

# Derbyshire Law Centre

## 2014/15

### **1. Introduction**

Derbyshire Law Centre continues to deliver high quality free legal services to the residents of Chesterfield Borough. A detailed review of the services that we have provided can be found in our annual report 2013/14 where the overview ends on 31.8.2014. The annual report can be downloaded from our website.

The Law Centre's core service is to deliver specialist legal advice, assistance and representation in social welfare law:

- Community care (legal aid contract awarded in August 2014)
- Debt
- Discrimination
- Employment
- Housing and homelessness
- Immigration
- Mortgage Rescue scheme
- Tackling hate and harassment

### **2. An overview of the past nine months since 1.4.2014**

#### ***2.a Name change***

Derbyshire Law Centre has changed its name from Chesterfield Law Centre, after 25 years since its inception. A copy of the historical timeline is attached. An A1 version is available for viewing at the Law Centre or at a Cabinet meeting where we would be happy to give a short presentation about the work we do.

#### ***2.b Sharing premises***

We are extremely pleased to report that we have moved into new premises where we are sharing the same address with three other advice agencies: Derbyshire Unemployed Workers' Centres, LINKSCVS and TRUST. Sharing premises has been and continues to be beneficial for our clients who can get advice under the one roof as well as making fewer trips for different advice which protects their incomes. The move has also been beneficial for our legal team as working in close proximity with other advice agencies mean that we can conclude our cases quickly.

#### ***2.c Provision of advice, assistance and representation***

We continue to advise people on:

- Community care matters such as advising disabled and older people and their carers on: their rights to access care services, choosing residential homes, staying in their own homes, how care bills can be paid and managing disability-related debts.
- Debt issues that include managing and writing off debts, negotiating payments with creditors, representing clients at court, developing a pay plan, increasing incomes through benefits advice. We often establish the client's trade and where applicable we approach their associations such as the British Legion to ask for payment to write off debts such as mortgage or rent arrears.

- Employment matters such as zero-hours contracts, not being paid the NMW, discrimination in work – mainly on the grounds of sex, race and disability, wages are not being paid, unfair dismissals and redundancies.
- Housing /homelessness matters for instance advising, assisting and representing families at risk from being evicted from rented properties; managing housing related debts that put their tenancies at risk; setting aside court orders right up to the last minute to negotiate a rescue package for tenants to ensure they have a roof over their heads; advising and assisting on serious disrepair that affects tenants' health as well on illegal evictions.
- Immigration issues involve us advising and assisting on entering and staying in the UK, uniting families together, etc.
- Mortgage Rescue where we advising, assisting and representing families at risk from being evicted from mortgaged properties. This includes setting aside orders to come up with an alternative rescue plan to keep them within their mortgaged properties or buying time to secure alternative living arrangements. Our service also involves managing debts and increasing incomes to assist them to remain in their mortgaged properties.
- Tackling hate and harassment issues where we educate, listen, advise and support people to report hate crimes to the Police; we work in partnership with public bodies and the Police to tackle harassment and hate crime.

We also continue to represent tenants and mortgagees at Chesterfield County Court duty scheme two days a week where this mainly involve us persuading for suspended possession order or an adjournment.

#### ***2.d Impact of the recession***

The Law Centre has seen a rise of people being represented at County Court preventing homelessness to many families in Chesterfield. We are increasingly advising employees with poor terms and conditions such as zero-hours contracts or not ideally being paid the Living Wage. All this affects their ability to pay their debts including their mortgages or rents. We continue to work in partnership with Chesterfield CAB, DUWC and Financial Inclusion and Advice Derbyshire to look at ways of managing demand for advice. One example involved the Law Centre and DUWC into sharing premises.

#### ***2.e Feedback from clients and users***

Feedback from clients 96% have demonstrated that there is a high level of satisfaction. A staggering 83% have said that our service have achieved positive health and well-being such reducing anxiety and stress.

#### ***2.f Volunteers***

We continue to recruit and train new volunteers to become telephone assessors to provide us with additional resource in managing demand for advice. We have also trained CCAB and DUWC's volunteers to become effective caseworkers. They have learned about: the legal framework that governs national and local governments as well as the processes of producing legislation; establishing and maintaining good client care including confidentiality, taking instructions, identifying and achieving remedies and so on.

#### ***2.g New Website***

The Law Centre is having a new website to develop to take into of the new changes that has happened in the last nine months. It is hoped that this will be launched in the early Summer.

Teresa Waldron, 21.1.2015

## **CHESTERFIELD BOROUGH COUNCIL**

### **LINKS: THE CHESTERFIELD & N.E. DERBYSHIRE CVS & ACTION LTD**

Links provides support to voluntary organisations and community groups operating in the local government districts of Chesterfield and North East Derbyshire. Links also leads projects and works in partnership across a wider area of Derbyshire.

