

Common Advice Performance Management Reporting Framework Summary 2018/19

East Lothian Council



The Common Advice Performance Management Reporting Framework (CAPMRF) has been developed in consultation with local authorities and other key stakeholders. It aims to measure key performance indicators for welfare and money advice services funded by local authorities on both an in-house and commissioned basis. This is a summary of the key findings from the data returns for 2018/19 for the CAPMRF for East Lothian Council.

This is the second year in which the data has been collected in relation to both welfare and money advice services, making it possible to begin to identify changes over time at both local and national levels. Prior to 2017/18, three iterations, covering 2014/15 through to 2016/17, covered money advice only. Therefore, longer term trends can be examined for indicators covering money advice. The information received from individual local authorities has been collated in order to produce a Scotland-wide analysis reflecting the significant impact of welfare and money advice services at a national level. This should be considered in conjunction with this local summary. The key findings are detailed below:

Key Points:

- There was a large increase in the number of clients supported by Money & Welfare Rights Advice services in East Lothian. The total number of clients increased 131% from 1,848 clients in 2017/18 to 4,226 in 2018/19. This included a 34% increase in the number of new clients, from 1,583 to 2,120.
- Contacts to the services are increasingly being made through email. The proportion of contacts made by email has increased from 10% of all contacts in 2017/18 to 22% in 2018/19.
- In comparison to the previous year the proportion of clients recorded as having a disability or long-term condition has decreased from 51% of clients to 41%.
- There has been a sharp drop in the amount of debt owed by debt clients. This has reduced 77% since the previous year and 74% since 2015/16.



Case Study

Client W is of working age and has 3 children. She had childhood leukaemia and was then diagnosed with a brain tumour at the age of 21. She had surgery which removed the majority but not all of the tumour and this left her with vertigo, bell's palsy, blindness in the left eye, deafness in the left ear, anxiety and depression. In 2017 the remaining tumour grew requiring radiotherapy to reduce it.

In 2017 Client W underwent a Work Capability Assessment (WCA) for her Employment and Support Allowance (ESA). As she was undergoing treatment at the time she was automatically assessed as unfit for work and work related activity without having to attend a medical.

In 2019 Client W was required to undergo a further WCA for her ESA and following a medical was found fit for work and her ESA ceased.

East Lothian Council's Welfare Rights Team assisted Client W to submit a Mandatory Reconsideration of this decision, which was also refused, and then to appeal to an Independent Tribunal.

Whilst waiting the 5 months from the date of the decision to the Tribunal hearing, the only benefit Client W could claim to replace her ESA would be Universal Credit (UC). If she claimed UC she would not be able to return to ESA even if her appeal was successful. Due to the difficulties around UC, Client W decided not to claim this and to live off her Child Benefit, Child Tax Credit and Personal Independence Payment, which caused her considerable financial hardship and she had to apply to the local foodbank for assistance.

A Welfare Rights Officer (WRO) assessed Client W's appeal papers and forwarded a written submission to the Tribunal Service outlining Client W's health problems and the descriptors relevant for her to meet the criteria for ESA. On the day of the appeal hearing the Tribunal members decided, looking at the appeal papers and the WRO submission, without needing to see Client W, that she is clearly unfit for work as she is unable to mobilise and go out on her own due to her loss of sight, loss of hearing and dizziness. They also recommended that Client W is not reassessed again.

Client W therefore had her ESA reinstated (£114.70/week) and arrears paid (£1,988.13) and she is able to remain on ESA rather than claim UC.

Additional Case Studies can be found in the Appendix

Services, Investment and Volume					
Ref	Indicator	East Lothian		Scotland	East Lothian
		2017/18	2018/19	2018/19	% Change 2017/18 to 2018/19
C1	Number of services in the LA area				
	In-House				
	Money advice	-	-	3	
	Welfare rights ¹	1	1	11	0%
	Combined	-	-	15	
	External				
	Money advice	-	-	5	
	Welfare rights ²	1	1	1	0%
Combined ³	2	2	65	0%	
	Case management system/s	CASTLE and CASTLE DEBT, PG Debt, Excel, Charitylog, Access database	CASTLE - CAB, In-house Access Database - East Lothian Council's Welfare Rights team		
I1	Number of FTE staff				
	In-House	4.3	3.6	466	-16%
	External	14.7	10.5	443	-29%
	Number of Volunteer FTE staff				
In-House	-	-	10		
External	28.0	72.0	563	157%	
I2	Local Authority Funding				
	In-House	£160,000	£144,000	£14,753,814	-10%
	External	£472,768	£401,006 ⁵	£11,143,981	-15%
	Other Sources of Funding				
	Scottish Legal Aid Board	£142,677		£771,398	
	Scottish Government	£18,400	£133,646	£545,522	626%
	Big Lottery Fund	£0		£290,094	
	European Social Fund	£0		£459,223	
Other	£43,000 ⁴	£43,513 ⁶	£1,977,490	1%	

1 East Lothian Welfare Rights Team

2 Carers of East Lothian

3 Musselburgh & District CAB and Haddington CAB

4 £43,000 includes £7,000 NHS Lothian, £13,000 Bureau Reserves and £23,000 Macmillan Cancer Support

5 External funding covers Income Maximisation, Money Advice including Financial Education, Housing Advice and General Advice. Advice for debt and welfare benefits utilises around 76% of the total funding so this figure reflects 76% of the total external funding.

