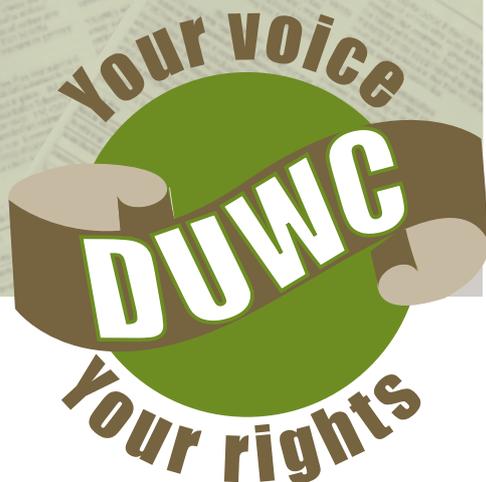


# Annual Report 2010

Derbyshire Unemployed Workers' Centres



# Who are we?



## What We Provide

We provide welfare rights advice and representation on all aspects of Welfare Benefits for anyone who needs it.

Each year we deal with around 10,000 enquiries, represent around 200 people at tribunals and recover well over £1.5 million in one off payments and increased weekly benefits for the people of Derbyshire. The money we gain for people is spent in the local economy helping to preserve jobs and aiding regeneration.

## Contents

Who are we?	2
The Chairman writes Graham Baxter	3
Your Voice Your Rights!	4-7
Fundraising	8
Statistics	9
Chesterfield	10-11
Bolsover	12-13
N.E. Derbyshire	14
Amber Valley	14-15
Management Committee/ Where to get advice?	16

Established in April 1983, the Derbyshire Unemployed Workers' Centres are a part of a much larger network of TUC Unemployed Workers' Centres. We aim to build unity between employed and unemployed workers, and campaign for full employment with quality training and jobs and a benefits system that allows people to live in health and in dignity.

However the impact of the recession has meant that more people are requiring our services, leaving the DUWCs and its resources stretched to the very limit.

The effect that the recession has had during this past year is evident in the amount of people now queuing up for the advice services we offer. Whether advising on benefit issues or representing people at tribunals, our services are providing an invaluable source of help to people facing unemployment and associated issues.

Despite this economic backdrop and the lack of resources, we are still working hard to help individuals fight for the benefits and rights that they are entitled to. On the national level we are campaigning to tackle the crucial issue of poverty and miserly benefit rates.

## What We Stand For...

- Provision of a voice for unemployed, underemployed and unwaged workers.
- Provision of information concerning the issues facing people on benefits and credits.
- Campaigning on issues affecting unemployed people and related issues for the whole community.
- Provision of top quality, free advice and representation on all aspects of welfare benefits.
- Support for Trade Unions and other bodies in their efforts to save or create jobs.
- Research and dissemination of information on issues affecting employment and benefits issues.



Conference delegation to TUC Poverty Conference 2010

# The Chairman writes...

The local authorities of Chesterfield, North East Derbyshire, Bolsover along with the Derbyshire County Council have consistently supported the Derbyshire Unemployed Workers' Centres.

Even when it might have been seen to be unfashionable to give help to unemployed workers and benefits claimants, the core funding has been provided to give help to our constituents when it is needed. There cannot be many families in these parts of North and East Derbyshire who haven't at some time had a family member who needed the help, advice or representation given by the DUWCs. There may be times when people, and politicians, think that such provision is unnecessary - say when the jobs market is buoyant - but history tells us that since the dawn of the industrial revolution, in this part of the world at least, unemployment is always around the corner, with all the problems and privations it brings.

## Thank you

The walls of the Centres are covered with 'thank you' cards

from those that have felt the need to register their gratitude for the support that is given. Not just for the help but for the manner in which it was given. This is because nearly all of our Welfare Rights Advisers have at some time in their lives been in their position, unemployed and in difficulties. Many of our volunteers are unemployed and so the empathy that is referred to on those letters of thanks is genuine and heartfelt. People who come through our doors are not seen as 'clients' or 'customers' they are the reason our organisation exists, our future volunteers and supporters.

## Difficult Times

We are indeed facing difficult times. In all the time that our doors have been open, since April 1983, there has never been a greater need for our organisation to give a voice to those out of work and on benefits. Many people, facing difficulties getting a job or dealing with a complex benefits system, feel isolated and powerless. Where can they turn to if they need not just help but an organisation that will take up the issues that affect not just them but thousands in similar circumstances? Of course, many



*Graham Baxter, Leader of North East Derbyshire District Council*

will come to the DUWCs expecting not just advice but advocacy for themselves and others in similar circumstances. The pages of this annual report are testimony to the way in which advice and campaigning dovetail together.

## Consistency

Everyone knows that cuts are taking place. It is obvious that regardless of whether one feels that they are necessary or not, some can afford to accommodate them whereas for many it is about basic necessities. The DUWCs act as a lifeline for people for whom the cuts might be the final straw. Together we must provide the same consistency of support that the DUWCs have been giving since its inception so that the doors of our offices remain open for the many who will need us in the coming years.

# The Co-ordinator writes...

On 29th January 2010, I completed 25 years as the Co-ordinator of the Derbyshire Unemployed Workers Centres. During this time I have had the pleasure of working with literally hundreds of people, as staff and volunteers come and go through our doors. I never thought when I first took the job that I would still be fighting the same battles twenty five years on - but, if anything, the situation is now worse. The relentless onslaught by successive governments, fuelled by the media, on unemployed workers and benefits claimants has created a situation where people are being systematically impoverished and then blamed for their predicament.

Politicians keep saying work is the route out of poverty but do nothing to ensure that there are employers who will give people with health problems a chance. Worse still they add to the dole queue and erode the value of the benefits they receive. I hope I will have better news in twenty five years time. Until then the DUWCs will continue to strive to give a voice to those experiencing poverty.



*Colin Hampton and Cheryl Pidgeon, Midlands TUC*

# Your Voice Your Rights!

## A sick way to treat the sick!

The Employment and Support Allowance (ESA) introduced by the last government has caused a massive influx of people to seek help from DUWC's over the past year.

Many people with health limiting conditions, both physical and mental, have faced a *work capability assessment* that has found them capable for work awarding them 0 points (15 are needed to claim).

From October 2009 to the end of September 2010, DUWC's have represented 131 people at Appeals Tribunals concerning Employment and Support Allowance (ESA). Of these we have won nearly 75%. Worryingly we have over 300 ESA appeals tribunals pending. With the new government intending to push ahead with the migration of over 1 million Incapacity Benefit claimants onto the new Employment and Support Allowance the Centres face difficult and demanding times ahead. The denial of the new benefit costs claimants a minimum of £25 per week, placing them on Job seeker's Allowance with all the regulations and demands placed on recipients. The rationale for this process is to force people with health problems on to the labour market. Unfortunately, with unemployment continuing to rise and employment becoming scarce, workers with health limiting conditions face a difficult, if not impossible task in competing for jobs. Whereas DUWCs have long fought for more assistance for those dumped on sickness benefits, to move back into work, this policy is not what is required. It appears to be geared towards cutting the costs of benefits rather than providing help for those needing to move closer to the labour market. Many

people have come to the Centres directed by staff at the Jobcentre Plus offices who have been shocked by the number of sick people being denied Employment and Support Allowance, people who they know are highly unlikely to find work and whose health will deteriorate as a result of the demands placed on claimants.