Progress against targets has been good.

#### **A Sustainable Community**

Advised groups on legal structures and status.

Attended Community Assemblies meetings and worked with Donna Reddish re. supporting VCS groups to apply for the Community Chest grant.

#### **A Cohesive Community with equality of access to services**

Given one to one advice to groups and attended CBC Equalities Advisory Group and DPF.

Involvement in and supporting Big Local Interim Steering Group covering Hasland & Grassmoor in organising a launch event in Sept 2014.

#### **A Community with Decent Homes for All**

Disseminated the information on Decent Homes Standard of Chesterfield Borough Council.

#### **A Working and Learning Community**

Advised potential social enterprises at funding surgeries and via contracts advice.

One to one advice to groups including the provision of information on Social Return on Investment model for VCS groups.

Provided information to VCS groups on developing policies and running a VCS group.

#### **A Safe, Healthy and Active Community**

Advice given to VCS groups (including BME, learning disabilities, disability and mental health groups) on the promotion of and organising activities around community safety, healthy living and active community engagement.

## **Chesterfield Citizens Advice Bureau Annual Report – Progress on Service Level Agreement 2014/15 (April-December)**

### **Summary of Progress to date:**

- Dealt with 16,030 enquiries, Advised 4883 people `new` to bureau to date. We expect to be `over target` on all measures and milestones by year end
- Positive outcomes on cases; on course to exceed dealing with over £5 million debts and helping people obtain benefit/financial gains exceeding £3.5million.
- Maintained strong accessible generalist service, outreach in GP surgeries, deprived areas and with specialist work in welfare benefits, debt, money skills, fuel poverty and mental health advocacy. We have expanded services to provide weekly advice sessions in all Chesterfield Children's Centres.
- We have successfully implemented additional Face to Face Advice sessions on money and fuel poverty issues.
- CAB Preventative Money Skills (financial exclusion) project funded by Big Lottery Fund has been very successful. We have given priority to supporting people improve money skills to avoid homelessness. We have also targeted vulnerable people including victims of domestic abuse (where undermining control of finances is often part of the abuse) offenders and young families. We have also given financial inclusion briefings to frontline workers who can `problem spot` when undertaking their role.
- We have played a key role in supporting the Council's Financial Inclusion Project; a multi-agency approach taking out services directly to the community in areas such as Poolsbrook and Barrowhill. Further plans to expand this to areas including Grangewood, Holme Hall, Stonegravels, St Helens and Middlecroft.
- We have promoted access to advice with a presence at Chesterfield Market in October 2014 by way of celebrating anniversary of the development of the CAB Service.
- Legal Aid was cut from April 2013 for many areas of social welfare law. Some Chesterfield CAB services for debt and welfare benefits (2.5 posts) were funded by legal aid, the funding for which ended. We have re-structured and resource permitting will maintain and enhance priority services. Funding has been received from Advice Services Transition Fund to support supervision/training of volunteer caseworkers based in the advice centres in North Derbyshire but this ends in July 2015. Funding from MacMillan for an advice project for cancer sufferers has ended but in partnership with NE Derbyshire CAB we have replacement funding for this from Big Lottery to support people with chronic life limiting illness.
- 2 Policy reports released highlighting problems of Payday lending and How Energy Suppliers are failing to deliver affordable warmth. We have helped produce a joint briefing from the Derbyshire CABx working in GP surgeries/Children's centres highlighting 5 key areas including funeral poverty. An evidence based response was sent to the House of Commons select committee enquiry looking at the impact of Benefit sanctions. We have contributed to national Citizens Advice campaigns including Employment Support Allowance, disadvantage suffered by people using prepayment meters to pay for energy, lack of rights for private renters, strengthened legal protection for victims of domestic abuse.

### **Trends in Advice Needs:**

- Debts build as people struggle to make ends meet

- We are advising more people with priority debts (housing arrears, energy arrears fines and so on) amongst their financial problems as opposed to less complex cases where money is owed on credit alone.
- Rising cost of utilities with consequent affordability issues particularly evident
- Many people we help are struggling even when in work. Low wages and Self-employment options often give rise to insecure or stagnant income
- Hardship caused by Bedroom tax and welfare reforms (further change to come with proposed implementation start for Universal Credit in Chesterfield)
- High incidence of people left without money because of unfair benefit decisions/sanctions relating to Jobseekers Allowance and work capability testing of sickness benefits (Employment Support Allowance)
- Use of Payday loans/other forms of expensive credit to meet ongoing living costs
- Effect on mental and physical wellbeing of hardship including emergencies where people have no money or food.

