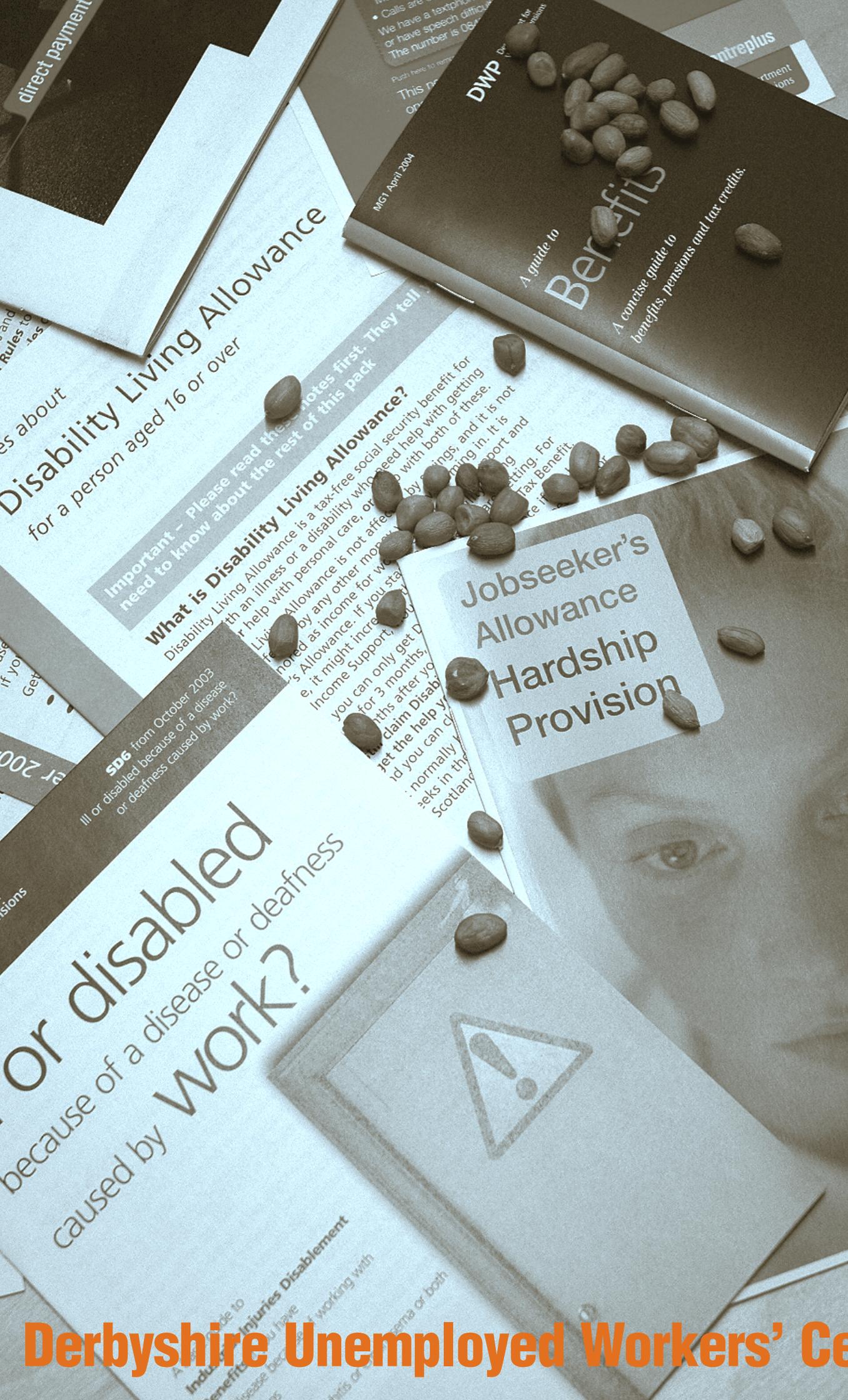


Annual Report 2005



DUWCs – A Unique Service!

The Derbyshire Unemployed Workers' Centres have been around for over twenty years. For many organisations that could mean that having established themselves in the local infrastructure they can relax and conduct their business away from the limelight.

Not so at the DUWCs. Gordon Smith, the well respected and now retired Welfare Rights Worker at the Centres, has always emphasised that benefits advice, on its own, merely "sticks plasters" on the wounds caused by an inadequate and sometimes punitive



Councillor Paul Buckley

welfare system. The DUWCs have never let up in their unique role of giving voice to the concerns of people who are very rarely heard – the many who are forced for a variety of reasons to deal with the benefits and credits system. Our workers and volunteers, following in Gordon's footsteps, are not content to impassively give out advice on what a person is, or is not entitled to. They will challenge injustice as well as policies and procedures which are detrimental to those who come to us for help. In this report you will read of the organisation's campaign to save the Medical Examination Centres from closure and our work to raise the appallingly low rates of benefit. In a year when Make Poverty History has been at the forefront of many peoples concerns, the DUWCs have been a blazing beacon in spotlighting poverty, low benefits and injustice here at home in the UK.

Derbyshire has many areas that are rebuilding from big structural changes. Government both at national and local level plays its part, but community organisations are vital to the process. After all it is people that we are

concerned about, their prosperity and well being. This cannot be achieved by ignoring the concerns of people who are least able to adapt or take advantage of change and renewal. The DUWCs are as necessary now as they ever were and the pages of this Annual Report are a testament to that.

Gordon Smith has now had to retire from the Centres' Management Committee due to ill health. I know Gordon will continue to give us his fullest support but on behalf of all at DUWCs I thank him for his twenty years plus of service to the organisation in all capacities. Thousands of people in Derbyshire are better off in many ways for his commitment and involvement.

The secret of the DUWCs dynamic response to every new challenge is the constant input of new volunteers who bring renewed enthusiasm for the organisation at every level. I would like to thank all the staff and volunteers at the Centres for their endeavours in making the DUWCs this unique service.

Contents

Forefront of Partnership... Cllr Paul Buckley	2
The Co-ordinator writes Colin Hampton	3
Your Voice Your Rights!	4-5
Volunteer News	6
OFFA	7
Fundraising	7-9
Chesterfield	10-11
Amber Valley	11-12
N.E. Derbyshire	12-13
Bolsover	13-14
Max your money	15
Management Committee/ Where to get advice?	16

The co-ordinator writes...

