

The quarterly newsletter of DUWCs and OFFA

ESA Roll Out “Scary”

ESA Architect Condemns Planned Extension

Professor Paul Gregg—the man who designed the controversial Employment and Support Allowance (ESA) benefit—has told The Times newspaper that a lot of adjustments need to be made to the system before it is rolled out further.

He says that the benefit, which was introduced just under two years ago, was “effectively a pilot” and as DUWCs and other advice agencies throughout the UK are only too aware—the pilot has failed thousands of vulnerable claimants.

Dying Told to Look for Work

Citizens Advice Scotland have called for an urgent review of the system on the grounds that it is the most commonly appealed benefit with 8,000 tribunals each month and 40% of decisions being reversed. People suffering from such serious conditions as terminal cancer are being denied ESA and are being told to go out and look for work. Macmillan

Cancer Support have also added their voice to the growing chorus condemning ESA on behalf of their service users.

Local Case

DUWCs have been brought yet another ESA appeal case which highlights the insanity of the system. A Derbyshire postman was sent for a medical with ATOS, who advised Royal Mail to retire him on the grounds of his ill health. When claiming ESA, the same company, ATOS, found him fit for work resulting in the loss of his benefits.

In a move dreaded by DUWC advisers, the government is planning to move 2.5 million Incapacity Benefit claimants onto ESA very shortly. Professor Gregg told The Times -

“To go ahead [with this move] with these problems is not just ridiculous. It is, in fact, scary.”

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DUWCs are Listening

ESA Claimants Ask Us to Award ATOS 0 Points!

Thanks to a grant from Community Links and the All in One Project, DUWCs were able to hold a Listening and Organising event in Chesterfield on July 16th. Around 25 of our recent service users attended in order to share their experiences, discuss the issues important to them and put questions to two local MPs. Natascha Engel (N E Derbyshire) and Toby Perkins (Chesterfield) were presented with problems such as loss of benefits and security when taking up low paid/casual employment and lack of respect shown to claimants by training providers and medical assessment services. When discussing how some of the issues could be taken forward, it was agreed that a

Campaign News

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good way of drawing attention to the problems being caused by ESA medicals would be to find a regional HQ of the company responsible for delivering these—ATOS— and award the regional manager 0 points. Plans to carry this out are being drawn up.

Colin Hampton, Co-ordinator of the Derbyshire Unemployed Workers' Centres said 'Thousands of people are being thrown on to Jobseekers Allowance who have serious health conditions and are unlikely to be able to find work in the present economic climate. While the tabloids are full of stories about disco dancing DLA claimants, the stories of thousands denied benefits by the work capability assessment go untold in the mass media. The proposed migration of incapacity benefit claimants onto ESA will affect hundreds of thousands. It's time for people to stand together and make their voice heard.'

Big Swindle

At our Listening and Organising event one issue that was agreed as being an ongoing problem was the stigma attached to the claiming of benefits. One participant said *"Those adverts on buses asking people to 'shop' their neighbours for claiming benefits that they are allegedly not entitled to—it puts it in people's minds that all claimants are fraudsters"*.

Prime Minister David Cameron did nothing to alleviate the problem when he announced in July that the government is planning to pay private companies to seek out benefit fraud. Credit reference company Experian is posed to make a deal which includes a 'bounty' payment for exposing fraudulent claims. Much was made of £1.5 billion being fraudulently claimed but as usual the accidental overpayments made by the DWP, the £1.3 billion in underpayments and the £70 billion lost through tax evasion by the wealthy barely got a mention.

WCA Changes

The Work Capability Assessment (WCA) is an integral part of the ESA application process. After an initial claim is made, there is a 13 week assessment phase, during this time the WCA will take place to decide if the claimant can continue on ESA, or must move to Job Seekers Allowance (JSA). The claimant has to score 15 points on either physical or mental descriptors or both. If the claimant is found to be unfit for work then they will continue receiving the ESA rate and are moved onto a support group or a work related activity group. However, two thirds of ESA claimants are found to be fit for work (scoring less than 15 points) and are told to claim JSA. This two thirds of claimants are the source of the appeals as they try to re-establish their eligibility for ESA.

Some changes are now being proposed to the WCA and a public consultation into these has been launched. An internal review of the WCA found that though it accurately identifies individuals eligibility for benefits, there are a number of ways in which it could improve!

Draft amendments set out to-

- Simplify the descriptors to ensure transparency for claimants
- Expand the support group for certain mental function and communication problems
- Ensure that patients awaiting chemotherapy treatment are treated in the same way as those already undergoing the treatment
- Better acknowledge the effects of disability aids
- Improve the assessment of changeable conditions taking into account exhaustion and discomfort

The revision will probably take effect from March 2011. The DWP expects that the changes will find an additional 5% of claimants to be fit for work. DUWCs' workload shows no signs of easing.

