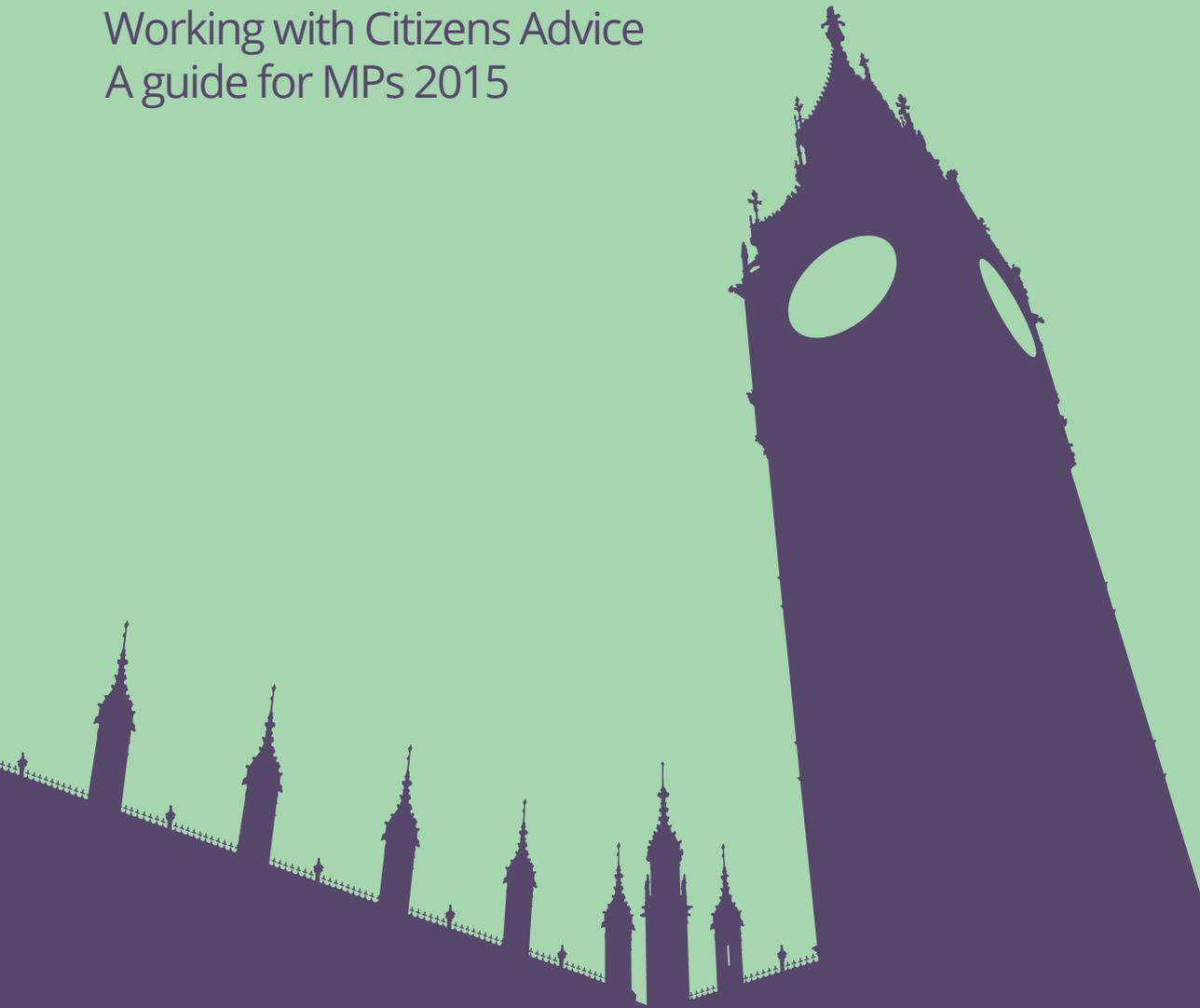


**citizens
advice**

Helping your constituents

Working with Citizens Advice
A guide for MPs 2015



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Foreword

Every local Citizens Advice shares a common purpose with its local MPs; to help people help themselves and build a stronger community.

This guide is an invaluable resource for all MPs and your staff, new and old, to support you to help your constituents.

It includes an advice toolkit covering a range of issues, which provides practical steps you and your office can take when someone comes to you for help; sets out the vast array of constituency level data we can share with you, such as the most common problems people in your constituency come to us about; and gives some examples of how MPs and Citizens Advice have worked together in the past to the benefit of local people.

For 75 years Citizens Advice has helped people to solve problems and changed lives. Last year, empowered by 21,600 highly trained volunteers, we helped 2.5 million people with 6.2 million issues through our services and a further 20 million visitors via our website.

We very much look forward to working with you to improve the lives of people across your constituency.

Gillian Guy

Chief Executive
Citizens Advice

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Useful websites and helplines

Who we are and what we do

“Citizens Advice form a fantastically important part of the fabric of society and support for people locally”
Rt Hon Oliver Letwin MP, West Dorset



About Citizens Advice

Citizens Advice is a charity that helps people to solve problems and changes lives.

- We provide free, independent, confidential and impartial advice to everyone to help people solve their problems.
- We are the consumer champion; providing education, alongside our advice and advocacy, to empower people with the skills to help themselves.
- We use the experiences of the people we help to campaign for changes to solve collective problems.
- We use our local and national data to understand the impact of policy and regulation, and identify solutions where it is having a negative effect on people's lives.

Our service is delivered by dedicated staff and highly trained volunteers. Last year 21,600 volunteers supported the delivery of our work alongside our 7,000 paid staff.

Last year we helped **2.5 million people** through face to face, telephone and email advice to find a way forward with **6 million issues**. A further **20 million visitors** were assisted via our website. We help people with a vast array of issues including debt, employment, housing, welfare, relationships, consumer issues and immigration.

Our advice channels

We provide advice face to face, over the phone, by post, email or web chat and via our self help information website – citizensadvice.org.uk.

Our advice channels include:

- Over **600 local Citizens Advice** in communities across England and Wales – to find your local Citizens Advice go to citizensadvice.org.uk
- Almost **2,000 outreaches** in local communities, such as GP surgeries, hospitals, libraries, prisons and community centres
- Last year we provided one-off services in over **1,000 other locations**, such as shopping centres, schools and faith groups
- The **Citizens Advice Consumer service** helpline – 03454 04 05 06 (You can talk to a Welsh-speaking adviser on 03454 04 05 05)
- Self help information on the Citizens Advice website – citizensadvice.org.uk
- Our **Extra Help Unit** helps people with complex energy or postal complaints. The unit is not a public helpline – people can be referred to it by the Citizens Advice Consumer Service or their local MP.

Citizens Advice also delivers the Witness service and the face to face tranche of Pension Wise.

Pension Wise and Witness service

Pension Wise

Citizens Advice delivers the face to face tranche of Pension Wise – see page 73 for more information.

People can get free and impartial pensions guidance in three ways: face to face, online, or on the phone. Citizens Advice delivers face to face Pension Wise appointments from over 500 locations across England and Wales.