Make UK Poverty History

Following on from last year's successful Unemployed Workers' Centres conference bringing together many UK anti-poverty groups, this year has seen a further development. Organisations such as End Child Poverty and Oxfam have worked together with us and the TUC to stage a conference entitled "Poor Relations" Make UK Poverty History. The impetus from the Make Poverty History campaign has got to be seized by groups such as ours. We need to make people aware that poverty doesn't only exist in developing countries. Not everyone who lives in wealthy countries such as ours is a rich, privileged consumer. Many have been left living from hand to mouth, constantly juggling bills and debts. Whilst material poverty is more severe in developing countries, the underlying causes and the ways in which people are affected and the way they are treated, are very similar.

The DUWCs work in many ways to make UK poverty history from attempting to influence government policy, speaking to Ministers and lobbying MPs through to bringing money into the local economy with benefits and credits take up campaigns and advice work.

The demand for our advice and representation services has again increased. The vast amounts of

money that we bring into the Derbyshire economy are crucial to the regeneration of our most deprived areas. This fact is sometimes lost in the desire to pursue more "sexy" or in vogue projects. The reality is that for communities to thrive, people need money in their pockets. It is best if this comes through quality employment but if it doesn't then benefit entitlements are just as important in areas where work is either inappropriate, precarious or in short supply.

The core funding we receive from the Local Authorities is for them a wise investment. It helps put money in peoples pockets and affects individual lives in a way that local government rarely can in an ever more centralised envi-



Colin Hampton
Photograph courtesy of Derbyshire Times

ronment. The figures speak for themselves and we try to speak on behalf of those who have striven to claim their due entitlements. Together we can start to make UK poverty history.

Type of Appeal	Completed	Pending
Disability Living Allowance & Attendance Allowance	72	31
Incapacity Benefit	77	38
Income Support	12	8
Industrial Injuries Disablement Benefit (see note 1)	31	27
Housing Benefit & Council Tax Benefit	0	0
Job Seekers Allowance	5	8
Tax Credits	3	5
Other	2	3
TOTAL	202	120

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, Asbestosis, Pneumoconiosis and many others.

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

Lump Sum Arrears:	£169,017
Ongoing Weekly Benefits p.a.:	£346,213

Over a year general enquiries at the Centres and Outreach Offices (as well as by home visits) resulted in payments amounting to £956,250 for Derbyshire residents.

**During the last year this has meant a total of
£1,471,480
has been won**

Your Voice Your Rights!

DUWCs celebrate campaign victory saving Medical Examination Centres

The Derbyshire Unemployed Workers' Centres would like to thank everyone who contributed to the successful campaign to save the Medical Examination Centres.

As a result of our campaign alongside the Public and Commercial Services Union, the Government was forced to review the decision to close 24 Centres, a decision which would have forced people to have to travel much further to access the service. After listening to evidence provided by Unemployed Workers' Centres, Advice organisations and those representing people with physical and mental ill health, the Minister decided to keep all but eleven Centres open. This is important for everyone in the community as at some time, should you need to

claim for an industrial accident or disease or claim incapacity benefit through illness, you would have to attend a Medical. This service will now remain local for many vulnerable people.

Thanks must go to the Derbyshire MPs who listened to our concerns and took up the case in Parliament. Many people told us at the start of our campaign that we had no chance of victory and that this was a done deal, the staff were to be transferred or made redundant. What we have shown is that if you don't fight you can't win, but if you campaign effectively there is always a chance that you might achieve that which many thought was impossible. Thanks again to all that supported the DUWCs co-ordinated campaign and helped keep essential services accessible.

PCS and DUWC campaigners celebrate outside the MEC in Chesterfield.



Peanuts4Benefits

DUWCs campaign to highlight Poverty caused by Low Benefits

During the year the DUWCs co-ordinated a campaign to raise the issue of the poverty caused by low benefits.

As part of a National day of action Campaigners handed out peanuts to benefit claimants outside Chesterfield, Alfreton and Shirebrook Job Centre Plus Offices on Benefits Upgrading Day, Wednesday April 6th. The intent was to highlight the disgraceful treatment of some of the poorest people in our rich society.

Millions of claimants received benefit increases of as little as 55p per week from April 2005, the smallest rise for at least 30 years. For example a single person on Job Seekers Allowance, over 25 years old, received a 55p increase giving a total of £56.20 per week.

Increases are based on the Rossi Index - a measure of inflation that excludes rent mortgage interest payments and council tax. The index dropped to 1% in September 2004, according to the Government Office for National Statistics.

If benefits had increased at the same rate as average earnings since 1978 Job Seekers Allowance claimants would now be £30 per week better off.

The Peanuts4benefits Campaign is bringing together claimants, Unemployed Workers' Centres and anti-poverty organisations to demand a substantial rise in benefit payments and a subsequent link to average earnings.

Customer Management System

A MESS – And that's official!

Customer Management System (CMS) is the new system for claiming benefits being rolled out by the Department for Work and Pensions. Derbyshire has been one of the first to introduce it. The system requires all new claimants to call a number (0845 603 2953). Initial details are taken and then they are called back for a full interview. After this they are sent a print out of the answers they have given together with details of any questions that still require an answer plus a list of verification documents that they are required to produce. After this is signed and returned they are usually called for interviews at the local DWP office so that they can be seen by a Financial Adviser if necessary and a Personal Advisor again if necessary. After this work has been done the claim is sent on to the processing section who determine if benefit is due and how much. They then put the benefit(s) into payment.

The DWP locally has admitted that there is still a legal right for claims to be made on the appropriate forms, many of which can still be downloaded from the DWP's website. However despite this they say that they have been instructed not to accept such claims and the only way to challenge this is by Judicial Review!

The telephone number used is an 0845 number. Whilst this charges the caller at a 'local' rate, the cost is still higher than some other local calls and 50% of the call charge is refunded to the organisation called. It is interesting to note that claims to Pension Credit are made on a free 0800 number (0800 99 1234).

The Call Centre set up by the DWP in Derby was staffed by people who had previously worked for the Pensions Service. They were apparently given only two weeks training despite having no recent experience of any of the benefits to be dealt with. As a consequence it would appear that call times were extended and many people were misadvised as to eligibility.

The Call Centre problems were compounded by traffic being twice the predicted level. Because of this more and more delays occurred when people tried to phone in. Claimants without income were directed to the phone number and told that it was the only way to claim. They were allowed to use the phone line at the JobcentrePlus office but had little or no privacy,

despite recent warnings about the increasing incidence of identity fraud. In many cases they still could not get through and delay of weeks rather than days have not been uncommon. Many people have incurred substantial costs just to listen to a message that they are in a queue. For mobile phone users on pay as you go it has often meant that they have had to abandon calls when their credit has run out.