6 £43,513 includes £7,000 NHS Lothian and £36,513 Pensionwise

Services, Investment and Volume					
Ref	Indicator	East Lothian		Scotland	East Lothian
		2017/18	2018/19	2018/19	% Change 2017/18 to 2018/19
A1	Volume				
	Contacts	9,078	9,068	307,511	0%
	Total Clients	1,848	4,266	244,637	131%
	New Clients	1,583	2,120	61,652	34%
	Contacts by channel				
	Face-to-face	3,244	3,931	103,407	21%
	Telephone	4,011	3,176	56,566	-21%
	Email	764	1,961	22,286	157%
	Web	-	-	4,739	
	Webchat	-	-	833	
	Number of benefit entitlement checks carried out	*	1,307	44,416	
	Referrals ⁷				
	Self-referral	1,168	1,820	77,897	56%
	Local authority:				
	Housing	64	139	4,181	117%
	Social Services	11	67	8,357	509%
	Revenues	10	45	1,264	350%
	Employability	-	88	1,847	
	Other	23	22	6,558	-4%
	Primary Health Care	25	226	12,202	804%
Third Sector	88	163	5,790	85%	
Other	23	197	11,972	757%	
Open SNSIAP cases ⁸					
Type I	127	126	8,774	-1%	
Type II	189	187	20,667	-1%	
Type III	126	123	7,885	-2%	
Closed SNSIAP cases ⁹					
Type I	119	405	15,432	240%	
Type II	157	487	25,043	210%	
Type III	81	254	5,210	214%	

7 There is missing data from the 2018/19 figures as CAB referrals are not a required field in the database and can be left unrecorded

8 East Lothian Councils Welfare Rights cases do not categorise in this way therefore 394 open cases have been excluded from the 2018/19 figures

9 East Lothian Councils Welfare Rights cases do not categorise in this way therefore 770 closed cases have been excluded from the 2018/19 figures

Services, Investment and Volume					
Ref	Indicator	East Lothian		Scotland	East Lothian
		2017/18	2018/19	2018/19	% Change 2017/18 to 2018/19
A1	First reason for contacting agency ¹⁰				
	Benefit Overpayment	-	77	721	
	Council Tax arrears	-	311	2,189	
	Credit, store and charge card debts	-	226	1,612	
	Catalogue debts	-	100	666	
	PPI	-	-	457	
	Payday Loan /High cost credit	-	50	367	
	Unsecured personal loan (except payday loans)	-	150	1,110	
	Bank and Building society overdrafts	-	104	676	
	Mortgage arrears	-	44	337	
	Rent arrears	-	357	2,989	
	Help with appealing welfare benefit decision	-	676	3,297	
	Assistance with making initial benefit application	-	402	6,271	
	Sanctioned	-	39	249	
	Benefits entitlement check	-	3,220	28,582	
	Issue relating to right to reside	-	7	199	
	Seeking to access other funds (i.e. grants)	-	114	1,461	
	Other (Please specify)	-	332 ¹¹	25,736	

¹⁰ In 2018/19 there were 2,859 contacts that were not recorded.

¹¹ Includes 20 Water and Sewage (council tax billing) Arrears, 11 Hire Purchase, 4 Child Support, 3 Court Fines, 3 Factor Charges, 3 Social Fund, 15 Mobile Phone, 8 Telecoms/TV Licence