Where to signpost constituents to:

- People who are close to or over 55 are eligible for a face to face or telephone Pension Wise appointment. They can go to pensionwise.gov.uk or contact any local Citizens Advice to make an appointment.
- Anyone can get online guidance by visiting pensionwise.gov.uk

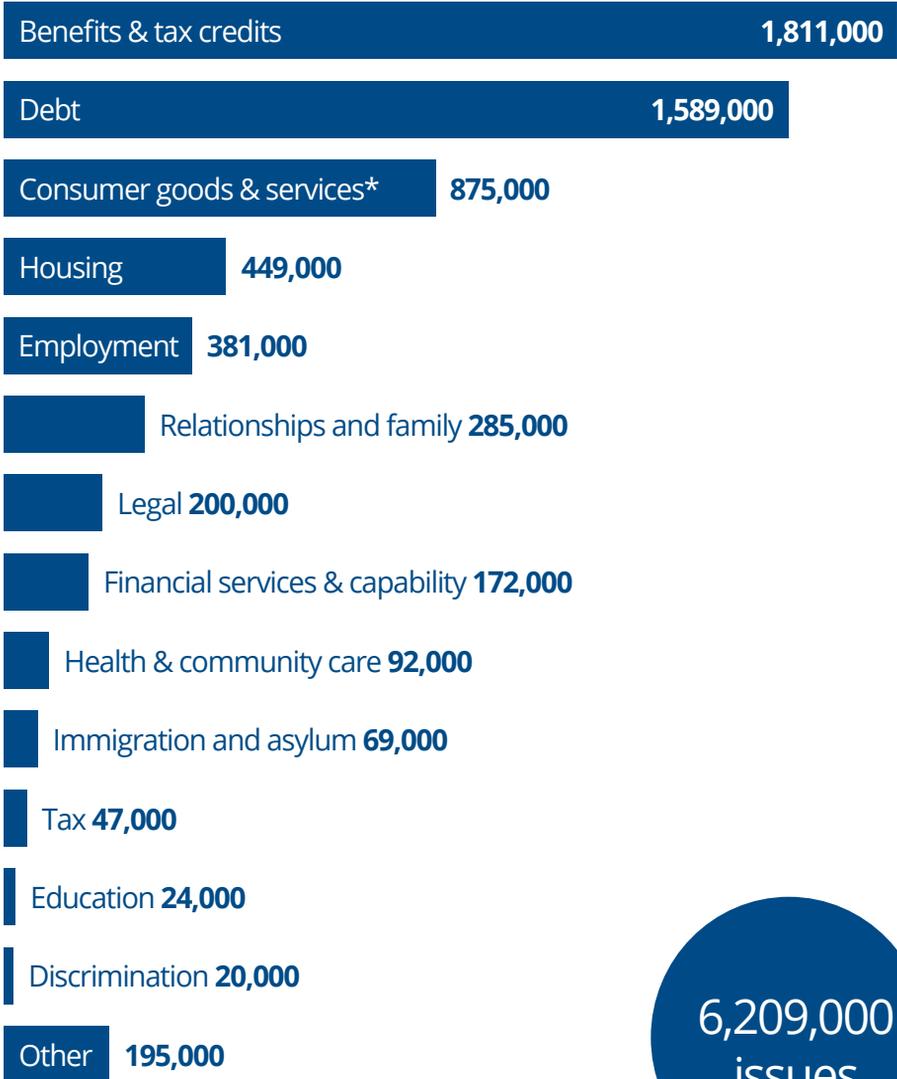
Witness service

In April 2015, Citizens Advice took over responsibility for the Witness service (previously delivered by Victim Support) – see page 75 for more information.

Where to signpost constituents to:

- Constituents can self-refer by calling the answering machine service on 0300 332 1000, or by contacting the Witness service at the court which is hearing the case.
- Further information is available at citizensadvice.org.uk (search 'going to court').

Top advice issues in 2014/15



*Including Utilities, comms, travel and transport

Our social and economic value

We help solve problems for **two in three** people who come to us, and help people to develop the skills and confidence they need to help themselves.

This represents considerable value for communities, the public purse and society as a whole – **for every pound spent on Citizens Advice we are worth at least four pounds to society.**

Part of this value is from advice interventions helping to relieve pressure on local public services.

The people we help tell us that our advice does more than just solve a problem.

Four in five say that our help improved their life in other ways such as reducing their stress, improving their physical health or increasing their finances.

Our social value can also be seen in the way we bring local people together, through our army of volunteers, our support for local communities and our national network.

This is what is unique about Citizens Advice.

“Citizens Advice provide an invaluable service in our communities helping with a range of issues which cause or exacerbate existing mental health problems.”
Grahame Morris MP, Easington

Our volunteers

Every year **21,600 volunteers** donate nearly **7 million hours** to the service, which is worth £109 million.

Our continual investment in our volunteers' development ensures that everyone who comes to us for help receives a high quality of advice and support.

It also has benefits for volunteers themselves, as Citizens Advice volunteering develops the way that they feel about themselves, their capabilities and their community. For example, all of our volunteers gain at least one practical skill, and **nine in ten feel better equipped and empowered to deal with issues in their lives.**

By strengthening communities and bringing people closer together, this improves social cohesion and gives people a greater stake in their locality – **three in four volunteers feel better equipped to be an advocate for their community.**

Such improvements have knock-on effects for society, through happier, healthier and more productive citizens. We reduce the barriers that prevent people moving into work: **nine in ten unemployed volunteers believe the experience is helping them to move into employment, education or training.**

“I have worked with them on numerous occasions and I can testify to the expertise of their volunteers and paid workers.” **Mark Williams MP, Ceredigion**

Wales, Scotland and Northern Ireland

Citizens Advice Cymru

Part of the national Citizens Advice organisation, Citizens Advice Cymru is the largest integrated, voluntary sector provider of advice in Wales. Citizens Advice Cymru has 20 member local Citizens Advice, which deliver services from over 375 locations. During 2014/15 local Citizens Advice in Wales helped more than 117,000 people with over 380,000 problems.

Citizens Advice Scotland

Citizens Advice Scotland (CAS) is the umbrella organisation for Scotland's network of 61 members. These members, as independent charities, deliver free, impartial and confidential frontline advice services. CAS helps more than 300,000 people solve their problems each year in communities everywhere from city centres to the Highlands and Islands. For further information, visit the CAS website at cas.org.uk

Citizens Advice Northern Ireland

Citizens Advice is the largest advice charity in Northern Ireland, working against poverty and meeting the information and advice needs of over 95,000 people each year in local Citizens Advice and over 320,000 people viewing more than 2.2 million topics online via the Citizens Advice Northern Ireland website. Advice is available from 28 main offices across Northern Ireland and from over 110 other outlets. More information can be found at citizensadvice.co.uk

How Citizens Advice can help you

"Citizens Advice is the fourth emergency service."
Chuka Umunna MP, Streatham



Advising your constituents

We share a common goal with you to improve the lives of people in the community and help those who face problems find a way forward.

Our advisers do not tell your constituents what to do. They explain the options available to that individual and the possible outcomes of different courses of action.

People are encouraged to make their own decisions and act on their own behalf. We enable them to manage their own problems by focusing on their needs as individuals.

