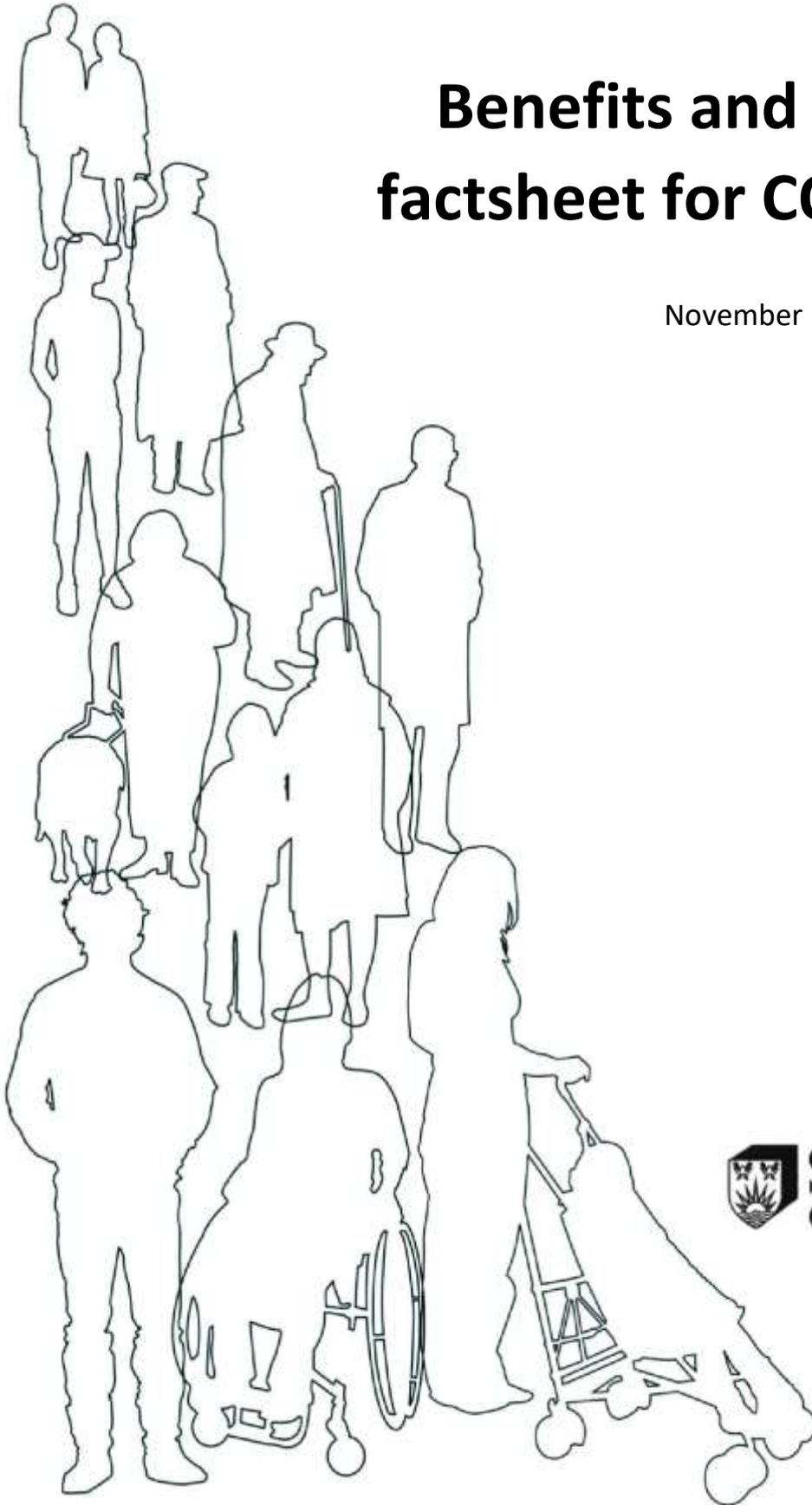


information

Benefits and housing factsheet for COVID-19

November 2020. Version 2.3



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Disclaimer

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COVID-19 terminology

UK government has introduced measures to limit the spread of COVID-19 (coronavirus disease) and protect the population. People taking these steps must take extra precautions to protect themselves from infection and may be entitled to support from their employer, support from the government and/or benefits.

New national restrictions

[New national restrictions](#) are in place from midnight on 5 November until 2 December 2020. They replace the local tier system. The statutory instrument introducing the new restrictions is The Health Protection (Coronavirus, Restrictions) (England) (No.4) Regulations 2020.

NHS Test and Trace

The NHS test and trace service has been set up so that anyone who develops symptoms of COVID-19 can be tested to find out if they have the virus. It is also available to asymptomatic NHS and social care staff and care home residents.

To get a COVID-19 test follow this [link](#) or phone 119 if you have no internet access.

The service helps trace close recent contacts of anyone who tests positive for COVID-19 and, if necessary, notifies them that they must self-isolate at home to help stop the spread of the virus. Details of what to do if a person has COVID-19 symptoms or is notified by the NHS of a recent contact with someone who has tested positive for COVID-19 can be found on [GOV.UK](#).

The NHS COVID-19 app

The new [NHS COVID-19 app](#), is available to download for free. The app includes contact tracing, local area alerts and venue check-in.

Clinically vulnerable people

People over 60 and people who are clinically vulnerable are deemed to be at higher risk of severe illness from COVID-19. Clinically vulnerable people are those who are:

- Aged 70 or over (regardless of medical conditions)
- Under 70 with an underlying health condition listed below (that is, anyone instructed to get a flu jab each year on medical grounds):
 - chronic (long-term) mild to moderate respiratory diseases, such as asthma, chronic obstructive pulmonary disease (COPD), emphysema or bronchitis
 - chronic heart disease, such as heart failure
 - chronic kidney disease
 - chronic liver disease, such as hepatitis
 - chronic neurological conditions, such as Parkinson's disease, motor neurone disease, multiple sclerosis (MS) or cerebral palsy

- diabetes
- a weakened immune system as the result of certain conditions or medicines they are taking (such as steroid tablets)
- being seriously overweight (a body mass index (BMI) of 40 or above)
- Pregnant

People who are clinically vulnerable are advised to follow the new rules and restrictions carefully to minimize the risk of infection.

There are no specific rules for people over 60 or those who are clinically vulnerable – they have the same access to support as everyone else from 5 November 2020.

Clinically extremely vulnerable people

[Clinically extremely vulnerable](#) people are those most at risk from COVID-19, including:

- Solid organ transplant recipients
- Those with specific cancers:
 - people with cancer who are undergoing active chemotherapy
 - people with lung cancer who are undergoing radical radiotherapy
 - people with cancers of the blood or bone marrow such as leukaemia, lymphoma or myeloma who are at any stage of treatment
 - people having immunotherapy or other continuing antibody treatments for cancer
 - people having other targeted cancer treatments that can affect the immune system, such as protein kinase inhibitors or PARP inhibitors
 - people who have had bone marrow or stem cell transplants in the last 6 months or who are still taking immunosuppression drugs
- Those with severe respiratory conditions including all cystic fibrosis, severe asthma and severe chronic obstructive pulmonary disease (COPD)
- Those with rare diseases that significantly increase the risk of infections (such as severe combined immunodeficiency (SCID), homozygous sickle cell disease)
- Those on immunosuppression therapies sufficient to significantly increase risk of infection
- Adults with Down's syndrome
- Adults on dialysis or with chronic kidney disease (stage 5)
- Women who are pregnant with significant heart disease, congenital or acquired
- Other people who have also been classed as clinically extremely vulnerable, based on clinical judgement and an assessment of their needs. GPs and hospital clinicians have been provided with guidance to support these decisions

A person is treated as clinically extremely vulnerable if they have one of the conditions listed above or they have been added to the [Shielded Patients List](#) by their GP or a hospital clinician. People outside these two groups must follow the national restrictions that apply to everyone from 5 November 2020.

Shielding

When COVID-19 measures were introduced in March 2020, clinically vulnerable people were expected to shield. They were asked to stay at home at all times and not have visitors, unless they were providing essential care. Shielding people were asked not to work. Shielding workers could be furloughed under the Coronavirus Job Retention Scheme or they could claim Statutory Sick Pay or New Style Employment and Support Allowance. The government allowed shielding people to spend time outdoors from 5 June and to meet other people outdoors and to form a 'support bubble' from 6 July.

Clinically extremely vulnerable people are no longer treated as shielding from 1 August 2020. The government removed central government support for clinically vulnerable people and allowed them to return to work from that date, if their workplace was 'COVID-19 safe'.

From 5 November 2020

The government strongly advises people who are clinically extremely vulnerable to work from home. If they cannot work from home, they should not attend work from 5 November to 2 December 2020. The NHS will contact people on its Shielded Patients List.

People who live with clinically extremely vulnerable people are still able to attend work if they cannot work from home.

Benefits and in-work support for people who are clinically extremely vulnerable

Workers on the payroll on or before 30 October 2020 may be eligible for the [Coronavirus Job Retention Scheme \(on furlough\)](#), which is being extended until 31 March 2021 (see page 45)

Shielding workers, who cannot work from home, are eligible for [Statutory Sick Pay](#) (SSP). People on a low income, with capital under the threshold, may qualify for Universal Credit. Shielding workers, who do not qualify for SSP, may be entitled to Employment and Support Allowance. They may be required to provide medical evidence (a fit note or an isolation note) to access this support. See pages 27 and 31 for further information.

Other support for people who are clinically extremely vulnerable

Clinically extremely vulnerable people can get help from an [NHS volunteer responder](#), who can collect shopping or medicines, assist with getting to medical appointments or have a chat with them to reduce social isolation. Call 0808 196 3646 (8am to 8pm, seven days a week).

Clinically extremely vulnerable people, who do not have access to support from friends, family or the local community, can also call the [Home, But Not Alone](#) helpline on 0800 876 6926 (lines open 9am to 5pm Monday to Friday) if they are lonely or feeling isolated or if they are struggling for food, medicines or other essential supplies.

Self-isolating

A person is self-isolating if:

- They have symptoms of COVID-19 – a high temperature *or* a new, continuous cough *or* a loss or change to the sense of smell or taste *or*
- They have tested positive for COVID-19 *or*
- They live with someone with symptoms of COVID-19 *or* who has tested positive
- They are in the support bubble of someone with symptoms of COVID-19 *or* who has tested positive and they have been in close contact with them in the 48 hours since they tested positive *or* first had symptoms *or*
- They have been told to self-isolate by NHS Test and Trace *or* the NHS COVID-19 app *or*
- They [arrive in the UK from a country with a high coronavirus risk](#)
- From 26 August 2020 - if they have been advised by a doctor *or* healthcare professional to self-isolate before going into hospital for surgery

A person who is self-isolating must not leave their home for any reason and must not have visitors, including friends and family.

How long must people self-isolate?

People with COVID-19 symptoms must self-isolate for at least 10 days from onset of the symptoms *or* longer if they still have any of the following symptom: high temperature *or* feeling hot *or* shivery, runny nose *or* sneezing, feeling sick, diarrhoea *or* loss of appetite. People can stop self-isolating if their only symptoms are a cough *or* a loss of *or* change to their sense of taste *or* smell.

People who have tested positive, but have no symptoms, must self-isolate for 10 days from the date of the test.

People living with someone with COVID-19 symptoms, *or* who have been contacted by NHS Test and Trace, must self-isolate for at least 14 days from the later of the date that person's symptoms started *or* the date they were tested.

People in the support bubble of someone who has tested positive *or* had symptoms must self-isolate for 14 days from when they were last in close contact with them.

People who have been told to self-isolate by NHS Test and Trace *or* the NHS COVID-19 app must self-isolate for 14 days from the date of contact. Click this link for [further information about what to do when contacted by the NHS Test and Trace *or* the NHS COVID-19 app.](#)

Click this link to NHS.uk for [more details about how long to self-isolate.](#)

Benefits for people who are self-isolating

Workers who are self-isolating are entitled to Statutory Sick Pay (see page 42) from the first day of self-isolation, if they meet the basic eligibility conditions. If their employer asks for evidence, the worker can contact: <https://111.nhs.uk/isolation-note/> for an isolation note.

People who are self-isolating are entitled to New Style Employment and Support Allowance (see page 27) and/or Universal Credit (see page 31) if they meet the other eligibility conditions. They do not need to provide a fit note or an isolation note.

Workers on a low income, who have been told to self-isolate and are unable to work from home, may be able to claim a Test and Trace Support Payment from their local council (see page 11)

Other support may be available – see following pages.

Support in Suffolk

Self-isolation Support Payments

From 28 September 2020, workers on a low income, who have been told to self-isolate by NHS Test and Trace and are unable to work from home, may be eligible for a lump sum payment of £500 from the Test and Trace Support Payment scheme. This is paid by the district or borough council.

To qualify, the person must:

- Have been told to self-isolate by NHS Test and Trace because they have tested positive for COVID-19 or have recently been in contact with someone who has.
They will be given an ID number as proof. Note: people who have been told to self-isolate by the NHS COVID-19 contact tracing app cannot use this as evidence, as the information is anonymous and the local authority is unable to verify it.
- Be employed or self-employed
- Be unable to work from home or unable to provide services without social contact
- Demonstrate that they will lose income as a result of self-isolation
- Apply within 14 days of the last day of their NHS Test and Trace self-isolation period

The applicant must also be in receipt of a qualifying means-tested benefit: Housing Benefit, income-based Jobseeker's Allowance, income-related Employment and Support Allowance, Income Support, Pension Credit, Universal Credit or Working Tax Credit.

Discretionary Support Payments

Discretionary payments can be made to people who meet the basic qualifying conditions, but are not in receipt of a means-tested benefit if they are facing severe financial hardship. East Suffolk and West Suffolk state the applicant must face financial hardship as a result of not being able to work

Babergh and Mid-Suffolk District and Ipswich Borough Council require the applicant to be:

- Receiving a Council Tax Reduction or
- A student who would be liable for Council Tax, but is exempt or
- Expected to support themselves through employment and have no recourse to public funds

Apply for a payment

- [Babergh](#)
- [Mid-Suffolk Council](#)
- [East Suffolk](#)
- [Ipswich Borough Council](#)
- [West Suffolk Council](#)

The scheme runs until 31 January 2021. People can qualify for the payment every time they are told to self-isolate by NHS Test and Trace.

