# ADVICE NI POLICY NEWSLETTER MAY 2019



Welcome to the latest in our series of Advice NI policy eNewsletters ' ... think ...'.

IMPORTANT: In order to receive '...think...' you must click this link.

There's a lot happening this month regarding campaigns and inquiries into Welfare Reform.

May saw the launch of the CliffEdge NI campaign (#CliffEdgeNI) on social media, supported by Advice NI, Housing Rights, Law Centre NI, NICVA and many other organisations. It is designed to highlight the following; if mitigations are not continued past March 2020, social sector tenants, carers, disabled, lone parents and families with children will lose vital income.

A joint Inquiry examining Welfare Reform in Northern Ireland has been launched, with the closing date for submissions being 26th May 2019. Advice NI, working with Prof. Eileen Evason, has already submitted a preliminary response and has submitted a further more detailed robust response.

Please email us at <u>policy@adviceni.net</u> to discuss any policy matters, content, feedback or comments.

We'd be happy to share ideas on areas to focus on, content suggestions and other ways of getting involved.

Best regards,

The Policy Team

## **LATEST NEWS**

## Final Report of the Special Rapporteur on Extreme Poverty and Human Rights in the UK

The Special Rapporteur on extreme poverty and human rights, Philip Alston, undertook a mission to the United Kingdom of Great Britain and Northern Ireland from 5 to 16 November 2018. His Final report has been published on 22nd May 2019

The Final Report states "The bottom line is that much of the glue that has held British society together since the Second World War has been deliberately removed and replaced with a harsh and uncaring ethos. A booming economy, high employment and a budget surplus have not reversed austerity, a policy pursued more as an ideological than an economic agenda."

The Final Report also draws attention to the "cliff edge" facing NI as the mitigation measures put in place on foot of the Evason Report are set to expire in 2020.

https://undocs.org/A/HRC/41/39/Add.1

## **Severe Disability Premium (SDP) Update**

The latest Parliamentary Question on the issue of people who lost their SDP when moved to UC before the Gateway:

The draft Universal Credit (Managed Migration Pilot and Miscellaneous Amendments) Regulations 2019 were laid in Parliament on 14 January 2019, and will introduce provision for those claimants who were in receipt of the Severe Disability Premium (SDP) and who have already moved on to Universal Credit following a change in their circumstances. These regulations will provide both an on-going monthly payment to eligible claimants who have already lost the SDP as a consequence of moving to Universal Credit and an additional lump sum payment to cover the period since they moved.

These regulations are subject to parliamentary debate and approval before they

come in to force. Once introduced we will implement our processes to identify those who are potentially eligible for payments, aiming to make all payments as quickly as possible and within 6 months of the regulations coming into force. This will be a time consuming process, as we have to identify claimants and assess their eligibility, possibly needing to check some information directly with claimants. We aim to finish making payments within 6 months of the regulations coming into force.

We have also introduced the Severe Disability Premium Gateway which prevents claimants who are receiving (or are "entitled to") the SDP, or have done so within the past month and remain entitled to it, from moving onto Universal Credit from legacy benefits, even if they experience a change in their circumstances. These claimants will continue to receive legacy benefits including their SDP until they are moved onto Universal Credit by the Department.

#### The SDP Gateway Written Statement:

https://www.parliament.uk/business/publications/written-questions-answer...

To ask the Secretary of State for Work and Pensions, what steps her Department is taking to ensure that claimants that no longer receive the severe disability premium after migrating to universal credit receive the financial benefits they are entitled to.

Answered on: 11 April 2019

The draft Universal Credit (Managed Migration Pilot and Miscellaneous Amendments) Regulations 2019 were laid in Parliament on 14 January 2019, and will introduce provision for those claimants who were in receipt of the Severe Disability Premium (SDP) and who have moved on to Universal Credit following a change in their circumstances.

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making payments within 6 months of the regulations coming into force.

## Joint Inquiry Into Welfare Policy in Northern Ireland

The inquiry is being led by the Northern Ireland Affairs Committee and the Work & Pensions Committee. It is looking at the 2-Child policy, Universal Credit, and the potential impact of mitigations ending in 2020. An oral evidence session will take place in Belfast early June 2019.