Our advisers:

- interview people face to face and by phone, email and webchat to find out about their issue(s)
- help people access Citizens Advice's online information system
- help people to negotiate with companies or service providers such as creditors or to appeal against decisions on, for example, welfare benefit claims
- assist people to contact businesses and service providers
- help people prioritise their problems, for example, to sort out which debts are most important
- help people navigate bureaucracy, for example filling in forms
- represent people in court and at tribunals (although not every local Citizens Advice is able to offer this service)
- refer people to specialist caseworkers for complex problems or to other agencies when appropriate.

Helping you manage casework

A central function of an MP's office is the management of casework and the resolution of constituents' problems and concerns.

Establishing strong working relationships with agencies in the local area helps ensure that issues are dealt with promptly and systematically, with processes well understood.

An early conversation with your local Citizens Advice Chief Executive will help establish ways of managing casework and referrals, sharing expertise and agreeing how best to work with your office.

There are several ways that working closely with Citizens Advice can help you manage casework. These include:

- agreements on the prioritisation of cases
- holding joint surgeries on specialist topics
- agreeing cross-referral processes to ensure that constituents receive assistance from specialist advisers, and where a case requires the MP's intervention that this can be applied for appropriately for further action
- sharing premises for advice sessions.

MPs and local Citizens Advice can also combine their expertise, local networks and media presence to run successful awareness raising campaigns on issues affecting local people.

“In my experience, the expert and professional advice marshalled by Citizens Advice makes all the difference to whether our constituents receive justice.”

Sarah Wollaston MP, Totnes

Providing constituency data

Citizens Advice has an unrivalled amount of front line, real time evidence showing the problems people face as they navigate markets and bureaucracy.

We use the evidence gathered locally, on the phone and online to achieve positive change for the people who come to us for help and wider society. This evidence is analysed nationally and locally, identifying and considering statistics and trends.

This data is available at constituency level. We can tell you how many of your constituents came to see us about a specific issue yesterday, likewise we can inform you about the top issues your constituents have had in the past 12 months. We can also often provide constituency-level statistics and anonymised case studies for use in speeches and Parliamentary debates.

We have a range of tools we can share with you:

Constituency dashboards, reports, maps and stats

Every year Citizens Advice produces a dashboard for each constituency, which gives an overview of the most common problems people face, their demographics and what parts of the constituency they live in.

As well as these dashboards, local Citizens Advice can provide you with live in-depth constituency information on a range of subjects in a range of helpful formats, such as maps or reports. If you want to delve deeper into a specific issue affecting your constituents, we can help you to spot any local trends. Next time you visit your local Citizens Advice, please do ask for a demonstration of what is available. This information is also available at local authority level.

Supporting your Parliamentary work

Evidence-based advocacy

Citizens Advice uses the evidence gathered locally, on the phone and online to achieve positive change for the people who come to us for help and wider society. This evidence is analysed nationally and locally, identifying and considering statistics and trends.

We help two in three people resolve their problem. Our research shows that for the majority of the other third of people whose problem we cannot solve, the barrier is a systemic policy failure.

Therefore we have a responsibility, using the evidence collected by our advisers, to identify where this system failure is happening and to undertake research and campaigning work to find solutions and make the case for change.

As part of this we share our evidence with parliamentarians so that you can use it to develop policy and legislation, inform debate and request intelligence from Government departments.

On top of our research and campaigns publications, we produce briefings for debates in the House, propose amendments to legislation, and provide supporting statistics and anonymised local case studies. These are often invaluable resources for MPs and their offices.

Working together: best practice examples

CASE STUDY

Joint referral system

Citizens Advice Broxtowe built up a strong relationship with their local MP, **Anna Soubry**, by setting up a direct referral system for constituents. People could be signposted to the local Citizens Advice by caseworkers, and likewise Citizens Advice Broxtowe could refer constituents to Anna's office. This led to increased information sharing and cases being dealt with more efficiently.

CASE STUDY

Co-locating surgeries

Citizens Advice Denbighshire built up a strong relationship with their former MP, **Chris Ruane**, by identifying shared issues of interest and providing him with space to hold his regular surgeries across the constituency. Co-locating constituency surgeries on Citizens Advice premises means that an MP and local Citizens Advice can easily cross-refer cases and call upon each other's expertise. It is also simpler for constituents as they are familiar with the location.

Joint campaigns

Citizens Advice Cornwall built a strong relationship with their local MP, Sarah Newton. As part of this they regularly shared information about the most common problems local people were facing. Sarah followed up many of these by writing to the Minister responsible for that issue or asking if her constituent wanted to contact the Minister directly.

During 2012 and 2013 Citizens Advice Cornwall identified a problem caused by a lack of access to free school meals for students in further education colleges. Students of the same age were able to have free school meals if they attended a school. Citizens Advice Cornwall began campaigning on this issue and supported Sarah to raise it in Parliament. Other MPs raised the situation in the media. Sarah secured a ministerial commitment to investigate the issue and the Government introduced free school meals in further education colleges in September 2014.

East Hertfordshire Citizens Advice found that the lack of an assessment centre in the county made it very difficult for disabled people in Hertfordshire to attend disability benefit assessments. They alerted their local MP, Sir Oliver Heald, to the issue and provided him with evidence of the problems faced by his constituents. Sir Oliver, supported by Citizens Advice, raised the issue with the Secretary of State for Work and Pensions. The issue was then addressed by the Minister for Disabled People with a commitment for a new assessment centre in Hertfordshire. This was a fantastic result for the local community and will make it easier in the future for disabled people to claim the benefits they are entitled to.

Citizens Advice West Berkshire calculated that the closure of local courts in Newbury would result in people receiving benefits spending 12 per cent of their weekly Job Seeker's Allowance on travel costs if they needed to attend court. Citizens Advice West Berkshire worked with their local MP, Richard Benyon, to draft a detailed response to the consultation and oppose the closures. Richard took up the issue with the Justice Minister and the closures were averted, which was a relief to some of the most vulnerable people in the community.

CASE STUDY

Regular catch ups

Citizens Advice Exeter discussed casework with their local MP, Ben Bradshaw, most Fridays and wrote to him every quarter to share statistics on advice trends. They shared with Ben the emerging issues they saw affecting local people, so that he could raise them in Parliament and with the Government on behalf of his constituents. Citizens Advice Exeter is also a member of its local chamber of commerce. This group of local organisations would meet with Ben twice a year to discuss developments in each sector, under the Chatham House rule to keep the conversations honest and confidential.

CASE STUDY

Sharing local evidence

Citizens Advice Coventry regularly shared local evidence and data with their MPs, Bob Ainsworth, Geoffrey Robinson, and Jim Cunningham, to help inform their work in Parliament and their constituents' casework. Jim, for example, used our data about his constituents to inform the questions he asked the Minister for Disabled People on mandatory reconsideration. All these MPs worked closely with Citizens Advice, promoting our reports in the local media and highlighting policies that were negatively impacting their constituents with the hope of achieving support to change these.

Benefiting constituents: translating Citizens Advice evidence into legislation

Retaliatory eviction

Citizens Advice evidence from local communities was pivotal to the recently passed legislation to end retaliatory evictions. Retaliatory eviction is the phrase used to describe when a tenant has been served an eviction notice by their landlord, after they had requested – in writing – essential repairs to be made to the property.