Client Demographics

Ref	Demographic	Categories	East Lothian		Scotland	East Lothian
			2017/18	2018/19	2018/19	% Change 2017/18 to 2018/19
C2	Sex	Male	1,197	1,239	79,041	4%
		Female	1,657	1,865	98,580	13%
		Not recorded	545	399	39,814	-27%
		Prefer not to answer	*	763	2,330	
	Age	0-15	6	10	803	67%
		16-24	126	186	13,350	48%
		25-34	332	401	26,767	21%
		35-44	478	500	31,774	5%
		45-59	903	1,028	41,754	14%
		60-64	*	355	20,258	
		65-70	*	262	12,890	
		71+	*	331	21,652	
		Not Recorded	558	265	38,752	-53%
	Prefer not to answer	*	928	9,365		
	Ethnicity	White	2,637	2,723	137,977	3%
		Any Mixed or Multiple Ethnic Groups	1	7	951	600%
		Asian, Asian Scottish or Asian British	13	9	3,261	-31%
		African	4	7	1,727	75%
		Caribbean or Black	1	1	500	0%
Other Ethnic Group		24	41	1,831	71%	
Not Recorded		617	377	60,983	-39%	
Prefer not to answer		*	1,101	4,661		
Disability or long-term condition	Yes	1,266	1,098	60,955	-13%	
	No	1,229	1,607	51,966	31%	
	Not Recorded	861	1,561	64,289	81%	
Income ¹²	£6,000 or less	79	15	18,256	-81%	
	£6,001-£10,000	47	43	13,954	-9%	
	£10,001-£15,000	73	56	11,306	-23%	
	£15,001-£20,000	51	47	7,647	-8%	
	£20,001-£25,000	20	27	3,579	35%	
	£25,001-£30,000	12	9	2,324	-25%	
	£30,001-£40,000	5	8	1,316	60%	
	Over £40,000	2	3	640	50%	
	Not Recorded	1,506	1,276	92,673	-15%	
	Prefer not to answer	*	2,782	4,138		

12 2017/18 figures only include data from Haddington CAB

Client Demographics						
			East Lothian		Scotland	East Lothian
Ref	Demographic	Categories	2017/18	2018/19	2018/19	% Change 2017/18 to 2018/19
C2	Economic Status ¹³	Self employed	47	100	3,477	113%
		Employed full time	183	332	16,169	81%
		Employed part time	169	240	13,548	42%
		Looking after the home or family	26	38	5,116	46%
		Permanently retired from work	244	432	17,358	77%
		Unemployed and seeking work	254	306	18,157	20%
		At school	1	1	729	0%
		In further/higher education	17	24	1,097	41%
		Gov't work or training scheme	-	-	816	
		Permanently sick or disabled	287	359	26,733	25%
		Unable to work because of short-term illness or injury	98	84	8,114	-14%
		Other	24	35		46%
		Other	1,620	1,194	3,401	-26%
		Not recorded	*	1,121	80,313	
Prefer not to answer			5,734			
C2	Housing Tenure ¹⁴	Owner occupied	222	612	23,012	176%
		Social rented	589	1,231	54,932	109%
		Private rented	205	303	13,782	48%
		Temporary accommodation	*	4	2,717	
		Homeless	*	60	1,475	
		Other	147	165	9,619	12%
		Not recorded	1,807	547	85,407	-70%
		Prefer not to answer	*	1,344	6,530	
C2	Household Composition ¹⁵	Single adult (non-pensioner)	273	361	34,748	32%
		Single pensioner	47	123	4,476	162%
		Small single parent (1 or 2 children)	*	229	11,406	
		Large single parent (3 or more children)	*	-	747	
		Young single parent (1 adult under 25, and 1 or more children)	*	6	556	
		Family (2 adults, and 1 or more children)	*	356	10,633	
		Large family (2 adults, and 3 or more children)	*	11	1,036	
		Adult family (2 or more non-pensioners, and no children)	191	294	16,485	54%
		Older adult family (contains at least 1 pensioner)	99	177	6,038	79%
		Not recorded	1,889	1,530	84,338	-19%
		Prefer not to answer	*	1,179	10,422	

13 2017/18 figures exclude data from Carers of East Lothian

14 2017/18 figures exclude data from the Welfare Rights team and Carers of East Lothian

15 2017/18 figures exclude data from Carers of East Lothian

Money Advice Indicators									
		East Lothian					Scotland	East Lothian	
Ref	Indicator	2014/15	2015/16	2016/17	2017/18	2018/19	2018/19	% Change 2017/18 to 2018/19	
C3 ¹⁶	Number of clients								
	Total	-	-	-	350	1,598	43,593	357%	
	Benefit overpayment	-	-	-	21	63	1,845	200%	
	Council Tax arrears	-	-	-	39	129	5,174	231%	
	Utility Arrears	-	-	-	19	113	4,055	495%	
	Credit, store, and charge card debts	-	-	-	52	196	5,452	277%	
	Rent to own	-	-	-	-	7	455		
	Catalogue	-	-	-	38	77	2,183	103%	
	Unsecured personal loan	-	-	-	53	151	3,528	185%	
	Payday Loan / High Cost Credit	-	-	-	5	71	1,694	1320%	
	Overdrafts	-	-	-	19	78	2,689	311%	
	Mortgage arrears	-	-	-	7	23	674	229%	
	Rent arrears	-	-	-	30	127	5,667	323%	
	Others	-	-	-	67	563 ¹⁷	10,177	740%	
	Amount of debt owed by client								
	Total		£5,372,044	£4,788,414	£6,088,587	£1,409,702	£186,250,137	-77%	
	Benefit overpayment		£188,535	£209,365	£250,366	£75,561	£6,283,913	-70%	
	Council Tax arrears		£489,318	£409,576	£571,131	£155,329	£20,075,954	-73%	
	Utility Arrears		£167,698	£68,443	£85,885	£9,425	£3,214,671	-89%	
	Credit, store, and charge card debts		£956,234	£1,011,853	£942,586	£73,930	£34,926,764	-92%	
	Rent to own		£31,592	£131,280	£130,485	£0	£2,015,158	-100%	
	Catalogue		£136,073	£136,195	£146,112	£31,948	£3,858,004	-78%	
	Unsecured personal loan		£785,474	£483,276	£826,194	£163,499	£23,273,669	-80%	
Payday Loan / High Cost Credit		£123,136	£30,259	£251,955	£15,019	£3,306,422	-94%		
Overdrafts		£171,053	£163,497	£165,639	£28,138	£4,553,239	-83%		
Mortgage arrears		£795,286	£1,866,756	£1,046,815	£320,936	£17,668,282	-69%		
Rent arrears		£255,712	£233	£396,766	£56,021	£8,197,951	-86%		
Others		£1,271,933	£277,681	£1,274,652	£479,898 ¹⁸	£58,876,109	-62%		