Self-isolation Support Payments are taxable. They are paid on top of any benefits or Statutory Sick Pay. There is no right of appeal against a decision to refuse a payment.

In a [written answer](#) in Parliament on 18 September 2020, Department of Health and Social Care Minister Lord Bethell said -

“Someone who is not in receipt of any of the benefits listed in the eligibility criteria, but who applies for one or more of them after testing positive or being identified as a contact, can still apply for the new payment subsequently, provided:

- They have been approved for the benefit they have applied for by the time they apply for the self-isolation payment; and
- They apply for the self-isolation payment no later than two weeks after their period of self-isolation ended.”

Self-isolation Support Payments do not reduce benefit entitlement. ADM Memo 20/20 and DMG Memo 18/20 confirmed they are

- Not included as unearned income to be taken into account in the assessment of Universal Credit
- Treated as Local Welfare Provision and disregarded for the purposes of ESA, JSA and income support; and
- Not included as income or capital to be taken into account in the assessment of pension credit.

[Regulations](#) also ensure that these payments are disregarded in the calculation of tax credits.

Local Welfare Assistance Scheme in Suffolk (LWAS)

The Local Welfare Assistance Scheme (LWAS) in Suffolk has been set up to provide emergency assistance to vulnerable people in Suffolk, who are in financial hardship, to help them meet their essential needs.

The scheme can provide household items (furniture and white goods) and fuel vouchers for gas and electricity card/key top-ups and supermarket vouchers. It does not provide cash.

The applicant must be:

- Aged 16 or over and
- A permanent resident in Suffolk (or in exceptional cases can establish that they will be resident in Suffolk within 28 days, such as people leaving a hostel or prison that is outside of the county) and
- In need of essential basic household items such as furniture or white goods to maintain or set up their home (LWAS will provide specified items only. Other items can be provided by charitable organisations such as LD Rope Trust) or

- In need of fuel vouchers (for gas or electricity) or supermarket vouchers and
- They have no other means of meeting their needs

[Download a PDF with the full guidance.](#)

The scheme accepts referrals via gateway partner organisations only. There are 70 partner organisations in Suffolk, including: Jobcentre Plus, district and borough councils, Citizens Advice, disability advice services, NHS outreach services, housing associations, independent charities providing advice and support, Customer First, the Independence and Wellbeing Service, social care teams, Early Help and children's centres.

[Find a gateway partner](#) who can make a referral to the scheme.

The gateway partner will complete the application form and submit it to the Local Welfare Assistance Scheme by e-mail. People cannot self-refer to the scheme.

NHS volunteer responders

People who are self-isolating and clinically extremely vulnerable people can get help from a [NHS volunteer responder](#), who can collect shopping or medicines, assist with getting to medical appointments or have a chat with them to reduce social isolation. Call 0808 196 3646 (8am to 8pm, seven days a week).

Home, But Not Alone

Clinically extremely vulnerable people, who do not have access to support from friends, family or the local community, can also call the Home, But Not Alone helpline on 0800 876 6926 (lines open 9am to 5pm Monday to Friday) if they are lonely or feeling isolated or if they are struggling for food, medicines or other essential supplies.

People can use the Home, But Not Alone phonenumber if they cannot hear or speak on the phone. They should download the [Relay UK](#) app and dial 18001 then 0800 876 6926.

Mental health support

Norfolk and Suffolk Foundation Trust (NSFT) operates a mental health helpline, called First Response, which is open 24 hours a day, seven days a week. The helpline is available to members of the public of any age, regardless of whether they are an existing NSFT service user.

The line is also open to other healthcare professionals, such as ambulance staff and GPs, as well as social care colleagues and police personnel who may need advice when working with individuals who are undergoing mental health difficulties or may wish to refer someone.

The number is 0808 196 3494.

Suffolk County Council has information about [looking after mental and physical health](#) while at home on its website.

Food banks

There are many food banks in Suffolk. Most only accept referrals from third parties. People with an urgent need for food should contact the Suffolk Advice and Support Service on 0800 068 3131 if they are not already in receipt of support from an organization able to make a direct referral.

[These food banks](#) accept self-referrals from members of the public.

Food deliveries

Clinically extremely vulnerable people can use a new online service to request priority access to supermarket delivery slots. Seven supermarkets in the UK (Asda, Sainsbury's, Tesco, Morrisons, Iceland, Waitrose and Ocado) are continuing to offer priority delivery slots to clinically extremely vulnerable people in need. This [service can be found at gov.uk/coronavirus-shielding-support](https://www.gov.uk/coronavirus-shielding-support).

People are required to provide their NHS number when using this service.

Many local food outlets will also take orders and payment over the phone and deliver. People can contact their local café, restaurant, greengrocer or independent store to find out if they offer delivery.

People can order takeaway food using services such as Deliveroo, Just Eat and Uber Eats (other delivery services are available).

Independent advice in Suffolk

Suffolk Advice and Support Service – 0800 068 3131

The Suffolk Advice and Support Service is a joint response to the COVID-19 outbreak by a number of statutory and voluntary sector partners, coordinated by the Collaborative Communities Board. It offers advice and support to Suffolk residents and acts as a single point of contact for accessing the following support:

- Advice about mortgage or credit cards, rent arrears or other debts
- Support with COVID-19 related concerns
- Access to food (including food bank referrals)
- One-off grants for things such as:
 - White goods
 - Fuel vouchers
 - Other unforeseen expenses

Phone the helpline on **0800 068 3131** (open 9am to 5pm, Monday to Friday)

Independent advice agencies

Citizens Advice offers free advice about benefits, housing, debt, employment rights, consumer rights and immigration issues. Disability advice services offer free advice about benefits and services available to people with disabilities and their carers.

All local advice agencies are closed to visitors from 5 November 2020, but should be operating a telephone advice service.

- | | |
|--|---------------|
| • Citizens Advice | 03444 111 444 |
| • Disability Advice Service (East Suffolk) | 01394 387070 |
| • Disabled Advice Bureau (Ipswich) | 01473 217313 |
| • Disability Advice North East Suffolk (Waveney) | 01502 511333 |

Help for older people

Age UK Suffolk ceased operating on 24 July 2020. Age UK, the national charity, can provide information and advice to older people in Suffolk and signpost people to alternative services.

- Phone: 0800 169 6565 (8am to 7pm, open seven days a week)

Information about support for older people, including: befriending services, support with shopping, help around the home, help with personal care and support for carers can be found on the [Suffolk County Council website](#).

Debt advice

The Suffolk Advice and Support Service (see previous page) offers advice to people who are worried about money or are in debt. Phone: 0800 068 3131.

These organisations offer free, independent advice to people who are experiencing debt:

- [National Debtline](#)
- [Money Advice Trust](#)
- [Stepchange](#)

Money Matters – Managing Debt Together

East Suffolk Council and its three local Citizens Advice services have launched a new campaign to encourage people to talk about money worries, to avoid financial problems building up over time. The aim of the campaign is to direct people to Citizens Advice, which provides free, independent, impartial and confidential advice to people with concerns about debt.

Contact: 0330 107 5627 (Monday to Friday between 9.30am – 4pm) or e-mail: moneymatters@nescab.cabnet.org.uk. People can find their nearest Citizens Advice on the [Citizens Advice website](#).

Immigration advice

GYROS provide information, advice and guidance to people from abroad. They are not offering face to face services until further notice. Phone: 01493 745260 or 01473 480701 or e-mail: admin@gyros.org.uk. New contact hours: Tuesday to Friday 9am to 5pm for queries from practitioners. Tuesdays and Fridays 9am to 1pm for members of the public

Suffolk Law Centre provides free, confidential legal advice from legal professionals. Phone: 01473 408111 or e-mail: office@iscre.org.uk Monday to Friday 9am to 5pm.

Financial relief for customers affected by COVID-19

The Financial Conduct Authority (FCA) announced a package of temporary measures designed to provide temporary relief from 14 April 2020 for people experiencing repayment difficulties during the COVID-19 pandemic. The changes affected people with credit cards, loans and overdrafts and included:

On 15 July 2020, the FCA published finalised guidance for firms, to support people experiencing payment difficulties with other consumer credit products, such as motor finance, high-cost short-term credit ('payday loans'), rent-to-own, pawnbroking and buy-now pay-later schemes.

This support came to an end on 31 October 2020. For details of what was available, see the following links

- [Overdrafts](#)
- [Payment holidays](#)
- [Personal loans and credit cards](#)
- [Payday loans and other high-cost short-term credit](#)
- [Motor finance agreements](#)
- [Rent-to-own, buy-now pay-later and pawnbroking agreements](#)

From 1 November 2020, firms are expected to provide support tailored to the borrower's individual circumstances. This may include:

- Reducing or waiving interest
- Agreeing a programme of staged reductions in the overdraft limit and balance
- Supporting the borrower to reduce overdraft usage by transferring the debt to an alternative credit product on more favourable terms

If someone is struggling to make payments, the lender should:

- Provide support tailored to the person's individual circumstances and work with them to provide support before they miss payments
- Be flexible and employ a full range of shorter and longer-term options to support the borrower and minimise stress and anxiety caused by financial difficulty – this could include a period of no or reduced payments
- Give the borrower time and opportunity to repay and not pressurise them into repaying your debt within an unreasonably short period of time
- Put in place sustainable repayment arrangements that are affordable and take account of the borrower's wider financial situation including other debts and essential living expenses
- Prevent balances from escalating once they have put in place a repayment arrangement by suspending, reducing, waiving or cancelling any interest, fees or charges necessary to make that happen
- Recognise and respond to the needs of vulnerable customers, signposting them to debt help or money guidance, and allowing them to seek debt advice before making a decision on the support you take.

The Financial Conduct Authority has proposed to extend further support to people affected by COVID-19. These proposals are not yet in place, but are planned to include:

- Extended payment holidays for personal loans, credit cards, motor finance, rent to own, buy-now pay-later and pawnbroking. This will allow two payment holidays of up to six months in total. People who have already had a payment holiday will be eligible for a second payment holiday of up to 3 months. The deadline for applying will be extended to 31 January 2021.
- A payment holiday of up to one month for high-cost-short-term credit (such as payday loans)
- Continuation of tailored support, which could include reducing or waiving interest on overdrafts, agreeing a staged reduction in the overdraft limit or transferring an overdraft debt to an alternative credit product on more favourable terms.

Debt enforcement

CIVEA, the Enforcement Agent professional body, announced a suspension of enforcement action on 23 March 2020 for all debts, including unpaid court fines, penalty charge notices, council tax and non-domestic business rates. The suspension on taking control of goods came to an end on 23 August 2020, meaning that face-to-face bailiff action was able to resume from 24 August.

From 5 November 2020: The Lord Chancellor and Secretary of State for Justice Robert Buckland wrote to the High Court Enforcement Officers Association to ask its members to adhere to the following guidance on enforcement action during the new lockdown:

- Enforcement agents can attend residential addresses under Writs of Control but cannot enter residential properties for the purpose of enforcement by taking control of goods.
- Enforcement agents cannot carry out residential evictions, aside from when an exemption applies (see page 61).

Other support

Free school meals

The Department for Education temporarily extended free school meal eligibility during the COVID-19 outbreak, to include children with no recourse to public funds, who are:

- Children of Zambrano carers
- Children of families with a right to remain in the UK on grounds of private and family life under Article 8 of the European Convention on Human Rights
- Children of families receiving support under Section 17 of the Children Act 1989

The extension of free school meal eligibility to these groups will continue while the COVID-19 outbreak impacts upon schools. Full details are available in the Department's [updated guidance](#).

Pupils in all year groups returned to school and college at the start of the autumn term. Schools must work with their suppliers to prepare meals or food parcels for children who are eligible for benefit-related free school meals, but are unable to attend school because they:

- Are self-isolating
- Have had symptoms or a positive test result themselves
- Are a close contact of someone who has COVID-19

Further education institutions should continue to provide support for students who are eligible for free meals, whether they are attending or studying remotely due to COVID-19.

Winter Grant Scheme

The government does not intend to extend free school meals over the Christmas holiday. On 8 November 2020, the Department for Work and Pensions announced a £220 million extension of the holiday activities and food (HAF) programme. The measures also include a £170 million COVID-19 winter grant scheme to allow councils “to directly help the hardest-hit families and individuals, as well as provide food for children who need it over the holidays.”

Until details of the scheme are publicized, families who are experiencing difficulty feeding their children should contact the Suffolk Advice and Support Service on 0800 068 3131 for a food bank referral.

Help with fuel costs

People can get advice about what to do if they are struggling to pay their energy bills from the Suffolk Advice and Support Service helpline on **0800 068 3131** (open 9am to 5pm, Monday to Friday) or the [Citizens Advice website](#).

Utility companies have also provided information and advice for individuals and families struggling to pay their bills during the COVID-19 outbreak (click for links):

[British Gas](#)

[EDF](#)

[EON](#)

[Npower](#)

[Green Star](#)

[Bulb](#)

Support for people experiencing domestic violence

Campaigners have reported a rise in requests for help from victims of domestic abuse since coronavirus lockdown measures came into force.

Support for people experiencing domestic violence is available from these organisations:

Anglia Care Trust

Suffolk Domestic Abuse Helpline: 0800 9775690 (open 24 hours a day, 7 days a week)

For professionals: 01473 618660 or email: admin@angliacaretrust.org.uk.

Website: www.angliacaretrust.org.uk

Open as normal for referrals 9am to 5pm Monday to Friday. Staff are working from home, so telephone, text and video messaging support is being offered.

Norfolk and Suffolk Victim Care

Phone 0300 303 3706 or e-mail: nsvictimcare@victimsupport.org.uk

Website: www.nsvictimcare.org/contact-us/.

Open as normal for referrals and providing telephone support.

Lighthouse Women's Aid

Phone: 01473 228270. Website: www.lighthousewa.org.uk

Refuge: accepting new referrals with COVID-19 procedures in place.

Centre: Telephone queries answered as normal. Advice and crisis appointments by phone. Freedom Programme, Power to Change and Escape the Trap programmes running online.

Bury St Edmunds Women's Aid Centre

Phone: 01284 753085 or instant messaging available via website 10am-12pm

Website: www.burystedmundswomensaid.org.uk

Accepting referrals for all services. Face to face appointments with COVID-19 risk assessment, infection control procedures and PPE.

Alumah

Phone: 07770 468698. Website: www.alumah.co.uk

Accepting referrals. Continuing to run groups and programmes online.

