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MONEY BOX LIVE

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LEWIS: Hello. Benefits from the state and the cost of them are hardly ever out of the news nowadays. Yesterday, Deputy Prime Minister Nick Clegg told the BBC that winter fuel payments, free bus passes for the over-60s in England and free TV licences for those over 75 might be taken away after the next General Election. From January, child benefit, paid to every mother or father for every child since 1978, will be taxed away from more than a million people who have an income above £60,000, and partly taken away if it exceeds £50,000. Changes and cuts to disability benefits have already happened. More are in the pipeline. From April, council tax benefit disappears to be reborn as council tax support, with a reduced budget and local discretion about how to pay it. And the so-called universal credit begins next year and will eventually replace six existing means tested benefits for those who can't work or are looking for work or are in low paid work. We're still of course awaiting the details of a new flat rate state pension, which may or may not begin in a few years time. And from Monday, if you make a mistake on a benefits form, you could be fined £50 - not for fraud, just for making a mistake. The DWP expects to find more than half a million people each year and rake in £80 million over 3 years. It's the kind of permanent revolution that would have made Trotsky proud. Meanwhile, of course, millions of people rely on benefits or need to claim them as their lives change, and wonder how to make sense of the very complex system that we have. Whatever your question about benefits now or how they might change, you can call Money Box Live - 03700 100 444. With me today to answer your questions: Phil Agulnik is Director of the online benefits calculator Entitledto.com; Will Hadwen is Benefits Adviser with

Working Families; and Jean French is Head of Advice and Information for Carers UK. Our first question is from Geraldine in Manchester. Geraldine, what's your question?

GERALDINE: My question is DLA presently being paid to my 15 year old severely disabled grandson will cease, I understand, next year. This will then become, this benefit will then change to a PIP. Currently (because he receives the highest level of DLA) he's entitled to motability. What sort of changes can we expect? His condition isn't going to change, but what can we expect from the changed system?

LEWIS: Okay, that's big changes to DLA, Disability Living Allowance. Just tell us, Jean French, how that's going to change.

FRENCH: Hello Geraldine.

GERALDINE: Hello.

FRENCH: What's going to happen is that DLA will remain in payment probably until your son is 16 years of age, okay? At that point he'll need to make a claim for the personal independence payment and ...

LEWIS: That's replacing DLA, isn't it?

FRENCH: That's right. But it's replacing DLA for adults, people over the age of 16, and claimants of up to the age of 65 at the moment. So after 65, attendance allowance will still exist, as it does now. So Geraldine, your grandson is going to need to make a claim for the personal independence payment. If you're receiving child tax credits for him at the moment, you will stop receiving those on his behalf and he will be claiming what will then be universal credit as a means tested benefit for himself.

LEWIS: And that will probably be later in the year. Will Hadwen, this is all very complicated. It's hard enough to understand the present system, never mind try to

spatchcock on the new system. Will this mean more money for Geraldine's grandson? I'm sure that's what you really want to know, Geraldine.

HADWEN: Well potentially it could do actually because for the most severely disabled children and young people universal credit is in fact more generous. And what I think would apply in this case, although it is subject to the medical, is that your grandson would probably get the enhanced rate of a care component of the personal independence payment. And, as Jean says, ultimately he would be getting universal credit, although there might be an interim stage where he has to claim employment and support allowance before universal credit comes in. It depends when his 16th birthday is. It also depends, Geraldine, on whether he's still going to be in full-time non-advanced education because potentially you might have a choice of continuing to claim for him.

GERALDINE: (*first part of sentence inaudible*) ... remain in education.

LEWIS: Can you ask that question again, Geraldine, sorry?

GERALDINE: The intention is that he would remain in education, at least until he is 19.

HADWEN: He would remain in education, alright. In that case you have a slightly complicated choice, but one that's worth going over with a benefits adviser, which is about whether you continue to claim child tax credit and child benefit for him or whether he claims in his own right.

GERALDINE: Right, we don't actually receive any tax benefit. The only benefit he receives is his DLA.

HADWEN: Okay and someone's getting child benefit for him, presumably?

GERALDINE: Yes, which she will lose in January because of her earnings. What I

was really interested in is the link or whether there is a link to motability because presently, receiving the highest level, he does actually have access to a motability vehicle. Will that change?