Once the incoming call has been received they should be called back within three days or within 24 hours if an emergency due to lack of resources. These call backs have often been weeks later and they are still 7 days after, with emergencies being up to 72 hours after the inbound call has been received. It is also the case that the Computer system deletes cases after 30 days if not concluded through the process. This can mean that a case is deleted from the system even before the first telephone call back. We are led to believe that some record is now kept of these cases but this was not so previously and some claimants have difficulty demonstrating that they have started their claim as early as they state.

We are assured that no advice is given as to entitlement at the inbound call stage when the claimant first contacts the Call Centre. However we have at least one case where this has happened.

For many claimants, even after the telephone process has been

completed, there is a further delay before they are interviewed at the JobcentrePlus office. Time intervals in excess of 8 weeks between initial contact and receiving any benefit are very common.

In summary CMS has meant:

- Delays in getting initial phone call through to the Call Centre;
- Delays in calling people back from the Call Centre;
- Inadequate training leading to wrong or misleading advice and overlong calls;
- Inadequate staffing levels causing delays, stress and bad handling of calls;
- Excessive phone charges for claimants;
- Illegal refusal to accept claims made clerically;
- Refusal to accept Crisis Loan applications;
- Wrong identification by the DWP computer system of which benefits apply, (This is particularly relevant where a claim to Carer's Allowance and or Income Support are dependant on a claim to DLA or AA being processed elsewhere in the DWP);
- A computer system that not only does not always identify correct benefit(s) but also deletes cases after 30 days without any scrutiny and which is so inflexible it will not accept any amendment during the data gathering exercise, but has to start again;
- A DWP Management Structure that is so fragmented it is impossible to hold any one person to account. As a consequence there is a tendency for one area to blame another for delays and errors and vice versa.

The Minister responsible admitted at the Unemployed Workers' Centres Annual Conference that the CMS system was a mess. The DUWCs will be campaigning for a return to an efficient and accessible administration of benefits which recognises the difficulties and problems and health issues of people needing to claim.

Volunteer Project

Overview

At the end of the Volunteer Project's second year, the challenge of meeting revised targets to increase volunteer involvement have been successfully met. More now than ever, volunteers are an essential and integrated resource, enabling the delivery of our services to a greater number of people across a wider area. Volunteer support of the new take-up campaigns has also been invaluable and the Bolsover Uptake Project looks forward to three years of sustained effort. This work is underpinned by volunteer contribution not just for the project itself, but for the ability to maintain outreaches at times when other demands on staff time threaten disruptions.

2005 has also been a good year for recruitment. It is rewarding to see many moving on to jobs in both voluntary and public sectors, and others joining us to continue their own development through advice work and training with DUWC.

Networking/ Partnership

DUWC continues to build and strengthen relationships with other local organisations, especially those engaging and supporting volunteers. Benefits uptake campaigns in particular have reached more people through working in partnership with CAB, DCC's Welfare Rights Unit, TRUST and Staveley

Neighbourhood Management.

Derbyshire is one of the regions piloting Local Area Agreements, which aim to rationalise non-mainstream funding sources and to promote the delivery of services with greater awareness of local needs through working with partner organisations. The three original priorities of LAAs are being extended to include economic development and employment. DUWCs active involvement with Local Strategic Partnerships has already impacted on the development of local strategy, and this work will continue.

The principle of sharing resources and knowledge with other organisations is gaining wider acceptance. DUWC continues to work both with infrastructure bodies such as LINKS and Voluntary Action Bolsover and with others delivering services, including, DCIL, Holmewood & Heath Community Action Partnership and the Community Empowerment Networks.

Training

Over the year, 13 DUWC volunteers attended between them some 54 training courses in addition to their internal training and mentoring. The range of courses was diverse too, ranging from Basic Benefits, DLA/AA, Tax Credits, Social Fund and Returning to Work to Homelessness, Assertiveness and Conflict Management.

In addition to the courses provided by DCC, Bob Prew and the Birmingham Tribunal Unit, volunteers and staff attended courses with Voluntary Action Bolsover, High Peak CVS and Nottinghamshire Welfare Rights Unit.

Next year there will be additional focus on mentoring skills to continue the development of support for volunteers by both paid and volunteer colleagues.

Volunteers

Throughout 2005 the contribution of volunteers has again been extraordinary in both advice work and campaigning. During the year more than 40 people approached DUWC to consider voluntary advice work. Of these, 12 were recruited; some are still with us, others have moved on into paid work with CAB, N E Derbyshire Council, Wealthcheck and other local employers. There are presently 16 active volunteers at the Centres, with many more contributing through the management committee and campaigning.



David Martin, volunteer found full time employment with North East Derbyshire CAB.

Special congratulations are due to Lynn Haythorne, who has received a CSV Regional Year of the Volunteer Award for Commitment after a nomination from Natasha Engels MP. Lynn joined DUWC as an administration volunteer and is now working part time to cover the absence of Alyson Hancock during her maternity leave.

The Future

The success of the Volunteer Project in attracting an increasingly diverse range of volunteers has shown us the corresponding need to improve the support we give to existing staff and volunteers. In particular, this concerns the devel-

opment of their mentoring skills. The third year of the project will incorporate a greater attention to this aspect of support, together with further training on equal opportunities and diversity issues. Looking beyond the next year, with changes in the benefits system in mind, a new focus on help-

ing those on incapacity benefit to return to work is under consideration, as is the potential for a new project to bring training and support in advice and guidance to organisations throughout north east Derbyshire and the adjacent areas of South Yorkshire and Nottinghamshire.

Fundraising

Grant Success

Overview

As always we have the local councils to thank for providing the core funding that we need, to enable us to attract major grants from funders such as the Coalfields Regeneration Trust and Big Lottery Fund.



The Coalfields Regeneration Trust have been extremely generous in their support of DUWC's this year, initially awarding us £211,686 over the next 3 years to carry out a series of benefit and credit take up campaigns throughout north Derbyshire. This was followed in the next round of grants by an award of £23,463 towards our ACES project, encouraging young



Deborah Fraser, the CRT's Regeneration Manager presents a cheque for £211,686 to Sarah Walters and Colin Hampton.

families to come to us for benefits advice. Derbyshire Building Society helped to launch this initiative with a grant for printing and mailing new leaflets. Finally, we also received a Bridging The Gap grant of £5,240 to enable us to improve our User Feedback collection system.



Grants have also been received this year from Alfreton Town Council, Barnabas Charitable Trust and Amber Valley Housing Community Chest Fund (£4,500) to help support our services in the Alfreton district. Eckington Parish Council and another charitable

trust have supported the Eckington outreach and Tupton Parish Council funded a pilot outreach in their community. Staveley Neighbourhood Management, Sustainable Communities Fund and Staveley Town Council have contributed to our services here, while Clowne Parish Council have also dug deep.