Compassion

Phone: 07597 337831 or e-mail: michelle@compassion.org

Website: www.compass-ion.org

Freedom programmes to support victims of domestic abuse being run online.

Waveney Domestic Violence and Abuse Forum

Phone: 01502 572143 or 07906 245979 or e-mail: info@waveneydvforum.org.uk

Website: www.waveneydvforum.org.uk

Kirkley Centre offices remain open, providing telephone, text and email advice and guidance and accessing support for clients. Accepting referrals for Trauma Therapy and therapists are currently providing Therapeutic Support sessions and Trauma Therapy online.

The Ferns (Sexual Assault Referral Centre – SARC)

Phone 0300 1235058 or e-mail contact@theferns-suffolk.org.uk

Website: www.theferns-suffolk.org.uk

Independent Domestic Violence Advisor (IDVA) Service

Continue to support high risk clients with telephone support.

Phone duty ISVA 07866 142139 or isva.theferns@suffolk.pnn.police.uk

ISVAs are all working remotely, they will continue with supporting clients via telephone, email, Skype and Zoom.

Leeway Domestic Abuse Services - Independent Domestic Violence Advisor (IDVA) Service

Phone: 0300 5610077

www.Leewayssupport.org

Leeway advice and support line 0300 561 0077 or e-mail: adviceandsupport@leewaynwa.ork.uk

Live chat service at www.leewayssupport.org 10am-12 noon Monday, Wednesday and Friday.

The Liberty Project

Remains open for refuge referrals via libertyproject@orwell-housing.co.uk or 08454671420.

Phoebe

Phone 01473 231566 or <http://phoebecentre.org.uk/domestic-violence-support/>

Support for migrant, black and Asian women and children.

Suffolk Rape Crisis

Phone: 0800 085 0520 or e-mail: administration@srchelp.org.uk

Website: www.srchelp.org.uk

Open for referrals, telephone support and online counselling being provided.

Survivors in Transition

Phone: 01473 232499 or 07765 052282 or e-mail support@survivorsintransition.co.uk

Website: www.survivorsintransition.co.uk

Open for referrals, telephone support being provided. Confidential abuse support for young people age 13+ 0808 1681154.

Fresh Start New Beginnings

Phone: 01473 353355. Website: www.fsnb.org.uk

Open for referrals, telephone support being provided.

National Domestic Violence Helpline

Phone: 0808 2000 247

Website: www.nationaldomesticviolencehelpline.org.uk

Women's Aid

E-mail: helpline@womensaid.org.uk or webchat available via website.

Website: www.womensaid.org.uk

GALOP (LBGT):

Phone 0800 999 5428. Website: www.galop.org.uk

Mankind Initiative (Male victims)

Phone: 01823 334244. Website: www.mankind.org.uk

Men's Advice Line (Male victims)

Phone: 0808 801 0327. Website www.mensadvice.org.uk/

Respect (For abusers)

Phone: 020 3559 6650. Website: <http://respect.uk.net/>

The Rail to Refuge scheme

People fleeing domestic abuse anywhere in Britain during the coronavirus lockdown can apply for free train travel to refuge accommodation, through a partnership between train companies and Women's Aid. Train companies will cover the cost of train tickets for anyone travelling to refuge accommodation while coronavirus lockdown measures are in force.

To use the scheme, contact the [Women's Aid Live Chat](#) (open Monday to Friday, 10am – 2pm). Once a refuge vacancy has been confirmed, the person will be informed. The refuge can book a ticket for them, so they can travel for free.

After booking the ticket, the refuge sends the collection details via mobile phone, so the ticket can be picked up from the station using any debit or credit card. The person travels on a normal ticket, without having to declare the ticket was free or that they are fleeing from domestic abuse.

It is not possible for a person to book their own ticket via this scheme, they must contact Women's Aid. For further information: <https://www.womensaid.org.uk/rail-to-refuge-faqs/>

Safe spaces at Boots

From 1 May 2020, victims of domestic abuse are able to access safe spaces at Boots pharmacy consultation rooms across the country, where they can contact specialist domestic abuse services for support and advice. The scheme was created in response to the desperate situation facing many victims who are isolating with perpetrators during lockdown.

Operational changes at Jobcentre Plus offices

Do not attend

From 1 July 2020, Jobcentres Plus offices re-opened on an appointment basis, to support vulnerable customers and those who are unable to manage their account digitally. From 5 November 2020 face to face appointments have been suspended except for vulnerable customers.

[Government guidance](#) issued on 5 November 2020 confirmed that people are allowed to leave the home to attend Jobcentre Plus offices.

Do not phone

People making new claims for Universal Credit no longer need to call the Jobcentre Plus as part of the process. The Jobcentre will call claimants if they need to check any of the information provided as part of the claim. This includes ID verification for people who are unable to verify their identity online using GOV.UK.Verify.

DWP Visiting Service

The DWP Visiting Service suspended routine face-to-face home visits, with the exception of:

- Visits to vulnerable customers
- Visit required to ensure benefit payments can be made
- Visits to undertake safeguarding checks

We have asked for a Visiting Service update from 5 November 2020, but the DWP has not yet provided this.

Partner organisations (including the FIAS Visiting Team) can continue to make referrals to the DWP Visiting Service in the same way as they do now. The DWP will undertake a risk-based assessment for all referrals, ensuring they meet the criteria above, and then decide the best way to support the customer. Those customers who do not meet the criteria will instead be contacted by telephone or letter.

The Video Relay Service

The Video Relay Service has now been extended across all Jobcentre Plus service lines. This service allows customers to make an inbound call to DWP via a British Sign Language interpreter using a video connection.

Claimants should go to GOV.UK, where an instruction video will explain how to use the video relay service. The video is on YouTube channel **dwpsign**. A direct link on GOV.UK will connect the user to a BSL interpreter.

People can also access VRS via the [SignVideo website](#) or [download their free app](#).

Changes to welfare benefits

Benefit increases

Universal Credit

The monthly standard allowance of Universal Credit is increased for one year. The change takes effect from the first assessment period that ends on or after 6 April 2020. The new monthly rates are:

Single claimant (under 25)	£342.72
Single claimant (age 25 or over)	£409.89
Couple (both under 25)	£488.59
Couple (one of both age 25 or over)	£594.04

Working Tax Credit

The basic element of Working Tax Credit will increase from 6 April 2020. This increase will apply for one year. The HMRC intends to apply this increase over a 35-day period starting on 9 April. Arrears payments will count as capital for means-tested benefits.

Working Tax Credit basic element	£3040 (annual amount)
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Housing Benefit

The weekly 'additional earnings' disregard for Housing Benefit claimants working a specified number of hours, or receiving the 30-hour element of Working Tax Credit, increases from £17.10 per week to £37.10 per week, from 6 April 2020 to 4 April 2021.

Housing Benefit claimants who have been furloughed, are self-isolating or shielding can be treated as being 'in remunerative work for the purposes of the additional earnings disregard. Claimants in receipt of Statutory Sick Pay (including those receiving SSP for COVID-19) are not entitled to the additional earnings disregard unless they continue to receive the 30-hour element of Working Tax Credit.

Local Housing Allowance rates for Universal Credit and Housing Benefit

Local Housing Allowance rates are used to calculate the maximum amount of rent that can be covered by Housing Benefit and the housing costs element of Universal Credit, for claimants who live in privately rented accommodation. The rates will increase for 12 months from 1 April 2020, to the 30th percentile of local rents in each Broad Rental Market Area. See the Local Housing Allowance website for rates and further information: <https://lha-direct.voa.gov.uk/>.

For Universal Credit, the increased rate applies from the first assessment period that ends on or after 6 April 2020.

Carer's Allowance

Carers retain their entitlement to Carer's Allowance during any temporary break in caring as a result of isolation due to infection or contamination with coronavirus, whether this applies to the carer or the person being cared for. This measure has now been extended to 12 May 2021.

Also, time spent providing emotional support now counts towards the qualifying threshold of 35 hours care per week.

Child Benefit

HMRC is reminding new parents that they will still be able to claim Child Benefit despite the outbreak of coronavirus. Even though General Register Offices remain closed for now, parents can claim Child Benefit without having to register their child's birth first, to ensure they do not lose entitlement.

Council Tax Reduction and Council Tax Hardship Fund

Claiming Council Tax Reduction

All five councils within the Anglia Revenues Partnership (including East Suffolk and West Suffolk Councils) are accepting Council Tax Reduction claims over the phone, from people who are unable to claim online. This service is designed to support the most vulnerable claimants and people are encouraged to claim online or seek alternative support if they can.

All councils in the partnership accept direct notifications from the DWP when Universal Credit is claimed. If a Universal Credit claimant indicates they wish to apply for a Council Tax Reduction, the DWP will notify the council and a separate claim is not required.

Council Tax Hardship Fund

A £500 million Hardship Fund has been made available to local authorities, to provide Council Tax relief to vulnerable people and households affected by COVID-19.

All councils in Suffolk are using the Council Tax Hardship Fund to reduce the Council Tax bill of working-age customers in receipt of Local Council Tax Reduction (CTR) by £150 per year or to reduce the bill to nil where the current Council Tax Reduction leaves less than £150 outstanding. There is no need for customers to contact their council – the reduction will be automatically applied.

Disability Living Allowance, Personal Independence Payment and Attendance Allowance

Returning claim forms

Personal Independence Payment and Disability Living Allowance claimants now have up to 3 months to return their PIP2 claim form. It is in their interest to complete and return the form as soon as possible, as this will speed up the claim process.

PIP2 electronic claim form

The Personal Independence Payment 'How your disability affects you' PIP2 claim form can now be provided to claimants in an electronic format. The electronic PIP2 can be requested during the initial phone call to register a claim. This is then sent via e-mail to the claimant. Claimants can seek assistance from a third party to complete the form, but it is important that the PIP2 is returned from the e-mail address initially used to receive the form.

Assessments

Face-to-face assessments for all sickness and disability benefits were suspended for 3 months from 17 March 2020, including those for new claims. On 6 July 2020, the DWP issued a statement confirming that face-to-face assessments remain suspended, but this would be kept under review.

As measures are taken across the country to ease restrictions, the DWP will gradually resume some review and reassessment activity which had been put on hold because of the COVID-19 outbreak, starting with renewals and reassessment for claims which were already underway when this activity was suspended.

Anyone who makes a new claim or is due an assessment will be contacted, if necessary, to discuss next steps, which will involve either a telephone or paper-based assessment.

DS1500 – Notification of Terminal Illness Form

The Department for Work and Pensions has opened an e-mail facility to allow the DS1500 form to be e-mailed to them, rather than posted. The DS1500 will only be accepted if it sent in from a GOV.UK e-mail address. Forms received from personal or non-GOV.UK e-mail addresses will not be accepted. The DWP already accepts DS1500 forms from NHS.NET e-mail addresses and will continue to do so. The DS1500 should be sent to the following email address: pip.e-ds1500@dwp.gsi.gov.uk

Extension of existing awards

On 23 April 2020, the government stated disability benefit awards were to be automatically extended by six months if due for reassessment in the following three months. On 15 May 2020, Justin Tomlinson confirmed that, after initial 'issues', the six-month extension is applied to short fixed-term awards and to awards made by First-tier Tribunals.

Personal Independence Payment reviews

Personal Independence Payment reviews were suspended for three months from 23 March 2020. The suspension of face-to-face assessments remains in place. See above for further details.

Motability

The Motability scheme has made automatic refunds of £50 to Motability clients in respect of insurance. For further information about help and support for people with Motability agreements during COVID-19, follow this link to the [Motability site](#).

Employment and Support Allowance

Claiming

New Style Employment and Support Allowance can now be claimed online, unless the claimant has a benefit appointee, in which case it must still be claimed by phone.

Waiting days

From 13 March 2020, claimants 'affected by COVID-19' do not have to serve 7 waiting days before they can be paid Employment and Support Allowance. This measure has been extended to 12 May 2021 – see [ADM 25/20](#).

The regulations state that a person is affected by coronavirus disease (COVID-19) if they are:

- Infected or contaminated with coronavirus disease or
- In isolation (see page 9) or
- Caring for a child or qualifying young person who is a member of the person's household and who is in isolation or infected or contaminated with coronavirus disease

Providing fit notes

From 13 March 2020, new claimants affected by COVID-19 do not have to self-certify or provide fit notes or isolation notes to be treated as having limited capability for work. They are not required to complete ESA50 questionnaires or attend Work Capability Assessments. This includes people who have claimed ESA because of another medical condition. This measure has been extended to 12 May 2021.

Claimants will be contacted at intervals to see if they are still affected by coronavirus disease. If not, and the person has no other health condition affecting their capability for work, the claim will be superseded and closed on the basis that, on balance of probabilities, the claimant no longer has limited capability for work. See [ADM 25/20](#)

Work Capability Assessment

Face-to-face assessments were paused on 17 March 2020. From 4 May, telephone-based Work Capability Assessments were rolled out, with easements in place to ensure that claims would not be terminated if claimants failed to attend or failed to participate in telephone-based assessments.

From 2 November 2020, this easement was lifted. Claimants who fail to attend or participate in a telephone-based Work Capability Assessment without good cause, will lose their entitlement to ESA. Appointment letters will make this clear and claimants will be contacted to explain why they did not, or could not, attend or participate in the assessment, before benefit is stopped. If their reasons are accepted, benefit entitlement will continue.

Payments pending appeal

Following a High Court [decision](#), it is unlawful to require a claimant to go through the mandatory reconsideration process before appealing a decision that they do not have limited capability for work.

This decision enables ESA claimants, who have failed the Work Capability Assessment, to appeal immediately and to be paid the assessment rate of ESA pending the outcome of the appeal. This judgment does not cover claimants whose ESA entitlement has ended because they failed to attend a Work Capability Assessment or because they failed to return an ESA50 questionnaire.

The Coronavirus Job Retention Scheme

Payments from the Coronavirus Job Retention Scheme do not affect entitlement to ESA for claimants who are not working. Where work is being undertaken the permitted work (or other exempt work) regulations, the normal rules apply to both hours worked and earnings received, including those paid under the Coronavirus Job Retention Scheme.

The Self-Employed Income Support Scheme

Payments from Self-Employed Income Support Scheme do not affect entitlement to New Style ESA.