### 'The Spirit Level'

In April, Professor Richard Wilkinson accepted an invitation to address a meeting in Chesterfield giving a presentation on the research conducted by the team at Nottingham University.

Staff and volunteers at DUWCs were overwhelmed by the huge turn-out for the lecture attended by MP's, community activists, trade unionists and representatives from churches and political parties as well as members of the public.

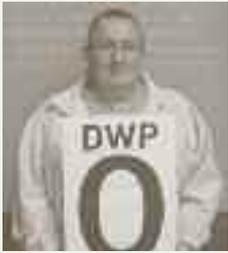
### Listening & organising

During the European year against poverty and social exclusion, DUWCs have endeavoured to bring together people who have faced difficulties accessing and living on benefits. As well as listening to the experiences of people in terms of dealing with Jobcentre Plus and other agencies, medical assessments and Appeals, we have tried to find ways to express their concerns through lobbying and campaigning activities.

The demand has been made to continue this process of listening and organising with people who use the Centres, with meetings already planned for the new year.



John Watkins, Sue Hutchings, Jason Trott and Garry Hollingworth protest outside DWP headquarters



**S**ue Hutchings: Sue was diagnosed with breast cancer in July 2009. She had an operation to remove the lump on 14 August but unfortunately the surgery scar became infected. At a follow up appointment, Sue was told the cancer had spread beyond the

original excision and she would have to have more tissue taken. She was prescribed antibiotics for the infection through to the end of September. During this time, she received and completed her ESA50 form, stating that she had breast cancer and was undergoing surgical treatment. On 7 October she had a pre-op appointment and further surgery was booked for the following week. Sue had her ESA medical with Atos Origin Ltd on 8 October and told them she was still recovering from surgery and had further surgery

booked for 12 October. Sue's GP had provided her with a sick note and all the supporting medical evidence requested by the DWP. Sue offered to show this medical evidence and her scar, but the Atos Origin Ltd nurse refused to look. Sue had her surgery and thought everything had gone well. At a follow up appointment on 4 November with her consultant Sue was told the cancer had spread again and she would need a full mastectomy. Despite this, upon receiving the report back from Atos Origin Ltd the DWP decision maker decided that Sue "could not be treated as having limited capability for work." Sue received her '0 points' letter on 12 November 2009. She appealed and a revision of the decision was carried out. She won on the grounds that exceptional circumstances regulations should have been applied. Sue is now in remission.



**G**arry Hollingworth of Langwith worked for the Royal Mail as a postman. He was off work for ten months with a serious heart condition. Royal Mail employed Atos to carry out a medical assessment on Garry. They concluded that 'His mobility is

restricted up to a few minutes by breathlessness, angina and leg pains'. They went on to say 'Mr Hollingworth remains unfit for work in any capacity and I doubt he will be able to work again. There is no foreseeable return date and no adjustments that would facilitate his return at this stage.'

The Atos report stated that not only is he permanently incapable of carrying out the duties of his present post but also of working for any other employer. They concluded that he would meet the criteria for medical retirement.

Weeks later, Mr Hollingworth had to attend a Work Capability Assessment, a requirement when claiming the new Employment and Support Allowance(ESA).

The Department for Work and Pensions (DWP) have a multi million pound contract with Atos Origin to carry out work capability assessments with those claiming ESA.

Imagine Garry's surprise when he was sent a letter by Atos telling him he did not have a limited capability for work. He had received 0 points (15 are required to claim the benefit) which means he would have to claim Job seeker's allowance which is £65.45 as opposed to £96.85 on ESA. Mr Hollingworth appealed the decision and was then given 6 points. The Derbyshire Unemployed Workers' Centres (DUWCs) helped him put in a new claim as his condition had worsened. Garry has had a fresh medical via Atos and has now been given 9 points. He will appeal the decision again.

The DUWCs have two more Royal Mail workers and one NHS employee who have all faced medical retirement at the hands of ATOS only to be given 0 points when trying to claim the benefit to which they are entitled. One of these workers is still awaiting her appeal.



**J**ohn Watkins was working as a lorry driver but developed acute tennis elbow through repetitive driving so that by January 2009 his right arm movement was severely restricted. As a result he had to stop work because he could no longer drive. John is right handed

and after an operation in April 2009 had his whole right arm from his shoulder to his fingers put in a cast. John was called to an assessment where the medical found him fit for work. He did not score any points (a person needs 15 points to be judged incapable of work).

John's consultant had advised him not to use his arm, yet the Atos Origin Ltd medical said he was capable of using both arms to lift bulky objects. At a tribunal the decision was overturned and it was accepted that John could not lift using both arms or use a pen effectively. He was then entitled to the extra £25.50 per week, which was then backdated. John will need further surgery in December. He is incensed at his treatment and says: "I encourage people not to be put off pursuing their claim. They should seek advice and appeal if they feel that they have been unjustly treated, as I undoubtedly was."

# Chancellor – you think you’ve got problems!

In the run up to the emergency budget in June, four people using the Centres’ services sent letters to the Chancellor of the Exchequer. As part of the campaign for an adequate minimum income for all to be able to live with dignity.

An example is given below.

George Osborne MP  
11 Downing Street  
London  
10th June 2010

Mr Claimant  
Chesterfield

Dear Chancellor,

My name is Mr Claimant. I know you are busy preparing your first budget but I hope you can find time to give me some advice on my Income and Expenditure problems. I am an unemployed man claiming Employment and Support Allowance. I have COPD and vibration white finger related to previous employment. I am suffering from depression and receiving physiotherapy. I have also been prescribed food supplements because I have been unable to afford to eat properly and have been losing weight. My weekly budget is set out as follows:

INCOME	EXPENDITURE	
ESA £65.45	Social fund budgeting loan	£6
	TV Licence	£5.60
	Community Heating & Water	£24
	Gas / electric	£10
	Bus fares	£8.20
	Food / clothes / household	£30
<b>Total £65.45</b>		<b>£83.80</b>

I know you will tell me that work should lead to an increased income and thus help towards balancing my budget. However, as your advisers at the Treasury will tell you, unemployment is likely to rise in the immediate future so I would be foolish to think that this would guarantee to solve my problems in the short term at the very least. Employers are highly unlikely to want to employ someone with my health conditions. You have said that the government should be cautious about projections for growth - I have to be realistic about the local job market, I cannot assume I will be in work. I have to set a budget on the circumstances that confront me, I am sure you will agree.