The Big Lottery Fund meanwhile continue to fund our volunteer support project, which has now entered its third and final year.

Corporate Support

Many local companies have shown their support this year by providing raffle and tombola prizes. RAC Autowindscreens also donated a much needed £250 to our funds early in the year.

We need to thank:

- Chesterfield FC
- Midlands Co-op
- National Trust
- Natureland (Shirebrook)
- Shire Models (Shirebrook)
- Shire Pharmacies (Shirebrook)
- Tescos (Clowne)
- Wilkinsons

For information on becoming an OFFA supporter contact Sarah on 01246 231441

Trade Unions Rally Round

A new fundraising initiative this year has been to offer our outreach sites up for sponsorship. First on board was the Midlands TGWU, who have sponsored the Bolsover outreach over the summer with a donation of £850. We hope to develop this scheme over the coming year.

Other unions donating to DUWCs this year include the GMB and NASUWT, along with hundreds of individual union members who donate by standing order or through their wages.



Staff from DUWCs and TRUST took part in the Spire 10 race this year to raise money for the One Fund For All and Derbyshire Asbestos Support Team

User Feedback

Every October we conduct an intensive user feedback exercise involving people who use our services in our offices and outreaches.

This information is then fed back into staff meetings and Management Committee meetings to help develop and improve the service.

100 USER FEEDBACK FORMS WERE RETURNED

Below is a review of some of the information gained.

Average length of time spent waiting to see an adviser: 16 minutes

Of those who said that they were dissatisfied none gave a reason. However it may be that people are dissatisfied with the result of their

enquiry (e.g. they do not have a legitimate claim) rather than dissatisfaction with the service.

52% were visiting us for the first time. Others came because of recommendation, passing the office, leaflet through the door, job centre advised to visit and general knowledge of services available in the community.

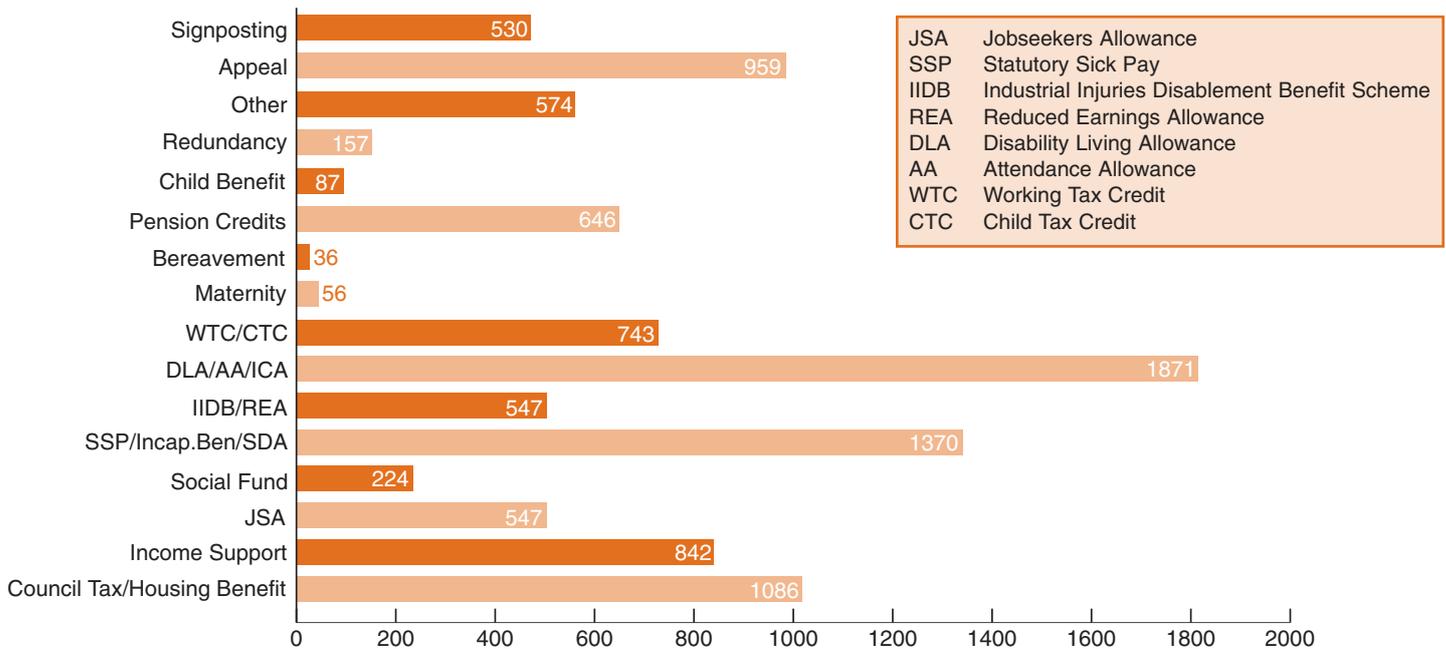
General comments and suggestions included:

- Very helpful
- Valuable service
- Felt much better afterwards
- More publicity needed – I did not know the service existed
- Highly satisfied, everybody helpful
- You deserve more funding

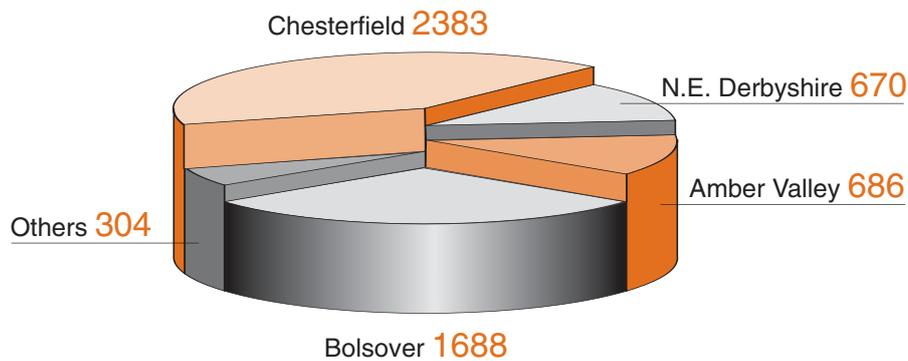
Satisfaction survey:

Very satisfied	79%
Fairly satisfied	14%
Fairly dissatisfied	1%
Very dissatisfied	3%
Undecided	3%