#### Nigel Mills MP, stated:

"We will also explore how everyday lives might change when social security 'mitigation' payments stop in 2020, and what the UK Government can do to support an effective welfare system in Northern Ireland in the absence of devolved powers." Questions posed by the Committee include:

- What has been the impact of the NI Executive social security 'mitigation package'?
- What would be the likely effects of the mitigation package coming to an end in 2020?
- What, if anything, should replace the mitigation package from 2020?
- What are the effects of having higher levels of welfare entitlement in Northern Ireland? Is it feasible for Northern Ireland to have differing levels of welfare entitlement in the long term?
- How well is Universal Credit working in Northern Ireland? Are there issues with Universal Credit that are specific to Northern Ireland compared to the rest of the UK?

Submissions for this enquiry have now closed but for updates see this link.

### **Benefit Cap Discrimination Case**

Challenge to benefit cap loses by 5-2 - discrimination against lone parents is not manifestly without reasonable foundation

Judgment has been handed down this morning in the case of R (on the application of DA and others) v Secretary of State for Work and Pensions and R (on the application of DS and others) v Secretary of State for Work and Pensions (Respondent)

https://www.supremecourt.uk/cases/uksc-2018-0074.html

### **Northern Ireland Poverty Bulletin**

The Northern Ireland poverty bulletin uses data collected from the Family Resources Survey to provide estimates of the proportion and number of children, working age adults and pensioners living in low income households in Northern Ireland.

The bulletin uses household disposable incomes, adjusted for household size and composition, as a proxy for material living standards, or more precisely for the level of consumption of goods and services that people could attain given the disposable income of the household in which they live. The next edition of the Northern Ireland Poverty Bulletin, for the financial year 2017/18, is to be released in Spring 2020.

https://www.communities-ni.gov.uk/topics/family-resources-survey#toc-1

## **Steps to Success Satisfaction Survey**

The Steps 2 Success employment programme was introduced October 2014. It was designed to help claimants prepare for, find and keep a job by offering a personalised service, tailored to meet specific needs. The Steps 2 Success programme is delivered across Northern Ireland by:

- Ingeus Greater Belfast
- PeoplePlus NI North and North West
- Reed in Partnership South and South West

Now the DfC would like claimants to participate in an anonymous survey:

'The Department for Communities (DfC) is undertaking a survey of Steps 2 Success programme participants to find out how effective the programme is in helping people find and remain in work. I have outlined the details of the survey for you below, should you be approached by anyone that may contact you directly about the letter they have received. The aim of the survey is to:

- track, measure and analyse the ongoing customer satisfaction levels of S2S participants through the S2S programme at appropriate key points on the participant journey
- determine if participants deemed the "offer" appropriate to meet their needs throughout participation on the programme
- inform the Department of the perceived effectiveness of the S2S programme
- inform future provision

The survey is being conducted by administrative staff within DfC and letters have already issued to 2,500 randomly selected participants. A copy of the participant letter is attached. The survey will be conducted by a telephone interview which will last approximately 10 minutes. DfC has advised that the survey is voluntary and is for research purposes only; it will not affect any benefit they may receive or any dealings they may have with any government Department or agency, now or in the future. Any information they provide will be held in the strictest confidence and will be handled securely throughout the survey period. The survey findings will not identify anyone and no personal information will be shared with any third parties. There is an option to 'opt out' of the survey and DfC has provided a freephone telephone number and email address to contact the Department.

If you would like find out more about this survey, please do not hesitate to get in touch with a member of staff at 028 9072 6721 or email DFCPFWprogrammes@communities-ni.gov.uk.

## Estimates of (a) Men and (b) Women Receiving Pension Payments That Are Below The State Pension Minimum

PQ asked of the Secretary of State for Work and Pensions, what estimate her Department has made of the number of (a) men and (b) women receiving pension payments that are below the state pension minimum.

'The Answered on: 17 April 2019

There is no single lowest or minimum payment of the State Pension. This is because the amount received varies depending on individual circumstances, including when State Pension age is reached, the National Insurance record and the qualifying rules under which the State Pension is calculated. This means it is not possible to provide an estimate of the numbers of people receiving the lowest amount or amounts below a minimum.

The old State Pension (for people who reached State Pension age before 6 April 2016) could be made up of the basic State Pension, additional State Pension and Graduated Retirement Benefit. Each of these elements had their own rules.