My budget does not include a contribution towards a personal pension, home insurance, holidays or savings for unforeseen problems.

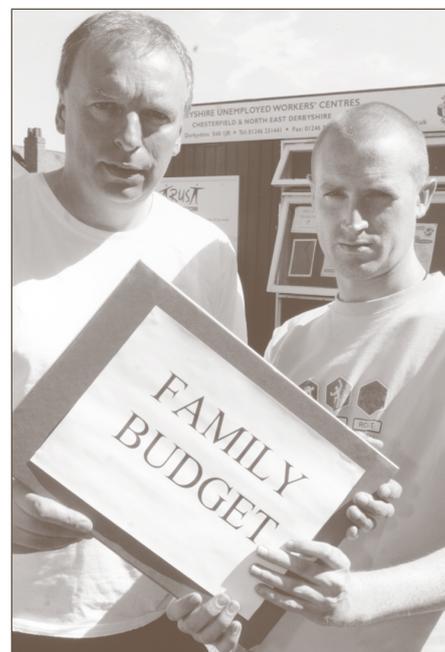
Please advise me which expenditure I should cut back on - food, heating, clothing etc. I cannot obtain affordable credit unlike the Government has been able to in its present crisis so I can only ask you for advice on prudent budgeting.

Alternatively, I might ask you to seriously consider raising the level of minimum incomes of those that will not be able to find work in the near future. This level of income, I am sure you will agree, should be high enough for someone to live in dignity and allow a person to fully participate in society.

I do not ask for a bail out, I ask for Social Justice.

I look forward to your early response.

Yours truly,  
Mr Claimant



Colin Hampton with Richard Brown who sent a letter to the Chancellor (photo courtesy of the Derbyshire Times)

Unfortunately not one of our correspondents received an acknowledgment or response. The DUWCs will continue to give a voice to those who have little or no choice but to attempt to survive on incomes well below the level that allows for a decent life. The Joseph Rowntree Foundation has devised a minimum income standard for Britain based on what members of the public say a person needs in order to have the opportunities and choices necessary to participate in society as well as covering the cost of basic goods and services for different household types.

([www.minimumincomestandard.org](http://www.minimumincomestandard.org))

It is a shocking fact that, in Britain, Income Support, the income of last resort, covers only 42% of this acceptable budget in the case of a single person.

Thousands of people in Derbyshire are having to make decisions on prioritising eating or heating, getting into debt with all the well known consequent impacts on health both physical and mental. Low incomes cost the whole of our society both in the short and long-term.

# 'Assistance of ladies in reduced circumstances'

The DUWCs were successful in attracting a one year project to help women with a service for those who preferred to discuss their circumstances with a female worker. Sarah Smith took up her post on 2nd November 2009. The initial weeks were spent publicising the project, though Sarah was able to take a couple of referrals from colleagues. Publicity took the following forms:

- Leaflets and posters were distributed around care homes, older peoples' housing and older peoples' organisations. They have been put on display in all our waiting areas and in windows.
- Leaflets and project summaries have been sent to our town and parish council funders with their reports, asking councillors to refer potential cases to us.
- Articles have been published in our newsletter and in local voluntary sector bulletins.
- We have informed partner organisations at meetings and forums.

During the project women have been visited in their own home by Sarah with support from a female volunteer. Some of these cases have required more than one visit. On occasion, the targeting of older women has been waived for special circumstances. For example, Sarah went to visit Miss M, who is 45 but blind and housebound due to severe Crohn's Disease. This is an ongoing case requiring more than one visit. Sarah co-ordinated a request to increase Miss M's entitlement to Disability Living Allowance to a higher rate, and succeeded. This led to a Severe Disability Premium on her Income Support and an increase in

Housing Benefit and Council Tax Benefit. This extra money will enable Miss M to purchase additional help around the house and to hire taxis to take her out.

Another interesting case study involves Mrs B, a 63 year old woman who did not wish to speak to a man as she had been subjected to years of abuse at the hands of an alcoholic husband. She finally escaped, taking with her few possessions, no furniture and a little money that she had managed to save up. She used this money to pay a £500 bond and 6 months rent in advance on a property.

have continued to benefit from this service.

As this project is due to end in October 2010, we are now looking at our funding options for the future. We would like to carry this service on in some form. We will be approaching potential funders giving help for older people with a repackaged version of the project. In the strange world of voluntary sector funding, if something is successful it does not mean it is easy to maintain it because NEW funders want a NEW project.



She had no children or family to help her. Sarah put in a claim on her behalf for Pension Credit, Housing Benefit and Council Tax Benefit. These have been awarded, and Mrs B now has an additional £22.61 per week Pension Credit with £248 paid in arrears, £372 per month Housing Benefit and £940 per year Council Tax Benefit.

Sarah Smith left the project in June 2010 as she was going to have a baby. Katrina Hudson took over the position. Many women

Mrs A lives alone in Swanwick. She is in her 70s and suffers badly from Arthritis. She was finding it difficult to cope on her income and was upset because she looked like losing her car. Katrina went to visit her and put in application for Attendance Allowance at the high rate. This was awarded and in turn led to a Pension Credit payment. She is now £95 per week better off. She has been able to keep her car, which allows her to make regular trips to the swimming baths - an activity which considerably helps her arthritis. She can now also afford to pay someone to help keep her home clean.

# Fundraising



*Sarah Walters*

There would be gaping gaps in the services provided by DUWCs if it were not for those funders listed on this page. Without the county, district, town and parish councils there would be no core service, and without the core service there would be no projects taking place that meet specific needs identified by our people working out in the community.

Take for example our women's project, funded by the Society for the Assistance of Ladies in Reduced Circumstances. This was devised and funded because our core service saw many requests from older women to receive advice in their own home from another female. We saw the need and got it funded. We are now seeking new and additional ways to continue responding to the increasingly elderly population's needs.

Our Hardship Fund grant has specifically supported our core work in North East Derbyshire over the past year. We held benefits and credits take up sessions in communities that do not usually directly benefit from an outreach service – yet the support was needed because of the recession which is seeing many people out of work for the first time. Again, we saw the need and got it funded.

The projects taking place, additional to our core work, have brought in nearly £100,000 this year into the local economy. DUWCs are big value for money.