Citizens Advice Sefton first identified this issue in 2007, and the experiences of the local people they helped led them to write a report called *The Tenant's Dilemma*, highlighting the increasing number of retaliatory evictions.

Subsequent Citizens Advice data showed enquiries about home repairs correlated with eviction enquiries amongst tenants who were not in rent arrears. In 2014 there was a 38 percent rise in these enquiries, suggesting retaliatory evictions were increasing and we shared this worrying trend with MPs.

With our support, former MP Sarah Teather took up the Tenancies Reform Bill 2014–15 after being successful in the Private Members' Ballot. Despite receiving cross-party support, the Bill was unfortunately talked out at Second Reading stage.

However the Bill had galvanised local Citizens Advice as well as MPs. The Government was persuaded of the need to tackle retaliatory eviction and made amendments to the Deregulation Bill, which tightened the law in order to prevent retaliatory evictions.

Using Citizens Advice evidence, MPs achieved a change in the law that ensured their constituents who rent in the private sector no longer have to choose between fear of eviction and living in a safe home.

All-Party Parliamentary Group

Citizens Advice provides the secretariat for the Citizens Advice All-Party Parliamentary Group, which we encourage all MPs to join. It provides a forum to discuss and keep updated on emerging issues and trends nationally and in your constituency.

The Citizens Advice All-Party Parliamentary Group was established in spring 2006 to offer an opportunity for interested parliamentarians to raise policy and service issues of concern with Citizens Advice.

The Group allows parliamentarians to show their support for the Citizens Advice service and hear about issues affecting their constituents. It also provides a vehicle for MPs to support Citizens Advice's campaigning work.

Please contact toby.brown@citizensadvice.org.uk if you would like more information or to join this group.

How to contact us

Find your local Citizens Advice

Go online to citizensadvice.org.uk/getadvice

For parliamentary enquiries:

Toby Brown, Parliamentary and Public Affairs
Citizens Advice, 3rd Floor,
200 Aldersgate, London, EC1A 4HD
Email: toby.brown@citizensadvice.org.uk
Tel: 03000 231 236

Your advice toolkit

“Citizens Advice’s understanding of the issues facing individuals and communities across the country is second to none.”

Yvonne Fovargue MP, Makerfield



Introduction to advice toolkit

Whether it is by letter, email, phone or face to face at one of your surgeries, constituents will seek your advice, support and influence on a formidable range of matters.

The following pages are intended to be a guide for how best to approach and respond to some of the issues your constituents are likely to raise. They give guidance on specific issues such as debt, housing and employment. A step by step methodology is set out, including the questions to ask and information required, to help you to help your constituents resolve their problem.

Your first conversation with a constituent looking for advice

The nine points below, based on Citizens Advice adviser training, give you and your staff a checklist for your first conversation with a constituent looking for advice:

1. If on the phone, ensure you give your name and explain who you are.
2. Speak in a tone that conveys an atmosphere of calm, unhurried attention.
3. Identify and respond to the caller's state of mind or feelings about their situation – if the person is upset you may need to suggest they call in for a face to face appointment.
4. Give people time to fully explain their situation. You may identify that a person is having difficulty explaining their situation on the phone – this might be because of language issues or disability. In these cases you should suggest the person comes in for a face-to-face appointment.
5. Provide a non-judgemental summary of the constituent's situation to them to show understanding and acceptance of their viewpoint.
6. Identify any urgent issues needing immediate action and discuss the possibility of tackling these before consideration of other issues.

7. Identify if the constituent needs any other advice and help them to contact the appropriate agency/helpline.
8. If it is necessary to see letters and documents you could arrange for the person to visit the surgery or office. Remember that if you are going to contact certain third parties on the person's behalf you will need signed authorisation from them.
9. Ensure you have taken the constituent's contact details.

Having followed this checklist you should be in a position to understand the appropriate next steps to take.

In 2014/15, **20 million** visitors accessed self help information from the Citizens Advice website – citizensadvice.org.uk.

Signpost, refer or deal with personally?

There will normally be three options for dealing with a constituent's query: signposting, referral or dealing with the matter personally.

Signposting is where you provide information about other sources of help, and the constituent makes contact with those organisations themselves.

Referral is where you agree, with the constituent's consent, to contact an agency to arrange an appointment for them. This is helpful when the case is urgent, the person needs more support (e.g. is disabled or has a long-term health condition, has young children or is an older person) or you have already gathered a good deal of information which may be useful in progressing the case. Referral might also be appropriate if the person needs an interpreter or signer.

At the end of this guide there is a list of useful organisations for signposting and referrals. This list will need to be supplemented with your own local agencies.

MP's office deals with the matter personally. There are certain scenarios when an MP's intervention can be particularly useful for a constituent, for example, when the person is seeking to obtain a response from a statutory body, when there has been a delay in dealing with a complaint or when all other avenues have been unsuccessful.

However, in the majority of cases signposting or referral to an advice agency is the appropriate course of action. That is why it is really important to have built a relationship with your local Citizens Advice.

Top tips to help constituents manage their finances through a crisis

Many households continue to face a mountain of personal debt and any change of circumstances at home or work could lead to problems that appear insurmountable. Here are some tips to help your constituents overcome these challenges.

Do not bury your head in the sand

1. Get advice

There are many organisations which offer free and independent advice such as Citizens Advice, Shelter, National Debtline and StepChange. Their advisers can assess your situation and work out the best course of action for you.

2. Contact your creditors

Ignoring a problem will only make it worse. Do not ignore calls or letters from anyone you owe money to (your creditors). Contact them to explain why you are having problems. The sooner you do this, the more options you will have for solving your financial problems.

3. Pay your priority debts first

If you have debts, there are some you need to pay first before others, called priority debts. This is because the consequences of not paying them can be much more serious. For example, mortgage or rent debts are a priority because if you do not pay these, you could lose your home.

Free debt advisers can help you plan your budget and pay your priority debts first.

4. Think twice about taking out a loan to pay off your debts

Think twice about taking out a loan to pay off your debts. If you take out another loan, you may end up paying back a lot more than you borrowed and at high interest rates. You may not be able to afford the repayments. If the loan is secured against your home you risk losing it if you can't pay. Make sure you understand exactly what a new loan might mean for you and get advice before you sign anything.

5. Do not ignore your mortgage problems

There are rules about the steps that mortgage lenders must take before they can start court action against you – so try and get advice as soon as you start getting into difficulty with your mortgage.

Selling your home and renting it back might seem like a quick fix to your debt problems. But many mortgage rescue schemes offer very little security. You could end up paying very high rent or even being evicted. Get advice before you sign up to one of these schemes.

If you are struggling with mortgage repayments, you may be tempted to return the keys to your lender or abandon your property. Do not do this without advice. You could still be responsible for the debt on the property and may be liable for it years later.

Always attend any court hearings yourself, with an adviser if possible. Court proceedings do not mean that you will automatically lose your home. The court process acts as a final check to make sure repossession is the last resort. Ask in court whether there is an advice desk where you can get last-minute assistance.

Look at your spending

6. Work out a budget

Work out how much money you have coming in and going out of your household on essential expenses like food, bills and travel to work. There is a budgeting tool at citizensadvice.org.uk to help you do this.