For those who reached State Pension age before 6 April 2010, an individual needed to have a minimum of one qualifying year of paid or treated as having been paid National Insurance contributions, and at least 25 per cent of the qualifying years required for a full basic State Pension in order to get any basic State Pension. Women normally needed 39 qualifying years and men 44 qualifying years to get a full basic State Pension (currently £129.20 per week). Proportionate rates were paid depending on the number of qualifying years once the minimum qualifying conditions were met.

For those reaching State Pension age on or after 6 April 2010, but before 6th April 2016, one qualifying year of paid or credited National Insurance contributions gave entitlement to some basic State Pension and 30 qualifying years of National Insurance contributions were required for a full basic State Pension. Proportionate rates were paid depending on the number of qualifying years between one and 30.

The amount of Additional State Pension was based on a person's earnings, National Insurance position and whether they had been contracted out of the State Earnings-Related Pension Scheme or, from 2002, State Second Pension. Graduated Retirement Benefit was based on the number of units that had been obtained between 1961 and 1975.

The new State Pension (for those reaching State Pension age from 6 April 2016 onwards) is based on an individual's National Insurance record. The minimum qualifying period is usually 10 years of contributions to get any new State Pension so a person with 10 qualifying years will receive 10/35ths of the full rate which is around £48 a week (2019/20 rates).

People with no pre-existing National Insurance record prior to 6 April 2016 will require 35 years of contributions to receive the full new State Pension amount (currently £168.60 a week). Proportionate rates are paid depending on the number of qualifying years once the minimum qualifying conditions are met.

For people with an existing National Insurance record at 6 April 2016, transitional arrangements take their previous contributions into account. This is done by calculating a starting amount for the new State Pension which is based on their previous National Insurance record. If the starting amount is less than the full rate of the new State Pension, they may be able to add qualifying years from 6 April 2016, until they reach the full amount or their State Pension age, whichever comes first. This means that they will receive at least as much from the new State Pension as they would have done from the old system, based on their National Insurance record to 6 April 2016.

Pensioners on a low income may be entitled to Pension Credit. Pension Credit is an income-related benefit for the poorest pensioners who have been unable to provide for their retirement. The amount of Pension Credit a person gets depends on how much money they have coming in each week and how much they have saved or invested.

### **Universal Credit 'No Conditionality' Proof of Concept**

'Proof of Concept' is a demonstration to prove a theory. In this case, giving selected UC claimants no conditionality [those who are waiting for their WCA – Work Capability Assessment]. This is currently not being tested in N.I., but the results should be interesting.

The Department is still finalising the design of the Proof of Concept and seeking input from key representatives from the sector. It is a small scale test which will be run in 2-4 jobcentres during summer 2019. We will use the Proof of Concept to test whether we can increase engagement with claimants with disabilities or health conditions. Work Coaches will start with no mandatory requirements and then tailor conditionality up, based on an individual's circumstances.

We intend to apply it to those claimants pre-Work Capability Assessment; and, that, for those post work capability assessment found to have a Limited Capability for Work. We will apply it to all claimants presenting with medical evidence of a health condition, or disability, excluding only those who are Terminally III or who have conditions defined in schedule 8 or schedule 9 of the Universal Credit Regulations.

https://www.parliament.uk/business/publications/written-questions-answers-statements/written-question/Commons/2019-04-01/239290/

## **NI Benefit Cap Statistics 2019**

The Benefit Cap is a limit on the total amount of benefit that workingage people can receive.

A total of 3,140 households have had their benefits capped from when the cap was introduced in June 2016 to January 2019. The average cap is £47/week, with, of those affected, 85% are lone parents. Some are capped by more than £100 per week.

https://www.communities-ni.gov.uk/system/files/publications/communities/...

https://www.communities-ni.gov.uk/publications/benefit-cap-statistics-ja...

## The Appeals Service [TAS] Issue New Guidelines for Claimants & Medical Evidence.

GDPR replaced the old Data Protection regulations in May 2018. Therefore, the rules regarding institutions, and the way they store personal information, have changed.

This is of particular relevance to clients who may need to provide medical evidence to an Appeals tribunal, should their initial application for benefit be rejected.

Below is an excerpt from the 'Information notice for appellants, appointees and representatives', issued by TAS. Full details are available from Advice NI on request. This is followed by a letter from TAS.

#### 1. What has changed for those making appeals (appellants)?

What has changed is the way that the Appeals Service (TAS) under previous procedures requested and held appellants' medical records.

TAS has stopped operating this procedure, and no longer requests and stores an appellant's medical records, either from GP surgeries or hospitals.