HADWEN: Well the answer is we don't know for certain, but what the DWP have said is that they are aware that DLA mobility component is currently linked to motability and we expect that the mobility component of PIP will be linked in a similar way. But we don't have the details of that yet, I'm afraid.

LEWIS: Just before I come to Phil Agulnik, is Patrick there in Swanage because you've also got a DLA question, I think?

PHILIP: Yes, I have. Hello.

LEWIS: Hello, what's your question?

PHILIP: Well really what is going to happen to people on DLA come next year? I'm 73, will be 74 in February, and I'm drawing disability living allowance - I believe the middle rate of care and the higher rate of mobility because I am totally blind and I do have some mobility problems. And there's very little information so far as to what is going to happen and perhaps you can give me some advice? I think one or two of my questions were answered by the last one, but that's an age thing outside mine. I'm at the other end of the age spectrum.

LEWIS: Yes, we've got one young man under 16 and you're 70... ?

PHILIP: 3. 74 in February.

LEWIS: So how will you be affected by this change? Phil Agulnik?

PHILIP: Yes, exactly, that's really what I'm trying to get at.

LEWIS: Phil Agulnik?

AGULNIK: Hello Patrick.

PATRICK: Hello.

AGULNIK: The answer is you won't be directly affected because you're over 65 and that will continue to be attendance allowance. So in general welfare reforms are not going to affect people who are over 65 or 61 in some cases. It's when you're between broadly 16 and state pension credit age, which is currently 61 but increasing, that all the changes affect you. So the good news for you is you won't be affected.

PHILIP: I see. Well thank you very much. Short and sweet, thank you.

LEWIS: Yes, some good news. You won't get any less money, so some good news for somebody anyway. But huge complications. We may return to this, but let's go now to Karin who is calling us from Essex. Karin?

KARIN: Yes, hello. My husband is a high earner and I'm a stay at home mother with two primary school age children. If I give up child benefit to simplify my husband's taxes, will I no longer be counted for pension credit? I believe that they use the fact that I'm collecting child benefit as a marker to say that I'm not in the workforce but I am home with small children, therefore they give me sort of a tick in the box?

LEWIS: Sure. Before we answer that specific question, we perhaps should explain for people who aren't as familiar as you obviously are with what these child benefit changes are going to be. Will?

HADWEN: Yes, so what we're expecting from January is that where there's an earner on £50,000 or more within a household, there'll be a tax charge on child benefit, and at £60,000 there'll be no child benefit at all; it will all be clawed back. However, in answer to your question, Karin, as far as we understand it, what you

would be able to do would be to choose not to actually receive the child benefit but still get a national insurance credit towards your pension, which I think is the thing you're concerned about.

KARIN: It is. How do I make sure I'm getting a national insurance credit?

LEWIS: Certainly on the HMRC website, they seem to be saying that as long as you're entitled - and there is this strange concept, Will, of an underlying entitlement - then you will get that tick in the box and you'll get your credit.

HADWEN: That's right.

LEWIS: How well that system will work, I suppose is the question.

HADWEN: Yes. I think you need to make sure that they know about you and that they know that you have children under 12 because that's the current condition for that national insurance credit.

LEWIS: And certainly HMRC told me this morning that they would be writing to everybody probably at the end of October/early November and giving them the choice, and I imagine that that choice will be made clear and if you want to keep entitlement to your credit, get your credits, then you'll be able to make it then. And just briefly, Will, is it a good idea to do what Karin is thinking of doing and give up your entitlement to child benefit, or is it better for her to get it and you know her higher earning partner to just pay the tax?

HADWEN: I think that's a question that people have to decide individually; if it's the situation that Karin's in where one person receives the child benefit and the other person is the high earner, to sit down together and talk about it. There are some complications because the charge will be collected some time after the child benefit's paid and of course there could have been changes in the meantime.

LEWIS: Changes in the relationship or whatever?

HADWEN: Exactly.

LEWIS: Yes, there are certainly some problems there. But hopefully not with you, Karin, so I think that answers your question.

KARIN: Okay, thank you very much.

LEWIS: I hope it does. Thank you very much for calling. I know you've got to go off and collect children now. Robin is calling us from Wellingborough. Robin, your question?