Check to see if you can save money on your bills and whether you are claiming all your benefits (see below). When you've drawn up your budget, work out how much is left over to pay creditors. If you cannot afford to pay back all the money you owe, work out how much you can afford and offer to pay this. A debt adviser can help you do this.

7. Check to see if you can save money on bills and other costs

Use price comparison websites to check if you could save money on your household bills (such as energy, car insurance and broadband) by switching to a different deal or a new supplier.

If you are on a low income, you may be able to claim help from government schemes for:

- health costs such as prescription charges and dental costs
- education costs such as school meals and clothing
- improving energy efficiency (which can help cut down the fuel bills).

Your gas and electricity supplier may be able to help you if you have fuel debts.

There are some charities which give grants to people to help pay their bills or buy essential items. You can find details of these charities on the Turn2Us website at turn2us.org.uk.

The NHS Choices website has tips on how to stay healthy when times are hard, including how to spend less on your food shopping and still eat healthily. Go to nhs.uk/livewell/onabudget.

Maximise your income

8. Check whether you can get benefits

Are you getting all the money you are entitled to? There may be benefits or tax credits you can get which you have not claimed.

If you are in work, you might get Working Tax Credit even if you do not have children. If you have children, are you claiming Child Tax Credit? Even people with quite large salaries can be entitled to this benefit. You may be able to get Council Tax support or Housing Benefit to help you pay your council tax and rent. You do not necessarily have to be out of work to get these.

If you lose your job, go to your local Jobcentre Plus office and start claiming benefits as soon as you can. You might be entitled to benefits such as Jobseeker's Allowance or Housing Benefit – or, (depending where you live) Universal Credit. You may also get help with your mortgage interest after a few weeks of becoming unemployed.

Whether you are in or out of work, you may be able to make a backdated claim for benefits, that is, you can get money for a period in the past. In some cases, you can work for a few hours a week without your benefits being cut.

9. Get help finding work

You can get help to look for a job. You can get advice on how to fill in application forms and prepare for job interviews. There is extra support if you are a lone parent, disabled, over 50, leaving school or college, or if you have been unemployed for a long time. Learning new skills could improve your career prospects. Some courses are free, or you may be able to get financial help.

You can get free, confidential career and training advice if you phone the National Careers Service advice line on 0800 100 900.

When times get hard, get advice

10. Get help if you lose your home

Your local authority has a legal duty to provide help to certain people who are homeless or threatened with homelessness. You may qualify if you are in priority need. This could be because you have dependent children or are pregnant, or it could be that you are vulnerable because you have a physical and/or mental health issue or disability. Get expert advice about how to make a possible application for homelessness assistance and look at housing options if you lose your home.

11. Check your rights if you lose your job

Make sure your employer pays you what you are legally due if you lose your job. You might need advice about your employment rights but there is also lots of information available online on websites such as [citizensadvice.org.uk](https://www.citizensadvice.org.uk). For example, if you are an employee and have been working for two years, you should not be dismissed unfairly (this includes being chosen unfairly for redundancy) and you may have the right to a redundancy payment. Nearly all workers are entitled to paid holiday and when you leave your job you should be paid any other money you are owed, such as unpaid wages and unpaid holiday pay.

All workers have the right not to be discriminated against, and if you have been dismissed for a discriminatory reason then you may be able to make a claim to an employment tribunal for compensation or reinstatement.

Debt

Debt accounts for over a quarter of all the enquires to Citizens Advice.

In 2014/15 Citizens Advice helped people with **1.6 million debt issues** face to face, on the phone and by email. There were also **5 million visitors** to the debt self help information on the Citizens Advice website.

In recent years, there has been an increase in the number of people in priority debt; debt where non-payment carries the risk of homelessness, loss of essential services, a fine or custodial sentence.

When assisting constituents who approach you with debt or money related issues, in most cases you will signpost or refer to Citizens Advice or another local advice provider.

The most important thing to find out at the first interview is the urgency of the situation. If possible, you should advise the agency you are referring to of this.

People in debt will often be in a state of distress. It is extremely important to reassure people in debt and impress upon them the importance of prompt action as if the problem is ignored, it will not just go away.

Having all the necessary information to hand, with details on actions already taken, can make it easier for an adviser working with your constituent to identify the urgent matters to deal with.

Key steps for someone to take with a constituent when dealing with debt:

Step One – make a list of their debts

- Before you can tackle a debt problem, all involved in helping need to understand exactly what the problem is and its size. The constituent needs to collect as much information as they have about their financial affairs including making a list of all of their creditors.
- The following information is needed for each debt:
 - the name and address of the creditor
 - the account or reference number
 - the amount owed.

Step Two – work out their budget

- The constituent needs to list all the income and expenses for their household.
- Our online budgeting tool can help with this task: citizensadvice.org.uk/debt-and-money/help-with-debt/budgeting.
- Encourage them to be honest and make sure that the amounts are realistic.
- When the constituent has added up all the figures, they will see if they have any money left over to pay their debts. An advice agency can help the constituent draw up a budget and help them to increase their income if this is possible.

Step Three – sort out priority debts

- When the constituent has worked out how much they have left over after paying their expenses, they need to contact each of their priority creditors to explain why they are having difficulty making payments and to make alternative arrangements. If need be an adviser can help.
- Priority creditors are creditors who are owed priority debts, where non-payment carries the risk of homelessness, loss of essential services, a fine or custodial sentence. For example, mortgage or rent, council tax or utility bills arrears.

Step Four – sort out non-priority debts

- How the constituent deals with their non-priority debts will depend on whether they have any money left over from dealing with their priority debts such as council tax, and paying for essential household expenses such as housing costs and food.
- Constituents may have a number of options for dealing with their non-priority debts, including one of the debt remedies designed to help people with little or no spare money.
- It's important that people consider all their options before deciding what to do. An adviser can help constituents to work out and implement the best course of action for them.

Key dates to check with the constituent:

- any court and eviction hearing dates/bailiff dates
- when any court forms need to be returned by.

What constituents should take with them when seeking further help:

- statements and correspondence from creditors
- court papers
- utility bills
- proof of income
- copies of any insurance policies.

Online tools

There are a range of online tools to help your constituents manage their money.

The Citizens Advice information website [citizensadvice.org.uk](https://www.citizensadvice.org.uk) includes a list of what priority debts are, template letters, budget calculators and interactive guides to help constituents work through their finances.

Housing

In 2014/15 Citizens Advice helped people with **450,000 housing issues** face to face, on the phone and by email. There were also over **3.5 million visitors** to the housing self help information on the Citizens Advice website.

Housing queries will generally be about one of the following areas:

- homelessness or threatened homelessness
- housing conditions/costs
- people wanting to move or be re-housed
- landlord and tenant issues (such as harassment and tenancy agreement issues).

The first step with most housing enquiries is to find out the person's housing status. This determines most of their rights, and how secure a constituent is in their home.

The rules on access to housing are different for some people depending on their immigration status.

The rules on housing matters are complicated so it may well be worth consulting a local advice provider to check the position. The following are the kind of details that will need to be established:

General details:

Home ownership

- Is the constituent married, or in a civil partnership, or living with a partner?
- If so, do they own the property as 'joint tenants' or 'tenants in common'?
- When did the constituent move into the property?
- If they own a property, is there a mortgage or other loans secured on the property?
- If so, who is their lender, or lenders?

