

Disability Law Service is a user-led Disabled Persons’ Organisation which provides a free and vital service covering the areas of housing, community care, employment and welfare benefits to some 4,000 Disabled people each year. With almost half of people in poverty in the UK being a Disabled person or living in a household with a Disabled person, our free service improves access to justice and the protection of legal rights for Disabled people over the course of many years.

**WINTER 2023 QUARTERLY NEWSLETTER**

**Updates from DLS**

DLS is pleased to announce that our new CEO is Mike Smith, who for 12 years has been CEO at [**Real**](http://www.real.org.uk/) and has previously been a Disability Commissioner at the EHRC.

Mike said “I’m thrilled to be asked to lead the great team at DLS, and help them continue to have a greater impact across the country. There are so many disabled people who are unable to access their legal rights fairly and equally, whether that’s in relation to equality law, housing, social care, or other areas where disabled people face structural disadvantages. It’s great to be back doing work with a national focus again, and I’ve very much looking forward to working with a range of stakeholders to help more disabled people achieve justice.”

For background information on Mike, see [**here**](https://dls.org.uk/meet-our-new-ceo-mike-smith/).

**TCS London Marathon – Sunday 23rd April 2023**

We are calling on runners to make 2023 the year you take on the iconic London Marathon!

Take part for **Disability Law Service** this April and you’ll be helping us to provide free legal advice and representation for Disabled people who really need it. We provide a vital service to some 4,000 people each year, many of whom are in distress as a result of discrimination or improper care.

Raise £1,500 for **Disability Law Service** and we will be there for you every step of the way with **personal 1-1 fundraising support and tips**, a **professional running coach** and **training plans**, a **running vest** for the big day and **all the information you need** for an incredible experience.

We will be available to answer any questions you have and support you all the way through your challenge.

Contact Fiona on [**marathon@dls.org.uk**](mailto:marathon@dls.org.uk) for an application form or with any questions you may have.

**How to Find Us**

[**www.dls.org.uk**](http://www.dls.org.uk)[**Facebook**](https://en-gb.facebook.com/disabilitylawservice/) **|** [**Twitter**](https://twitter.com/DLS_Law)[**Instagram**](https://www.instagram.com/disabilitylawservice/) **|** [**LinkedIn**](https://uk.linkedin.com/company/disabilitylawservice)

**Call us on 020 7791 9800**

**Get Involved**

You can make a vital contribution to the work we do at DLS by [volunteering](https://dls.org.uk/get-involved/volunteer/), [donating](https://dls.org.uk/donate/), or by [receiving training from us.](https://dls.org.uk/legal-training-dls/)

***DLS in the News***

Disability Law Service solicitor Steve Hall was recently quoted in an article published on the Birmingham Live website responding to a recent employment tribunal decision.

Mr Mahmood was awarded compensation of £4,881.11 at the tribunal after arguing that Rotherham Borough Council, where he was employed, had caused injury to feelings. Mr Mahmood was disabled as a result of significant problems with his left leg following what he described as a “negligent” operation in Pakistan. He had requested a work pattern of nine-day fortnights as a permanent arrangement, to care for his severely disabled son and his mother, whose health was deteriorating. He also requested temporary working from home to help out his wife who was undergoing surgery. Mr Mahmood’s manager had accepted a temporary arrangement of working patterns but dismissed his request to work from home. When Mr Mahmood appealed the decision, the tribunal concluded Mr Mahmood’s line manger had told him he needed to "manage his own life" and that it was "not [Rotherham council's] responsibility” to manage his disability and support his family. Mr Mahmood told the tribunal his manager’s comments made him feel “offended, humiliated and degraded” at a time when he was managing his own pain and looking after his disabled son who needed significant care.

Steve Hall said: "This case demonstrates the importance of treating disabled employees, and those caring for disabled family members, with compassion and respect. Local authorities should play a leading role in supporting disabled people and changing attitudes for the better. Employers that demonstrate fair treatment secure high-quality staff who are skilled, loyal and hardworking and improve employee morale and commitment. Any disabled person who thinks they are being treated unfairly at work should speak to their union or consult an advice organisation like Disability Law Service."

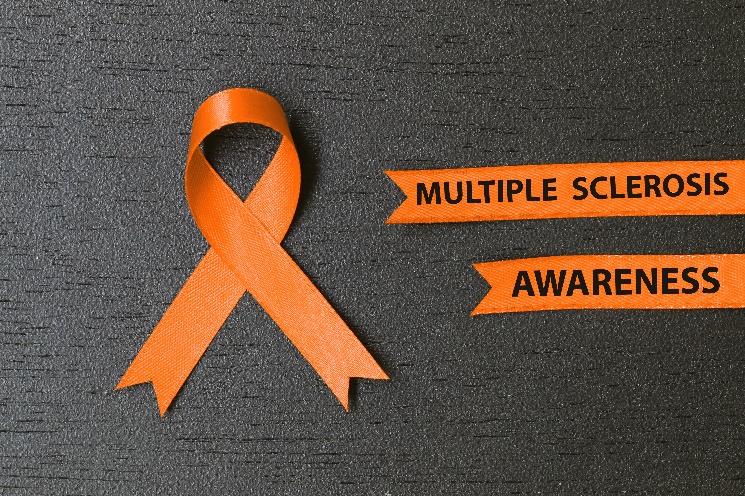


**Multiple Sclerosis Benefits Advice Service**

***Success Story***

Will is 51 and lives in Harrogate. Will initially wanted help with his PIP appeal and after advice from us, his appeal was successful – he was awarded the top rate of PIP. Will then contacted us as he had to leave work due to ill health and wanted to know if he was entitled to any financial support on top of his work pension. We advised Will that he could be entitled to a Disabled Band Reduction on his Council Tax.