ROBIN: Rushden actually, five miles east.

LEWIS: Okay.

ROBIN: The poorest pensioners of all are given pension credit, but I haven't heard one word about how this is going to be affected.

LEWIS: What, from next year?

ROBIN: By next year, yes.

LEWIS: Certainly there are sort of deep plans on pension credit, which stop it going up in the year. That's affected people last April. But actually with pension credit itself? Phil?

AGULNIK: The principle behind increasing pension credit is that it goes up in line with the retirement pension, so that the relationship between the two stays the same. But what that means in terms of actual cash amount, we don't know yet because we haven't had the statement from the Chancellor.

LEWIS: No, we'll get that, we think, sort of early December probably, as we did last year. We'll know what's happening. But pension credit itself, Will, is not being affected by the various changes that we've talked about. Sorry, Jean - not been affected by the various changes that we've talked about?

FRENCH: Not at all. The majority of changes are aimed at working age claimants.

LEWIS: But what we don't know is how much, if at all, pension credit will rise next April because we don't know that about any benefits yet.

ROBIN: May it go down?

LEWIS: If I say it's unlikely, that's probably the kiss of death, but I would say it's unlikely. But whether it will rise ...

ROBIN: Well us pension creditors were given the £5.30 state benefit, state pension increase for this financial year, but at the same time my pension credit was reduced by £2.89.

LEWIS: Oh that's certainly true for some people, but the overall amount you got didn't go down. But, yes, it is possible again that that will happen this year, in my view. Phil?

ROBIN: Oh dear.

AGULNIK: Briefly, what the Government are trying to do is they're trying to squeeze part of pension credit, known as the savings credit, which is a bit that you get if you're not at the very bottom where you're getting the guaranteed ...

ROBIN: Yes, that's what I have, yes.

AGULNIK: Well it is deliberate government policy to try and squeeze that element,

so the likelihood is that you will continue to see that squeezed next year and the year after, until eventually it doesn't exist because that's the Government's plan. That as the basic pension goes up, the bit that you get, savings credit, gets squeezed down to zero.

ROBIN: Yeah, doesn't seem fair.

LEWIS: Well I certainly had a lot of complaints last year, Robin, but I'm sure we'll be covering it when we look at ...

ROBIN: Okay.

LEWIS: It'll be in December some time. And while we're on talking about pensions - and obviously this, as you say Phil, this is part of a long-term plan and is related really to this plan for a higher flat rate pension which we've heard is perhaps ... we're going to hear more about that in the next few months - we've had an email from Duncan who says he's 74. He's got SERPS and he gets currently quite a lot more than £140 a week, and he's worried his pension will be cut to £140 a week. Will, that doesn't seem to be the plan?

HADWEN: No, I think that would be highly unlikely. They'll probably either keep existing pensioners on the same level, or if they were going to move them, they would transitionally protect them. Would you agree with that, Phil?

AGULNIK: I think that's definitely going to be the case. The idea with the new pension is it's about people going into retirement and they're gradually (and I mean very gradually) trying to simplify the system into one basic pension as opposed to a basic pension at the bottom and the state second pension or the State Earnings Related Pension on the top. But it'll be very, very gradual and I very much doubt it will affect existing pensioners.

LEWIS: I think they've said that as a matter of policy ...

HADWEN: Yes, yes.

LEWIS: ... but of course we haven't seen the details yet, so we don't know the answer to that at the moment. Thanks for your email, Duncan, and thanks very much, Robin, for your call. And we're now going to Nigel in Wimbledon who has a question. Nigel?

NIGEL: Oh good afternoon. My question is should notional income from a personal pension plan be taken into account when calculating the amount of income based jobseeker's allowance to which one is entitled?

LEWIS: Well that's quite a complicated question for me and I'm sure for a lot of listeners. What's happened to you, Nigel? Just explain what's happened.

NIGEL: Okay, well in May this year I became eligible to elect a transfer from income based jobseeker's allowance to the pension credit.

LEWIS: So you reached about 61?

NIGEL: 61, yeah.

LEWIS: Women's state pension age, yes.

