres.*

## Chair

Councillor Paul Buckley  
Derbyshire County Council  
(until January 2009)

## Acting Chair

Councillor Graham Baxter  
N.E. Derbyshire District Council  
(From February 2009)

## Vice-Chair

Barry Johnson  
(Chesterfield & District TUC)

## Treasurer

Ian Rutledge  
(co-optee)

## Chesterfield Borough Council

Councillor Alexis Diouf

## Derbyshire County Council

Councillor Simon Spencer  
(from September 2009)

## Bolsover District Council

Councillor Ann Syrett

## Chesterfield & District Trades Union Council

John Knight and Roger Davenport

## Derbyshire Association of Trades Union Councils

Shay Boyle

## Members

Lesley Shooter, John Gilbert,  
Frank Sims, Keith O'Neill, Dennis Clayton, Angela Webster, Elaine Tidd, Caroline Tipple, Kamilla Dzbansyzek, Katrina Hudson, Tim Wilkinson

## Co-optees

Dave Marriot (PCS)  
Dorothy Carter (ACCA)  
Sarah Roy (Law Centre)

## Centre Staff

Colin Hampton – Co-ordinator  
Andy Parkes – Welfare Rights  
Lynn Haythorne – Admin  
Neil Buxton – Welfare Rights

## WHERE TO GET ADVICE

### Chesterfield & North East Derbyshire

54 Saltergate, Chesterfield, S40 1JR

Tel/Fax: (01246) 231441

Email: [info@duwc.org.uk](mailto:info@duwc.org.uk)

Monday to Thursday 9.00am - 3.30pm

Friday 9.00am - 12.00 noon

### Clay Cross - Adult Education Centre, Market Street

Monday 9.30am - 12.30pm

### Eckington - Business Centre, Market Street

Monday 1.30pm - 3.30pm

### Grassmoor - Community Centre, New Street

Friday 10.00am - 12.00 noon

### Staveley - Learning Matters, High Street

Monday & Friday 9.00am - 12.00 noon

Wednesday 9.00am - 12.00 noon, 1.00pm - 4.00pm

## BOLSOVER DISTRICT

44 Patchwork Row, Shirebrook, NG20 8AL.

Tel: (01623) 748161 Fax: (01623) 743316

Monday - Friday 9.00am - 11.30am

**Bolsover** - Adult Education Centre, Castle Street - Monday 1.00pm - 3.30pm

**Clowne** - Community Centre, Recreation Close - Tuesday 1.00pm - 3.30pm

**Creswell** - Limestone House, Elmton Road - Thursday 9.00am - 11.30am

**Pinxton** - Village Hall, Kirkstead Road - Tuesday 1.00pm - 3.30pm

## AMBER VALLEY

Suite 4, Alfreton House, High Street

Tel: (01773) 832237

Wednesday & Thursday 9.00am - 12.00 noon, 1.00pm - 4.00pm

**Heanor** - Salcare, Ray Street - Friday 8.30am - 12.30pm

**Somercotes** - Parish Hall, Nottingham Road - Monday 1.30pm - 4.00pm

Thanks

To all our funders, our Management Committee, our OFFA Contributors and all our supporters.



Derbyshire Unemployed Workers' Centres are funded by Bolsover District Council, Chesterfield Borough Council, N. E. Derbyshire District Council, Derbyshire County Council, Staveley Neighbourhood Management, Coalfields Regeneration Trust, Derbyshire Community Foundation, Alfreton Town Council, Somercotes Parish Council, Salcare Heanor, as well as contributions raised through the One Fund For All.