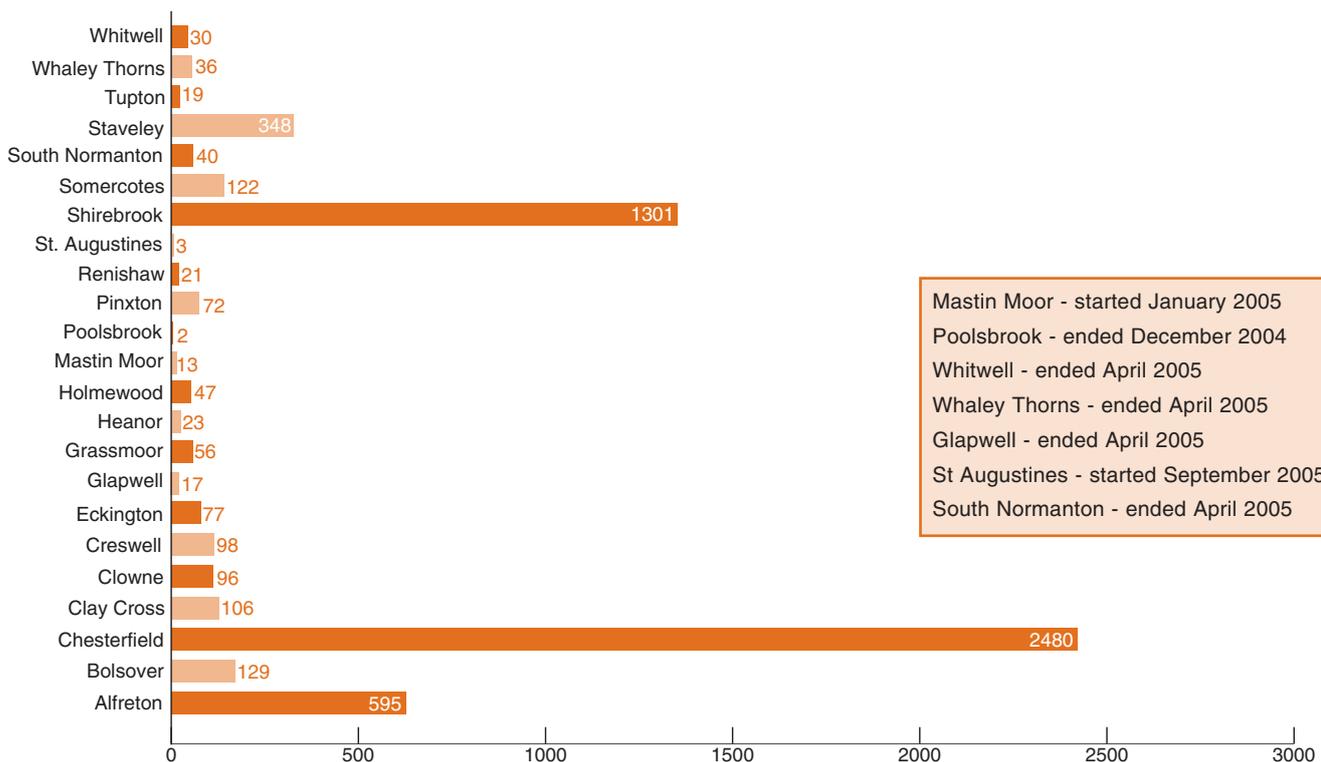
ENQUIRY TOTALS 2004/2005



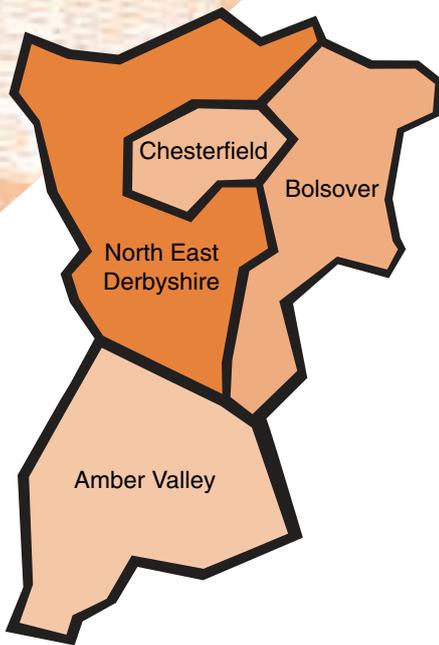
ORIGIN OF ENQUIRIES



VENUE CALLER TOTALS 2004/2005



Around the area



Hanging on the telephone

Tax Credits have continued to provide many cases for the Centres during the year. Overpayments are the main problem and it continues to be very difficult to get an acceptable level of service from the Department for Revenue and Customs; as the Inland Revenue is now called. However eventually we have been able to secure successful outcomes in many of these cases.

Incapacity Benefit and Disability Benefits continue to provide the majority of our cases and the majority of the appeals we deal with. Quite often it is enough to appeal and set out the grounds for challenging the original decision for the DWP to change their minds and award or reinstate the benefit. Where it is not, the assistance that we give continues to mean that the chances of success are much greater than a paper hearing or and unrepresented oral hearing.

More recently the advent in Chesterfield and Derbyshire of a new Customer Management System (CMS) within the DWP has caused chaos. From early in 2005 Claimants were required to make all initial contact with the DWP by phone. The system quickly became overwhelmed. Claimants could not get through despite many attempts and even when they did they failed to get a call back for weeks. After this, forms had to be sent out and further interviews arranged at the DWP office until eventually the claim

A Chesterfield woman was off sick from work but even when her Statutory Sick Pay stopped she continued to receive half pay from her employer. She claimed Incapacity Benefit from the DWP but when she was interviewed on the phone she was told that she could not claim while her employer continued to pay wages and her partner was in paid work. Four months later she came to our office and we were able to tell her that she was entitled. After two letters and several phone calls the DWP accepted that she could claim and she received three months arrears of IB amounting to £886.60 and a weekly payment of £68.20.

was settled. In many cases this was over ten weeks from the first contact. For some people benefit was wrongly refused or the wrong benefit looked at and other appropriate benefits not considered. We have just been told that they are reverting to a clerical system for Chesterfield from 3rd October. More about this next year!

DUWC has been leading the campaign to highlight the problems caused by this CMS system which we believe has been devised primarily to allow the DWP to drive through the staffing reductions that they are required to make.

Andrew Parkes, Bob Pemberton and John Bradley deliver on-site redundancy advice.



Thanks to funding from the CRT we have been able to open a new outreach in St. Augustines. This is the first new outreach in Chesterfield since Staveley was opened several years ago. It is early days yet but we hope it will be another improvement in the service we offer to Chesterfield residents.