Funding News

Staveley Project to Move Forward

The Coalfields Regeneration Trust currently fund our advice sessions in Staveley, along with those provided by Chesterfield CAB and the Law Centre's telephone service. This funding is due to run out in December, however we are pleased to report that Chesterfield Borough Council have agreed to take up the reigns from January 2011 until March 2012 through the Working Neighbourhoods Fund.

DUWCs, the CAB and Law Centre will be able to continue providing the current service, and additional funds will also allow us to offer an enhanced referral service and further facilitate the joint working between ourselves.

Fact: Number of ESA/ Incapacity cases dealt with in Staveley alone during 2010: 227 and counting...



A Plea

DUWCs continue to need unrestricted funds to keep on delivering our work at the current level. You can help in so many ways:

- Sign up to make a regular donation through standing order
- Take part in our Great Weather Lottery
- Donate your used printer cartridges and mobile phones
- Donate a prize for our Christmas raffle
- Drop in your donation to one of our offices

We need you to help!



Who's Who at the Centres

Welfare Rights Bolsover District:

Andrew Parkes
andyparkes2009@hotmail.co.uk
 Glynn Power

Welfare Rights Chesterfield/N E Derbyshire:

Neil Buxton
neil.buxton@duwc.org.uk
 Katrina Hudson
 Tim Wilkinson

Welfare Rights Staveley:

Kathy Farr

Welfare Rights Amber Valley:

John Bradley

Tel Chesterfield: 01246 231441

SALRC Worker:

Katrina Hudson

Co-ordinator:

Colin Hampton
colin.hampton@duwc.org.uk

Fundraiser:

Sarah Walters
sarah.walters@duwc.org.uk

Administration:

Lynn Haythorne
lynn.haythorne@duwc.org.uk

Not forgetting our wonderful team of volunteers including Nicolò Ferrara

Tel Shirebrook: 01623 748161

Case Studies

Quotes taken from DUWCs Listening and Organising Event:

"I live in supported housing now following a period of homelessness. After unavoidable outgoings I have £24 per week to live on. I would like to work but I am afraid I will lose my security and I would not be much better off. I can't afford to go out."

"It will take me 675 weeks to pay off my Social Fund loans."

"I got 0 points at medical assessment and was told that there were certain jobs I could do even though my doctor and surgeon say I should not work."

"Mental health problems are bad enough but when exacerbated by unemployment and low benefits it is frightening. If I fail the DLA medical assessment what am I going to do? What will happen to me? I have been out of the labour market for 15 years with health problems – who is going to employ me?"

Staveley area:

Mrs X asked us to help her with her appeal against the decision not to renew a claim for Disability Living Allowance (DLA) for her disabled child. We advised her about obtaining medical evidence in support of her case and we submitted the evidence on her behalf. We attended the appeal tribunal as her representatives and Mrs X was re-awarded Child DLA with care and mobility components. This DLA award also enabled Mrs M to re-establish her entitlement to receive Carer's Allowance. The weekly gains for this family are DLA at £90.35 and Carer's Allowance at £53.90. In addition, an award of the high rate care component of DLA enables more Child Tax Credit to be paid with an increase of around £4,800 per year (£92 per week) to this family due to their low household income from earnings. As this appeal case took 9 months to be considered, lump sums in backdated benefit and tax credits are substantial (approx £5,600 in benefits and £3,600 in tax credits).

North East Derbyshire area:

Mr and Mrs Z came to one of our outreaches for advice about their eligibility to claim benefits. Mr Z had been self employed but had generated no income from his business for almost 3 months. We advised them on possible eligibility to make a claim for Job Seekers Allowance (JSA) and Council Tax Benefit. If JSA was awarded then they could also receive help with their mortgage after 13 weeks to avoid repossession.

The family includes two children but there appeared to be no Child Tax Credits in payment. We contacted the Tax Credit office and uncovered an error in the paperwork that had resulted in a nil award. The Tax Credit office amended their records and the award was reinstated at the maximum weekly rate of £96 per week.

Chesterfield area:

Mr Y came to see us for help to make an appeal against his medical assessment for Employment and Support Allowance (ESA). Despite suffering from uncontrolled epilepsy, he had been assessed as fit for work, in apparent contradiction of the fact that a different DWP department had recently awarded him DLA for needing constant supervision. We helped him to make an appeal against the ESA medical and also advised him about obtaining supporting medical evidence that we later submitted on his behalf. The case was heard before a tribunal where we attended as his representative. Mr Y was awarded ESA at a rate of £89.80 per week and a lump sum of arrears of ESA benefit of around £700.

Volunteers

BRIGHTON ROCKS!