Will contacted us to say, “*Many thanks for your time the other day it is very much appreciated. Good news. I applied for the band reduction and they approved within 48 hours. It was very easy to apply for and very efficient. I wasn’t aware of the benefit which they backdated to the date I moved into the house. Annual saving is £450. Many thanks again for your advice.”*



***Success Story***

A is in their 40s and lives in England. They contacted us for help appealing their PIP decision. They had been awarded standard rate PIP for daily living and mobility but thought they should be entitled to enhanced mobility as it was unsafe for them to leave the house without someone with them due to panic attacks and loss of vision. We advised A to get bespoke medical evidence, gave them template letters to use and gave A feedback on their appeal statement to help them make a strong case.

A called up to thank us for our help, as they were awarded the enhanced rate mobility component of PIP. A said “*Thanks again for all of your help. The letter templates were great*.”

***Benefits News***

* Inflation-linked benefits and tax credits will [**rise by 10.1% from April 2023**](https://www.gov.uk/government/publications/benefit-and-pension-rates-2023-to-2024/benefit-and-pension-rates-2023-to-2024)**,** in line with the inflation rates in September 2022. This means the standard allowance for Universal Credit will go from £334.91 to £368.74 for single persons aged 25 and over.
* There will be further [**Cost of Living Payments made in 2023/24**](https://www.gov.uk/government/news/millions-of-low-income-households-to-get-new-cost-of-living-payments-from-spring-2023) for those on means tested benefits, people claiming disability benefits, and pensioner households. For means tested benefits, this will be a total of £900 split into payments throughout 2023/24; for disability benefits, this will be £150; and for pensioners, this will be £300.

The DWP has confirmed that the schedule for payments will be:

* + first cost of living payment of £310 issued during Spring 2023
  + £150 disability payment issued during Summer 2023
  + Second cost of living payment of £300 issued during Autumn 2023
  + £300 pension payment issued during Winter 2023/2024
  + Third cost of living payment of £199 issued during Spring 2024

The DWP has stated: *‘Exact payment windows will be announced closer to the time, but are spread across a longer period to ensure a consistent support offering throughout the year … If individuals are eligible they will be paid automatically, and there will be no need to apply. Claimants who are eligible for any of the cost of living payments and receive tax credits, and no other means-tested benefits, will receive payment from HMRC shortly after the DWP payments are issued’.*

* Support for Universal Credit claimants with mortgages is being expanded from April 2023. Currently the [**Support for Mortgage interest (SMI) scheme**](https://www.gov.uk/support-for-mortgage-interest) is not available to people who are working. From April, Universal Credit claimants with earnings will be able to claim SMI. Currently, Universal Credit claimants have to have claimed Universal credit for at least 9 months before they are eligible for SMI. From April this will be reduced to 3 months. SMI is a loan to help people cover interest payments on their mortgage.
* [**Almost a third of audited Personal Independence Payment (PIP) assessments audited**](https://www.rightsnet.org.uk/welfare-rights/news/item/almost-a-third-of-audited-pip-assessments-either-need-amending-or-identify-that-the-healthcare-professional-requires-learning) in August 2022 either needed amending or identified that the healthcare professional ‘required learning’. In addition, over 2% of PIP assessments and almost 5% of Employment Support Allowance (ESA) and Universal Credit (UC) assessments failed to meet the required standard.

***Community Care News***

In December 2022, the House of Lords Adult Social Care Committee published its report [***A “gloriously ordinary life”: spotlight on adult social care***](https://committees.parliament.uk/committee/580/adult-social-care-committee/news/174979/adult-social-care-committee-report-publication/)**.** The report was created by interviewing and observing carers, those who are in need of care, front line workers, academic, local authorities, and representative groups from Adult Social Care.

The report warns that the continued invisibility of the adult social care sector as a whole is damaging to both those using social care and those who provide unpaid care at a time of increasing need, rising costs and a shrinking workforce. The report calls on the Government to commit to a more positive and resilient approach to adult social care and for greater choice and control for disabled adults and older people, as well as improvements for unpaid carers.

The report is asking the Government to:

**Make adult social care a national imperative** by: delivering realistic and long-term funding and a properly resourced plan for a highly valued work; establishing a Commissioner for Care and Support; fully implementing the principles of the Care Act 2014; and ensuring the voice of social care is loud within Integrated Care Systems.

**Prepare for the future** by: recognising more people will be ageing without children and investing in better knowledge and data to inform policy.

**Ensure people who use social care have the same level of choice and control over their lives as everyone else** by: enabling disabled people and older adults a genuine choice as to who supports them; providing accessibly housing and assistive technology; working with social care staff to promote the skills to co-produce care; and enabling people to determine who supports them and what relationship they want with family and friends.

**Ensure caring for unpaid carers** by providing: easier access to and an increase in Carer’s Allowance; more flexible support for carers who work; and more support from health and social care professionals.

You can read the full report here:[**Adult Social Care Committee challenges government to urgent reforms in adult social care - Committees - UK Parliament**](https://committees.parliament.uk/committee/580/adult-social-care-committee/news/174979/adult-social-care-committee-report-publication/).