## List of Funders 2010:

**Derbyshire County Council**

**Bolsover District Council Working Neighbourhoods Fund**

**Chesterfield Borough Council**

**North East Derbyshire District Council**

**Alfreton Town Council**

**Brimington Parish Council**

**Clay Cross Parish Council**

**Clowne Parish Council**

**Eckington Parish Council**

**Grassmoor, Hasland and Winsick Parish Council**

**Shirebrook Town Council**

**Somercotes Parish Council**

**Staveley Town Council**

**Warsop Parish Council**

## Various Charitable Trusts

**Coalfields Regeneration Trust**

**Community Development Foundation Hardship Fund**

**Society for the Assistance of Ladies in Reduced Circumstances**

**Salcare Heanor**

**Community Links**

**Receive quarterly updates on all of DUWCs funding and campaign news through our Solidarity newsletter.**

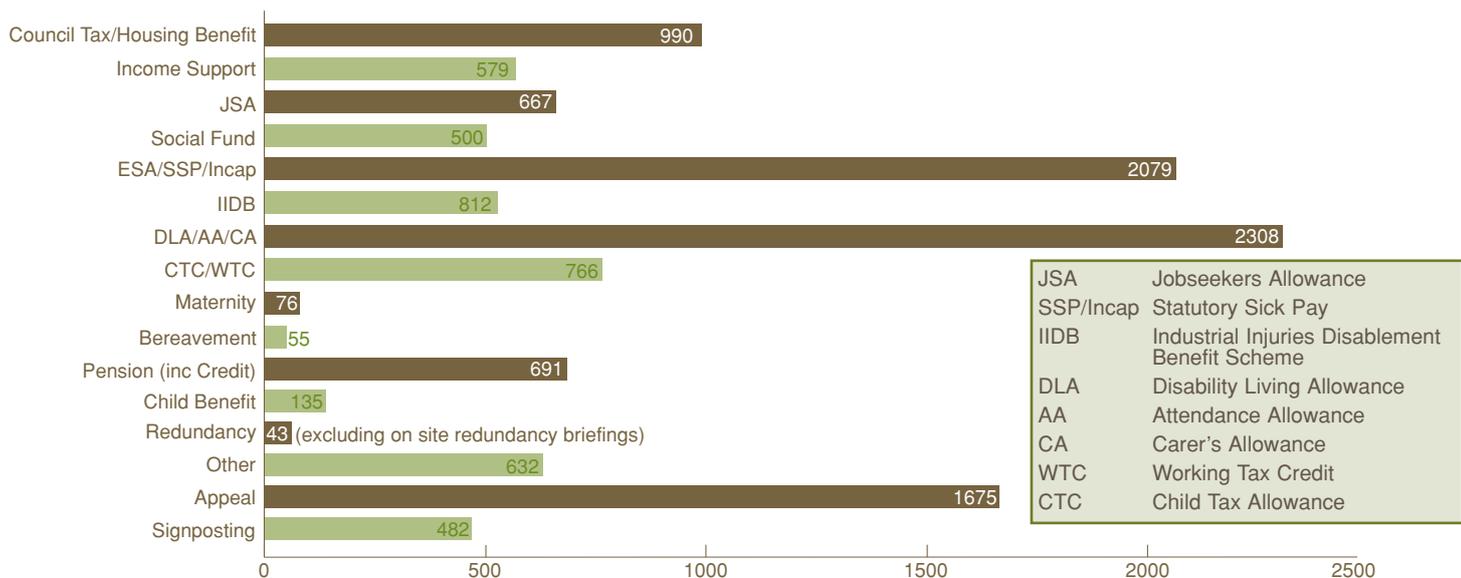
**Contact [sarah.walters@duwc.org.uk](mailto:sarah.walters@duwc.org.uk) and ask to be added to the mailing list.**

## Ways to contribute to DUWCs' invaluable service:

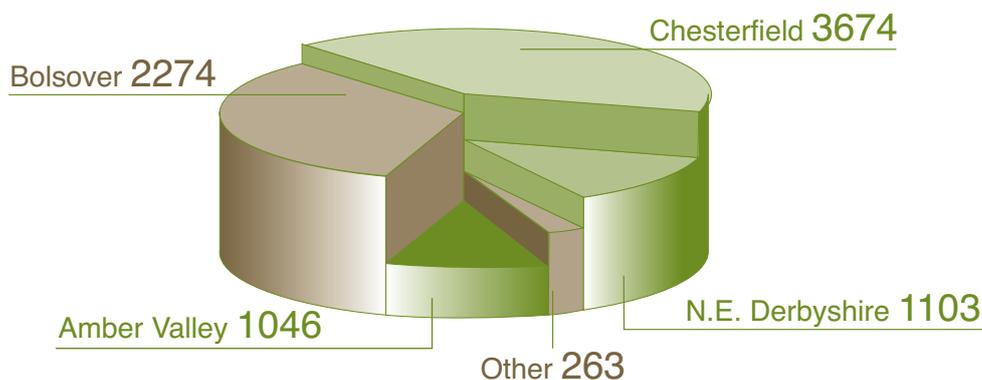
- Make a regular donation through standing order or check off
- Make a one-off donation - hand into one of our offices
- Take part in the Great Weather Lottery
- Recycle your used printer cartridges and mobile phones using our envelopes
- Consider leaving us a legacy in your will – let the good work go on