NIGEL: Precisely, yes. And I contacted the Pension Service and they made it clear that because I had a personal pension plan, they would take into account a notional income when calculating how much pension credit I should get, which is perfectly understandable; I don't have a problem with that. But at the end of the conversation, the lady said that I should check you know with Job Centre and the benefits people as to whether the same would be taken into account when calculating my jobseeker's allowance. I contacted the benefits agency in Belfast and they were very ambiguous on the subject, so I've been trying to find an expert who can give me a definitive answer.

LEWIS: Well this is where people come when the DWP doesn't know its own rules, and I'm sure my guests here ... Will, explain what's going on here.

HADWEN: Nigel, you might like to know that we had to look this up ourselves.

LEWIS: *(laughs)* I wasn't going to tell him that.

HADWEN: I didn't know this off the top of my head. I think the issue here is the fact that you have turned 61, that you're now of the same age as a woman with the same birthday as you would hit state pension age. And whereas previously when you were under state pension age funds in a personal pension are ignored, now that you are of pension age and you could realise those funds, we think that yes they would be taken into account whether you are on income based jobseeker's or pension credit.

LEWIS: So it's an age thing, not whether Nigel is on jobseeker's or on pension credit?

HADWEN: Yes, exactly.

LEWIS: So it does seem, Nigel, as if that notional income, if you like, will be taken into account and you might have to realise it. How will that affect you?

NIGEL: Well that would force me off income based jobseeker's allowance. It would force me to retire and take my pension scheme, which is not really what I want to be doing. I'd rather be working and trying to add some more to those. There is a question in the application form for jobseeker's allowance about pensions, which says do you expect to take a pension within the next 3 years? Well I'm still 4 years off my state pension age and wouldn't really be thinking of taking my personal pension until about the same time.

LEWIS: Yes and an awful lot of men in their early 60s feel they're perfectly able to work and want to work and want to look for work as you are. Phil Agulnik?

AGULNIK: You don't actually have to take the pension. What will happen is the Pension Service if you transfer onto pension credit will take it into account, but because pension credit is very much more generous than jobseeker's allowance, it might be that you still qualify anyway even taking into account that notional income from your pension.

LEWIS: Does that mean Nigel can still get help from Jobcentre Plus to look for work though?

HADWEN: Well that's a good ...

LEWIS: Even we don't quite know that, Nigel.

HADWEN: That's a good question. Arguably not, but then you might say that if they didn't provide that service to you, you could apply the equality duty, which has recently or just about to be extended to age.

LEWIS: Equality duty. That's anti-discrimination on grounds of age which starts on Monday, I think.

HADWEN: Exactly, correct, yes on Monday.

LEWIS: With a lot of exceptions, but it does start on Monday.

HADWEN: Yes.

LEWIS: Nigel, almost a complete definitive answer, but maybe not quite. But we certainly think on the benefit side, we know the answer, and it does seem you're being forced into a particular position because of your age. So I hope that helps. And it may not be the answer you wanted, but I hope it helps you.

NIGEL: Okay, thank you very much.

LEWIS: Thank you for your call. And we're going to Anna now who's in North London. Anna, your question?

ANNA: Oh hello. Like other people, I'm very concerned about DLA. I have severe cerebral palsy. I have other health problems, but I principally receive it because of cerebral palsy, and I always had DLA when it used to be called mobility allowance in the early days. And I'm actually in the support group of the EFA, so I just hope that I will be completely and utterly left alone because that's what I prefer. I don't like the sound of PIP. It sounds very patronising and very awful. I don't obviously know the reality, but I'm very, very worried. I really am.

LEWIS: We've certainly had a lot of people contacting us and contacting me, Anna, who feel all this change is ... even if you end up with the same money, it's very disturbing. Jean?

ANNA: And also, can I say ...

LEWIS: Yes.

ANNA: ... I'm just ad-libbing to what you're saying - I believe a survey of one, it's very unnecessary. It's change for change sake. It's just not necessary whatsoever. It's causing a lot of heartache to people. And you know people are committing suicide because of the changes.

LEWIS: Well let's hope we can get you an answer now.

FRENCH: Anna, I do understand your anxieties and lots of people are feeling very anxious at the moment. What's going to happen is, I'm afraid, that you will need to claim PIP at some point in the future.