Appellants are not obligated to provide medical evidence to a tribunal; it is their decision to do so if they feel it helps their appeal, something appellants can continue to seek advice on from representatives/legal advisors.

Information in an appellant's medical records can help their appeal, but it can also go against them.

#### 2. Why is this change happening now?

Changes in this process are required to ensure compliance with the General Data Protection Regulation and the Data Protection Act 2018.

#### 3. When did this change come into effect?

This came into effect from Monday 8th April 2019

## Letter Issued By The Appeals Service (NI):

The Appeals Service (NI)

Dear Sir/Madam,

To ensure compliance with data protection legislation, the Appeals Service can no longer be responsible for requesting an appellant's medical notes and records on their behalf. The Appeals Service is revising its procedure to take this into account.

Appellants are not obligated to provide medical evidence to a tribunal; it is their decision to do so if they feel it helps their appeal, something appellants can continue to receive advice on from their representatives/legal advisors.

One important outcome of this change is that any medical notes and records obtained by the Appeals Service on behalf of appellants, which are in the possession of the Appeals Service, are being immediately returned to GP surgeries or hospitals. As a result, appellants may seek advice on whether they would like to provide any further evidence (which may include financial, medical or other evidence) to the Tribunal in support of their appeal. If their Tribunal is due to take place soon, appellants may consider seeking a postponement or adjournment to enable them to have sufficient time to do so.

As stated above, appellants will be responsible for obtaining this evidence and bringing it to the Appeal Tribunal on the day, or forwarding it in advance of the Appeal Tribunal to the Appeals Service. Bringing evidence on the day may result in a delay to the start time of the Tribunal. If appellants choose to send in evidence in advance, they should be encouraged to do so at the earliest opportunity.

If the appellant is obtaining further evidence in support of their appeal, they should be aware of the timescales that may be involved in getting it and should not delay in making their request to the appropriate individual or organisation. Appellants are of course free to seek legal advice in relation to this matter, and in relation to any evidence they wish to provide.

As this is a very recent change, the Appeals Service is still in the process of reviewing and amending all the letters that may be automatically sent to appellants to reflect this position. In the unlikely event that appellants receive a letter stating the Appeals Service are in the process of obtaining their medical records, they should be advised to disregard this.

We apologise for any inconvenience caused.

Clerk to the Appeal Tribunal

Further information on the Department for Communities website:

https://www.communities-ni.gov.uk/articles/information-appellants-appointees-and-representatives-changes-appeals-service-ni-medical-records

## **POLICY UPDATES**

### **UC Claimants & 'Change of Address'**

Advice NI asked whether a change of address triggers migration from legacy benefits to Universal Credit.

#### DfC;

Claimants claiming legacy benefits who move address should remain on their legacy benefit(s); unless they report another change of circumstance that will trigger 'Natural Migration', or they have declared that they voluntarily wish to claim UC.

#### Note:

Change of address in GB (moving from one local authority to another) triggers natural migration to Universal Credit ... but should never trigger natural migration in Northern Ireland as we have a single 'local authority' for HB (NIHE).

Advice NI sought clarification on the impact on young people and their Universal Credit of participating on 'Training for Success' programmes and other types of training programmes. Further information on these programmes is <u>available here</u>.

#### Department for Communities:

Thank you for your email below dated 12 April 2019 regarding Training for Success programme.

According to the 'Training for Success' site participants will automatically qualify for a non-means tested Education Maintenance Allowance (EMA) of £40 per week. EMA is not taken into account where the young person is entitled to UC in their own right. UC Regulations (NI) 2016, Regulation 66 prescribes the type of unearned income which will be taken into account in the UC assessment as EMA is not included on the list it is fully disregarded.

If a young person is in receipt of EMA this should have no impact on their parent's award of UC. For parents the financial conditions for receipt of UC are provided in Article 10 of the Welfare Reform (NI) Order 2015.

If a person receives a training allowance paid in accordance with Section 1 of the Employment and Training Act (NI) 1950 it would be taken into account as unearned income in accordance with Regulation 66(1)(f). A person attending the 'Training for Success' programme may claim Universal Credit but they will have to satisfy all the basic conditions of UC entitlement including accepting the Claimant Commitment (CC) for UC to be awarded.