**For further information contact [sarah.walters@duwc.org.uk](mailto:sarah.walters@duwc.org.uk)**

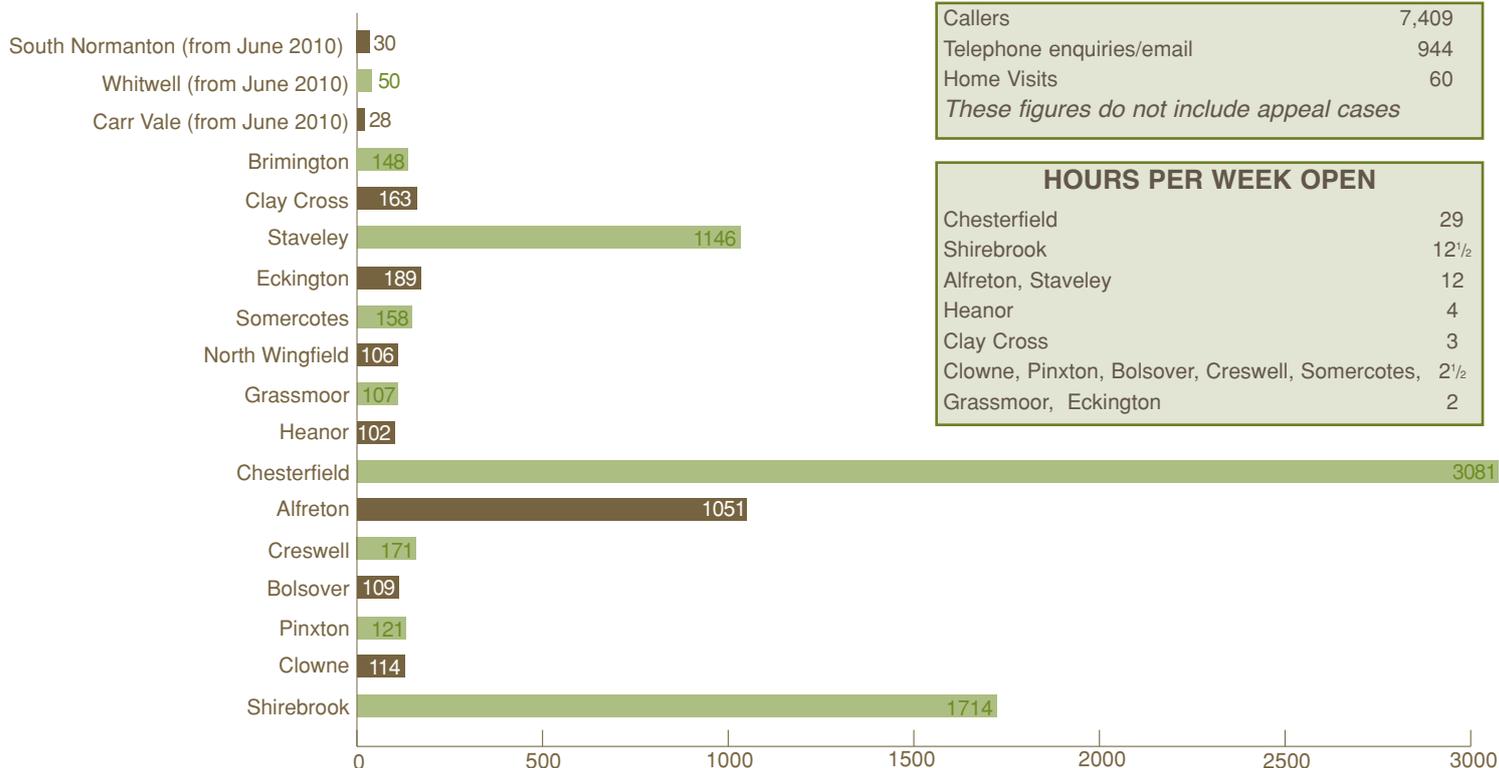
## ENQUIRY TOTALS 2009/2010



## ORIGIN OF ENQUIRIES



## VENUE CALLER TOTALS 2009/2010



# Around the area



**'Thanking all of you for the success of my tribunal. You have all helped us both in an enormous way. You all do a great job and have always been a great help with all our difficulties we have had. Cannot thank you enough.'**

**J.L (Grangewood)**

physical dimensions limit the number of staff and volunteers we can utilise.

Volunteers from Chesterfield this year have included Hilary Cave, Rebecca Colbeck, John Moore, Roger Slater, Justine Bark, Jane Marriott and Jim Miller.

Despite the difficult working circumstances the morale of the team has been excellent. Mondays and Tuesdays have always been busy but this year the number wishing to access our Chesterfield location has risen again.

At Brimington John (Snowy) Bradley offers an advice session at the Community Centre on Monday

**A**woman came into the Brimington office regarding her son who has curvature of the spine and also a slipped disc. We had represented him before and lost on appeal for Disability Living Allowance. He was not keen to apply again. However we sent for a D.L.A pack for him in the hope that he could be persuaded to try again. After discussion we helped him fill in the D.L.A forms – he was again refused. So we asked the D.W.P to look at the decision again – they said they would send a doctor to examine him at home. After the doctor had done the home visit they then decided to award high rate mobility and also low rate care – totalling £67.75 per week and approximately £1,500 in arrears.

He would not have received this money without our support.

**S**ince September 2009 miners have been able to claim Industrial Injury Disablement Benefit for Osteo-arthritis of the knee. Since that day John Bradley has helped put in claims with 15 former miners for Osteo-arthritis. However, this gave us the opportunity to check if they had claimed for other Industrial diseases. So we also put claims in for Vibration White Finger, Bronchitis and Emphysema and last but not least pneumoconiosis. Many found after the DWP sent them for an x-ray that they have a slight shadow on their lungs signifying simple pneumoconiosis. This then attracts a small pension of £14.36 and also a lump sum of several thousand pounds. There are thousands of coal miners who have simple pneumoconiosis and do not realise they can claim.

**O**ne ex-miner came into the Brimington office to claim for osteo-arthritis of the knees so at the same time we put in claims for him for bronchitis and emphysema and pneumoconiosis. He was given an award for his knees but also 1% for pneumoconiosis that gave him a small pension of £14.36 per week and also a small lump sum of £3,500 from the Workers Compensation Scheme run by the Department of Work and Pensions.

mornings. Despite this we still find many Brimington residents still coming to Chesterfield when they could have used the more local service. We will again give the Brimington service a boost by a leafleting campaign in the Autumn.

## Staveley Outreach

Our three times weekly Staveley Advice Sessions have this year been supported by the Coalfields Regeneration Trust. Originally the project which brings together the

## Chesterfield



Chesterfield

## Chesterfield

Our small premises at 70 Saltergate continues to cause big problems. One of the worst aspects of the building has been our inability to give work and training to the many people who have come forward this year to volunteer. With this recession hitting hard, many are looking to volunteer-work to pick up skills and to be part of an active workplace. Unfortunately we have not been able to take on everyone who has come forward, having to signpost them to other opportunities. The building has only 3 interview rooms and a small area for administration. The

**'Yesterday I attended a tribunal to overturn the decision on my case, and with the help from DUWC my appeal was found in my favour. I would like to acknowledge the help and support and show many thanks to the people who work for the DUWC because without their help I feel that my case would have gone unheard.'**

**J.W (Brimington)**

DUWCs, with the Chesterfield CAB and Chesterfield Law Centre was due to finish in March 2010. However the project has been so successful that the CRT decided to continue to give Grant support up until December 2010. The numbers using the High Street's 'Learning Matters' session have continued to increase. Kathy Farr, as well as organizing the Staveley sessions and providing advice and tribunal representation, has been able to develop volunteers at this busy outreach.

Jade Surah and Heather Riggott, who both volunteered in summer 2009, came back again when they had finished their University year. Heather is now doing her Masters Degree as well as training to be an advice worker. Nicola Macmanus continues to provide support at Staveley with Nicolo Ferrera and Angela Webster providing help in Reception. Denise Hawksworth has recently joined our team at Staveley and is now getting up to speed with the complexities of the Benefit System.

**M**rs M from Mastin Moor asked us to help her with her appeal against the decision not to renew a claim for DLA for her disabled child. We advised her about obtaining medical evidence in support of her case and we submitted the evidence on her behalf. We attended the Appeal Tribunal as her representatives and Mrs M was re-awarded Child DLA with Care and Mobility components. This DLA award also enabled Mrs M to re-establish her entitlement to receive Carer's Allowance. The weekly gains for this family are DLA at £90.35 and Carer's Allowance at £53.90. In addition, an award of the High Rate Care Component of DLA enables more Child Tax Credit to be paid with an increase of around £4800 per year (£92 week) to this family due to their low household income from earnings. As this appeal case took 9 months to be considered, lump sums in backdated benefit and tax credits are substantial (approx £5600 in benefits and £3600 in tax credits).