LEWIS: PIP stands for Personal Independence Payment, doesn't it?

FRENCH: Absolutely - I'm sorry, yes.

ANNA: Independence payment.

FRENCH: Personal Independence Payment. And what that will do is eventually take the place of DLA for all working age claimants. The problem is I can't tell you when that will happen to you. There will be a programme over the next 4 years when you'll be informed that you need to make a claim for PIP, Anna.

LEWIS: So this is a sort of ... a 4 year introductory period. So how will Anna find out when it's her turn?

ANNA: Exactly.

FRENCH: You will be written to. You'll be told that your DLA now needs to move onto PIP, and then you will need to make a fresh claim for personal independence payment.

LEWIS: But she won't be told now that it might be in 2015. She'll have to sit there waiting until she gets a letter saying in 2015?

FRENCH: I'm afraid so.

LEWIS: But that's very ... causes a great deal of anxiety.

ANNA: Uncertain.

FRENCH: No, absolutely, I agree entirely, but all I can say is these are the plans that have been put in place. You will hopefully be given appropriate advance notice, though I'm not quite sure what the detail of that is going to be yet.

LEWIS: No, but to know it'll change some time in the next 4 years is not very

comforting, is it, I'm sure?

FRENCH: No.

LEWIS: Will?

HADWEN: Anna, I just want to say one thing that might be a small reassurance to you. Is that when you look at the draft regulations and you look at the descriptors that are going to be used for personal independence payment, for someone who can only move 50 metres if they use a wheelchair, you would get enough points to qualify. Now those are only draft regulations, but I would be pretty certain that you will get the new benefit. It's unfortunate that you have to go through these hoops to get it, fill in a form and possibly going to a medical.

LEWIS: Yes. Anna, I hope that's some comfort to you ...

ANNA: Thank you.

LEWIS: ... and I suppose all I can say is try not to be anxious, though that's the easiest thing for me to say and I'm sure the hardest thing for you to do. But thanks very much for your call. We're going now to Birmingham where Pat has a question. Pat?

PAT: Hello. I've got a question about housing benefit and being a student. I'm a full time nursing student and I currently get a bursary of £384.50 a month, but my rent is £379 a month and I'm falling into arrears and I want to know if I could claim housing benefit.

LEWIS: Right, so after you've paid your rent, you're left with about a fiver to live on for a month, which is obviously impossible.

PAT: Yeah, every month I'm struggling. It's a struggle, yeah.

LEWIS: A nursing student. Are they entitled to housing benefit? Phil?

AGULNIK: I'm afraid I don't know the precise answer to that question. The rules for students are extremely complicated. I'll have to look at my panelists.

LEWIS: Will is putting his hand up. I think he knows.

HADWEN: Yeah, the problem is, Pat, that in general students are excluded from benefits, students are excluded from the benefit system on the basis that there's student support for them instead. Now there are actually many exceptions to that. Single parents is one that springs to mind.

PAT: No, I'm not.

HADWEN: You're not. Are you ...

PAT: I don't have any dependents.

HADWEN: Okay. Are you disabled in any way?

PAT: No.

HADWEN: No. I think it's probable that you would be excluded from the benefit system. But what I would do in your situation is I don't know if you've got a welfare service attached to the education institution where you're studying. I would go and ask them.

LEWIS: And there's NASMA, the National Association of Student ...

HADWEN: Student Money Advisers, and they're excellent.

LEWIS: ... Money Advisers, which are very helpful.

PAT: National Association of ... ?

LEWIS: Student Money Advisers. It's called NASMA, N.A.S.M.A. And you can put that into a search engine and find it online and they are very, very helpful. I mean you're obviously in a completely impossible situation ...

PAT: Yeah.

LEWIS: ... and if anyone can help you, they can. I'm sorry we can't step in and help ourselves.

PAT: Alright then, thank you very much.

LEWIS: Anyway, thanks very much for your call. We're getting quite a few emails about universal credit, which doesn't start for a while. Just perhaps briefly we could raise a couple of them. Universal credit of course starts next October, replaces a whole range of means tested benefits, including jobseeker's allowance, income related jobseeker's allowance and employment support allowance. Self-employed people. I've had an email from Jackie who says that it's going to be very difficult for her on self-employment. Phil, I think you're familiar with these rules. She says she's got to move to a cash based monthly accounting in order to get it and if she doesn't earn enough, she won't get it anyway. Is that right?