Funeral Expenses Payments

People needing support with claiming a Funeral Expenses Payment (and/or Bereavement Support Payment) should contact the Bereavement Service on 0800 731 0469. Funeral Expenses Payment claim forms can now be downloaded from the following link: [FEP claim form from GOV.UK](#) until further notice, to remove the need for people to attend Jobcentres.

Housing Benefit

Claiming Housing Benefit

All five councils within the Anglia Revenues Partnership (including East Suffolk and West Suffolk Councils) are accepting Housing Benefit claims over the phone, from people who are unable to claim online. This service is designed to support the most vulnerable claimants and people are encouraged to claim online or seek alternative support if they can.

Exemption from shared accommodation rate for people formerly accommodated through the 'Everyone In' initiative

Local authorities received funding from the government to provide emergency accommodation to rough sleepers during the COVID-19 outbreak. The 'Everyone In' initiative allowed councils to get rough sleepers off the streets and into temporary accommodation, most often hotels and B&Bs with vacancies due to the pandemic.

The DWP has confirmed that 'Everyone In' accommodation is likely to meet the definition of a 'hostel' for Housing Benefit and Universal Credit, as per regulation 2(1) of the Housing Benefit Regulations 2013 and paragraph 29 of Schedule 4 to the Universal Credit Regulations 2013.

This means that people aged 25 or over, who have lived in this accommodation for three months or more and accepted services to assist them to be rehabilitated or resettled, will not be subject to the single room in shared accommodation rate of Housing Benefit or the Universal Credit housing costs

element when they move on to privately rented accommodation. They will instead be entitled to the higher one-bedroom rate. See [LA Welfare Direct 08/2020](#).

Prisoners on temporary release

New regulations came into effect on 8 April 2020 enabling prisoners who are on temporary release due to the COVID-19 outbreak, to claim Housing Benefit, if they meet the normal qualifying conditions. This is most likely to apply to prisoners in temporary or hostel accommodation.

The measure has been extended to 12 May 2021. More information about the Social Security (Coronavirus)(Prisoners) Regulations 2020 can be found in [HB Circular A8/2020](#).

Coronavirus Job Retention Scheme

Payments made to workers under the Coronavirus Job Retention Scheme are treated as earnings. Workers are treated as working the same number of hours as before they were furloughed, and so will retain the additional earnings disregard, if applicable.

Workers no longer paying for childcare will lose the childcare earnings disregard. However, the childcare element of Working Tax Credit will continue to be taken into account as income, if it remains in payment.

People unable to return to Great Britain

[LA Welfare Direct 6/2020](#) confirms that easements are in place which allow people to remain entitled to Housing Benefit when they have been temporarily prevented from returning to GB due to COVID-19 travel restrictions. Regulation 7 of the Housing Benefit Regulations 2006 has not been amended. The usual rules on not subletting and having an intention to return continue to apply to any period of temporary absence.

Jobseeker's Allowance and New-Style Jobseeker's Allowance

Work search and work availability requirements

For 3 months from 30 March 2020, jobseekers no longer had to look for work or be available to start work. Income-based JSA claimants are treated as actively seeking and available for employment. New Style JSA claimants did not have any work search requirements placed upon them for this period and were not required to be able and willing to immediately take up paid work.

From 1 July 2020, Employment Minister Mims Davies announced the reintroduction of the requirement for claimants of Universal Credit, New-Style and legacy Jobseeker's Allowance to accept a claimant commitment as part of any new claim. For existing claimants, the Jobcentre Plus will review and update their claimant commitment as capacity allows. She told Parliament in a ministerial statement, "Claimant commitments must be reasonable for the 'new normal', acknowledging the reality of a person's local jobs market and personal circumstances to prepare them for getting back into work" and that applying conditionality will be done in a "measured, reasonable, and safe way by agreeing commitments with claimants that are tailored to individual and prevailing circumstances, including COVID restrictions."

Sanctions

Secretary of State for Work and Pensions Thérèse Coffey confirmed to the Work and Pensions Committee on 22 July 2020 that the DWP is not actively seeking to apply benefit sanctions during the COVID-19 outbreak. Responding to a question about how claimant can balance work-related requirements with public health advice following the reintroduction of conditionality on 1 July, she stated, “I am conscious that a lot of this will be a light touch element of claimant commitment. It's not our intention to particularly go out actively seeking to impose sanctions or similar and I expect if there are any applied at all it will be very rare.”

On 6 November 2020, Employment Minister Mims Davies responded to a question about sanctions stating, “Our guidance continues to be tailored in light of the ongoing public health situation, the national working environment and of their health condition to ensure it is reasonable.”

Sickness

Jobseeker's Allowance claimants can have up to two 2-week periods of sickness and one 13-week extended period of sickness within any 12-month period, before losing entitlement to JSA. From 30 March 2020, these sickness periods do not include any time when a claimant is infected or contaminated with COVID-19, in isolation, or caring for a child or qualifying young person who is a member of the claimant's household. This measure has been extended to 12 May 2021.

Coronavirus Job Retention Scheme

Furloughed workers in receipt of wages funded by the Coronavirus Job Retention Scheme are considered to be engaged in remunerative work and are not entitled to JSA, with the exception of recipients whose weekly pre-COVID-19 contracted hours were fewer than 16 hours per week.

Self-Employed Income Support Scheme

A self-employed claimant who receives a lump sum under the Self-Employed Income Support Scheme is treated as in remunerative work and is not entitled to JSA for the notional period covered by the grant, and for any later period, unless the claimant can provide evidence they are no longer in self-employment.

Where a self-employed earner indicates that, pre-COVID, they usually worked for fewer than 16 hours a week on average, a SEISS payment will be treated as part-time earnings and will be taken into account for the period covered by the payment. For further information, see ADM Memo 8/20.

Maternity Allowance and statutory parental benefits

In force from 25 April 2020, the catchily-titled Maternity Allowance, Statutory Maternity Pay, Statutory Paternity Pay, Statutory Adoption Pay, Statutory Shared Parental Pay and Statutory Parental Bereavement Pay (Normal Weekly Earnings etc.) (Coronavirus) (Amendment) Regulations 2020 (SI.No.450/2020) amend the rules for the calculation of earnings for all benefits listed in the title of the regulations. Where workers have been furloughed under the Coronavirus Job Retention Scheme, their pre-furlough earnings are used in the calculation for benefit entitlement purposes.

Claimants should therefore receive the same amount of benefit they would have received, had they not been furloughed.

Pension Credit

Pension Credit can now be claimed online. The online service is only available to people who have already claimed their State Pension, do not have dependent children or young people included in their claim, and are prepared to have their Pension Credit paid into the same bank account as their State Pension. Use this link to start the claim: <https://apply-for-pension-credit.dwp.gov.uk/start>

Universal Credit

Verifying identity

New Universal Credit claimants can now verify their identity through Government Gateway, if they have used this in the last 12 months to access their Personal Tax Account (for example, to send a tax return, check their tax credit award or check their state pension). They can also continue to use GOV.UK.Verify.

Claimants unable to verify their identity at the end of the online claim process, using GOV.UK.Verify or Government Gateway, do not have to attend the Jobcentre with ID. A work coach will contact them by telephone to conduct the ID verification interview. Claimants also have a new option to verify their identity online at a later date.

New two-week run-on

From 22 July 2020, people in receipt of income-based Jobseeker's Allowance, income-related Employment and Support Allowance or Income Support, who claim Universal Credit, will receive a two-week run-on payment of their legacy benefit, including components and premiums. This is an extra payment, which will not reduce their Universal Credit entitlement. If the claimant receives contribution-based ESA or JSA as well, the two-week run-on payment will include this, but the contributory benefit will reduce their Universal Credit entitlement using the normal rules for unearned income. The contribution-based ESA or JSA will then be converted to New-Style ESA or JSA and remain in payment.

Claiming a Short-term Advance

Because of widespread fraud, Jobcentre Plus normally requires claimants to attend a face-to-face meeting with a work coach to verify their identity, before a Short-term Advance is issued. The Jobcentre will be carrying out these checks by telephone and making claimants aware of the availability of an advance payment. The Jobcentre is redeploying staff to increase the volume of outgoing calls, to meet the recent surge in new claims to Universal Credit.

Claimant commitment

For 3 months from 30 March 2020, Universal Credit claimants did not have any work search requirements placed upon them. From 1 July 2020, new Universal Credit claimants are required to

accept a claimant commitment as part of their claim. For existing claimants, the Jobcentre Plus will review and update their claimant commitment as capacity allows. See page 29 for further information. Claimant commitment interviews will initially be conducted by telephone in 30-minute commitment appointments. Jobcentre Plus offices are open for people who are unable to use the telephone or their online journal.

Work Capability Assessment

Face-to-face assessments were paused on 17 March 2020. From 4 May, telephone-based Work Capability Assessments were rolled out, with easements in place to ensure that claims would not be affected if claimants failed to attend or failed to participate in telephone-based assessments.

From 2 November 2020, this easement was lifted. Claimants who fail to attend or participate in a telephone-based Work Capability Assessment without good cause, will no longer be treated as having limited capability for work or work-related activity. This could reduce the payable rate of Universal Credit and subject them to more onerous work-related requirements, exposing them to an increased risk of sanctions.

Appointment letters will make this clear and claimants will be contacted to explain why they did not, or could not, attend or participate in the assessment, before benefit is affected. If their reasons are accepted, benefit entitlement will continue.

Self-employed claimants

Self-employed claimants are not required to attend an interview with a case manager (decision maker) at the start of their claim to determine whether they are 'gainfully self-employed'. This decision can be delayed for up to 8 months from 31 March 2020 at the discretion of a decision maker.

The Coronavirus Act 2020 gave case managers a wide range of discretionary powers in relation to self-employed claimants. These powers last 12 November 2020. A case manager can:

- Treat the claimant as no longer being in 'gainful self-employment'
- Extend the normal 12-month start-up period before the minimum income floor is applied
- Treat the claimant's earnings as being less than the minimum income floor
- Exempt the claimant from any work-search or work-availability requirements if these would apply as a result of any of the easements above.

On 3 November 2020: the government announced that the Minimum Income Floor will remain suspended for all self-employed claimants until 30 April 2021.

The Minimum Income Floor is a notional level of self-employed earnings used to calculate the Universal Credit award. It is calculated by multiplying the national minimum wage by the number of hours the claimant is expected to work (usually 35 hours per week), with a notional amount deducted for tax and National Insurance. The Minimum Income Floor is usually imposed after a start-up period, which can be up to 12 months. The Minimum Income Floor amount is used when the actual net profit from self-employment is lower than the Minimum Income Floor in an assessment period. It can

penalise self-employed claimants with low earnings, because the calculation of their Universal Credit award is based on a notional income figure, higher than they actually received that month.

The suspension the Minimum Income Floor means the claimant's actual self-employed earnings are used in the calculation of Universal Credit, even if they are low (or zero) due to the COVID-19 outbreak.

On 23 April 2020, Minister for Welfare Delivery Will Quince confirmed to the Committee that money set aside for self-employed tax liability can be considered to be a business asset and therefore is not included as capital for the purpose of the £16,000 savings rule.

Self-Employed Income Support Scheme payments

The Universal Credit (Coronavirus) (Self-employed Claimants and Reclaims) (Amendment) Regulations 2020 came into force on 21 May 2020. These explain how the schemes to support self-employed people during the COVID-19 outbreak affect Universal Credit entitlement. Guidance is available in ADM Memo 11/20.

- A lump sum payment made under the Self-Employed Income Support Scheme SEISS is treated as a receipt for the purposes of calculating the claimant's self-employed earnings in the assessment period in which it is received.
- Claimants can deduct from this: permitted expenses, payments made in that assessment period towards income tax and National Insurance and any contributions made into personal or occupational pension schemes. They can also carry over unused losses from earlier assessment periods.
- However, no deduction may be made in the calculation of those earnings in respect of the salary or wages paid to a claimant's employee, if those wages are covered by a Coronavirus Job Retention Scheme grant.
- A payment made to the self-employed person under the Coronavirus Job Retention Scheme, or any loan or grant to meet the losses or expenses of the claimant's business in relation to the outbreak of coronavirus (COVID-19) disease, is ignored in the calculation of the claimant's capital for 12 months from the date it is received.

Surplus earnings

When a claimant's Universal Credit claim ends due to excess earned income and they reclaim Universal Credit within six months of the end of the previous claim, their past earnings may be taken into account in the first assessment period of the new claim. This can reduce the amount of Universal Credit paid in the first assessment period or even cause the new claim to be disallowed.

The 'surplus earnings' rule will be triggered if the claimant (and/or partner)'s total earned income in the final assessment period of the previous claim exceeded the 'relevant threshold'.

The relevant threshold was originally set at the amount of earnings which would have reduced Universal Credit entitlement to nil, plus £300. A temporary measure was put in place increasing the threshold to the amount that would reduce entitlement to nil, plus £2500. This temporary threshold has been extended to 31 March 2021.

This extremely high threshold means that the 'surplus earnings rule' has rarely been triggered.

However, if a self-employed claimant receives a large SEISS lump sum (which could be up to £7,500), this will not only end the Universal Credit claim, but will also trigger the surplus earnings rule if the claimant re-claims Universal Credit within six months.

The surplus earnings rule has a complex system of carrying over 'adjusted surpluses' which means a person who makes a new claim every month after their award ends will become entitled to benefit quicker than someone who waits several months before re-claiming. This system was criticised by the Work and Pensions Select Committee.

New rules for re-awarding benefit after a claim is disallowed due to earned income

New rules were introduced on 21 May 2020 to remove the need to make a new Universal Credit claim, if a previous claim was disallowed due to earned income (from work or self-employment) and the claimant's income has subsequently decreased.

This rule applies to any claim (new or existing) that ends due to earned income, if the claimant's income drops to a level where Universal Credit can be paid, within the five monthly assessment periods that would have followed the last assessment period of the claim.

The new rule applies to both workers and self-employed claimant.

It is particularly useful for self-employed claimants whose Universal Credit claim is disallowed after receiving a SEISS lump sum payment. In theory at least, the Jobcentre Plus should apply the adjusted surplus deduction each assessment period until the claimant re-qualifies and then reinstate the award, without the need to make a new claim (assuming the claimant's total earned income falls below the 'relevant threshold' within the next five assessment periods).

See [Memo ADM 10/20](#) for further information.

Reallocation of monthly earnings

Following a Court of Appeal judgment, new regulations have been issued to reallocate calendar monthly earnings when two payments are reported by the Real-Time Information System in the same monthly assessment period. See Universal Credit (Earned Income) Amendment Regulations 2020 (SI.No.1138/2020) amend the Universal Credit Regulations 2013.