**M**iss L moved back to the Staveley area with her 2 year old daughter after living abroad with relatives. She claimed Child Benefit and on the basis of being a lone parent, she tried to claim Child Tax Credit and Income Support. However, the Child Benefit claim was very slow to be processed which hindered processing the other claims. The JobCentre advised her to claim Job seeker's Allowance in the meantime to give her some ongoing weekly income.

She approached DUWCs when her claim for Job seeker's Allowance was turned down, initially without any explanation. We put her in contact with the local MPs office so that they could make representations to HMRC so that her claim for Child Benefit might be acted on more quickly on the grounds of hardship. When she received a written decision about her JSA claim, we helped her to make an appeal in relation to the issue of establishing her 'habitual residency' in the UK. We advised her to obtain proof that she had agreed a tenancy on local rented property. The appeal was successful after reconsideration by the DWP. She was initially awarded JSA at £65.45 per week, full Housing and Council Tax Benefit and Child Tax Credit. She has now transferred to Income Support with the award of Child Benefit.

Mr E, in his 60s, came for help to complete a form sent to him about his medical problems in relation to his Incapacity Benefit. We helped him with that form and his Incapacity Benefit was later renewed at £89.80 per week. We carried out a general benefit check and discussed making a new claim for DLA. He was initially reluctant because he had tried to claim DLA but been turned down in the past. We helped him to make a new DLA claim and he was awarded Low Rate Care in recognition of the problems that he has cooking a meal for himself. This gives him an extra weekly income of £18.65.

**'I cannot thank you enough for the help you have given me through this tribunal, I know I wouldn't have managed to get through it without your help. I can see that you are extremely busy and appear almost rushed off your feet yet still had time and patience to help me through this.'**

**Sharon (Staveley)**

Our future at Staveley has been helped by the success of our bid to the Chesterfield Borough Council's Working Neighbourhoods Fund (WNF). This will enhance and expand the work carried out during the past year, further cementing our relationship with our colleagues at the CAB and Law Centre. The WNF funding lasts until December 2011.

**M**r P came to see us for help to make an appeal against his Medical Assessment for Employment and Support Allowance. Despite suffering from uncontrolled epilepsy, the DWP had assessed him as fit for work, in apparent contradiction of the fact that a different DWP department had recently awarded him DLA for needing constant supervision.

**W**e helped him to make an appeal against the ESA medical and also advised him about obtaining supporting medical evidence that we later submitted on his behalf. The case was heard before a Tribunal (where we attended as his representative) and Mr P was awarded ESA at a rate of £89.80 per week and a lump sum of arrears of ESA benefit of around £700.

# Bolsover District



2010 has been another year of hard graft for the staff and volunteers, delivering benefits advice within the Bolsover District. From our main centre in Shirebrook and throughout the outreach communities, large numbers of residents have continued to seek our advice on a wide range of benefit issues.

This year we welcomed to Shirebrook former DUWC volunteer Glyn Power, now working for the Bolsover Financial Inclusion Project. Our capacity in advice provision has been further strengthened by the addition of two new volunteers; Paul Marklew and Janet Gell-Thompson, all in all a major boost to an area that continues to be affected by the recent recession. Many thanks once again to Shirebrook volunteers Keith O' Neill, Cindy



*Some of the team at Shirebrook*

Andrews, Gill King and Alison Hallam, who continue to give the centres their free time, and provide a level of expertise and

**'Recently my wife and myself sought information and advice from DUWC they were very helpful and courteous. After an interview at the centre they sorted out our situation for which we were very grateful. I wish to commend them for being there to help people.'**

**Mr and Mrs T (Bolsover)**

support which is without doubt the reason we are able to continue to provide a quality service in these difficult times.

Our Shirebrook office has continued to accommodate non benefit advice sessions delivered by the Chesterfield Law Centre. Residents of the area have been able to access advice on a wide range of issues such as housing, debt and employment. With the departure from Shirebrook of TRUST and DAST in May 2010, we have been able to utilise the extra space to further develop our appointment-based sessions, helping people fill out their disability application forms; the demand for this service over the last twelve months has been huge, and a great success.

The main contender for benefit of the year is of course Employment and Support Allowance. Another twelve months largely dominated by ESA related cases, the majority

## “You don't know what you're doing”

**W**e have recently helped three Bolsover District ESA claimants with significant lower limb impairment win their appeals in some style.

Following the work capability assessment all three failed to score a single point despite the abnormal findings within the report showing significant reductions in lower limb function. They had all been in receipt of Disability Living Allowance for many years being awarded the highest rate of the mobility component.

Subsequently all three claimants won their appeals, with 15 points being awarded under the walking descriptor, which states that someone cannot walk more than 50 metres without repeatedly stopping or severe discomfort.

At one of the appeals the panel members commented on the poor quality of the assessment; even indicating that the case should never have come before a tribunal, because of the sheer weight of evidence presented by our appeal representative as early as the reconsideration stage. The initial decision could have been changed by the DWP Decision Maker. Refusing to overturn decisions under the ESA regime, despite significant medical evidence being available to the Decision Makers, has become common practice. These cases highlight the ongoing problems with the way the Work Capability Assessment is being delivered and administered by both Atos Healthcare and the DWP.

being those people seeking to appeal against decisions finding them capable of work.

The new Government is being well served by Atos Healthcare, an offshoot of the multinational Atos Origin, which sits on a £500 million contract to deliver work capability assessments. A high percentage of Bolsover District residents subjected to the points based work capability test have found to their amazement that they failed to score any points at all, despite many having debilitating conditions. A

**'We both would like to thank you for the help you have given us and hope you are successful in the future'.**

**K and N (Creswell)**

significant number of those who appealed the decisions about their ineligibility for ESA had their cases revised at tribunal ( DUWCs having a 75% success rate) many being awarded well over the 15 point requirement to be found to have limited capability for work. There have been numerous concerns raised by the BBC, the Guardian and the Independent newspapers, among others, about the quality of these assessments. Unsurprisingly there are at least four petitions on social networking sites calling for the DWP to end their multi-million pound contract with Atos; DUWCs will continue to be at the forefront of this campaign both locally and nationally.

The Government did not waste too much time in announcing major welfare reform including a renewed commitment to re-assess the 2.5 million people in receipt of Incapacity Benefit. Many local claimants will be moved to the less generous Employment and Support Allowance. At the beginning of June 2010 it was announced that the process of re-assessment would begin in

## “A little knowledge can be a dangerous thing”

A Shirebrook woman came to our centre recently in some confusion following a visit to her local Job Centre Plus office.

She was in receipt of Long term Incapacity Benefit and Disability Living Allowance, her husband who had recently lost his job, was signing on for Job seeker's Allowance, but did not receive any entitlement because he had not paid enough national insurance contributions in the previous tax year. She was sure that she was not getting enough to live on and expressed this to Job Centre staff. She was told that she would have to give up her Incapacity Benefit and her husband would have to claim for her.