Report by Keith O'Neill (Volunteer at Shirebrook)

Colin Hampton, Dennis Clayton and myself travelled down to Brighton to the Public & Commercial Services (PCS) Trades Union Conference at the beginning of May. For those not aware PCS represents members throughout the Civil Service, for our benefit the prominent Department being DWP and to a lesser extent the HMRC. That's benefits and tax credits.



We were invited and sponsored. We had a display, leaflets and representatives able to lobby, and Colin Hampton was to address Conference. We were also able to raise a few funds by selling items.

The point of the exercise is to promote that in a time of recession, even double recession, there is an acute need to foster an unfailing relationship between the union representing staff at Job Centre Plus and the frontline welfare rights workers at Unemployed Workers' Centres.

We are natural allies, able to understand each others point of view. We should bring strength to their battles against cuts, both in staffing levels and in benefit rates. They should be there to help us in the never ending battle with poor communications with call centres to mention just a few.

I am a PCS member; I listened to their debates about poor staffing levels, conditions of service, call centres not to mention welfare rights groups like ourselves. The problems they experience are many and varied.

I hope our relationship with PCS members and Officers will continue to blossom. We spoke to plenty of representatives who were keen to show support. Quite significant was the donation of all the ticket money profits from their Social Evening, £1040.00 or thereabouts. Cheers and much appreciated.

All being well we'll find our way to Brighton next year and keep talking the talk.

Muscle in Brussels

DUWC volunteer and Minimum Income campaigner Justine Bark will be joining Colin Hampton at a conference entitled "Laying the Foundations for a Fairer Europe: Ensuring an Adequate Minimum Income for All." The conference, organised by the European Anti-Poverty Network and taking place in Brussels in September, is hoping to make progress towards a European Union Framework Directive. Justine and Colin will be taking their experience of fighting for higher benefits in the UK.

Chesterfield Volunteer Centre...

...are reporting a noticeable rise in enquiries from people giving their status as unemployed. Between April and June 2010 there was an overall rise of 13% across all categories compared to the same period last year, but the rise of enquiries from unemployed people is 22%. The unemployed make up by far the largest group of people enquiring about volunteer work experience at Chesterfield Volunteer Centre, dispelling the myth that unemployed people don't want to work.

News

Everything Must Go Up

In the previous issue of *Solidarity* we reported on fears of a rise in the VAT rate and what this would mean for poor families.

The emergency budget in July did in fact announce a raise in the VAT rate to 20%, prompting DUWCs to respond through the local media in order to highlight our fears for local benefit claimants. Colin Hampton told the Derbyshire Times “VAT affects poor people disproportionately to the rich because it is a tax on goods and services. Our benefits are already among the lowest in Europe and this budget is taxing those already struggling.”

We reported on a letter writing campaign which had seen our volunteers and service users writing to the chancellor about the stark realities of their daily budget. The VAT cut doesn't mean just fewer holidays or savings for people already on the poverty line—it is the difference between eating a meal or heating your home.

Colin Hampton also warned

“If people's incomes are badly affected they can't spend and this will affect the economy.”

This reflects the Centre for Retail Research's assertion that the rise could cost 47,000 jobs.

Minimum Income Standard

The Joseph Rowntree Foundation has updated its Minimum Income Standard due to the considerable economic changes. Key findings are:

- A basic but acceptable standard of living for a single person requires an income of £14,400 per year before tax
- A basic but acceptable standard of living for a couple with two children needs £29,200
- Over the past decade the cost of a minimum budget has risen 38%, even though the inflation rate is 23%
- A single person has had a 10% fall in the standard of living over the past decade

Addicts Under Compulsion

As part of a drug strategy being formulated by the government, consideration is being given to new benefit conditions. This includes sanctioning drug and alcohol users who refuse treatment. The government says that it wishes to reform the welfare system so that those with drug and alcohol problems receive the help and support they need to overcome their dependency and get back to work.

Andy Parkes, Welfare Rights worker at DUWC said 'Benefit Sanctions have proved to be ineffective elsewhere in the system driving families into debt and punishing claimant's partners and children. The policy makers seem more intent on making headlines than dealing with the social problems arising from unemployment and poverty.'

Who Cares

Disabled and elderly people in Derbyshire are facing a fall in their already sparse incomes if the County Council go ahead with new proposals. Those in receipt of currently free social care may have to start contributing to the cost through their DLA and Attendance Allowance payments. Council representatives assert that they have no choice but to look at this course of action due to overspending and a growing elderly population.

Public spending cuts are affecting Local Authority budgets. DUWCs, in trying to give voice to those who use our services, will continue to argue that any cuts should not reduce the already miserable standard of living of benefit claimants. Making those with savings pay is a disincentive to save and usually breeds further resentment of those who are the poorest.