Conversion of Severe Disability Premium transitional payments

On 8 October 2020, any Universal Credit award containing a transitional Severe Disability Premium (SDP) amount will have the SDP transitional payment converted to an SDP transitional element. The amount will remain the same, but the element can be reduced when another element in the award is increased or added (with the exception of the childcare element).

New page for claimants making a claim online

Claimants making a claim online will now see a new page called 'If you already get other benefits'.

The new page tells new claimants to check how applying for Universal Credit will affect their other benefits. It lists six benefits that Universal Credit replaces and warns that tax credits will end if they or their partner makes a claim for Universal Credit. After reading the page, claimants will need to tick a box called 'I understand and agree' before continuing with their online claim.

Important: People receiving tax credits should seek expert advice before claiming Universal Credit, as they will lose their tax credit award when a Universal Credit claim is made, even if they are not entitled. On 30 September 2020, the Secretary of State for Work and Pensions Dr Thérèse Coffey confirmed in evidence before the Work and Pensions Committee that the DWP would not reverse decisions where claimants had been advised to claim Universal Credit and had lost out financially.

Working Tax Credit

HM Revenues and Customs has confirmed that workers on Working Tax Credit, whose hours have reduced or who have been furloughed due to the COVID-19 outbreak, will be treated as still being in work, working their normal hours. This will last until the Coronavirus Job Retention Scheme and Self-Employed Income Support Scheme close, even if the worker is not using either scheme

The Tax Credits (Coronavirus, Miscellaneous Amendments) Regulations 2020 came into force on 23 May 2020, introducing a number of changes:

- Working Tax Credit entitlement continues for up to eight weeks after the Coronavirus Job Retention Scheme ends (currently expected to be the end of October 2020) in order for claimants to re-establish their normal hours of work
- Claimants impacted by COVID-19, but who are not furloughed under the Coronavirus Job Retention Scheme or using the Self-Employment Income Support Scheme, continue to satisfy the working conditions for Working Tax Credit, including the hours normally worked and 'expectation of payment' conditions
- Workers cannot use furloughed hours to meet the conditions for the 30-hour element, where these conditions were not met before the worker was furloughed (for example, by trying to combine furloughed hours with a second part-time job)
- [Critical workers](#) are allowed three months to report changes of circumstances, rather than the normal month
- Claimants, who volunteer under Emergency Volunteering Leave provisions in the Coronavirus Act 2020, are treated as if they were working their normal hours for the duration of the scheme. Expenses payments made under the EVL provisions are disregarded as income for the purposes of calculating entitlement to tax credits
- Payments received from the Self-Employed Income Support Scheme, the Small Business Grant Fund, the Retail, Hospitality and Leisure Grant Fund, the Fishing Industry Support schemes are treated as trading income for tax credits.

Recovery of debts and overpayments

The Department for Work and Pensions suspended the recovery of benefits overpayments, tax credits debts and social fund loans for three months, so that staff could be redeployed to frontline roles.

This applied to deductions made from Universal Credit and legacy benefits, including Income Support, Jobseeker's Allowance and Employment and Support Allowance. The suspension also includes repayments made via Direct Earnings Attachments or standing orders.

Employers were instructed not to make any Direct Earnings Attachment deductions from employees' pay for April, May and June 2020. From 6 July 2020, the DWP recommenced recovery action. The DWP has said that people who are experiencing 'real financial hardship' can request deferral of repayments by contacting the Debt Management line on 0800 916 0647. Details have been included in the Benefit [Overpayment Recovery Guide](#).

There is a [new tool on GOV.UK](#) to help Universal Credit claimants find out who to contact about money being deducted from their benefit payments.

Temporary suspension of third-party deductions

The DWP confirmed in a message to stakeholders that it paused third party deductions from Universal Credit payments for one month until 10 May 2020. Third party payments that were suspended included those for: rent arrears, service charge arrears and Council Tax arrears. Direct payments for rent were not affected by the temporary pause.

Benefit appeals and tribunals

On 31 March 2020, Regional Tribunal Judge Hugh Howard explained new tribunal procedures in the East of England region. On 16 September 2020, the Acting Senior President of Tribunals Vice President Sir Keith Lindblom amended and extended two Pilot Practice Directions issued in March and confirmed these would remain in place until 18 March 2021, although they may be revoked at an earlier time. He issued an amended practice direction – [Contingency Arrangements in the First-Tier Tribunal and the Upper Tribunal](#).

Lord Chief Justice Lord Burnett and Senior President of Tribunals Sir Keith Lindblom issued a message confirming that court hearings and tribunals would continue during the four-week lockdown from 5 November 2020.

There are no face-to-face tribunal hearings while COVID-19 measures are in place. Oral hearings will be 'hybrid hearings' and take place by telephone. If parties are unable to participate in a telephone hearing, then consideration will have to be given to determining the matter on the papers.

In Employment and Support Allowance appeals (and the similar Universal Credit appeals), HM Courts and Tribunals Service will list all cases before a triage panel, whether or not the parties have asked for an oral hearing. If the appeal can be allowed, either by placing the appellant in the WRAG (work-related activity group) or support group, then the Tribunal will issue a decision. If the Tribunal has placed an appellant in the WRAG, but the appellant wants to be in the support group, they can apply for the decision to be set aside. The matter will then be listed for a telephone hearing (see below) and all options will be available to the next Tribunal, including disallowing the appeal. Those appeals that the triage Tribunals feel unable to allow on the papers will be listed for telephone hearings.

A similar process will be adopted for appeals where the judge sits alone, such as Housing Benefit, tax credits and Jobseeker's Allowance.

Industrial Injuries Disablement appeals will be subject to review by a salaried judge.

All Personal Independence Payment, Disability Living Allowance and Attendance Allowance appeals will be sifted by a salaried judge in the first instance. A judge may allow the appeal on their own, either in whole or in part; or direct a telephone hearing with a reduced composition of panel members.

Representatives should not ask for urgent hearings unless absolutely necessary.

Information about telephone hearings

HM Courts and Tribunals Service will use the BT MeetMe teleconferencing service to conduct telephone hearings. All parties will receive joining instructions, including a request to provide the court with a preferred contact number by which they can join the hearing.

On the day of the hearing, all parties should be in a private, quiet area where they cannot be overheard and should be ready to accept a call at the time of their hearing. A member of HMCTS staff

will facilitate the joining of all parties to the hearing and will ensure it is recorded and stored appropriately. No specialist equipment is required other than a phone.

- [How HM Courts and Tribunals Service use telephone and video technology during the COVID-19 outbreak](#)
- [Good practice guide for remote hearings](#)

The most recent practice direction states:

“Where a tribunal decides to conduct a ‘hybrid’ hearing (i.e. a hearing where there are participants attending the hearing in a physical courtroom and participants attending the same hearing remotely), the places from which participants attend the hearing shall, for the duration of the hearing, be deemed an extension of the courtroom.”

Contacting HM Courts and Tribunals Service

Submissions and evidence addressed to Phoenix House in Bradford can be e-mailed to:

SSCS_Bradford@justice.gov.uk.

Support for people from abroad

People with no recourse to public funds

People from abroad, whose permission to stay in the UK is subject to a 'no recourse to public funds' restriction, may experience financial hardship if they are unable to work or their earnings are reduced due to COVID-19 containment measures. Many will be unable to access the majority of welfare benefits to meet their essential needs. The following support is available:

- Removal of the public funds restriction due to a change of circumstances (see below)
- The Red Cross hardship scheme
- The Coronavirus Job Retention Scheme
- The Self-Employment Income Support Scheme
- Statutory Sick Pay (from their employer)
- New Style Employment and Support Allowance and New Style Jobseeker's Allowance (if they have made sufficient National Insurance contributions)
- Free school meals for children (Eligibility has been extended to include some children of groups who have no recourse to public funds – see page 19)
- Removing the public funds restriction due to destitution

Unrelated to COVID-19, the Home Office has extended the criteria for granting recourse to public funds to people who apply for leave to remain on the family or private life routes, following the case of *R (W) v The Secretary of State for the Home Department & Anor* [2020] [EWHC 1299](#) (Admin).

The Home Office [guidance](#) has now been amended to state that: "In all cases where an applicant has been granted leave, or is seeking leave, under the family or private life routes, the NRPF condition must be lifted or not imposed if an applicant is destitute or is at risk of imminent destitution without recourse to public funds."

The applicant must still provide evidence that:

- They are destitute or at risk of becoming destitute imminently without recourse to public funds or
- There are particularly compelling reasons relating to the welfare of a child on account of the child's parent's very low income or
- There are exceptional circumstances in their case relating to their financial circumstances which require the no recourse to public funds condition not to be imposed or to be lifted.

To apply for a change to the public funds restriction on leave to remain under the private and family life route, follow this link to [GOV.UK Visas and Immigration](#).

The Red Cross hardship scheme

The British Red Cross has set up a hardship fund to help vulnerable individuals and households who have no access to income, savings, or financial support, including:

- People with No Recourse to Public Funds
- People aged 70 or older
- People who have had disruption or delays to welfare benefits
- Households who have lost their primary earner to COVID-19
- Survivors of gender-based violence, including domestic abuse
- People facing homelessness or living in temporary accommodation

The fund can provide a maximum payment is £30 per week per person (up to £360 over a 3-month period) or one-off payment of up to £120. It is only available to people who are not in employment and do not have income from pensions, benefits, asylum support, friends and family and other voluntary sector support.

Referrals can be made online by partner organisations. Any organisation interested in becoming a partner can contact: REstherby@redcross.org.uk.

People cannot self-refer to the hardship scheme, but anyone unable to access food or medicine can call the British Red Cross support line on 0808 196 3651 (10am – 6pm every day).

Help for some European rough sleepers

European Economic Area citizens, whose only right to reside in the UK is during their initial three months of residence or as a jobseeker, are not eligible for local authority housing duties provided under Part 6 (Allocations – Gateway to Home Choice and Home-Link) and Part 7 (Homelessness assistance) of the Housing Act 1996. This means the local authority has no duty to house them or provide them with emergency accommodation, even if they are homeless and in priority need.

They are not entitled to equal treatment (as would normally be the case under European law), because the UK applies an exemption (derogation) from Article 24(2) of the Free Movement Directive.

The government has chosen to temporarily suspend the derogation for up to 7 months until 31 December 2020. This will allow a specific group of EEA nationals who are rough sleeping to access certain non-statutory homelessness services. The support includes one-time temporary accommodation and floating support for maximum of three months. During this time individuals will be supported into employment or supported to return home and connected with services there, should this be the most suitable option.

Providing accommodation will support eligible job-seeking EEA nationals to find employment and regularise their stay in the UK. This does not extend to statutory services or welfare benefits, so they will not qualify for Universal Credit or for a full housing duty, unless they acquire new residence rights, for example as a worker or a person with Settled status under the EU Settlement Scheme.

Not all EEA national exercising treaty rights are entitled to support, only those that meet all of the criteria specified below. They must be:

- Verified as sleeping rough by an outreach worker and
- Jobseekers who are 'qualified persons' or who are in their first three months of residence within the UK.
- Willing to engage with support workers: to accept employment support/training and job searching (to improve their job prospects) or accept an offer of reconnection (return to country of origin)

Those individuals who are assessed to be outside of the scope of the conditions outlined above will have support withdrawn as soon as this is established. Unless there are reasons which mean the individual requires shielding or treatment from COVID-19, or the individual is seeking to reconnect to their home country.

Support is time-limited: up to 12 weeks to find employment and accommodation or up to 4 weeks to establish options for the individual and facilitate a reconnection (return to country of origin).

Other changes

Temporary increase in asylum support rates

The government has introduced a temporary increase in asylum rates, to £39.60 per week, which took effect on 15 June 2020. Local authorities who take asylum support rates into account when making subsistence payments to families under section 17 of the Children Act 1989 will need to take this increase into consideration.

Right to Work and Right to Rent checks

Checks remain temporarily adjusted to make it easier for employers and landlords to carry them out during the coronavirus outbreak. The adjustments mean that until further notice, employers and landlords do not need to see original documents and can complete checks over video calls. After the COVID-19 measures end retrospective checks will be required.

Voluntary Returns Service

Assisted returns were suspended in March, but have now resumed from 13 July for individuals and families who are in the UK without permission and who wish to return home. People in this situation can contact the Voluntary Returns Service [online](#) or by phoning the Voluntary Returns Service on 0300 004 0202 (9am to 5pm Monday to Friday).

Support for workers who are sick, shielding or self-isolating

Statutory Sick Pay (SSP)

Employees who are too ill to work, or who are following government guidance to self-isolate, may be eligible for Statutory Sick Pay from their employer. The payable rate is £95.85 per week from April 2020, but the employer may top this up with contractual sick pay. SSP can be paid for up to 28 weeks.

An employee on Statutory Sick Pay may be able to top up their income by claiming Universal Credit.

Qualifying for Statutory Sick Pay

Statutory Sick Pay is claimed from the employer. The employee's average earnings over the qualifying period must be £118 per week or more (£120 per week or more from April 2020) to qualify. To check entitlement, visit <https://www.gov.uk/statutory-sick-pay> for more information.

If an employee wishes to dispute a decision to refuse SSP, they should contact the Statutory Payments Disputes Team on 03000 560630.

New rules

Employees who meet the basic eligibility conditions for SSP if they have a fit note from their GP **or** are self-certifying as sick for up to 7 days **or from**

- 13 March 2020 – if they or someone they live with has symptoms or has tested positive for coronavirus
- 16 April 2020 – if the employee is shielding. People claiming Statutory Sick Pay solely on the basis that they were shielding, are no longer able to do so from 1 August 2020.
- 28 May 2020 – if the employee has been notified by the NHS or public health authorities that they've come into contact with someone with COVID-19
- 6 July 2020 – if someone in their support bubble has symptoms or has tested positive for COVID-19
- 26 August 2020 – if the employee has been advised by a doctor or healthcare professional to self-isolate before going into hospital for surgery

From 5 November 2020, people who are clinically extremely vulnerable are strongly advised to work from home. If they cannot work from home, they should not attend work. Government guidance states they *may* be eligible for Statutory Sick Pay.

From 13 March 2020, Statutory Sick Pay is paid from the first day a person is sick with COVID-19 or self-isolating. The three waiting days are abolished.