16 Excludes data from the internal service as they deal with welfare rights advice only.

17 Includes HMRC and situational obligations like trust deed issues and matters in court that do not fall within the above classifications, including 46 unclassified other.

18 Includes HMRC and situational obligations like trust deed issues and matters in court that do not fall within the above classifications, including £181,628 unclassified other.

Money Advice Indicators

		East Lothian					Scotland	East Lothian
Ref	Indicator	2014/15	2015/16	2016/17	2017/18	2018/19	2018/19	% Change 2017/18 to 2018/19
OP1.1	Breakdown of debt strategy agreed with client							
	Sequestration	-	86	79	90	160	1,722	78%
	Debt Arrangement Scheme	-	25	46	9	16	886	78%
	Trust Deed	-	24	-	24	3	134	-88%
	Awaiting sequestration	-	21	3	-	-	341	
	Token payments	-	25	10	3	2	1,161	-33%
	Pro rata offers	-	62	101	91	4	1,469	-96%
	Moratorium	-	-	1	2	-	263	-100%
	Debt written off	-	2	10	8	10	355	25%
	Repayment plan	-	8	3	47	114	643	143%
	Nil Payments/Offers	-	-	-	-	-	295	
	Consolidation Loan	-	-	-	-	-	19	
	Mortgage to rent/Shared equity	-	11	4	1	-	62	-100%
	Did not agree a debt strategy	-	29	35	12	10	1,058	-17%
	Still awaiting outcome	-	78	33	-	-	2,550	
Other: please specify	-	-	-	-	-	2,595		
OC1	Financial gain							
	Financial gain from money advice				*	£618,789	£30,217,870	
	Financial gain from any other welfare benefits				*	£406,055	£8,179,848	
	Total of ALL verified financial gain				£8,812,475	£8,201,947	£323,876,347	-7%
	Total of ALL unverified financial gain				*	£47,195,664		

Welfare Rights Advice Indicators					
		East Lothian		Scotland	East Lothian
Ref	Indicator	2017/18	2018/19	2018/19	%Change 2017/18 to 2018/19
OP2, OP3, OC1 ¹⁹	Total				
	No. claims	1,421	1,642	67,249	16%
	No. awards made/maintained	1,206	3,601	55,436	199%
	Financial gain from awards made/maintained	£5,303,731	£7,177,103	£222,533,895	35%
	No. Mandatory Reconsiderations (MRs)	285	421	8,891	48%
	No. MRs won	*	15	2,063	
	No. MRs lost	*	100	2,626	
	No. appeals	128	173	10,826	35%
	No. appeals won	*	186	6,483	
	No. appeals lost	*	66	2,004	
	Financial gain from MRs/appeals	£561,728	£1,880,356	£44,553,543	235%
	Attendance Allowance				
	No. claims	187	166	7,367	-11%
	No. awards made/maintained	163	174	7,245	7%
	Financial gain from awards made/maintained	£1,111,414	£1,183,387	£29,556,233	6%
	No. Mandatory Reconsiderations (MRs)	11	4	190	-64%
	No. MRs won	*	-	119	
	No. MRs lost	*	-	37	
	No. appeals	-	2	58	
	No. appeals won	*	1	42	
	No. appeals lost	*	3	26	
	Financial gain from MRs/appeals	£0	£2,980	£1,959,706	
	Bereavement Benefits				
	No. claims	-	-	190	
	No. awards made/maintained	-	1	129	
	Financial gain from awards made/maintained	£65,141	£4,300	£561,487	-93%
	No. Mandatory Reconsiderations (MRs)	-	-	4	
	No. MRs won	*	-	-	
	No. MRs lost	*	-	-	
	No. appeals	-	-	5	
No. appeals won	*	-	-		
No. appeals lost	*	-	-		
Financial gain from MRs/appeals	£0	£0	£0		

19 2017/18 data on number of claims, awards, MRs, and appeals available from Haddington CAB only. Financial gain includes data from Haddington CAB and Carers of East Lothian.