Tenants

- In whose name(s) is the tenancy agreement?
- When did the tenancy start?
- Type of tenancy (if presenting with notice)
- What rent, if any, is paid?
- Who is the constituent's landlord?
- Who does the constituent pay?
- Is the accommodation related to their employment?
- Does the landlord or a relative of the landlord live in the same building as the constituent?
- Did the constituent move from another property owned by the same landlord?
- Does the constituent share accommodation with anyone who is not in the constituent's household?
- Does the constituent have a written agreement, letters, receipts for rent and/or deposit?
- If the constituent has nothing in writing, what did they agree verbally?

Homelessness or threatened homelessness

This is nearly always urgent and will need to be signposted or referred to your local Citizens Advice, law centre or independent advice agency. Homelessness and the need for urgent advice may often be a factor in domestic violence cases.

Questions to ask:

- Where is the constituent currently staying?
 - Is there a verbal or written agreement in relation to their current accommodation?
 - Is the constituent homeless or threatened with eviction?
 - Is there an emergency, e.g. a possession hearing or eviction notice?
 - Has the constituent been in touch with the local authority homelessness unit and what was their response?
 - Has the constituent had a decision letter from the local authority housing department (with Section 184 of the Housing Act 1996 in the heading) and, if so, what did it say?*
 - What was the date of that letter? (People only have 21 days to request a review in these cases).*
- *Not applicable in Wales*

Key dates to check:

- start date of tenancy – if the person has been a council or housing association tenant for less than a year and has rent arrears or has done something else in breach of their tenancy agreement this makes the situation more urgent
- any court hearing dates
- any eviction date (bailiffs)
- date of any Section 184 letter (homelessness decision).
(Not applicable in Wales)

What people should take with them if seeking further help:

- rent statement/mortgage statements
- tenancy agreement/mortgage contract
- court papers
- all correspondence with landlord/mortgage lender including any notices served
- Housing Benefit and Universal Credit letters
- proof of income
- correspondence received relating to homeless application
- passport/immigration information.

Tests to determine homelessness

If a constituent applies to a local authority as homeless, the authority will apply five tests to determine what duties are owed.

Test 1: Eligibility for assistance

- Is the constituent subject to immigration control, or not habitually resident in the UK?

Test 2: Are they homeless now or threatened with homelessness within 28 days?

- Where is the constituent living now?
- Why does the constituent need to leave their current accommodation?
- When do they need to leave by?

Test 3: Priority need

A constituent will normally have a priority need if they, or anyone in their household:

- is pregnant
- has a dependent child or children

- is homeless due to an emergency, e.g. flood, fire or other disaster
- is aged 16 or 17
- is aged between 18 and 21, with a care background
- is vulnerable because of old age, illness, disability, or other reason.

Or someone may have a priority need if they have:

- been in care, prison or the armed forces
- experienced domestic abuse/violence.

Test 4: Intentional homelessness

(Not applicable in Wales)

- Why did the constituent leave their last settled accommodation, or why are they being asked to leave their current accommodation? (Sometimes you will also need to ask about earlier accommodation).

Test 5: Local connection

- Which local authority does the constituent want to apply to?
- Has the constituent lived in that area? Since when and how long for?
- Is there a family member in the area whom they want to live near?
- Does anyone in the household have a job in the area? (Not casual employment).
- Is there a special reason for wanting to live in that area?
- If the constituent has no connection with preferred local authority area:
 - does the constituent have a connection with another area?
 - if not, does the constituent have a special reason why they do not want to live there? (For example, fleeing violence).

Housing conditions and costs

These problems could be about disrepair, service charges for leaseholders, or constituents generally having difficulty meeting housing costs. Information in the debt and benefits and tax credits sections of this guide may be useful here.

In most cases these issues are less urgent, but if arrears are building up, the situation could become quickly more serious. You may decide to write to the landlord or the local authority on behalf of your constituent, or signpost/ refer to your local Citizens Advice, law centre or independent advice agency.

In serious disrepair cases, the local authority Environmental Health Officer may be contacted to become involved.

From 1 October 2015 in England the position of assured shorthold tenants against retaliatory eviction will be strengthened. New legislation will come into effect preventing landlords from issuing an eviction notice within six months of a tenant making a formal written complaint about disrepair and the local authority issuing a notice to the landlord regarding that disrepair.

Illegal eviction and harassment

Harassment from a landlord or neighbours can be serious. These cases should be referred to the Local Authority Tenancy Relations Officer (or equivalent) or referred to local advice agencies.

Information to establish:

Illegal eviction

- What has the landlord (or someone instructed by them) done to make the constituent leave?
For example: locked them out, made threats to lock them out, moved someone else in.

Harassment in housing

- Has the landlord (or anyone instructed by them) made the constituent's life difficult (to try to get them to leave)? e.g. cutting off gas/electric, changing locks, coming in uninvited, late night visits, racial/sexual abuse of constituent, threatened constituent.
- Is there any suggestion of discrimination on any of the grounds covered by the Equality Act? e.g. race, sex, pregnancy, disability, religion and/or belief, age, sexual orientation, gender reassignment, marriage and civil partnership.

Housing options

A constituent may be looking for housing because they have no settled accommodation, or their current accommodation is unsuitable for a range of reasons.

It is useful to be familiar with the local authority's housing allocation policy and to have an awareness of other social housing providers that operate in the area, so that you can explain this to people.

In these cases, you may choose to write to the local authority on the constituent's behalf or refer them to your local Citizens Advice, law centre or independent advice agency.

Information to establish:

- Why is the constituent looking for accommodation?
- Do they want to stay in their current accommodation?
- Does the constituent need accommodation with support, e.g. help with life skills, for example budgeting?

Short-term options:

Does the constituent need emergency or temporary accommodation? Options to explore include:

- making a homeless application, if applicable
- hostels or temporary accommodation projects
- a refuge
- family or friends.

Longer-term options:

- Apply for local authority or housing association accommodation or to be transferred to alternative social housing.
- Private rented accommodation – does the constituent have money available for upfront rent and deposit payments or can they access a local rent deposit scheme, rent guarantee or bond scheme?
- Can they:
 - apply as a homeless person to the local authority
 - become an owner-occupier via shared ownership schemes
 - apply to a housing co-op
 - apply to become a property guardian?

Next steps:

- Take up the matter with the local authority housing team.
- Refer the constituent to your local Citizens Advice, law centre or independent housing advice agency.

Benefits and tax credits

Benefits and tax credits account for one in three enquires to Citizens Advice.

In 2014/15 Citizens Advice helped people with **1.8 million benefit and tax credit problems** face to face, on the phone and by email. There were also **8.5 million visitors** to the benefits and tax credits self help information on the Citizens Advice website.

Your constituents may be entitled to receive benefits, tax credits or Universal Credit if they are on a low income or have certain costs to meet because of their personal situation.

They should check if they are eligible for support if any of the following apply to them:

- they are on a low income (whether employed or not)
- they have dependent children
- they are ill or disabled
- they are caring for someone
- they are approaching the age of retirement
- they have been bereaved
- they are pregnant or have recently had a baby.