The Statutory Sick Pay regulations were amended from 5 August 2020, to ensure that a person is entitled to SSP for the full period for which they are required to self-isolate (see page 9)

Fit notes and isolation notes

An employee does not have to provide a fit note for the first 7 days of sickness or self-isolation. After 7 days, people with COVID-19 symptoms and people who are self-isolating can get an isolation note online at <https://111.nhs.uk/isolation-note/> which they can send to their employer.

Reclaiming Statutory Sick Pay

The Statutory Sick Pay (Coronavirus) (Funding of Employers' Liabilities) Regulations 2020 came into force on 26 May 2020, allowing eligible employers to apply to HM Revenues and Customs for a refund of Statutory Sick Pay paid to employees:

- Whose sickness is related to coronavirus (see page 27) and
- Whose first day of incapacity for work was on or after 13 March 2020.

An eligible employer is one who, on 28 February 2020, had fewer than 250 employees (enrolled in all PAYE schemes) and, on 31 December 2019, was not already in difficulty for state aid purposes.

Working Tax Credit

Workers already receiving Working Tax Credit can continue to receive it for 28 weeks, while they are off work sick or self-isolating and claiming Statutory Sick Pay or New Style Employment and Support Allowance.

New Style Employment and Support Allowance (ESA)

Workers, who are sick or self-isolating, and whose earnings are insufficient to qualify for Statutory Sick Pay, may be entitled to New Style Employment and Support Allowance, if they have worked enough and paid, or been credited with, sufficient National Insurance contributions. See page 27 for information about how New Style ESA is affected by COVID-19 changes.

DWP guidance published on 20 April 2020 stated people who are shielding because they are in an extremely vulnerable group are also entitled to New Style Employment and Support Allowance (ESA), if they are not entitled to Statutory Sick Pay from their employer.

The government strongly advised everyone to work from home from 5 November 2020 and anyone who cannot work from home should not attend work during the four-week lockdown. Government [guidance](#) for clinically extremely vulnerable people states they *may* be eligible for Employment Support Allowance, but that other eligibility criteria will apply. It also states the formal shielding notification they receive *may* act as evidence for the Department for Work and Pensions. It is not clear whether clinically extremely vulnerable people, who are otherwise fit for work, will be entitled to ESA on this basis.

Universal Credit

People, whose household income and capital are low enough, may qualify for Universal Credit. They do not have to be sick, self-isolating or clinically extremely vulnerable and unable to work. Universal Credit can be paid on top of Statutory Sick Pay or New Style Employment and Support Allowance.

If the employee is currently in receipt of benefits or tax credits, they should seek advice before claiming Universal Credit, to make sure they will be better off.

Council Tax Reduction

People, whose income and capital are low enough, may be able to get help with their Council Tax by claiming a Council Tax Reduction from their district or borough council.

In-work support for workers who are clinically extremely vulnerable

Workers, who were shielding, were are eligible to be 'furloughed' under the Coronavirus Job Retention Scheme if they could not work from home. Workers, who lived with someone who was shielding, were also eligible to be furloughed by their employer if they could not work from home. This applied until 1 August 2020.

Clinically extremely vulnerable workers, who cannot work from home, and who were on the payroll before 30 October 2020, may be eligible to be furloughed under the Coronavirus Job Retention Scheme (CJRS) from 5 November 2020 to 31 March 2021.

Government guidance on the rules relating to the CJRS extension has yet to be published. When the guidance is published, it should be here: [Check if your employer can use the Coronavirus Job Retention Scheme](#).

Workers who have to reduce their hours or who are laid off

The Coronavirus Job Retention Scheme

If an employer is unable to cover staff costs due to COVID-19, they may be able to access financial support from the government through the Coronavirus Job Retention Scheme to avoid having to make redundancies.

The scheme allows employers to claim a grant towards employees' wages and staff costs for employees who are not working (or working reduced hours) due to the COVID-19 outbreak, but are kept on the payroll.

The government also said it will pay employees' wages through the scheme if a business is forced to temporarily close because of the COVID-19 outbreak.

The scheme opened on 20 April 2020 and the grant for wages could be backdated to 1 March 2020.

The government originally announced that the scheme will close on 31 October 2020. The scheme has now been extended to 31 March 2021.

Timetable of changes to the scheme

- From 1 July 2020: only workers that employers have successfully claimed a previous Coronavirus Job Retention Scheme grant for will be eligible for further grants under the scheme. This means they must have previously been furloughed for at least 3 consecutive weeks, taking place any time between 1 March and 30 June.
The last day an employee could have started furlough for the first time was 10 June.
On 9 June, HM Treasury announced that parents who had been on maternity or paternity leave would be able to return to work and be furloughed, even after the 10 June cut-off date.
- From 1 July 2020: employers can bring furloughed employees back to work for any amount of time and any shift pattern, while still being able to claim Coronavirus Job Retention Scheme grant for the hours not worked. For claim periods up to 30 June if an employee is working, but on reduced hours, or for reduced pay, they are not eligible for the scheme.
- Until 31 July 2020: the government paid 80% of wages, up to a cap of £2,500 per month, for hours not worked, as well as employer National Insurance contributions and pension contributions for the hours not worked.
- From 1 August 2020: the government paid 80% of wages up to a cap of £2,500 for the hours not worked, but employers were required to pay employer National Insurance contributions and pension contributions for those hours.
- From 1 September 2020: the government paid 70% of wages up to a cap of £2,187.50 for the hours not worked. Employers paid employer National Insurance contributions and pension contributions and top up employees' wages to ensure they receive at least 80% of their wages up to a cap of £2,500, for time they are furloughed.

- From 1 October 2020: the government paid 60% of wages up to a cap of £1,875 for hours not worked. Employers paid employer National Insurance contributions and pension contributions and top up employees' wages to ensure they receive at least 80% of their wages up to a cap of £2,500, for time they are furloughed. 30 November 2021 is the deadline for submitting or changing claims made up to 31 October 2020.
- From 1 November 2020: The government will pay employers 80% of the employee's wages for hours not worked, up to a cap of £2,500. The government intends to review the scheme in January 2021.

The government has made it clear that employees must continue to receive at least 80% of their wages if the employer wants to qualify for a grant under the scheme. Employers cannot compel or make contractual arrangements with workers to accept a lower level of wages, without losing access to the CJRS grant.

Who can claim from 1 November 2020?

A worker can be furloughed if:

- Their employer has a UK payroll and a UK bank account and
- The employee was on the employer's PAYE payroll on or before 30 October 2020 and notified HM Revenues and Customs with an RTI (real-time information) submission between 20 March 2020 and 30 October 2020.
- Both the employee and their employer agreed

Part-time workers, agency workers and workers on zero-hours contracts are eligible to be furloughed, as are workers who are foreign nationals.

Workers on a fixed-term contract that has not expired by 1 November 2020, can have the contract extended or renewed and the worker can be placed on furlough. If a fixed-term contract expired on or after 23 September, or the employee was made redundant on or after this date, the employee can be re-employed and placed on furlough. In both situations, an RTI submission must have been made between 20 March 2020 and 30 October 2020 for that employee, in order to qualify for the scheme.

On 4 April 2020, the government published new guidance, which continues to apply to the scheme. The follow people are eligible for the Coronavirus Job Retention Scheme:

- People who are unable to work because they are clinically extremely vulnerable or at the highest risk of severe illness from COVID-19 and are following [public health guidance](#). It is up to employers to decide whether to furlough people in this situation.
- People unable to work, including from home, due to caring responsibilities arising from COVID-19, including employees who need to look after children.

The Coronavirus Job Retention Scheme is not designed for employees who are sick or self-isolating. They should claim Statutory Sick Pay instead. Employees who are off sick can be furloughed if the employer decides to furlough employees for business reasons, unrelated to sickness.

The law can be found here: [Coronavirus Act 2020 Functions of Her Majesty's Revenue and Customs \(Coronavirus Job Retention Scheme\) Direction](#).

Information for employers

Information about the extension of the scheme to June, fraud, claims for employees made redundant or who stopped working for the employer, fixed-term contracts, agency workers and retaining records can be found here: [Guidance for employers](#).

Information for employees

In addition, an [update to guidance for employees](#) includes new information in relation to how to report fraud or abuse of the scheme, fixed-term contracts, holiday pay, returning from family-related statutory leave, sick pay and agency workers.

Working Tax Credit

From 23 May 2020, the Tax Credits (Coronavirus, Miscellaneous Amendments) Regulations 2020 (SI.No.534/2020) introduced a number of changes to Working Tax Credit, to ensure that workers and self-employed people affected by COVID-19 would not be disadvantaged (see page 35 for full details).

People on Working Tax Credit, whose hours have reduced or who have been furloughed due to the COVID-19 outbreak, will be treated as still being in work, working their normal hours. This will last until 8 weeks after the Coronavirus Job Retention Scheme closes, even if the worker is not using the scheme. This means they will retain their existing entitlement to Working Tax Credit. They do not have to report the reduction in hours to HM Revenues and Customs.

They must report other changes, including if childcare arrangements change, if they cease trading or if their partner loses their job. More information is available on [GOV.UK](#).

Universal Credit

Workers, who have been laid off or who have had to reduce their hours, may qualify for Universal Credit if their household income and capital are low enough. If the worker is currently in receipt of other benefits or tax credits, they should seek advice before claiming Universal Credit, to make sure they are better off.

Council Tax Reduction

Workers, whose income and capital are low enough, may be able to get help with their Council Tax by claiming a Council Tax Reduction from their district or borough council.

Support for self-employed people

The Self-employment Income Support Scheme

On 26 March 2020, the government announced a scheme to support self-employed people affected by the COVID-19 outbreak. This scheme opened on 13 May 2020 and allowed self-employed people to claim a taxable grant worth 80% of their trading profits, up to a maximum of £2,500 per month, for three months.

A self-employed individual or a member of a partnership could apply if they:

- Have submitted an Income Tax self-assessment tax return for the tax year 2018-19
- Traded in the tax year 2019-20
- Are trading when they apply to the scheme or would be, except for COVID-19
- Intend to continue to trade in the tax year 2020-21
- And have lost trading/partnership trading profits due to COVID-19

The applicant's self-employed trading profits had to be less than £50,000 per year and more than half of their income had to come from self-employment.

Second grant

The Self-Employed Income Support Scheme was then extended, and self-employed people affected by COVID-19 could claim a second and final grant in August 2020. The second taxable grant was worth 70% of average monthly trading profits, paid out in a single instalment covering a further 3 months' worth of profits, and capped at £6,570 in total.

The Self-Employment Income Support Scheme grant extension

The scheme has now been extended from November 2020 to April 2021. Two further grants will be available. The third grant will cover a 3-month period from 1 November 2020 until 31 January 2021.

The Government will provide a taxable grant calculated at 80% of 3 months average monthly trading profits, paid out in a single instalment and capped at £7,500 in total. This is an increase from the previously announced amount of 55%. The government has yet to announce details of the fourth grant, but it will cover February to April 2021.

[See GOV.UK for further details.](#)

Who qualifies for the new grants?

To be eligible for the grant extension self-employed individuals, including members of partnerships, must:

- Have been previously eligible for the Self-Employment Income Support Scheme first and second grant (although they do not have to have claimed the previous grants) and

- Declare that they intend to continue to trade and either:
 - are currently actively trading but are impacted by reduced demand due to coronavirus or
 - were previously trading but are temporarily unable to do so due to coronavirus

How to claim

The online service for the next grant will be available from 30 November 2020.

Universal Credit

Self-employed people are eligible for Universal Credit if they satisfy the normal entitlement conditions, including the income and capital conditions. The earned income rules for self-employed claimants are complex and it may be difficult for people to work out if they become eligible when their income decreases due to COVID-19.

The Minimum Income Floor is suspended until 30 April 2021 (see page 32), which means the claimant's net profit in each monthly assessment period is used as the starting point for the calculation of earned income.

Payments made under the Self-Employed Income Support Scheme (SEISS) are treated as a business receipt for Universal Credit in the assessment period in which the lump sum payment is made. For many claimants, this will extinguish their entitlement to Universal Credit for that month and end the claim. They may then be affected by the 'surplus earnings' rule (see page 33 for further information), preventing Universal Credit from being re-awarded for further assessment periods.

Other benefits and tax credits

HM Revenues and Customs has confirmed that self-employed people on **Working Tax Credit**, whose hours have reduced or who have temporarily ceased trading due to the COVID-19 outbreak, will be treated as still being in self-employment, working their normal hours, until 8 weeks after the Coronavirus Job Retention Scheme closes (even if the self-employed person is not using that scheme or the Self-Employed Income Support Scheme). The scheme has now been extended to 31 March 2021. This means they retain their existing entitlement to Working Tax Credit. They do not have to report the reduction in hours to HM Revenues and Customs.

They must report other changes, including if childcare arrangements change, if they cease trading or if their partner loses their job. More information is available on [GOV.UK](https://www.gov.uk).

If a self-employed person has ceased trading permanently, they may be entitled to the Working Tax Credit 4-week run-on.

Self-employed people, whose capital and current income are low enough, may be able to claim a **Council Tax Reduction**.

Self-employed people who are sick or self-isolating may be able to claim **New Style Employment and Support Allowance**, Universal Credit and a Council Tax Reduction.

Other help for self-employed people

Self-employed people concerned about not being able to pay their tax bills because of COVID-19, may be eligible for support through HM Revenue and Customs Time to Pay service. They should call the new HMRC helpline below. For more information, check the [HMRC site](#).

New HMRC helpline

0800 024 1222

This is the new HM Revenues and Customs helpline for people who run businesses or are self-employed and are affected by the COVID-19 outbreak. Other support may also be available:

<https://www.gov.uk/government/publications/guidance-to-employers-and-businesses-about-covid-19/covid-19-support-for-businesses>

Childcare

Government [guidance](#) is that most childcare services will remain open during the national restrictions in place from 5 November 2020, including:

- Early years settings and childminders – people can continue to use these settings as normal
- Childcare activities (including wraparound care) where reasonably necessary to enable parents to work, seek work, attend education or training
- Nannies, who will be able to continue to provide services, including in the home

Parents are able to form a childcare bubble with one other household for the purposes of informal childcare, where the child is 13 or under.

Some households will also be able to benefit from being in a support bubble, which allows single adult households to join another household.