We advised her that this advice was wrong; she needed to claim Income Support as a top up for low income; she did this and waited for a decision. A few weeks went by with the woman not receiving any information or entitlement. She rang the DWP in Belfast (her local office) and was told that she was not

entitled because she did not receive child benefit and her husband was not sixty; again this was plain nonsense. A few days later she received a decision letter stating that she was not entitled to Income Support on the basis that there was too much money coming in to the household. It stated within the calculation that her husband was in receipt of long term Incapacity Benefit; wrong again!

She came to visit us again, we contacted the Belfast office again and explained the woman's income situation and the error on the decision. The officer on the helpline did not seem to understand why we were right and they were wrong. She put us on hold and after about ten minutes informed us that they would sort out the error and payment would be made as soon as possible. The woman said that she would never seek advice from the Job Centre again and would come to us first. We are considering making a complaint on her behalf.

earnest as early as February 2011. We anticipate an avalanche of new appeal cases because of our experiences with those who are currently being assessed under the Work capability Assessment for ESA entitlement. The WCA is much more difficult to pass than its predecessor, the Personal Capability Assessment, under the old Incapacity Benefit system; we brace ourselves.

As we near the end of 2010 we look to the future with concern for a welfare system which may be unrecognisable within the next five years. Simplification may be the new buzz word being espoused by government ministers and the DWP. However, we believe that current thinking about benefit change is flawed and will simply mean cuts to the

**'Id like to take this opportunity to thank you for your help with my claim for DLA. I have just been awarded middle care and higher mobility! This is better than expected and will make such a difference to my life. Once again thank you I enclose £30 for your funds as appreciation for your help'**

**MJ ( Pinxton)**

living standards of the most vulnerable within our communities; we will continue to campaign against any legislation which attacks the economic well being of those in most need.

## N. East Derbys



### North East Derbyshire

Thanks to a grant from the last Government's Hardship Fund we were able to expand our work in North East Derbyshire during 2010. Tim Wilkinson and Katrina Hudson were appointed to add to our provision in the District and set up a new outreach as well as month-long campaigns in Tupton, Killamarsh and Dronfield.

With the support of North Wingfield Parish Council an outreach venue was set up at North Wingfield Community Centre on Thursdays between 1:00 and 3:30. As usual it takes a little time to establish a new venue but with the support of the people in the Parish the outreach is now well used. The three targeted take-up campaigns in areas where we do not have regular surgeries were all very well attended. They had the benefit of not only giving

**M**r X, a Killamarsh man with 2 disabled daughters, was claiming Carer's Allowance for one of his daughters, but he did not know that someone else could claim the benefit for the other girl. The girls had recently both moved into shared rented accommodation, they were receiving benefits but neither of them was in receipt of Severe Disability Premium. Our worker advised that they were entitled to this, worth £53 per week each and helped to direct the claim.

**M**r and Mrs R from Grassmoor came for advice about their eligibility to claim benefits. Mr R had been self employed but had generated no income from his business for almost 3 months. We advised them on possible eligibility to make a claim for Job seeker's Allowance and also Council Tax Benefit. If Job seeker's Allowance was awarded then they could receive help with mortgage costs after 13 weeks to avoid repossession.

**T**he family included 2 children but there appeared to be no Child Tax Credits in payment. We contacted the Tax Credit office and uncovered an error in the paperwork that had resulted in a nil award. The Tax Credit Office amended their records and the award was reinstated at the maximum weekly rate of £96 per week.

accessible face-to-face advice for people in Tupton, Killamarsh and Dronfield but also made people in those areas more aware of the DUWCs and the services we offer.

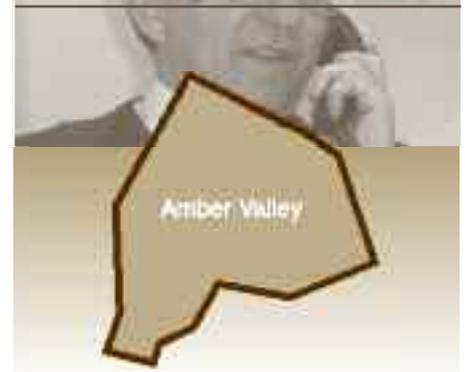
We have seen a noticeable and quantifiable increase in the number of enquiries from North

**'The service and advice and assistance you offered was both friendly, compassionate and highly professional. Long may the DUWC continue its excellent support and advice for those less fortunate and in need of help.'**

**A.F (Old Tupton)**

East Derbyshire District in the current year. Thanks go to the Parish Councils that have supported us in the area. Outreaches at Clay Cross, Grassmoor, North Wingfield and Eckington will continue into the New Year. We are always on the look-out for funding to expand our work into these areas which do not have our service in their immediate locality.

## Amber Valley



### Amber Valley

Our Alfreton Office has been able to open two and a half days per week, thanks to the Coalfields Regeneration Trust grant which runs until the end of December 2010. Like the Staveley project we have worked together with Mid-Derbyshire CAB and The Chesterfield Law Centre to offer income maximisation through benefits advice and representation, employment advice and debt work.

The CAB has now transferred its generalist service to our High Street office on Fridays. Thanks to Alfreton Town Council for their continued support and extra help this year for furniture.

Our Alfreton office is very well used, being centrally located and the only face-to-face sessions in the area. We are extremely worried about maintaining the level of service in the future. At the end of the year the funding from the CRT dries up and at the time of writing we have been unable to secure any further support from elsewhere. With the support of the Town Council we will be able to keep the doors open but it is difficult to see how we will be able to cope with demand.

Our thanks go to Somercotes Parish Council for their continued support enabling us to provide a service on Monday afternoons at the Parish Hall on Nottingham Road.

Thanks to funding provided by

Heanor Salcare we have been able to continue our Friday advice sessions in their Ray Street premises. Our leafleting team lead by Roger Slater will be out during the autumn making more people aware of the service.

**'I just wanted to thank you for everything you have done for me. My life is very hard and within 15 minutes of meeting you you have done more for me that has taken others years. I was in a dark place but you are helping me see a trickle of light. Thanks so much.'**

**N.S (Somercotes)**

**M**r A attended an advice session at the Alfreton office. He had previously given up work to care for two family members; his wife who is in a wheelchair as a result of a stroke, and his son who needs 24 hour care after being involved in a serious road accident. He was claiming all of the benefits that he was entitled to as their carer.

Mr A's son was in receipt of a payment from Derbyshire County Council Social Services to cover the cost of employing a carer. When Mr A took over his son's care, this payment went to him and as a result he should have been able to make a claim for Working Tax Credit. However, the HMRC refused to make a payment. DUWCs began a campaign to secure Mr A his entitlement, but despite lobbying from ourselves and a social worker, no payments were made. We went on to launch another claim, and finally, after 6 months of struggle, HMRC have agreed to make a payment of just over £2,000 per year.