The rules on claiming benefits are different for some people dependent on their immigration status, and how long they have been in the UK. People who are subject to immigration control are generally not entitled to benefits, although there are some exceptions. Making a claim for benefits may also affect a person's immigration status so specialist advice will be needed in those situations.

In most cases issues with benefits, tax credits or Universal Credit should be referred to local advice providers. They can help with maximising income and challenging decisions.

The situation may be urgent, for example where the person has no money at all or an appeal deadline is imminent.

People may seek your help where there has been an unreasonable delay in dealing with their case or if their application has been refused. If there is a delay in payment of Housing Benefit or Universal Credit or Council Tax support this could be serious as it could lead to the threat of court proceedings, eviction or bailiff action.

Key issues, dates and time limits to check with the constituent:

- whether they are in an emergency situation (e.g. no money at all, near appeal time limits, at risk of eviction)
- circumstances (i.e. reasons for claiming benefits, identifying the problem)
- immigration status
- decision letter dates and any deadline given for forms to be returned, information to be supplied, interviews to be attended
- dates of relevant changes in circumstances e.g. relationship breakdown.

Appeal time limits:

- DWP decisions – one month
- Tax credit decisions – 30 days

What people should take with them if seeking further help:

- own national insurance number and that of their partner, if they have one
- bank statements
- award letters or proof of benefit (including child benefit)
- rent statement (if relevant for Housing Benefit)
- any letters from benefit authorities.

Information on some of the most commonly claimed benefits:

Attendance Allowance

A constituent may be entitled to Attendance Allowance (AA) if they are disabled, have care or supervision needs and are 65 or over. They must not be living permanently in hospital or accommodation funded by a local authority, for example, a local authority care home. The constituent must usually have lived in the UK for two years out of the three years prior to their claim, unless they are terminally ill. They must be living in the UK when they claim, and it must be their normal place of residence.

Carer's Allowance

Carer's Allowance is intended to help people who are giving regular and substantial care to disabled people in their own homes. It is a taxable benefit.

Child Benefit

Child Benefit is a tax-free benefit paid to most people with children. Constituents do not need to have paid any national insurance contributions to receive it. Constituents can receive Child Benefit if they are responsible for a child aged under 16, or a young person aged under 20 if they are still in full-time education up to A level or equivalent, or on certain approved training courses.

Child Tax Credit

Child Tax Credit (CTC) is intended to help people responsible for at least one child. It is paid by HM Revenue and Customs (HMRC). Constituents can receive CTC whether or not they are working. Where two people live together as a couple, they need to make a claim for CTC as a couple.

Council Tax Support schemes

Local Council Tax Support schemes are intended to help people on a low income pay their Council Tax. The eligibility criteria for Council Tax Support schemes vary from one local authority to another. If a constituent is entitled to Council Tax support, their Council Tax bill is reduced.

Disability Living Allowance

Disability Living Allowance (DLA) is being phased out and replaced by Personal Independence Payment (PIP) (see below). However, some people will continue to get DLA until they are assessed for PIP.

DLA is intended to help disabled people under 65. To receive DLA, a constituent must have personal care or supervision needs or difficulty with walking because of a physical and/or mental health issue.

DLA has two parts, the care component and the mobility component. The care component is paid at three rates depending on how often and how much the constituent needs care. The mobility component is paid at two rates, depending on how much difficulty they have with their mobility. Depending on their needs, a constituent may receive one component of DLA, or both together.

Personal Independence Payment

Personal Independence Payment (PIP) is a benefit for people aged 16 to 64 with a long-term health condition or disability. It is gradually replacing DLA except for children under 16.

Employment and Support Allowance

Employment and Support Allowance (ESA) is intended to help people who are too sick or disabled to work and who meet certain conditions. A work capability assessment is usually required to determine whether someone has limited capability for work. Constituents awarded ESA will be placed in either the work-related activity group or the support group. Those in the work-related activity group will need to engage in work-related activity in order to get the full amount of their benefit. Those in the support group are not subject to this condition.

Housing Benefit

Housing Benefit is intended to help people on a low income pay their rent. Constituents may be able to receive Housing Benefit if they are on other benefits and/or work part-time or work full-time on a low income.

It cannot be used to help with the costs of a mortgage or home loan. If a constituent is an owner-occupier, they may be able to receive help with their mortgage interest through Universal Credit, income-based Jobseeker's Allowance, income-related Employment and Support Allowance, Income Support, or pension credits via the support for mortgage interest scheme.

Income Support

Income Support is a means-tested benefit, paid to certain groups of people under state pension credit age who do not have enough money to live on. It is usually only for those who are not required to look for work, e.g. carers.

Jobseeker's Allowance

Jobseeker's Allowance (JSA) is intended to help people who are unemployed but capable of work. There are two types of JSA, one of which is means-tested, the other is not.

To receive JSA, the claimant must meet a range of other conditions which include showing they are looking for work. The Jobcentre Plus office should calculate which type of JSA the claimant should receive if they are eligible.

Pension Credit

Pension Credit is the main means-tested benefit available to people who have reached state pension credit age (i.e the retirement age for women).

Universal Credit

Universal Credit (UC) is a new benefit that will eventually replace many existing means-tested benefits and tax credits for people of working age. UC was introduced in a limited number of areas from April 2013, and has been rolled out more gradually in other areas since that date.

At present, UC is only available to a limited number of people in specific circumstances, but this is likely to change as the rollout continues. You may need to check whether your constituent lives in a UC area and whether they meet the UC conditions to qualify. If they do not, they may be eligible for existing means-tested benefits instead. UC claimants may be eligible whether they are working, looking for work, sick or disabled, or caring for children or a disabled person. UC is not taxable and will be paid monthly.

Working Tax Credit

Working Tax Credit (WTC) is intended to help people who are working but on a low income. WTC is paid by HM Revenue and Customs (HMRC) directly into a bank or building society account, or into a Post Office card account.

The above is not a complete list of all available government support. The welfare benefits system is complex and interlinking – being deemed eligible for one benefit can make a constituent eligible or ineligible for another.

Where you have questions regarding welfare and benefits enquiries for constituents, please do not hesitate to contact your local Citizens Advice who can put you in touch with an adviser who specialises in this area.

Employment

In 2014/15 Citizens Advice helped people with **380,000 employment issues** face to face, on the phone and by email. There were also over **7 million visitors** to our employment self help information on the Citizens Advice website.

Many workers seek our help because they have not been fairly treated at work; for example their minimum legal rights to pay, holidays, sick leave, not to be unfairly dismissed and how to resolve in-work disputes.

There are specialist employment advisers in some local Citizens Advice who can advise constituents and assist them with resolving the problem.

People may come to you because they are having problems at work. They may have been dismissed, or they may have been harassed, bullied or discriminated against. They may feel that their employment rights have been breached or they are owed money by an employer. They may be looking for help to find employment.

The following pages provide some assistance when referring and signposting constituents with these queries.

General questions to ask:

- What has happened?
- Is the constituent still working?
- Is the constituent employed or self-employed? Are they an agency worker or on a zero hours contract?
- What is the nature of the constituent's job and who is their employer?
- Written documents – does the constituent have anything in writing e.g. contract of employment, letter, statements, company policies etc?