Finding and choosing childcare

Suffolk County Council maintains an online directory of information and services for the community called Suffolk Infolink. During the COVID-19 pandemic childcare providers' details on Infolink are updated every week with information stating whether they are open or closed.

There is information about finding and choosing childcare on the council's website:

www.suffolk.gov.uk/childcare.

To find a childcare provider, either:

- Go to the [Early Years and Childcare](#) search page and follow these steps:
 1. Enter postcode in the 'location' box field
 2. Click on the arrow from the 'childcare and early education' box field to select the type of childcare required and click 'search'. This will bring up a list of all childcare providers in this area.
 3. Click on a provider's record to reveal their details, which includes their Ofsted Grade.
- Or contact the Suffolk Family Information Service helpline on 0345 60 800 33 or text 07624 801060 (they will call back) or email: childcare.planning@suffolk.gov.uk. They can post or email a list of childcare providers for the caller to contact directly.

Funding childcare

The following support is available to fund childcare. This support is not limited to the COVID-19 lockdown period. The rules are complex and are presented in summary.

For information about eligibility for Tax-Free Childcare, free childcare for 2-year olds and the extended offer for 3 and 4-year olds, contact the Childcare Brokerage Team using the details above.

Universal Credit childcare costs element

Basic conditions

Universal Credit can include a childcare costs element towards 'relevant childcare' provided by an OFSTED registered childcare provider, at a school or by official home care providers. Claimants are not eligible for help with childcare costs where care is provided by: someone who is not OFSTED registered, a close relative of the child (where childcare is provided in the child's home), a foster parent, or a friend or family member looking after a child on an informal basis.

To qualify for the childcare costs element, the claimant must be responsible for a child, who has not reached 1 September following their 16th birthday and who normally lives with them.

The claimant must be in paid work or must have an offer of paid work due to start before the end of their next assessment period. Unlike the childcare element of Working Tax Credit, there is no minimum number of hours the claimant must work in order to qualify for childcare costs. The claimant counts as in work while receiving Statutory Sick Pay, Statutory Maternity Pay, Statutory Adoption Pay or Statutory Paternity Pay from their employer or Maternity Allowance. The claimant also counts as in work if their work has ended during the current or previous assessment period.

If the claimant has a partner, both members of the couple must be in work, unless one of them:

- Has limited capability for work or
- Is caring for a severely disabled person and receives Carer's Allowance (or would be entitled to Carer's Allowance, were they to claim) or
- Is temporarily absent from the household

How much is paid

The childcare costs element is 85% of the actual childcare costs, up to a maximum of:

- £646.35 per month (85% of £760.42 or more of actual costs) for one child
- £1108.04 per month (85% of £1303.57 or more of actual costs) for two or more children

Childcare costs are not subject to the Benefit Cap.

Reporting childcare costs

A claimant must report the actual costs paid in each assessment period, before the end of the following assessment period, even if the costs have not changed.

How it works with other schemes

A Universal Credit claimant can:

- Use childcare vouchers
- Access free childcare for two-year olds and
- Access 15 or 30 hours free childcare for three and four-year olds

However, the childcare element can only be used to pay for additional childcare that is actually paid for, not childcare that is funded under the above schemes. A Universal Credit claimant **cannot** use the Tax-Free Childcare scheme without losing entitlement to Universal Credit.

COVID-19 changes

From the start of the first lockdown to 21 May 2020, only [critical workers](#) could claim the Universal Credit childcare costs element, while the government's containment measures were in place. From 21 May 2020, critical workers and non-critical workers with access to registered childcare can claim the childcare costs element.

Any childcare costs they have paid for and reported (or have yet to report) for childcare that has been provided, will be reimbursed as part of the Universal Credit claim as normal.

Claimants who pay for and report advance childcare costs for a future assessment period, but no childcare actually takes place during that time (for whatever reason), will not be able to reclaim those costs through the childcare costs element.

A childcare provider may ask to keep an advance payment, to cover costs when childcare resumes. Claimants will only be able to reclaim these costs through Universal Credit if the childcare resumes during the assessment period in which they made the payment, or within the next two assessment periods after that.

A retainer (a payment to keep a place for a child) cannot be covered by the Universal Credit childcare costs element, unless it is actually an advance payment for childcare costs.

For more information see [New to Universal Credit: Childcare costs](#) and [Employment and benefits support: Childcare costs during the coronavirus outbreak](#) from understandinguniversalcredit.gov.uk.

Working Tax Credit childcare element

Who is entitled?

From 1 February 2019, only people entitled to a Severe Disability Premium as part of a legacy benefit can make a new claim to Working Tax Credit. Other people must claim Universal Credit.

Working Tax Credit can include a childcare element towards 'relevant childcare' (see previous section on Universal Credit childcare costs element for details). To get the childcare element, the claimant must be responsible for a child, who has not reached 1 September following their 15th birthday (16th birthday if the child is in receipt of Disability Living Allowance or is registered blind).

If the claimant is a lone parent, he or she must be working 16 hours per week or more. If claimed by a couple, both must be working 16+ hours per week, or one must be working 16+ hours per week and the other is incapacitated, entitled to Carer's Allowance, in hospital or in prison. Claimants are entitled during any period they are treated as being in work (for example, while in the first 39 weeks of maternity leave or while in receipt of SSP).

How much is paid?

The childcare element is 70% of the actual cost of childcare, up to maximum of:

- £122.50 per week (70% of £175) for one child or
- £210 per week (70% of £300) for two or more children.

A tax credits claimant **cannot** use the Tax-Free Childcare scheme without losing entitlement to tax credits.

On 5 August 2020, HM Revenues and Customs confirmed that they have been allowing people to continue claiming for childcare costs where children have been unable to attend childcare provision due to COVID-19. At the same time, they announced that this concession ends from 7 September 2020 and childcare costs paid for childcare that does not take place will no longer be accepted for tax credits after that date.

Tax-Free Childcare

Tax-Free Childcare is a scheme in which the government pays £2 into an online account for every £8 used to pay for approved childcare. The scheme will pay up to £2000 per year per child up to and including 31 August following the child's 11th birthday. It will pay up to £4000 per year for a disabled child, up to and including 31 August following the child's 16th birthday, if that child is in receipt of Disability Living Allowance, Personal Independence Payment or is registered blind or severely sight impaired.

The claimant must be working (or due to start within 31 days) and expect to earn at least 16 x the National Minimum Wage per week for the next 3 months. No earnings rules are applied to self-employed workers for the first 12 months of a new business.

If the claimant has a partner, they too must be working and earning 16 x the National Minimum Wage or receiving Carer's Allowance, Employment and Support Allowance or Severe Disablement Allowance.

People on sick leave, parental leave or annual leave count as in work.

People with gross taxable income in excess of £100,000 per year are not eligible for the Tax-Free Childcare scheme.

Tax-Free Childcare can be combined with 15 or 30-hour free childcare provision, but can only be used for childcare that is actually paid for.

If a tax credit or Universal Credit claimant applies for Tax-Free Childcare, his or her tax credit claim or Universal Credit entitlement will end.

If a person with Tax-Free Childcare applies for Universal Credit, he or she will continue to receive the tax-free top-up payments until the end of the quarterly entitlement period in which Universal Credit is claimed. 80% of money in the Tax-Free Childcare account will be treated as capital. 20% will be ignored.

Tax-Free Childcare is not available to people from outside the European Economic Area who do not have recourse to Public Funds.

COVID-19 changes

Until 31 October 2020, working parents or carers who are eligible for Tax-Free Childcare or 30 hours free childcare but have temporarily fallen below the minimum income requirement as a result of the pandemic continued to be eligible for Tax-Free Childcare.

The DWP announced that from 1 November, eligible working parents who receive support through the Job Support Scheme (JSS) and extended Self-Employed Income Support Scheme (SEISS) will continue to receive their childcare entitlements, including -Free Childcare, even if their income levels fall below the threshold temporarily whilst on these schemes.

However, the Job Support Scheme was subsequently cancelled and it is not clear whether eligibility will be retained for workers under the Coronavirus Job Retention Scheme extension.

Free early education and childcare for 2-year olds

15 hours per week of free early education and childcare is available to parents in receipt of one of the following benefits:

- Income Support
- Income-based Jobseeker's Allowance
- Income-related Employment and Support Allowance
- Universal Credit, if earned income is £15,400 a year or less, after tax
- Tax credits, if earned income is £16,190 a year or less, before tax
- Pension Credit Guarantee Credit
- Working Tax Credit 4-week run on

2-year-olds can also get free childcare if they are looked after by a local authority, or have a statement of [special education needs \(SEN\)](#) or an education, health and care (EHC) plan, or if they receive Disability Living Allowance, or if they have left care under an adoption order, special guardianship order or a child arrangements order.

Parents with no recourse to Public Funds

Non-EEA citizens are also entitled to free early education and childcare for their 2-year old children if the parent has [claimed asylum](#) and is receiving support under the Immigration and Asylum Act 1999 and is waiting for a decision, or has been refused asylum and is receiving section 4 asylum support.

Free childcare for 2-year olds is also available to parents earning £15,400 a year or less, who have leave to remain with no recourse to public funds on [family or private life grounds](#) or the right to live in the UK as the main carer of a British citizen (known as a [Zambrano Carer](#)).

COVID-19 changes

The Secretary of State for Education extended eligibility for free early education and childcare entitlement to two-year olds from families in receipt of section 17 (of the Children Act 1989) support who have no recourse to Public Funds. This was originally intended to be a temporary measure in place until the start of the autumn term. [Government guidance](#) confirms that this measure is now permanent.

Free childcare for 3 and 4-year olds – the universal offer

All 3 to 4-year-olds in England are eligible for 570 free hours of early education and childcare per year with an approved childcare provider. This is usually taken as 15 hours a week for 38 weeks of the year, but parents can choose to take fewer hours over more weeks. Entitlement begins the term after the child's third birthday.

Free childcare for 3 and 4-year olds – the extended offer

Working families may receive an additional 15 hours of childcare per week if the parent has a positive determination of eligibility from the HMRC, confirming:

- They live in England
- They are a British or EEA citizen, or a non-EEA citizen with recourse to Public Funds
- Each parent is working (or expects to start within 31 days) and expects to earn at least the equivalent of 16 x the National Minimum Wage each week (over the next three months) **or**
- One parent is working, expecting to earn at least 16 x the National Minimum Wage each week and the other is receiving contribution-based Employment and Support Allowance, Carer's Allowance, Universal Credit with limited capability for work, or receives National Insurance credits for limited capability for work **or**
- One or both parents is on maternity, paternity or sick leave

No earnings rules are applied to self-employed workers for the first 12 months of a new business.

If either parent's 'adjusted net income' exceeds £100,000 they will not qualify for the extended entitlement.

Changes due to COVID-19

Parents who are normally eligible for the government's childcare offers will continue receiving the entitlements during the summer term if their income levels fall due to the impact of coronavirus.

The government has announced that any working parent usually eligible for 30 hours free childcare or tax-free childcare will remain eligible if they fall below the minimum income requirement due to COVID-19. This was extended to 31 October 2020. The DWP announced the extension would continue from 1 November for eligible working parents who receive support through the Job Support Scheme (JSS) and the extended Self-Employed Income Support Scheme (SEISS), even if their income levels fall below the threshold temporarily whilst on these schemes.

However, the Job Support Scheme was subsequently cancelled and it is not clear whether eligibility will be retained for workers under the Coronavirus Job Retention Scheme extension.

Parents who are critical workers will also remain eligible for these entitlements if they expect their income to increase over the maximum threshold, but not over £150,000, where the additional income is mainly attributable to work associated with tackling coronavirus. The Government has [confirmed](#) this concession will remain in place for the whole tax year 2020/2021.

For more information, follow this link: <https://www.gov.uk/government/news/eligibility-for-government-childcare-offers-protected>

Access to Work

Workers with a disability or a physical or mental health condition that makes it hard for them to do their job can still get support from the Access to Work scheme during the COVID-19 outbreak. Access to Work grants can be used to help people work from home.

Customers cannot claim help from Access to Work if they are no longer working, for example because they are furloughed. But they can start using it again when they start working again.

The DWP is prioritising making grants for new claims from critical workers (listed on the government's [critical worker list](#)) and people due to start work within four weeks. Further information is contained in the [Access to Work Factsheet on GOV.UK](#)

Access to Work has also introduced other changes to the operation of the scheme during the COVID-19 containment measures, including:

- Extending the timeframe to submit claim forms to 9 months
- Extending Support Worker awards that are coming to an end, by 6 months
- Accepting employer and support worker signatures via email
- Delivering workplace assessments and Mental Health Support Services via telephone or accessible alternatives.

Support for people who pay rent or a mortgage

Summary of changes

- With most possession grounds, landlords must now give at least six months' notice when seeking possession of a property. This applies to notices served on or after 29 August 2020. This measure is in place until at least 31 March 2021.
- The stay on possession proceedings introduced on 27 March was lifted on 20 September 2020 and court proceedings have been amended to ensure cases are appropriately prioritised and judges are aware of the impact of Covid-19 on tenants and landlords.
- The two measures above offer no protection to people whose tenancy or licence is not covered by the Protection from Eviction Act 1977. This means licensees (including occupiers of temporary homeless accommodation and some supported accommodation) can be evicted without court proceedings and without the protective measures introduced in response to the pandemic.
- There will be no bailiff enforcement action, except in specified circumstances, until 11 January 2021 at the earliest. This means most evictions will not be enforced until this date. This protection includes renters who are covered by the Protection from Eviction Act 1977 and people with residential mortgages.

Measures currently in place to protect renters and landlords

The Coronavirus Act 2020 and the various amendments, practice directions and guidance that has emerged from Government since then has provided some complex temporary protection for landlords and tenants.

The level and type of protection will depend on a number of factors including; the type of tenancy, the landlord's reason for taking possession proceedings (ie the possession ground), the dates on which any notices were served and the status of the possession claim if proceedings were started before possession proceedings were stayed as part the Government's initial response to the pandemic.

The measures summarised below apply to the following tenancies:

- Assured and assured shorthold tenancies in the private rented sector and the social rented sector.
- Secure Tenancies. These are mainly local authority tenancies but can also be housing association tenancies that began before 15 January 1989.
- Introductory Tenancies. These are local authority tenancies still in their 12-month probationary period, or 18-month period if the 12-month period has been extended.
- Demoted tenancies. These are former secure tenancies where the tenancy has been demoted due to anti-social behaviour.
- Protected / Regulated tenancies. These are old style tenancies that began before 15.01.89 and are covered by the Rent Act 1977

The resumption of possession proceedings

There are new requirements for landlords wishing to continue with possession proceedings they started before proceedings were stayed by the Government on 27 March 2020.