For the past two years we have reported the problems experienced by the ex workers at the Vinatex plant in Staveley. We thought that the Government had eased the regulations to allow claims for Raynaud's Disease but subsequently both the DWP and some Tribunals took the view that the rules had been made tighter not easier. We have appealed a case to the Social Security Commissioners and are now awaiting a hearing.

In 1991 Mrs X was awarded Industrial Injuries Disablement Benefit following an accident at work. She continued to get this until December 2000 when a medical examination reduced her percentage disability to less than 14%. She came to DUWC and we helped her to appeal. She lost her first Tribunal and we appealed to the Social Security Commissioners.

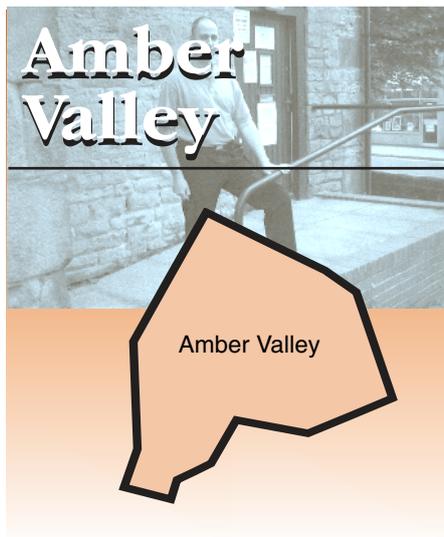
When they looked again at the papers the DWP decided that they had not made a correct decision. They made a new one which was still less than 14% and we appealed again. This appeal was lost and again we felt the Tribunal had made an error in law so we went to the Commissioners again. Once again we succeeded and the decision was overturned. Finally a third Tribunal considered the claim and in November 2004 (four years after the benefit ceased) they agreed that the percentage disability was 15%. Benefit was reinstated at £24.02 a week for life and arrears of £ 4,778.69 were paid. Many times Mrs X felt like giving up but with our help and support she pressed on and was delighted with the outcome.

In March 2005 a Chesterfield woman came back to the town having spent over 40 years abroad. Although over 60 she thought she would find work but unfortunately this was harder than expected. She applied for Pension Credit and was amazed when she was refused benefit because she was not "Habitually Resident" even though she held a British Passport.

She appealed against the decision but then realised she needed some help. She tried various agencies without success until, as a last resort, she came to DUWC. We agreed to assist with the case. We researched the case law on the issue and persuaded her that the appeal was worth pursuing. At the hearing the Tribunal accepted that she had become "Habitually Resident" on the day she had made her claim and she received over £1300 in arrears.



Our Staveley Outreach supported by Staveley Neighbourhood Management continues to thrive Neil Turner (DUWC) and Margaret Keene (SNM).



ACES High!

Advice sessions have been able to continue for another year due to on-going funding from Alfreton Town Council. In addition, whilst waiting for the

'ACES' funding bid to be approved by the Coalfields Regeneration Trust, interim money was obtained from the Amber Valley Housing Association. Further money from Somercotes Parish Council has ensured that the busy Tuesday afternoon advice sessions held there could also continue for another year.

More recently, as part of the 'Is your family missing out?' advertising campaign a large advert was placed in the Derbyshire Times as well as eye catching posters and leaflets. These are targeting families in order to raise awareness of the range of benefits that may be open to them to maximise their income. The 'sandwich' boards outside both venues have also

contributed to the fact that both of these outreaches remain as busy as ever.

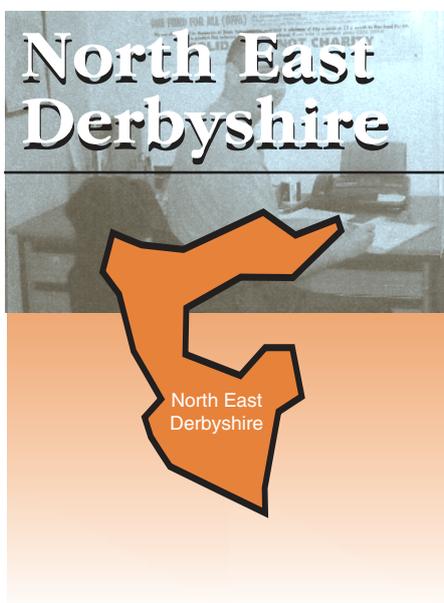
Already, other possible sources of funding are being actively investigated to try and ensure that when the current money runs out in the summer of 2006, these successful Amber Valley outreaches can continue into the future.

Maximise family income

A lone parent with a disabled young child (& another on the way!) was passing the Somercotes outreach & decided to drop in on the spur of the moment. She was currently working 18 hours per week. Apart from her Salary of about £9,000 a year, the only benefits she received was Child Benefit, Disability Living Allowance (for her daughter) and Council Tax Benefit.

After discussing her situation for a while and doing some quick calculations It was suggested that she apply for Tax Credits. She would be entitled to both Working and Child Tax Credits. This would mean a real increase in her disposable income. It also became apparent that she hadn't informed the council that her sister (also working) was no longer living with her. That meant that as she was now the only adult in the property, she could get 25% status discount on her Council Tax liability and no non-dependant deduction.

Although, all being well, she is would certainly be better off claiming Tax Credits, there is an on-going issue concerning over payments. It was also felt prudent to warn her of this issue and that she needed to check her award notice very carefully. Seeking our assistance if required. Also, to inform the Inland Revenue immediately were there to be a change in circumstances (e.g. the birth of her second child !)



Extra Benefits for North East Derbyshire

Vincent Smile continues to develop the service across three of the North East outreach venues: Clay Cross, Holmewood & Grassmoor. This has resulted in extra benefit entitlements being identified and numerous successful Appeal Tribunals. This has had a real impact on raising the standard of living of many people across the region.

It was a relief that additional funding was obtained as a result of the 'ACES' funding bid to the Coalfields Regeneration Trust. This has meant that Neil Turner could continue the Monday afternoon advice in Eckington.

The biggest issue encountered here (and also in other areas including Amber Valley) is the number of benefit claimants who now have to phone a call centre (at their expense) to register their claim. It is often impossible to get

through due to the high volume of calls and even more worryingly, incorrect advice is being given as to possible entitlement. Often then, there is a long wait until they can attend at the Job Centre to progress the claim.

Importance of G.P. Support

A gentleman who had been in receipt of Incapacity Benefit for a few years had failed the Personal Capability Assessment (a medical). He had failed to score the 15 points required. This meant that he was now considered capable of work. Prior to suffering from this extremely distressing and debilitating physical condition he had run a successful business. In addition, if anything, his condition had been deteriorating & he certainly wasn't on Incapacity Benefit through choice.