## **1. Cohesive community with equality of access- inclusive borough where everyone feels valued and has fair and equal access to local services.**

### **General:**

**Above target.** We will finish the year well above target with **over 20,000 enquiries** dealt with and assisting **6000 people**. It is likely that numbers of people assisted and individual enquires will have shown an increase on the previous year of around 10%. Targets for debt managed and benefits income gained will have been surpassed. Amount of debt rescheduled is expected to be **£5,000, 000** .Benefits gained is expected to be **£ 3,500,000**. It should be noted that even with increases there is an issue of capacity to meet the demand for our services.

**Discrimination advice; on target.** We expect to be close to or on target for dealing with **100** discrimination enquiries. The most common form of discrimination advice enquiry remains around some employer's negative attitudes and disability. Discrimination is also evident in benefit enquiries with needs of people who are originally from Eastern European Countries. We are continuing to ensure that we have a diverse board drawn from all sectors of the community

**Social Policy activity: Above target.** We are well above target for this activity.

## **2. A community with decent homes for all-a place where everyone has access to a decent affordable home**

### **Advice on housing and community support**

**Above target.** By year end, we expect to have dealt with over **1200** enquiries concerning Housing support issues/services

### **Provision of advice to households in fuel poverty**

**Above Target.** In the year 2013/14, we will have dealt with over **1000** enquiries concerning advice to people in fuel poverty. Advice may include benefit check, changing supplier, social tariffs, negotiating over fuel debt, accessing charitable support, referral for energy efficiency advice. In the year, we have continued to secure funding for a limited Fuel poverty project as part of our Big Lottery Funded Money Skills Project. The project has produced a range of successful outcomes including access to cheaper energy, avoidance of disconnection, energy efficiency advice, applications to charitable trusts.

## **3. A working and learning Community –a thriving borough where everyone has access to the jobs, support they need**

Thriving town and employment opportunities

**Above Target.** Amount of debt rescheduled is expected to be **£5,000, 000**. Benefits gained are expected to be **£ 3,500,000 for the year**.

**Above target** .By yearend, we will have dealt with over **3000** enquiries from people living in the designated areas. The bureau continues to strive to ensure that its services are used by the people in greatest need.

### Learning opportunities

We will be **above target** on the provision of volunteering opportunities and range of opportunities offered. We are now offering additional roles in reception, administration, training, fuel poverty, preventative money skills, casework, social policy and gateway (triage) assessments. People receive appropriate training and work to identifiable role specifications. This has meant that we have been able to maintain our extended opening hours and become more accessible for the community

## **4. A safe healthy and active community-a healthy, safe borough where the community is free from crime**

**Above Target.** See information above on fuel poverty. The expansion of CAB advice direct at GP surgeries has led to improved access advice and to health improvements. Making advice available in doctors' surgeries, health centre's, clinics has been shown to significantly improve people's health and well-being. Good advice helps tackle non-clinical problems, like low income and debt, relieves the stress and anxiety that often underscore a patient's clinical symptoms. The service has now expanded into all Childrens Centres. Improve support for Carers and vulnerable people. By the year we expect to have dealt with **2,400** enquiries concerning entitlement and assistance with claims for disability and carers benefits.

### **Other Information and Future Plans**

Active partnerships with other voluntary and statutory organizations including the `Fairer Derbyshire ` initiative.. Engagement with Local Authority –currently Welfare reform strategy and previous work from Affordable warmth strategy, Joint homelessness strategy for the North Derbyshire Local Authorities. We have contributed to the Public health locality plan for Chesterfield. We are part of a Consumer Empowerment Partnership with other advice agencies and Trading Standards. We have strengthened our links with North East Derbyshire CAB and are working on several joint projects including the provision of Money Advice to ex-offenders in conjunction with the probation service. We are currently working through Advice Services Transitional fund to strengthen joint working with Chesterfield Law Centre, Derbyshire Unemployed Workers Centre and North East Derbyshire CAB. This is currently focusing on developing volunteer casework skills/training to enhance debt and welfare benefits advice. We are also working on a joint electronic referral scheme with the aim of reducing waiting times for specialist debt and benefits advice. The group is also working jointly on a `pennies and pounds` project to improve financial inclusion of older people. Our Plans for 2015 include sharing a joint telephone advice service with N E Derbyshire CAB to offer an enhanced service.

January 13, 2015

## **Appendix**

### **Example of the Value of Advice**

Sarah lives in private rented housing with her partner.

They have a low income and are reliant upon Employment Support Allowance, disability benefits, Tax credits and other means tested benefits.

Sarah has recently given birth to her fourth child and requires significant help with a number of problems that are causing the family stress.

Sarah has a debt problem that is putting strain on a family life that is already challenging. She has been contacted by a Bailiff acting for the Magistrates Court enforcing a fine for non- payment of a TV licence. There are also six other non- priority debts which mean that she owes £7000 in total. One of the debts, from an energy company, is disputed as Sarah thinks it is the responsibility of a previous occupant of her home.