Welfare Rights Advice Indicators					
		East Lothian		Scotland	East Lothian
Ref	Indicator	2017/18	2018/19	2018/19	%Change 2017/18 to 2018/19
OP2, OP3, OC1	Carers Allowance				
	No. claims	43	39	1,766	-9%
	No. awards made/maintained	26	37	1,393	42%
	Financial gain from awards made/maintained	£117,114	£170,655	£4,194,118	46%
	No. Mandatory Reconsiderations (MRs)	2	-	22	-100%
	No. MRs won	*	-	9	
	No. MRs lost	*	-	1	
	No. appeals	-	-	1	
	No. appeals won	*	-	1	
	No. appeals lost	*	3	5	
	Financial gain from MRs/appeals	£7,472	£0	£63,942	-100%
	Child Benefit				
	No. claims	12	2	842	-83%
	No. awards made/maintained	5	19	554	280%
	Financial gain from awards made/maintained	£0	£30,572	£880,829	
	No. Mandatory Reconsiderations (MRs)	1	2	18	100%
	No. MRs won	*	-	4	
	No. MRs lost	*	-	1	
	No. appeals	-	-	8	
	No. appeals won	*	1	7	
	No. appeals lost	*	-	3	
	Financial gain from MRs/appeals	£0	£1,573	£61,321	
	Child Tax Credit				
	No. claims	-	-	1,469	
	No. awards made/maintained	-	-	579	
	Financial gain from awards made/maintained	£0	£0	£3,185,276	
	No. Mandatory Reconsiderations (MRs)	4	-	112	-100%
	No. MRs won	*	-	20	
	No. MRs lost	*	-	14	
	No. appeals	-	-	37	
No. appeals won	*	-	14		
No. appeals lost	*	-	3		
Financial gain from MRs/appeals	£0	£0	£196,224		

Welfare Rights Advice Indicators					
		East Lothian		Scotland	East Lothian
Ref	Indicator	2017/18	2018/19	2018/19	%Change 2017/18 to 2018/19
OP2, OP3, OC1	Cold Weather Payments and Winter Fuel Payments				
	No. claims	-	-	40	
	No. awards made/maintained	-	-	15	
	Financial gain from awards made/maintained	£0	£0	£2,592	
	No. Mandatory Reconsiderations (MRs)	-	-	3	
	No. MRs won	*	-	1	
	No. MRs lost	*	-	-	
	No. appeals	-	-	-	
	No. appeals won	*	-	-	
	No. appeals lost	*	-	-	
	Financial gain from MRs/appeals	£0	£0	£300	
	Contributory Benefits				
	No. claims	57	67	1,265	18%
	No. awards made/maintained	57	67	569	18%
	Financial gain from awards made/maintained	£572,965	£355,792	£2,632,769	-38%
	No. Mandatory Reconsiderations (MRs)	11	9	309	-18%
	No. MRs won	*	-	86	
	No. MRs lost	*	8	50	
	No. appeals	1	-	257	-100%
	No. appeals won	*	-	192	
	No. appeals lost	*	-	30	
	Financial gain from MRs/appeals	£192,390	£75,990	£1,354,155	-61%
	Disability Living Allowance				
	No. claims	136	65	2,473	-52%
	No. awards made/maintained	110	1,966	3,591	1687%
	Financial gain from awards made/maintained	£603,340	£276,553	£6,146,411	-54%
	No. Mandatory Reconsiderations (MRs)	20	12	329	-40%
	No. MRs won	*	-	90	
	No. MRs lost	*	5	119	
	No. appeals	9	13	493	44%
No. appeals won	*	10	291		
No. appeals lost	*	4	110		
Financial gain from MRs/appeals	£50,072	£43,245	£2,730,061	-14%	