**I cannot truly express my gratitude for the work that DUWC does for people with low incomes or on benefits they are a vital service that is not offered, to the best of my knowledge, anywhere else in Derbyshire'**

**C.K (Heanor)**

**A** young woman came into the Alfreton office with serious health problems which had resulted in her having 3 operations on her spine. Our adviser decided to apply for Disability Living Allowance on her behalf – she was awarded Middle Rate Care of £47.80 per week.

She was also receiving Employment and Support Allowance (ESA), and returned to the office when these payments were stopped because she was regarded as being fit for work. Our adviser helped her to appeal against the decision and will represent her case at the tribunal hearing. She told the adviser that she was now living alone in a flat, but was not in receipt of the severe disability premium that she is entitled to in these circumstances. The adviser made some telephone

calls to rectify this and she was duly awarded £1,500 in arrears and £53.65 per week additional benefit. The adviser has every confidence that her ESA will be reinstated at tribunal in a few weeks time.

**A** 50 year old ex-miner came into the Alfreton Office to ask about a claim for osteo-arthritis of the knees. After discussing his health problems with him, our adviser decided to put in a claim for pneumoconiosis (coal dust on his lungs). He was sent for an X ray where pneumoconiosis was definitely diagnosed, and as a result he was awarded a weekly pension of £14.58 per week. In addition, our adviser put in a claim to the Workers Compensation Scheme, who awarded him a lump sum of £15,000 for the same condition.

Type of Appeal	Completed	Pending
<b>Incapacity Benefit &amp; Employment Support Allowance</b>	<b>131</b>	<b>302</b>
<b>Disability Allowance &amp; Attendance Allowance</b>	<b>48</b>	<b>198</b>
<b>Industrial Injuries Disablement Benefit (see note 1)</b>	<b>7</b>	<b>64</b>
<b>Job seeker's Allowance</b>	<b>9</b>	<b>50</b>
<b>Income Support</b>	<b>4</b>	<b>20</b>
<b>Tax Credits</b>	<b>11</b>	<b>12</b>
<b>Housing Benefit &amp; Council Tax Benefit</b>	<b>1</b>	<b>4</b>
<b>Other</b>	<b>4</b>	<b>10</b>
<b>TOTAL</b>	<b>215</b>	<b>660</b>

**Note 1:** Industrial Injuries Disablement Benefit covers payments on a weekly basis for accidents at work and diseases contracted as part of work. These include Bronchitis and Emphysema for miners, Vibration White Finger, Deafness, Carpal Tunnel Syndrome, Pneumoconiosis and many Asbestos related diseases.

**As a result of these Tribunals the following amounts were awarded:**

<b>Lump Sum Arrears:</b>	<b>£241,526</b>
<b>Ongoing Weekly Benefits p.a.:</b>	<b>£486,044</b>

Over a year general enquiries at the Centres and Outreach Offices (as well as by home visits) resulted in payments amounting to £1,170,450 for Derbyshire residents.

**During the last year this has meant a total of**  
**£1,898,020**  
**has been won through our advice and representation**  
**and at appeals**

# Management Committee 2009/2010

*The Management Committee would like to thank all those who have given freely of their time and talents throughout the year in pursuit of the aims and objectives of the Derbyshire Unemployed Workers' Centres.*

## Chair

Cllr Graham Baxter  
(N.E.Derbyshire District Council)

## Vice- Chair

Barry Johnson  
(Chesterfield & District TUC)

## Treasurer

Ian Rutledge (co-optee)

## Chesterfield Borough Council

Councillor Alexis Diouf

## Derbyshire County Council

Councillor Simon Spencer

## Bolsover District Council

Councillor Ann Syrett

## Chesterfield & District Trades

Union Council

John Knight and Roger  
Davenport

## Derbyshire Association of Trades

Union Councils

Shay Boyle

## Members

John Gilbert, Frank Sims,  
Keith O'Neill, Dennis Clayton,  
Angela Webster, Elaine Tidd,  
Caroline Tipple, Nicolo Ferrera,  
Justine Bark, Hilary Cave

## Co-optees

Dave Marriott (PCS)  
Dorothy Carter (ACCA)  
Sarah Roy (Law Centre)

## Centre Staff

Colin Hampton – Co-ordinator  
Andy Parkes – Welfare Rights  
Lynn Bagshaw – Admin  
Neil Buxton – Welfare Rights  
Sarah Walters – OFFA Fundraiser  
Tim Wilkinson - Welfare Rights  
Katrina Hudson - Welfare Rights  
John Bradley - Welfare Rights

## WHERE TO GET ADVICE

### Chesterfield & North East Derbyshire

70 Saltergate, Chesterfield S40 1JR  
Tel 01246 231441/Fax 01246 551529  
Email: [info@duwc.org.uk](mailto:info@duwc.org.uk)  
Monday-Thursday 9am-3.30pm  
Friday 9.00am-12.00 Noon

**Clay Cross** – Adult Education Centre, Market Street,  
Monday 9.30am-12.30pm

**Eckington** – Business Centre, Market Street,  
Monday 1.30pm – 3.30pm

**North Wingfield** – Community Resource Centre, Whiteleas Avenue,  
Thursday 1.00pm-3.30pm

**Grassmoor** – Community Centre, New Street,  
Thursday 10.00am – 12.00 noon

**Staveley** – Learning Matters, High Street.  
Mon, Wed, Fri 9.00am – 1.00pm

### Bolsover District

44 Patchwork Row, Shirebrook, NG20 8AL  
Tel: 01623 748161 Fax: 01623 743316  
Monday – Friday 9.00am-11.30am

**Bolsover** – Adult Education Centre, Castle Street, Monday 1.00pm-3.30pm

**Clowne** – Mill Street, Tuesday 1.00pm-3.30pm

**Creswell** – Limestone House, Elmton Road, Thursday 9.00am-11.30am

**Pinxton** – Village Hall, Kirkstead Road, Tuesday 1.00pm- 3.30pm

**Carr Vale** – Bainbridge Hall, Wednesday 1.00pm-3.30pm

**Whitwell** – Community Centre, Tuesday 9.00am- 12.00 noon

**South Normanton** – Cyber Café, Thursday 1.00pm – 3.30pm

### Amber Valley

Suite 4, Alfreton House, High Street,  
Tel: 01773 832237

Tuesday 9.00am- 12 noon,

Wednesday/Thursday 9.00am-12 noon/1.00pm-4.00pm

**Heanor** – Salcare, Ray Street , Friday 8.30am-12.30pm

**Somercotes** – Parish Hall, Nottingham Road, Monday 1.30pm-4.00pm

**Thanks**

To all our funders, our Management Committee,  
our OFFA Contributors and all our supporters.



Derbyshire Unemployed Workers' Centres are funded by Bolsover District Council, Chesterfield Borough Council, North East Derbyshire District Council, Derbyshire County Council, Coalfields Regeneration Trust, Derbyshire Community Foundation, Alfreton Town Council, Somercotes Parish Council, Salcare Heanor, as well as contributions raised through the One Fund For All.