After reviewing the case at length with the claimant, it seemed clear that he should have scored sufficient points in a single descriptor. This should have meant that he was incapable of work. An appeal was immediately made highlighting why we believed he wasn't currently fit for work.

With his consent, a letter was sent to his G.P. outlining the decision and specifically asking her to comment on his disabling condition and to state on how this would make him incapable of work. The doctor obviously was prepared to spend time to respond with a detailed letter. This was submitted as evidence to be considered by the appeal tribunal.

With this specific medical evidence supporting our case and after a good consistent account of himself on the day of the tribunal, the decision by the department was overturned and Incapacity Benefit was to be duly re-instated. After several months of worry, the correct decision had finally been made !

Happy Xmas - we're stopping your benefit!

Ms E of Dronfield had a letter from the Jobcentre stating that she her Jobseekers Allowance was sanctioned for the period 17th December 2004 to 24th February 2005, a period of 9 weeks.

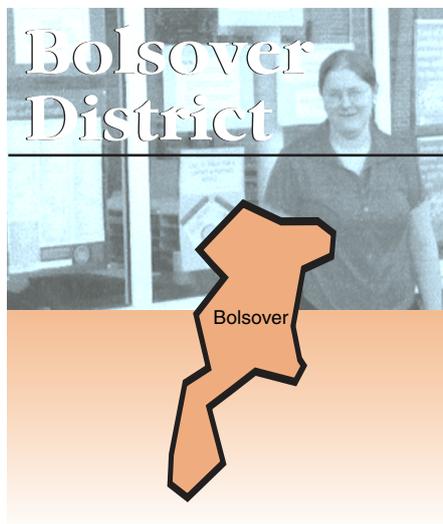
Ms E admitted that there had been a job she had not applied for due to an oversight. She had explained this to the Jobcentre when it was raised with her. However she had also made the point that she had never failed to apply for a vacancy before when the Jobcentre had brought it to her attention and indeed she had also applied for many vacancies advertised in the local press. In fact, Ms E had applied for over 50 jobs in the last few months! She has been unemployed for some considerable time and was very keen to resume work. Bob Pemberton, Welfare Rights worker at the Centre tried to get the decision reconsidered. The decision was changed to a sanction of 6 weeks duration, still leaving her no money over the festive period. We submitted an Appeal which was not heard until 23rd February! Bob argued that Ms E had shown good cause for her failure to apply for the job as the DWP submission was too tight in its interpretation of the Decision Makers Guide. We were prepared to argue that the length of the sanction was in any event too harsh and should be reduced to no more than one week (the statutory minimum where good cause has not been established). After presenting the case for good cause the chair indicated that he accepted our argument and that there was therefore no requirement to argue mitigation. He did however indicate that had that been necessary he would have reduced the penalty to one week. Ms E received arrears of £200.34.

In preparing this case we calculated that the financial penalty of the sanction decision was as follows:

Loss of two weeks benefit @ £55.65 a week	£111.30
Loss of 40% benefit for 4 weeks as hardship was paid	£89.04
Cost of 6 weeks voluntary N.I. to maintain pension	£42.90
Total	£243.24

Had Ms E not been entitled to hardship payments her loss of benefits etc. would have been £376.80

As a result of this Sanction, Ms E was left without money over the Christmas period despite her proven endeavours to find work. She was faced by a punitive, inflexible system that once triggered was impossible to stop. The stated purpose of Benefit sanctions is to change the behaviour of jobseekers. It is hard to know how impoverishing Miss E during the festive period was going to help in this process.



Tax Credit Nightmare

2004 has seen yet another busy year in the Bolsover District with again the Shirebrook office taking the bulk of enquires.

The team at Bolsover has had over 2000 enquires. We helped and supported claimants with over 490 Disability Living Allowance claim forms during this period.

Unfortunately during this period the Big lottery project came to end and we had to shut a number of our out-reaches in the district but the ones kept open have been well attended. Although our enquiries have covered the whole spectrum of benefits issues, the team are having many enquiries dealing with the overpayment of tax credits. The system is still in crisis and not one of our cases has yet reached an independent tribunal.

Throughout 2005 our Shirebrook office has again maintained its reputation as a community focal point for those seeking help and advice. Which is why Shirebrook was chosen to launch the first Benefit Take Up Campaign. The campaign was launched in Shirebrook market place in August and called "Max your Money". It was attended by the CRT and the local press were invited to highlight the under-claiming of benefits in the Derbyshire area.

The first full week of Max your Money was held in DUWCs Shirebrook office and with help from our local partners, we saw in total over 130 people and visited over thirty people in their on homes. This has identified the lack of awareness of the benefits people can and should be claiming. Disability living allowance, Attendance allowance and Industrial Injuries Disablement benefit the main under claimed benefits initially identified.

Staff at Shirebrook celebrate 10 years of advice from Patchwork Row and 12,000 enquiries handled since 1995.



The influx of tax credit enquires threw up some rather interesting cases. One such case resulted in the intervention of the local MP, as the situation dragged on for at least 14 months before being finally resolved in favour of the claimant.

Mr & Mrs X from the Shirebrook area filled in their original tax credits claim form back in 2003 when the new system came in to operation. They provided all the necessary information as required, including household income, number of children in the house and disability information as Mr X was in receipt of disability benefit.

They got their award for the tax year 2003/2004, and everything seemed okay up until the start of the new tax year in 2004. Their new award notice indicated they had been overpaid tax credits of £1,800, because it was alleged that on the original tax credit application the couple had failed to supply annual earnings for tax year 2003/2004. Mr & Mrs X maintained they did supply all the relevant income and so appealed.

During the appeal process we made contact with the Inland Revenues External Relations Team who did admit that there were problems with the software used to scan application forms. We did request a copy of the couples original claim form but were told that all claim forms were scanned for information and then destroyed, all the information on the original forms was transferred to the award notices. There did appear to be some factual errors on the award notice they received at the beginning of 2004. One of their children's names was incorrectly spelt. His date of birth was indicated as the twenty fifth of August nineteen forty seven, and he was over sixteen and in full time education. The IR also paid the couple tax credits for a child they did not even have. Mrs X became pregnant soon after, which suggests the IR have a talent for knowing what your future entitlement will be.

Mr & Mrs X waited for many months for a decision. We made numerous phone calls, and wrote at least three letters requesting a decision as the overpayment was causing some hardship. Finally after getting no written decision we passed their case on to their local MP, who passed the case back to the Disputes Team for consideration.