Welfare Rights Advice Indicators					
		East Lothian		Scotland	East Lothian
Ref	Indicator	2017/18	2018/19	2018/19	%Change 2017/18 to 2018/19
OP2, OP3, OC1	Discretionary Housing Payments				
	No. claims	-	-	834	
	No. awards made/maintained	-	-	1,327	
	Financial gain from awards made/maintained	£0	£0	£1,308,618	
	No. Mandatory Reconsiderations (MRs)	-	-	20	
	No. MRs won	*	*	10	
	No. MRs lost	*	*	1	
	No. appeals	-	-	-	
	No. appeals won	*	*	-	
	No. appeals lost	*	*	-	
	Financial gain from MRs/appeals	£0	£0	£11,654	
	Funeral Expenses				
	No. claims	-	3	84	
	No. awards made/maintained	-	-	39	
	Financial gain from awards made/maintained	£0	£0	£52,282	
	No. Mandatory Reconsiderations (MRs)	-	-	9	
	No. MRs won	*	-	1	
	No. MRs lost	*	-	-	
	No. appeals	-	-	1	
	No. appeals won	*	-	-	
	No. appeals lost	*	-	-	
	Financial gain from MRs/appeals	£0	£0	£4,178	
	Industrial Injuries Disablement Benefit				
	No. claims	-	2	73	
	No. awards made/maintained	-	1	35	
	Financial gain from awards made/maintained	£0	£119	£122,385	
	No. Mandatory Reconsiderations (MRs)	-	2	13	
	No. MRs won	*	-	1	
	No. MRs lost	*	-	3	
	No. appeals	-	1	30	
No. appeals won	*	-	6		
No. appeals lost	*	-	11		
Financial gain from MRs/appeals	£0	£0	£20,126		

Welfare Rights Advice Indicators					
		East Lothian		Scotland	East Lothian
Ref	Indicator	2017/18	2018/19	2018/19	%Change 2017/18 to 2018/19
OP2, OP3, OC1	Maternity Allowance				
	No. claims	-	-	45	
	No. awards made/maintained	-	-	31	
	Financial gain from awards made/maintained	£0	£0	£157,684	
	No. Mandatory Reconsiderations (MRs)	-	-	-	
	No. MRs won	*	-	-	
	No. MRs lost	*	-	-	
	No. appeals	-	-	4	
	No. appeals won	*	-	2	
	No. appeals lost	*	-	1	
	Financial gain from MRs/appeals	£0	£0	£87,865	
	Pension Credit				
	No. claims	27	22	1,334	-19%
	No. awards made/maintained	26	46	2,156	77%
	Financial gain from awards made/maintained	£148,384	£254,959	£6,997,890	72%
	No. Mandatory Reconsiderations (MRs)	1	1	30	0%
	No. MRs won	*	-	9	
	No. MRs lost	*	1	5	
	No. appeals	-	3	10	
	No. appeals won	*	1	3	
	No. appeals lost	*	1	4	
	Financial gain from MRs/appeals	£625	£19,068	£87,623	2953%
	Personal Independence Payment				
	No. claims	416	725	21,856	74%
	No. awards made/maintained	300	715	13,324	138%
	Financial gain from awards made/maintained	£1,529,408	£2,504,774	£66,356,434	64%
	No. Mandatory Reconsiderations (MRs)	96	251	3,796	161%
No. MRs won	*	11	688		
No. MRs lost	*	61	1,299		
No. appeals	78	100	5,177	28%	
No. appeals won	*	122	2,979		
No. appeals lost	*	35	1,064		
Financial gain from MRs/appeals	£209,700	£610,728	£19,563,811	191%	

Welfare Rights Advice Indicators						
		East Lothian		Scotland	East Lothian	
Ref	Indicator	2017/18	2018/19	2018/19	%Change 2017/18 to 2018/19	
OP2, OP3, OC1	Scottish Welfare Fund					
	No. claims	2	25	2,111	1150%	
	No. awards made/maintained	2	24	1,068	1100%	
	Financial gain from awards made/maintained	£700	£2,475	£859,970	254%	
	No. Mandatory Reconsiderations (MRs)	-	-	68		
	No. MRs won	*	-	14		
	No. MRs lost	*	-	7		
	No. appeals	-	1	8		
	No. appeals won	*	-	11		
	No. appeals lost	*	-	7		
	Financial gain from MRs/appeals	£0	£0	£21,285		
	State Pension					
	No. claims	10	1	177	-90%	
	No. awards made/maintained	9	4	154	-56%	
	Financial gain from awards made/maintained	£8,220	£32,524	£1,400,568	296%	
	No. Mandatory Reconsiderations (MRs)	-	-	3		
	No. MRs won	*	-	-		
	No. MRs lost	*	-	4		
	No. appeals	-	-	-		
	No. appeals won	*	-	-		
	No. appeals lost	*	-	-		
	Financial gain from MRs/appeals	£0.00	£0.00	£0.00		
	Sure Start Maternity Grant					
	No. claims	-	-	80		
	No. awards made/maintained	-	3	77		
	Financial gain from awards made/maintained	£0	£1,800	£73,311		
	No. Mandatory Reconsiderations (MRs)	-	-	2		
	No. MRs won	*	-	-		
	No. MRs lost	*	-	-		
	No. appeals	-	-	1		
No. appeals won	*	-	2			
No. appeals lost	*	-	-			
Financial gain from MRs/appeals	£0.00	£0.00	£1,000.00			