Extract from NI Policy Design Specification V4.0 section1, Chapter 1 paragraph 2.1.1:

To be an eligible adult claimant a person must meet the basic conditions of UC entitlement:

- satisfy the lower and upper age limit requirements
- satisfy the NI residency requirements
- not be in relevant education
- accept a claimant commitment
- not be excluded from UC entitlement for any other reason (e.g. in prison or a special hospital, member of a religious order)

In addition the pre-existing requirement to have a NINO will continue to apply.

#### **Universal Credit**

Advice NI asked: Are all calls to the DfC UC Helpline (0800 0121 331) recorded?

DfC: The telephone number you have quoted is a contact number for Universal Credit claimants, this is not a "helpline". All calls to this number are recorded.

Advice NI asked: Can you give me a sense of the number of staff on the Helpline; where they are located; the experience / qualifications / training of these staff; whether DfC staff or agency staff?

DfC: The Universal Credit telephony service operates on the basis of a virtual network across all three Service Centres and callers to the Universal Credit telephone line will be answered by the next available agent. All telephony agents are fully trained Case Managers. Demand management tools are used to determine the number of telephony agents needed throughout 8am – 6 pm operating hours which the average speed of answer less than 1 min.

Advice NI asked: Does UC as a business area within DfC have its own safeguarding champion?

DfC: There is no 'safeguarding champion' role within Universal Credit operations.

Advice NI asked: When telephony staff are alerted that a UC claimant is vulnerable and safeguarding measures should be triggered, what happens next; is the safeguarding champion alerted / what are the safeguarding measures that can be deployed to assist the claimant?

DfC: Universal Credit telephony staff are trained to recognise the various indicators/flags that would identify a claimant as vulnerable, once identified, the help and support required by the claimant would be tailored to meet their individual needs.

Advice NI asked: Could I ask if there is any further information available on the circumstances when UC will pay compensation to claimants ... this was flagged in GB recently, for example if a claim to UC was based on misleading / inaccurate / incomplete advice from frontline JBO's?

DfC: I can advise that the Department has in place general compensation arrangements, namely the Financial Redress for Maladministration: Special Payment Scheme. This scheme sets out the general guiding principles where the Department may consider making redress where maladministration has occurred. The term 'maladministration' is not defined, but it is sometimes used to describe when the actions or inactions of the Department result in a claimant experiencing a service which does not match the Department's aims or the commitments we have given. It applies to situations in which we have not acted properly or provided a poor service. For example: wrong advice, discourtesy, mistakes and delays.

In the first instance, where claimants allege misadvice by the Department, they should communicate their dissatisfaction through the complaints process. An investigation will then be undertaken and where misdirection is accepted by the Department, and, as a consequence, the claimant is deemed to have experienced a loss of statutory entitlement to benefit (a loss which can't be addressed statutorily), consideration will be given to paying financial redress to make good that loss.

If having exhausted the Department's complaint handling process, the complainant remains dissatisfied with the way their complaint has been dealt with — and/or with a decision reached in relation to financial redress — they have the option of bringing their complaint to the Independent Case Examiner's office, which is a free and impartial complaints review service. The complainant can also refer their case to the Northern Ireland Public Service Ombudsman's office. Where maladministration is accepted, the amount of financial redress to be paid will vary from case to case depending on the amount of the loss of statutory entitlement (specifically the difference between the amount of benefit the claimant currently receives and what

they would have been entitled to had it not been for Departmental maladministration).

Where maladministration is accepted and it is clear that there have been other impacts on the complainant over and above the loss of benefit – such as inconvenience, distress, or serious trouble – consideration can be given to a Consolatory Payment. Such payments are usually modest in value, but are intended to provide tangible recognition that an error has occurred for which the Department sincerely regrets. The decision to make a consolatory payment and the amount payable is at the Department's discretion.

Advice NI asked: I request an update on the cross border issue; previously DfC provided the following:

- Work in South / live in North claim UC;
- Work in North / live in South claim legacy benefits;

Is this still the case?

DfC: The issue surrounding cross border claimants is as follows

- An incoming cross-border worker i.e. a person (other than Crown servants or member of the armed forces posted overseas) who works in the United Kingdom but does not reside in Northern Ireland or Great Britain should continue to make a claim to Tax Credits rather than Universal Credit,
- An outgoing cross-border worker is a person who resides in the United Kingdom but does not work in the United Kingdom, for example lives in Northern Ireland and works in the Republic of Ireland should make a claim to Universal Credit.