AGULNIK: That's absolutely correct. The Government are introducing something called real time information where employers need to report monthly on earnings, and self-employed people have to be brought into this system somehow and so they will also have to report monthly on their earnings. In terms of the income, the income rules are broadly the same as in current tax credits with some rather ... some large changes. The main thing is if you're on a very low income, they're going to assume that you're getting the minimum wage times 35 hours.

LEWIS: I'm self-employed. I've been self-employed for a long time. I have no idea

what I earn each month. That's absolutely daft. You work it out at the end of the tax year when you do your self-assessment form. How can you know month by month what you earn as a self-employed person?

AGULNIK: They will have a form and you will have to fill in the lines on the form equating to your earnings and your outgoings and they will work it out. But lots of self-employed people are asking exactly the same question as you, Paul.

LEWIS: Right. And very briefly, Will, if you get one of those lines on the form wrong, as I said earlier there might be a £50 fine if it results in you getting more money?

HADWEN: Potentially if there's an overpayment and the DWP think that you were negligent, then yes you could be fined £50. It is going to be an appealable offence.

LEWIS: But they are expecting half a million people a year to pay it. Well thanks very much for your question, Jackie. Obviously we could do a phone-in every week on this. We are running a bit short of time and we're going now to Susan who's in Merseyside. Susan, your question?

SUSAN: Hello.

LEWIS: Susan in Merseyside, your question?

SUSAN: Oh that's right, yes of course. I thought you said Manchester and I'm in Southport, you see.

LEWIS: Southport, Merseyside, I've got here, yes.

SUSAN: Ah I see, that's fine.

LEWIS: What's your question?

SUSAN: Hello. I'm now on income based economic support a... (*line goes*)

LEWIS: Income based employment support allowance, I think Susan was going to say, but we seem to have ... We have lost the line to Southport. So we might have time to get her back. We will go to Lyndon who is in Desborough in Northants. Lyndon?

LYNDON: Hello.

LEWIS: Your question, quickly if you would.

LYNDON: Well it's really making people aware of the changes in the pension system. They're not issuing pension cheques anymore and the alternatives are an absolute nightmare to try and resolve for anybody who's disabled or not fully mobile.

LEWIS: So these are people who were on giros and took them to the Post Office and cashed them, but now they have to do something else?

LYNDON: Well the options ... The first option is into a bank account, but you've got to be able to get there and use a PIN machine and you can't give your PIN number out without breaking security. The second option is a Post Office savings account, but you've got to have £500 to open one or have one open and it still uses a PIN machine.

LEWIS: (*over*) I think you can open a Post Office card account.

LYNDON: The third one is a simple payment card, which can only be used in specified outlets. And I know of an area where there's 150 shelters, properties plus a nursing home and their nearest outlet is a mile away in an unsafe area.

LEWIS: Yes, so they're moving the payments. Will Hadwen, they're moving them from Post Offices to pay points, which of course are in local shops, aren't they?

HADWEN: Yes. And that could be a problem because in fact, as Paul has done some research and discovered, that there are fewer of these pay points than there are Post Offices.

LEWIS: Yes.

HADWEN: So apart from anything else, you're less likely to be near one.

LEWIS: And of course it's not how many there are nationally, but where the nearest one to you is that's going to affect individuals.

HADWEN: Yes. I mean we certainly think that your mum should be an exception to this change, and I'm sure that you've already tried to contact the DWP to get them to agree to this. If you're having problems with doing that, I would do two things - contact your MP and also consider using the Equality Act.

LEWIS: Okay, use the Equality Act. Well that's something we might be pursuing on Money Box. But I'm afraid that is all we have time for. My thanks to Will Hadwen from Working Families; Phil Agulnik from Entitledto.com, and Jean French of Carers UK. And thanks for all your calls and emails - far more than we could ever get through. More about benefits on our website, bbc.co.uk/moneybox, and in a couple of days you should be able to read a transcript there. I'm back at noon on Saturday with Money Box itself and here to take more of your calls on Money Box Live next Wednesday afternoon. Subject: renting and letting.