Welfare Rights Advice Indicators					
		East Lothian		Scotland	East Lothian
Ref	Indicator	2017/18	2018/19	2018/19	%Change 2017/18 to 2018/19
OP2, OP3, OC1	Universal Credit				
	No. claims	274	166	4,098	-39%
	No. awards made/maintained	189	205	3,604	8%
	Financial gain from awards made/maintained	£638,474	£1,124,315	£16,699,608	76%
	No. Mandatory Reconsiderations (MRs)	53	64	456	21%
	No. MRs won	*	3	94	
	No. MRs lost	*	20	72	
	No. appeals	22	29	347	32%
	No. appeals won	*	27	203	
	No. appeals lost	*	10	51	
	Financial gain from MRs/appeals	£17,176.98	£183,011.88	£1,115,462.61	965%
	Other				
	No. claims	257	359	21,147	40%
	No. awards made/maintained	319	339	19,547	6%
	Financial gain from awards made/maintained	£508,572	£1,234,879	£81,345,429	143%
	No. Mandatory Reconsiderations (MRs)	86	76	3,508	-12%
	No. MRs won	*	1	917	
	No. MRs lost	*	5	1,012	
	No. appeals	18	24	4,389	33%
No. appeals won	*	24	2,730		
No. appeals lost	*	10	689		
Financial gain from MRs/appeals	£84,293	£943,760	£17,274,829	1020%	

Softer Outcomes					
		East Lothian		Scotland	East Lothian
Ref	Indicator	2017/18	2018/19	2018/19	%Change 2017/18 to 2018/19
OC2	Number of service users self-reporting improved health and wellbeing as a direct result of getting advice/support from the service				
	I've been feeling more relaxed				
	Agree	-	-	1,554	
	Disagree	-	-	183	
	I've been feeling physically better				
	Agree	-	-	304	
	Disagree	-	-	5	
	I've been feeling better about myself				
	Agree	-	-	329	
	Disagree	-	-	7	
	I've been feeling more optimistic about the future				
	Agree	-	-	324	
Disagree	-	-	12		
I've been getting on better with others					
Agree	-	-	292		
Disagree	-	-	2		
OC3	Number of service users self-reporting improved capacity and ability to cope as a direct result of getting advice/support from the service				
	I am thinking more clearly				
	Agree	-	-	347	
	Disagree	-	-	14	
	I feel more in control of my life				
	Agree	-	-	351	
	Disagree	-	-	5	
	I am more able to make decisions				
	Agree	-	-	1,644	
	Disagree	-	-	76	
	I am more able to cope with day to day issues/problems				
	Agree	-	-	346	
Disagree	-	-	12		
I know when to seek support and where to get it					
Agree	-	-	356		
Disagree	-	-	4		

Softer Outcomes					
		East Lothian		Scotland	East Lothian
Ref	Indicator	2017/18	2018/19	2018/19	%Change 2017/18 to 2018/19
OC4	Number of service users self-reporting increased financial stability and resilience as a direct result of getting advice/support from the service				
	I recognise when I need help to sort out my money				
	Agree	-	-	356	
	Disagree	-	-	2	
	I am confident that I am getting all the benefits/help to which I am legally entitled				
	Agree	-	-	360	
	Disagree	-	-	2	
	I know how much money I have to spend				
	Agree	-	-	359	
	Disagree	-	-	2	
	I can better manage my money				
	Agree	-	-	1,393	
	Disagree	-	-	156	
	I would be better able to cope if I had an unexpected expense				
Agree	-	-	339		
Disagree	-	-	12		

Appendix



Case Study 1

Client X came to UK with her partner and 2 young children from elsewhere in the EU, her partner was in full time work.

Partner separated from Client X in 2017 leaving her as single parent, and homeless.

Client X and her children were re-housed by East Lothian Council's Homelessness Team and Client X started looking for work and tried to claim Universal Credit (UC) in 2017.

UC (including housing costs to cover the rent) was refused on the basis she did not have habitual residence in the UK.

Client X came to East Lothian Council's Welfare Rights Team surgery appointment in April 2018 for assistance as she and her children only had child benefit to live off.

On investigation into the residency rules for UC it was found that Client X had to show she had a right to reside in UK as an EEA national.

Client X was advised that to have a right to reside in UK she needed to be one of the following:

- a. A permanent resident after living over 5 years in UK
- b. working
- c. self employed
- d. a jobseeker, but can only receive UC after initial 91 days of looking for work if you have a genuine prospect of work
- e. self-sufficient with sufficient resources
- f. a family member of an EEA national with a right to reside
- g. have a derivative right to reside based on someone else's right to reside

However, Client X did not meet the criteria for a right to reside under any of a) – f) , therefore the service looked into g) and the possibility of a derivative right to reside.