Reactivation Notices

A landlord is required to serve a Reactivation Notice if the possession claim was brought before the court before 3 August 2020, unless a possession order was made before 27 March 2020. Without a Reactivation Notice the claim cannot be listed, or heard or be referred to a Judge, unless the court directs otherwise.

As the law currently stands, if no Reactivation Notice is served by 4pm on 29 January 2021 the claim is stayed automatically but a landlord can apply to have the stay lifted.

A Reactivation Notice must:

- Confirm that the party serving the Notice wants the case to be listed, heard or referred.
- Set out what is known about the effects of COVID-19 on the tenant and their dependants
- Provide an updated rent account for the previous 2 years if the claim is based on rent arrears

Although there is no prescribed form for a Reactivation Notice the Government has produced a [template](#).

The court must give at least 21 days' notice of a hearing listed or relisted in response to a Reactivation Notice.

The practice direction (PD55C) covering Reactivation Notices can be found [here](#).

New possession claims

The additional information requirements regarding the impact of COVID-19 and updated 2-year rent statements also apply to new possession claims commencing after 3 August 2020. These were also introduced by practice direction [PD55C](#). However, landlords must first ensure that they have served a valid Notice Seeking Possession.

Extended notice periods

The validity of a Notice will depend on several factors including; the type of tenancy, the type of notice, the possession ground, the length of the notice period, the date it was served and the lifespan of the notice.

The Government changed the law to vary notice periods on 26 March 2020 and again on 29 August 2020 so that:

- from 26 March to 28 August 2020 notice periods were extended to 3 months, and
- since 29 August 2020 they have been extended to 6 months, but with some detailed exceptions.

Full details of the exceptions to the 6-month notice period are beyond the scope of this factsheet but they are summarised in general terms below and there are some helpful tables in the Government's *Technical guidance for landlords*. The technical guidance is a useful source of information along with *Guidance for Landlords and tenants*. Both of these documents were updated on 5 November and can be found on the [GOV.UK](https://www.gov.uk) page for guidance on COVID-19 and renting.

Exceptions to the current 6-month notice period

Notices can be less than 6 months in the following circumstances:

- In cases of high rent arrears, where at least 6 months' rent is unpaid – a shorter notice of 4 weeks will suffice.
- Where the possession ground relates to anti-social behaviour or domestic violence (the length of the required notice period will vary according to the tenancy type and possession ground).
- Other specified grounds, such as failure of a Right to Rent check due to immigration status or where possession is sought following the death of the tenant (both require 3-months' notice)

Tenant facing mandatory possession grounds

Housing minister Christopher Pincher, responding to an urgent question in the House of Commons, confirmed that courts will have no discretion to take into account the information about the effect of the pandemic on the tenant or the tenant's dependants when there are mandatory grounds for possession.

Tenants facing new (or resuming) possession action under mandatory grounds, such as section 21 (so-called 'no fault' possession) or ground 8 for serious rent arrears, will not be able to use COVID-19 related circumstances as a defence against eviction, even if they have provided this information to the landlord and the court.

However, if a landlord has failed to comply with the new notice requirements or some other COVID-19 related measure, when required to do so, the tenant should ask the court to order an adjournment until the landlord has complied, so that the tenant can attempt to take further steps to prevent their eviction.

Court hearings

Prioritization

The Master of the Rolls has issued [guidance](#) on listing priorities and the following types of cases will be given priority:

- Allegations of anti-social behaviour
- "Extreme alleged rent arrears" equivalent to:
 - 12 months', or
 - 9 months' where they are more than landlord's total annual income from any source
- Some cases involving alleged domestic violence
- Local authority temporary accommodation

- Squatting, illegal occupiers, persons unknown, fraud, deception, unlawful subletting, abandonment, non-occupation and death of defendant.

Covid-19 case marking

Under [“The Overall Arrangements”](#) issued by The Master of the Rolls on 17 September 2020, a defendant or private claimant can request COVID-19 marking and a Judge can case mark in response to a request from any party:

Marking will:

- Highlight settlement suitability
- Be available to defendants where claimants have agreed a policy to give special consideration to COVID-19 cases
- Draw attention to a claimant’s COVID-19 difficulties
- Assist with listing and monitoring

Review Hearings and Substantive Hearings

The [“Overall Arrangements”](#) document sets out how hearings will now be dealt with during the pandemic. It includes details of how substantive hearings will now be preceded by ‘Review Hearings’

Review Hearings are intended as a new opportunity for the defendant and claimant to reach an agreement. They will be conducted by a Judge using the documents submitted to the court and will be carried out without the attendance of the parties concerned. There are no costs for a Review Hearing.

If agreement cannot be reached at the Review Hearing stage the Judge can proceed to a Substantive Hearing 28 days later, if the relevant documents are in order. If the documents are not in order the Judge can dismiss the claim or give directions (but with liberty to apply for reconsideration at an oral hearing).

Evictions

On 5 November the Lord Chancellor, Robert Buckland QC, wrote a letter to ask High Court Enforcement Officers and County Court Bailiffs to only enter residential properties to enforce an eviction notice in limited circumstances. Communities Minister Robert Jenrick confirmed that there will be no bailiff action until 11 January 2021 at the earliest, except in the limited circumstances outlined by the Lord Chancellor: illegal trespass or squatting by persons unknown, nuisance or antisocial behaviour, domestic abuse, fraud or deception and properties unoccupied following the death of the defendant. Specifically, where the order for possession has been granted -

- Following a claim against trespassers to which rule 55.6 (service of claims against trespassers) of the Civil Procedure Rules 1998 applies;
- Under section 84A of the Housing Act 1985;
- On Ground 2, Ground 2A or Ground 5 in Schedule 2 to the Housing Act 1985;
- On Ground 7A, Ground 14, Ground 14A or Ground 17 in Schedule 2 to the Housing Act 1988;

- Under case 2 of Schedule 15 to the Rent Act 1977; or
- On Ground 7 in Schedule 2 to the Housing Act 1988 and where the person attending is satisfied that the dwelling house is unoccupied at the time of attendance.'

The Lord Chancellor also intends to introduce an exemption for cases with 'extreme pre-COVID rent arrears' and will provide further details.

Exceptions to the Coronavirus protections for renters

The following tenancies and licences are not covered by most or all of the provisions summarised above:

- Agricultural tenancies (Rent Agricultural Act 1976 tenancies and Assured Agricultural Tenancies)
- Licences (e.g. temporary homelessness accommodation, some supported accommodation and some tied accommodation)

Where renters are unable to benefit from this temporary protection, they will be even more reliant on the following:

- Their existing protection under housing law (for example their right to a court order if they are covered by the Protection from Eviction Act 1977 and their right to reasonable notice if not)
- The flexibility and goodwill of landlords (the government continues to ask landlords to show compassion)
- Any assistance the district or borough council can offer under its homelessness prevention duty.
- The suspension of possession action in the courts from 27 March 2020
- Access to advice, support and advocacy, which may be limited due to the COVID-19 outbreak.

Discretionary Housing Payments

The government has announced an additional £40m in funding for councils to spend on Discretionary Housing Payments (DHPs) for people who are struggling to pay their rent or other housing costs. To apply for a DHP, a claimant must be receiving Housing Benefit or the housing costs element of Universal Credit.

They should apply to their local district or borough council. Each council has its own online application page. If the tenant is turned down, they should seek advice from an independent advice agency (see page 15)

Dealing with landlord problems

Hopefully landlord bad practice will be minimal, but practitioners need to be ready to contact the Helpline and the relevant authorities in the event of any of the following:

Unnecessary and avoidable evictions. In the current situation, eviction should always be a last resort after all other alternative options have been exhausted.

Eviction of “excluded occupiers” without reasonable notice. Renters who fall outside the Protection from Eviction Act (for example lodgers) are known as excluded occupiers and are not entitled to a court order. However, excluded occupiers are still entitled to “reasonable notice”. Although “reasonableness” is not defined in law, a landlord should take account of the COVID-19 outbreak and personal circumstances when deciding how long a notice period should be.

Illegal eviction. Landlords who evict renters without a court order when they are entitled to one, are not only ignoring the emergency measures outlined in this factsheet, they are committing a criminal offence under the Protection from Eviction Act. In such circumstances, practitioners are advised to contact the relevant district and borough council.

Harassment is also a criminal offence under the Protection of Eviction Act. Local authorities have the power to prosecute landlords. Harassment can take many forms including, threats of violence, persistent phone calls and visits, and the withdrawal of services like internet access.

Refusal to carry out essential repairs. Landlords remain liable to ensure properties meet the required legal standards and must ensure that urgent health and safety related repairs are carried out. There is an expectation that landlords and tenants will reach agreement about the postponement of non-urgent repairs and local authorities are expected to take a pragmatic risk-based approach in terms of their enforcement role. However, practitioners are still advised to contact the relevant district and borough council in cases of serious disrepair.

Unreasonable, unrealistic and persistent demands for payment of rent. Where tenants have previously had a good rent payment record this should be emphasised to the landlord. Persistent demands for rent in the face of information and evidence that payments are not affordable should be carefully challenged in a way that focusses on the possibility of a mutually beneficial solution in the future.

Measures to protect people with mortgages

The government has announced some protection for homeowners and landlords with mortgages.

Homeowners with mortgages

On 17 March 2020, the government announced its agreement with mortgage lenders that lenders will support homeowners in financial difficulties resulting from the COVID-19 outbreak. This support extended to Help to Buy customers who are liable to pay interest on their equity loans. On 20 March 2020, it was announced that a three-month mortgage protection holiday would be extended to landlords with Buy to Let mortgages.

Suspension of ongoing possession action

The suspension of ongoing possession action announced by the Master of the Rolls announced on 26 March 2020 also applied to mortgages possession action. All possession proceedings were suspended until 20 September 2020. The suspension applied to new possession claims and any cases currently in the court system. Neither could progress to the stage where someone can be evicted until the suspension was lifted.

Ban on lender repossessions

In addition to the suspension of possession action, borrowers were protected by updated guidance issued by the Financial Conduct Authority (FCA), which came into effect on 4 June 2020.

This guidance applied to all regulated mortgage lenders and administrators and extended the ban on lender repossession of home to 31 October 2020. It also required lenders to provide payment holidays and other support.

From 1 November 2020, lenders are expected to provide 'tailored support'. This could include making no or reduced payments for specified period, extending the repayment term or restructuring the mortgage.

The FCA has announced further proposals, which if they are accepted, will take effect from 1 November 2020. They are:

Repossession action

- Lender should not take any steps to repossess a home until 31 January 2021, even if they have obtained a repossession order (unless the borrower has agreed to the repossession).
- The lender should not start repossession action unless all reasonable attempts to resolve the position have failed.
- Lenders can commence or re-commence repossession proceedings and obtain a possession order before 31 January 2021, but they should only do so as a last resort.
- The FCA expects firms to be fair and provide appropriate treatment of vulnerable consumers.

The FCA consider that commencing or continuing repossession proceedings at this time is very likely to contravene Principle 6 and MCOB 2.5A.1R – absent exceptional circumstances (such as a customer requesting that proceedings continue). The FCA states it will not hesitate to take appropriate action against lenders where necessary.

Payment holidays

The FCA proposes that borrowers:

- Who have not yet taken a payment holiday, will be eligible for two payment holidays of up to six months in total
- Who are in a payment holiday, will be eligible for another payment holiday of three months
- Who have resumed repayments after an initial payment holiday, will be eligible for another payment holiday of up to 3 months

Under the proposals, borrowers will have until 31 January 2021 to request an initial payment holiday.

People will not be eligible for a payment holiday if:

- They have already had two payment holidays of up to six months in total, but they may ask for tailored support from their lender.

Unregulated lenders

Where there are companies which are unregulated (who technically fall out of scope of the FCA guidance), the FCA expects them to offer payment holidays as an appropriate response. Many of these firms are responsible for the mortgages of individuals often known as [mortgage prisoners](#), who could be vulnerable consumers. To check whether a lender is authorised, search the [Financial Services Register](#).

The Financial Conduct Authority guidance for borrowers can be found here:

<https://www.fca.org.uk/consumers/mortgages-coronavirus-consumers>

Coronavirus and homelessness applications

The following two paragraphs have just been added to the chapter on priority need in the [Homelessness Code of Guidance](#):

- 8.44 COVID-19: Housing authorities should carefully consider the vulnerability of applicants from COVID-19. Applicants who have been identified by their GP or a specialist as [clinically extremely vulnerable](#) are likely to be assessed as having priority need. The vulnerability of applicants who are [clinically vulnerable](#) should also be considered in the context of COVID-19. Some applicants may report having medical conditions which are named in the guidance but have not yet been identified by a health professional as being clinically extremely vulnerable or clinically vulnerable, in which case it may be necessary to seek a clinical opinion in order to confirm their health needs.
- 8.45 Housing authorities should also carefully consider whether people with a history of rough sleeping should be considered vulnerable in the context of COVID-19, taking into account their age and underlying health conditions. Further guidance on clinical support for people with a history of rough sleeping can be found in the [COVID-19 clinical homeless sector plan](#).

The district and borough councils are making valiant efforts to accommodate rough sleepers. This is proving even more of a challenge than previously due to the restricted use of hostels and hotels.

The resources required to accommodate rough sleepers, and to deal with other COVID-19 related housing problems, are expected to impact on our district and borough councils' ability to meet their other responsibilities under the homelessness legislation.

In view of these competing demands, we may find that the district and borough councils are less able to focus on prevention work and less able to accommodate homeless applicants who have received section 21 notices seeking possession before the expiry of their notice.

Homelessness Duty to Refer

Homelessness applications should be made as before, including by using the [Duty to Refer](#), where appropriate. The current Duty to Refer procedures and the relevant forms for Suffolk district and borough councils are contained in the links below:

- Babergh & Mid Suffolk District Council: [Online](#)
- Ipswich Borough Council: [Online](#)
- East Suffolk Council (Suffolk Coastal & Waveney District Councils)
By email: dutytorefer@eastsoffolk.gov.uk or [Online](#)
- West Suffolk Council (Forest Heath District & St Edmundsbury Borough Councils)
By email: dutytorefer@westsoffolk.gov.uk or [Online](#)