## **Universal Credit: Assisted Digital Applications**

The Department issued the following:

In relation to your queries around 'assisted digital', I thought that it might be useful to outline the Department's position in relation to Universal Credit.

As you will be aware Universal Credit is a digital service and there is no paper based claim. As a result claimants will be required to make and maintain their claim online. The Universal Credit online digital account, which is fundamental to the design of the service, allows claimants access to all their personal, medical, financial and other data. As a result the claimant 'holds the key' to that account at all times. The Department recognises that some customers may need assistance in accessing the digital service and have put in place the necessary arrangements to

enable, support and educate claimants to self-serve.

Assisted Digital is supporting claimants who are not able to access the service through the standard process.

If claimants are having difficulty using the online service Universal Credit staff will establish the reasons for this. Based on their circumstances, claimants will be assisted in accessing the Universal Credit service through a channel that is appropriate for their needs. The following options are available to assist claimants to access the online service:

- support from family or friends We will always ask whether the claimant has friends or family that could support them to make and maintain their claim.
- telephone support when using the online channel If a claimant needs assistance with an element of the online service they can contact the Universal Credit Service Centre (0800 0121 331) for assistance allowing them to continue with their claim.
- in-house coaching in the front office The front office will have a Digital
  Zone. There will be PCs and free WiFi available for claimant use. DfC staff will be
  available to provide assistance to any claimant who requires help to make or
  maintain their Universal Credit claim.
- home visit In exceptional circumstances, where a claimant has no phone, no access to information technology, they are housebound/hospitalised due to a health condition and has other complex needs, a home visit can be arranged.
- agent as proxy Agent by proxy is a last resort for Assisted Digital support, where all
  reasonable attempts have been made to enable, support and educate claimants to
  'self-serve'. This process is completed by Universal Credit staff and is used for
  claimants unable to complete the online service when classed as vulnerable or
  presenting with very complex needs, due to being unable to complete the
  registration independently, not having anyone to support them online and being
  unable to attend for in-house support.
- Universal Credit staff cannot enter information on a claimant's behalf unless it is in extreme circumstances where the agent is acting as proxy. The information entered and the accuracy of this information is the responsibility of the claimant.

In relation to Voluntary Sector advisers supporting claimants to complete a Universal Credit application, this is entirely a matter for the Voluntary Sector to consider.

Legislation regarding claiming UC by phone (Advice NI has been trying to get more guidance on 'the class of case' which can / cannot claim by phone):

http://www.legislation.gov.uk/nisr/2016/220/contents/made

### **PIP / AA Age Limits**

The Personal Independence Payment (PIP) upper age limit and Attendance Allowance (AA) lower age limit is based on the State Pension age. Advisers should check the age of the claimant to make sure that they are eligible to claim either PIP or AA.

DfC: Please see below the relevant extract from the ADM, Chapter 1, conditions of entitlement and Chapter 4, which includes the legislative reference.

The Pensions (NI) Order 95 covers the SPA equalisation https://www.legislation.gov.uk/nisi/1995/3213/contents

## To be entitled to Personal Independence Payment for the first time a claimant must be

- 1. age 16 or over **and**
- 2. the relevant age of
- 2.1 under age 65 (Note: See ADM Chapter P4 on exceptions to entitlement for upper age condition) **or**
- 2.2 under pensionable age, whichever is the higher and
- 3. not in receipt of Disability Living Allowance.

Note: See ADM Chapter P4 on exceptions to entitlement for upper age condition

## New claims and entitlement to Personal Independence Payment when reaching the relevant age

Meaning of relevant age P4076 The relevant age means

- 1. age 65 **or**
- 2. if higher pensionable age (WR (NI) Order 15, art 88(1); The Pensions (NI) Order 95, Sch 2, para 1)

#### Persons of pensionable age

- 88.(1) A person is not entitled to the daily living component or the mobility component for any period after the person reaches the relevant age.
- (2) In paragraph (1) "the relevant age" means
- (a) pensionable age (within the meaning given by the rules in paragraph 1 of Schedule 2 to the Pensions (Northern Ireland) Order 1995); or (b) if higher, 65.
- (3) Paragraph (1) is subject to such exceptions as may be provided by regulations.

## **USEFUL INFORMATION**

For information or advice you can contact the free Independent welfare changes Helpline 0808 802 0020 or email <a href="mailto:welfarechanges@adviceni.net">welfarechanges@adviceni.net</a>