Article 10 Regulation 492/2011 of European Parliament and Council of European Union on freedom of movement for workers within the union gives a right to reside to the primary carer of children of a migrant worker who have established themselves in general education in the UK.

In the case of *Baumbast and R v Secretary of State for the Home Department* the European Court of Justice stated that the right conferred by Article 10 on the child of a migrant worker to pursue under the best possible conditions his education in the host Member State necessarily implies that the child has the right to be accompanied by the person who is his primary carer and accordingly that that person is able to reside with him in that Member State during his studies.

As Client X's were established in education, had a parent (Client X's ex-partner) working in the UK they could therefore obtain a derivative right to reside through their father.

Then as the children estranged from their father with no contact and Client X is their primary carer she could obtain a derivative right to reside through her children, as without her care they would not be able to continue in education in UK.

The service therefore assisted Client X request a Mandatory Reconsideration of the decision to refuse her UC stating the above grounds for a derivative right to reside.

DWP still refused to accept this argument and the Mandatory Reconsideration was refused. So the service assisted Client X with an appeal to an Independent Tribunal.

At the Tribunal the Judge accepted the above arguments on derivative right to reside and overturned the DWP decision, awarding UC, including housing costs, from date of her UC claim.

Client X is therefore due UC for herself and her children, plus housing costs for her rent, totalling £1,111.81 monthly, with arrears from 9 March 2018 totalling £15,565.34. This equates to an annual financial gain of £28,907.06 secured for this client in 2019/20.

During the 10 months it took from submitting the Mandatory Reconsideration to the date of the Tribunal (delay due to DWP not providing the appeal papers to the Tribunal Service) the service assisted Client X with referrals to the Foodbank and liaised with Council's Homelessness Team who had a warrant for eviction for 28 July 2018 due to rent arrears, which they agreed to put on hold until 21 May 2019 dependent on outcome of the UC appeal. The eviction was cancelled as a result of the outcome.



Case Study 2

Client Y moved from the family/childhood home and became a tenant in own right.

Client Y was now responsible for housing costs so had to move from legacy benefit Employment and Support Allowance (ESA), Limited Capability for Work (LCW) & Work Related Activity Group (WRAG) to UC in ill health so as to get the housing cost element.

Client Y was awarded UC, however the award did not include LCW or WRAG. The Jobcentre Plus and UC Service Centre failed to cancel the legacy benefit ESA and this resulted in an overpayment.

Client Y contacted East Lothian Council's Welfare Rights Team for assistance. Two issues were identified – (1) an overpayment and (2) and underpayment

The overpayment and recovery were correct, so the Welfare Rights Officer (WRO) explained to the client about the failure of DWP to cancel the legacy benefit, ESA.

The underpayment of LCW & WRAG element were incorrect and non-payment was challenged.

The appropriate Mandatory Reconsideration request was entered into the online UC Journal. The grounds being, ill health status and recognition in benefit award should have simply transferred from legacy benefit to UC.

The Mandatory Reconsideration was successful, resulting in a significant backdated benefit of £1426.69 and a monthly increase of £336.20.

The backdated benefit was used in part to offset the overpayment. Client Y now has no deduction from UC as the overpayment was paid in full as a result of the underpayment.



Case Study 3

Client Z was a council tenant and was referred to East Lothian Council's Welfare Rights Team (WRT) by the Council's Rent Income Team.

The Rent Income Officer (RIO) had written and visited Client Z due to rising rent arrears as a result of a termination of Housing Benefit (HB) due to capital rules. The RIO referred to the WRT for assistance as having investigated the HB termination, was concerned that there was no evidence of Client Z having excess capital.

Welfare Rights Officer (WRO) followed up. There were complex family relationships and WRO could not immediately establish the situation with regard to benefit payments. DWP advised WRO that there was a Power of Attorney/ Financial Guardian in place, so could only answer WRO queries if agreed by POA/FG.

Client Z and daughter, who was the primary carer, had no knowledge of the fact that POA/FG was even in place.

WRO referred to East Lothian Council's Social Work (SW) team as vulnerable adult and possible financial abuse, therefore a matter for the Public Protection Team.

SW advised WRO that they had been contacted by a Financial Guardian Company who have responsibility to manage Client Z's finance and benefits.

The company was very apologetic, stating an oversight on their behalf. A significant payment had gone into the account they held due to a benefit underpayment. They arranged to meet Client Z and daughter.

The successful outcome was that the company paid the rent arrears in full, which had totalled £1,262.82. They set up a Direct Debit for rent payments of £141.06 each fortnight. The company now pay the equivalent of ESA (IR) benefit of £111.65 weekly and paid a backdated amount of ESA (IR) from March 2019 to July 2019 totalling £2,456.30.

WRO has asked the company to brief the Council's Revenues & Welfare Support teams of their role.



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