TRUST

ACTION MESOTHELIOMA DAY 2010

On Action Mesothelioma Day this year, Mesothelioma victims demanded that the government honour a commitment to spend more on research. This was the first year that Action Mesothelioma Day had moved from February to the first Friday in July, which fell on the 2nd of July.

Government health cutbacks mean the new Government is unlikely to honour a pledge made by the previous government to fund research into Mesothelioma. Poignant messages and epitaphs to loved ones who have died were hung on special trees by victims and their families calling on the Government to take immediate action.



One person who attended Action Mesothelioma Day was Bernard Dean (right) from Derbyshire who was exposed to Asbestos as a Joiner. Bernard had to cut asbestos to make partitions and wall panels. He was diagnosed with Mesothelioma in February 2009. Bernard received chemotherapy. He stated on the day that he would welcome the Research Centre. Bernard has already been taking part in drug trials as he recognises that this is the only way in which work can be carried out to find the best effective treatment and hopefully a cure.

Currently very little government money is put into researching this killer cancer caused by merely going to work. Cash for research mainly comes from donations from victims and their families whose lives have been blighted by this devastating disease.

Support

The Association of British Insurers has promised £3m over the next three years (£1m a year), and the money will be administered by the British Lung Foundation but more is needed for the research centre to be effective. In particular money is needed for research into patients' palliative care needs, for finding the most effective pain relief and ways to cope with breathlessness. There should also be more support for families and carers of Mesothelioma victims.

Mr Antonio Martin-Ucar, Consultant Thoracic Surgeon at Nottingham University Hospitals, who spoke on the day commented "We have a duty to continue to gather information about Malignant Pleural Mesothelioma as well as provide the best clinical care. We need to support National Randomised Controlled Trials and also to monitor and assess different areas of care. Specialists should be involved in the care of patients at all stages of the disease. Assessment of Quality of Life is extremely important in this disease".

Other speakers included Clare Darlington, a lung cancer nurse specialist, and Lisa Barker from Derbyshire Carers' Association. The meeting also heard from Graham Sherlock Brown, who provided hope and support for Mesothelioma victims attending the meeting. Graham was diagnosed with Mesothelioma in 2002 and after 8 years of living his life with the disease, he is managing to live it to the full. He turned 60 after being diagnosed with Mesothelioma and is now looking forward to celebrating his 70th Birthday.

Trade Union Safety Team and Derbyshire Asbestos Support Team
Contact Joanne Carlin, or Natalie Woodward on 01623 748161

Where to get advice

ALFRETON Alfreton House High Street Tuesday 9.00am –12.00pm Wed,Thur 9.00am—12.00pm 1.00pm—4.00pm	BOLSOVER Adult Education Centre Castle Street Monday 1.00pm—3.30pm	BRIMINGTON Community Centre High Street Monday 9.15am—12.15pm	CARR VALE Bainbridge Hall Chapel Road Wednesday 1.00pm—3.30pm
CLAY CROSS Adult Education Centre Market Street Monday 9.30am—12.30pm	CLOWNE 48 Mill Street Tuesday 1.00pm—3.30pm	CRESWELL Resource Point Elmtton Road Thursday 1.00pm—3.30pm	ECKINGTON Business Centre Market Street Monday 1.30pm—3.30pm
GRASSMOOR Community Centre New Street Thursday 10.00am -12.00pm	HEANOR Salcare Ray Street Friday 8.30am-12.30pm	NORTH WINGFIELD Community Resource Centre Thursday 1.00pm-3.30pm	PINXTON Village Hall Kirkstead Road Tuesday 1.00pm—3.30pm
SOMERCOTES Parish Hall Nottingham Road Monday 1.30pm-4.00pm	SOUTH NORMANTON Cyber Café High Street Thursday 1.00pm-3.30pm	STAVELEY Learning Matters High Street Mon,Wed,Fri 9.00am—1.00pm	WHITWELL Community Centre The Square Tuesday 9.00am-12.00pm
Telephone 01246 231441 01623 748161	CHESTERFIELD 70 Saltergate Mon—Thurs 9.00am—3.30pm Friday 9.00am—12.00pm 01246 231441	SHIREBROOK 44 Patchwork Row Mon—Fri 9.00am—11.30am 01623 748161	Email/Web info@duwc.org.uk www.duwc.org.uk

Help us Go Green!

If you are able to receive your issue of Solidarity via email, please send your address to:

info@duwc.org.uk

Don't forget to join our group on Facebook for interim updates, photos and opportunities for discussion.

Don't Forget...

To remember us in your will, or to ask for donations in lieu of flowers at your funeral.

Let our future be your legacy.

DUWCs pride ourselves on our accessibility – obtained through our large network of outreach sessions as shown in the grid above. Please help keep these local sessions alive by using them and telling friends and relatives about them.

Anyone able to volunteer on our publicity leaflet delivering team (led by Roger Slater) please contact Colin on 01246 231441.