Sarah cannot manage her financial problem; she has recently begun to experience depression and feels less able to manage her life. She has health concerns about her youngest child. Her child has a brain injury and requires physiotherapy exercises to aid movement and development. Sarah and her youngest have to attend regular hospital appointments.

CAB caseworkers have worked with Sarah to ease pressure by:

- Successfully Challenging the debt allegedly owed to the Energy Company
- Coming to affordable arrangements to make reduced payments to creditors, including the Bailiffs. In longer term, we hope to assist Sarah to get most of the debts written off
- Ensuring that Sarah has claimed the benefit Carers Allowance for looking after her partner which can lead to additional premiums payable in other benefits.
- Assisted Sarah to make a claim for the benefit, Disability Living Allowance, for her youngest child.

The help from the CAB means that the family is better able to financially manage and ensures that money worries are not adding to the challenges of family life.

the charity for  
your community



## **Chesterfield and District Shopmobility Ltd**

### **Additional Report for Chesterfield Borough Council.**

#### **April – September 2014**

Our members are of first importance to us and we continue to provide a valuable town centre service on their behalf with no change of the provision for our members.

Our Funding and Finance group have continue to address the funding shortfall with project funding, income generation and a high profile publicity campaign to gain an increased level of awareness and take up of our services.

Our affordable servicing-repair and breakdown facility continues to be a benefit to Chesterfield Members who have their own equipment and also use the town centre service, a member benefit is our free scooter loan service whilst a repair is being undertaken, this it to provide continued independence within their local community.

We are pleased to report that our Trusted Trader status has been awarded for a second year.

With a reduction of staff hours and restructure of work patterns, the town centre service has continued with no change of provision for our customers.

We continue to develop our good working relationships with statutory and voluntary organisations by providing work placements and volunteers are invaluable to the running of the service. Volunteers undertake a range of tasks for the charity to update their skills.

The service hours provided by our dedicated team of volunteers equate to over £14,000 the last 6 months. We would not be able to operate at this level without the input from our volunteers.

We are grateful to our funders who have appreciated the need for our charitys services which enables our customers to continue to carry out their daily life activities e.g.

- Shopping
- Social activities
- Doctor appointments



- Prescription pick up
- Council payments
- Social service visits
- Family activity

### **Income generation**

Income generation has been by the following and has made this level of service sustainable,

- Membership fees
- Daily fees
- Short term loans
- Long term loans
- Raffles and store collections
- Donations
- Community events
- Sale of redundant stock
- Service and repair
- Contracted services

### **Future town centre plans**

Our aim is to structure our leisure and shopping facility in line with the developments in Chesterfield town centre facilities and shopping needs of our customers. We have extended the permitted shopping area to include the new developments.

We continue to respond to the changing needs of the local community and visitors to Chesterfield who have mobility needs.

Colin Mitchell

Chairperson

# DUWC

## 2014 Report to Chesterfield Borough Council

April 2014 saw the Derbyshire Unemployed Workers' Centres move in to new premises at N01 Rose Hill East along with TRUST, the Derbyshire Law Centre and Links CVS. The facilities are a vast improvement on those used previously on Saltergate and Shepley's Yard. The close links with the Law Centre are working well for our clients who are benefitting from the new working relationship with the prevention of evictions, DUWCs taking referrals to quickly resolve benefits issues.

The Centres have, with the help of a volunteer, developed a new customised database for our advice and representation work that will vastly improve our reporting ability.

Back in 2013 we completed representation at **624** appeals tribunals. At the end of September 2014 we had completed **733** appeals tribunals. This is another year on year increase. **585** were for Employment and Support Allowance which continues to be the dominant issue coming through our doors in Chesterfield, Brimington and Staveley. Appeals have dropped off recently when the service provider ATOS withdrew from delivery of the Work Capability Assessment but will soon increase again with the backlog of work being undertaken. Appeals tribunals are times consuming and take our front line workers away from the office or outreach bases face to face enquires, putting a huge strain on our ability to keep our services open and accessible. We dealt with over **11500** enquiries from over **7500** people in 2013. **2938** enquiries originated from the Chesterfield Borough Area.

The DUWCs, with the help of Public Health, have conducted a Max Your Money campaign (still ongoing), that has helped people in Boythorpe, Birdholme, Holmehall, Middlecroft, Lowgates, Barrow Hill, New Whittington and Old Whittington. We are still to cover the St Helens area.

We continue to work with a number of partners on the Pennies and Pounds Project to help older people access advice.

We continue to conduct research and to work with the CABs and Law Centre on social policy work raising issues of both local and national concern.