After some 14 months of endeavour Mr & Mrs X received a decision. It included a formal complaint for the time it had taken to deal with their appeal, and a decision not to recover the overpayment. It appears that the original claim form which the Inland revenue stated had been destroyed was in fact in the archives. The problems with this particular case highlight the difficulties people have in challenging overpayments of tax credits, even if they are due to official error on the part of office dealing with the claims. The frightening statistic is, how many people accept decisions without seeking advice on whether they may be able to appeal against such a decision, and are plunged into financial hardship as a result.

One interesting case we dealt with in the Bolsover District involved Mr X who came to us seeking to make a claim under the Industrial Injuries Disablement Scheme for Bronchitis and Emphysema. He was an ex-miner, having worked underground for many years. He came in with his wife, and during the interview appeared to become quite anxious. Because of his demeanour I decided to ask a few questions about his general health and other benefits he was receiving. He said he had suffered from anxiety and depression for many years alongside his breathing difficulties, and was in receipt of Disability Living Allowance at the lowest rate of care. He said he had been entitled to the lowest rate of the mobility component up until a couple of years ago. There had been a renewal request and the mobility component withdrawn. He did not appeal.

We advised him to make a new claim for DLA, alongside the IIDB one. Both claims were unsuccessful, so we advised him to appeal. The IIDB appeal was listed first, so we accompanied him to the Tribunal venue alongside his wife. Because of our knowledge of his mental health problems we were concerned about his capacity to cope with the appeal process. He did assure us that he should be okay.



Natalie Woodward and Catherine Liffen return to our Bolsover office at Shirebrook.

During the appeal Mr X suffered a very severe panic attack, and had to be taken straight home. The appeal was adjourned and whilst discussing this with the tribunal chair who was also regional, I mentioned the DLA appeal which was pending. The chair stated that in all her years as a sitting chair person she had never witnessed a panic attack quite like it. She confirmed that under no circumstances should Mr X attend the DLA appeal in any venue other than his home. She would give her support to a domiciliary hearing if a request was made by ourselves. A few days later we received a phone call from the appeal service confirming that they had been contacted by the regional chair in question, who would support a domiciliary hearing. We were told we would not have to provide medical evidence in support of such an hearing.

About a month later Mr X came in to see us at Shirebrook. He had been awarded the Highest Rate of the Mobility Component, and the Middle Rate of the Care Component. He was so relieved not to have to through the appeal process again.

For us this award came as a complete surprise. We cannot quite determine whether Mr X's traumatic experience had any influence upon any reconsideration of his DLA claim, or whether the regional chair's intervention added any weight to the decision making process.

Max your money

Claim Your Entitlements!

Following on from our outstandingly successful Benefits and Credits take-up campaigns in Staveley and Rother and Holmebrook, the Coalfields Regeneration Trust (CRT) have funded a series of similar campaigns throughout the former coalfields in Chesterfield, North East Derbyshire, Bolsover and the Alfreton area.

The towns and villages were selected by comparing the top 50 deprived wards in Derbyshire with CRT eligible wards. We apologise to those areas that do not appear on the list but we hope to secure funding in the future to be able to visit the many other places that would benefit from our input. The areas to be covered are as follows:-



Sarah Walters and Colin Hampton invite the residents of Shirebrook to 'Max their Money'.

Bolsover District:

- Bolsover Central, North, South, West
- Shirebrook East, North, North West, South, South West
- Clowne
- Elmton with Creswell
- Scarcliffe East, North, South
- South Normanton East, West
- Pinxton

North East Derbyshire:

- Clay Cross North, South
- Holmewood & Heath
- North Wingfield Central

Chesterfield:

- Barrow Hill & Hollingwood
- Inkersall
- Lowgates & Woodthorpe
- Markham
- Middlecroft
- Moor
- Dunston
- New Whittington
- Old Whittington

Amber Valley:

- Alfreton East, West
- Riddings
- Somercotes

We would like to thank the many other organisations that have helped and have offered future help with these campaigns: Derbyshire County Council Welfare Rights, North East Derbys' CAB, Chesterfield Surestart, Wealthcheck, Local Authority advice workers, Credit Unions, Derbyshire Centre for Inclusive Living and TRUST.

Management Committee 2004/2005

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

Paul Buckley
(Derbyshire County Council)

Vice-Chair

Barry Johnson
(Chesterfield & District TUC)

Treasurer

Ian Rutledge
(Workers' Education
Association)

Chesterfield Borough Council

Cllr Mark Higginbottom

Bolsover District Council

Cllr Keith Bowman

North East Derbyshire

District Council

Cllr Graham Baxter

Chesterfield & District Trades Union Council

Gill Whittaker & Roger Davenport

Derbyshire County

Association of Trades Councils

Norman Prime & Mike Nelson

Members

Keith O'Neill, Elaine Tidd,
Dennis Clayton, Leslie Shooter,
Hilary Cave, Lynn Fieldsend,
Angela Gray, Frank Sims,
Adrian Rimmington,
John Gilbert, Gordon Smith,
David Martin, Kathy Farr

Co-optees

Dorothy Carter (ACCA)

Dennis Mullings

Centre Staff

Colin Hampton - Co-ordinator

Bob Pemberton - Assistant
Co-ordinator/Welfare Rights

Andy Parkes - Welfare Rights
Natalie Woodward-Welfare Rights
Vincent Smile - Welfare Rights
Neil Turner - Welfare Rights

Sarah Walters - One Fund For All

Alyson Hancock - Admin Worker

Catherine Liffen - Admin Worker

WHERE TO GET ADVICE

Chesterfield & North East Derbyshire

54 Saltergate, Chesterfield, S40 1JR

Tel/Fax: (01246) 231441

Email: info@duwc.org.uk

Monday to Thursday 9.00am - 3.30pm

Fridays 9.00am - 12.00 noon

Clay Cross - Adult Education Centre

Monday 9.30am - 12.30pm

Eckington - Resource Centre, John Street

Monday 1.30pm - 3.30pm

Grassmoor - Community Centre

Friday 10.00am - 12.00 noon

Holmewood - St. Albans Centre, Heath Road

Tuesday 9.30am - 11.30am

Mastin Moor

Last Monday of the month 1.00pm - 4.00pm

Staveley - Learning Matters

Tuesday & 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 - CLOC, High Street - Monday 1.00pm - 3.30pm

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

Creswell - Resource Point, Elmton Road - Thursday 9.00am - 11.30am

Pinxton - Village Hall - 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 - 4th Wednesday of the month 10.00am - 2.00pm

Somercotes - Parish Hall - Tuesday 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, the Big Lottery Fund, Coalfield Regeneration Trust, Derbyshire Community Foundation, Alfreton Town Council, Somercotes Parish Council, Salcare Heanor, as well as contributions raised through the One Fund For All.

Designed and printed by NEDDC (10005)