If the constituent is not still working:

- What happened? Was the constituent dismissed, made redundant, walked out, suspended? Were they on a fixed-term contract which came to an end? Have they been dismissed while on maternity or sick leave? Has their employer ceased trading?
- How long was the constituent employed?
- If they have been dismissed were they given any notice? How much?
- When was the last day they worked / when did their notice expire?
- Has the constituent's employer been following a dismissal procedure? If so, do they have a copy of it?

If the constituent is still working:

- What is the problem? Has the constituent tried to resolve the problem informally? If so, what steps have they taken? What was the outcome?
- Have they raised a grievance? If so, what has happened?
- Are they a member of a trade union? If so, have they been in touch with their trade union, and what was the result?
- Does the constituent feel they have been discriminated against? For example, had they recently told their employer they were pregnant? Were they dismissed or disciplined because they took too much time off sick or took a religious holiday? Are they disabled?

For further information about discrimination, see page 67.

Key dates to check:

- When did they start working for the employer?
- When did the issue first take place?
- When did the matter last occur?
- Date of dismissal – usually last day at work.
- Any meetings or employment tribunal dates.

Acas Early Conciliation

From 6 May 2014 a worker must notify the Advisory, Conciliation and Arbitration Service (Acas) of their potential claim before they can make a claim to the employment tribunal.

Once a referral has been made, Acas will begin a process of trying to resolve the dispute before it goes to an employment tribunal. This process is free and confidential.

The early conciliation procedure applies to most employment tribunal claims and will affect the time limit for those claims (see below).

Further information on early conciliation is available via citizensadvice.org.uk

The Acas early conciliation referral form is available via acas.org.uk

Time limits

The normal time limit for making a claim in most employment cases is three months minus one day. In redundancy pay and equal pay cases, the time limit is six months minus one day.

If early conciliation applies to the case this will affect the time limit for presenting the claim.

When the claimant contacts Acas this will 'pause' the time limit for presenting their claim to a tribunal. This pause can be for up to one calendar month, plus a further 14 days if more time is needed. The time limit will start to run again when the claimant receives their formal acknowledgement (the Certificate) that early conciliation has finished. Once early conciliation has ended the claimant will have at least one calendar month in which to present their claim. However, please bear in mind that if the claimant was already late for making a tribunal claim when requesting early conciliation they will still be late afterwards.

Employment Tribunal Fees

Fees were introduced in July 2013. They apply to all claims and are payable on issue and prior to the hearing. Constituents only have to pay one fee for their case, regardless of the number of claims they are making. For example, they will only pay one fee if they are claiming for unfair dismissal and for discrimination at the same time.

Fees are split into type A claims and type B claims. Type B claims are unfair dismissal, discrimination, whistleblowing and equal pay claims. All other claims are Type A. If making both Type A and Type B claims, constituents will have to pay the higher Type B fees.

The fees are as follows:

Fee type	Type A claims	Type B claims
Issue fee	£160	£250
Hearing fee	£230	£950
Total	£390	£1,200

There are additional fees for other types of claim such as for a reconsideration or defending an Employment Appeal Tribunal.

Constituents who are on a low income or in receipt of certain benefits may qualify to pay reduced fees. Further guidance and the application form is available on the Ministry of Justice website at [justice.gov.uk/courts/fees](https://www.justice.gov.uk/courts/fees).

Useful referral agencies

ACAS (Advisory, Conciliation and Arbitration Service)

acas.org.uk

free, confidential, impartial advice on all employment rights issues

Helpline: 0845 747 4747

Trade unions

Trade unions offer advice to their members on employment problems

The Bar Pro Bono Unit

barprobono.org.uk

charity which helps to find pro bono (free) legal assistance from volunteer barristers.

Tel: 020 7092 3960

Free Representation Unit

thefru.org.uk

providing free legal representation for the public and advocacy experience for junior lawyers

Tel: 020 7611 9555

What people should take with them if seeking further help:

- chronological narrative of what has happened to them
- correspondence with employer or any record, such as a diary, of what has happened, who said what to whom etc
- written terms and conditions of employment, letter of appointment, staff handbook, details of company disciplinary or grievance procedure, etc.

Immigration

People may come to you because of delays in a decision about an application to the Home Office/UK Borders Agency. They may come for advice about relatives, or a partner joining them from abroad.

In 2014/15 Citizens Advice helped people with **69,000 immigration and asylum issues** face to face, on the phone and by email.

Some constituents will need to see a specialist adviser straight away to work out how they can best be helped.

General questions to ask:

- Is the enquiry about the constituent, someone else in the UK or someone abroad?
- If the constituent is an asylum seeker, is the enquiry about their asylum case, or asylum support?
- What is their nationality and their partner's nationality? Are they from a country which requires a visa to enter or stay in the UK (visa nationals)?
- Are they or their partner a British or EEA (European Economic Area – the EU plus Norway, Iceland and Lichtenstein) citizen?
- Does the constituent know what their/their partner's current status is? Are they in the UK temporarily e.g. as a visitor, or student, or are they in the UK, or wishing to come to the UK, e.g. as a spouse or dependent elderly relative?
- Does the constituent have any recent letters about their immigration status?
- Is there a time limit on their stay in the UK? If so, when does their leave to stay in the UK end?
- Does the constituent have a lawyer and/or are they being supported by Asylum Support?

If someone is coming from abroad:

- What country are they coming from?
- What is their purpose in coming to the UK, e.g. holiday, work?
- How long do they want to stay?
- If coming to join the constituent, what is the constituent's immigration status?
- Where are they going to live?
- How will they support themselves financially (e.g. savings, work, person in the UK will support them)?

If wanting to change status or extend their leave:

- When does their leave to stay in the UK run out?
- For how long do they want to stay?
- Why do they want to extend their leave or what status do they want to change it to?
- What is their nationality? If non EEA, under what status have they entered the UK under the points-based system?

If wanting to apply for British nationality:

- Is the constituent under 18?
- What is their present nationality? Are they an EEA national?
- Are they applying as the spouse of a British citizen?
- Were they born or adopted in the UK? If so, when?
- How long have they lived in the UK? Have they been here lawfully for all that time?
- How much have they been out of the UK in the past three years?

- Were either of their parents born in the UK, or have they acquired British Citizenship?
- Do they have sufficient knowledge of life in the UK and sufficient command of the English language?

If there is a problem with asylum support:

- Has the constituent reached the end of the asylum process and been refused?
- Is the problem with accommodation, financial support or both?
- Is the constituent pregnant, and/or do they have any children?
- Is the constituent destitute?

Key dates to check:

- date of arrival in UK
- date of a decision by immigration authorities
- when leave to stay in UK runs out – if applicable.

Time limits:

- appeal against most immigration decisions – five days.

What people should take with them if seeking further help:

- passport or travel documents
- any letters from Home Office or Asylum Support.

It is vitally important to send the constituent to a specialist immigration adviser. A few local Citizens Advice have specialists in this field. To find an appropriate local adviser for your constituent, the following links may be helpful:

Civil Legal Advice

gov.uk/civil-legal-advice

egal advice in England and Wales for people eligible for legal aid

Helpline: 0345 345 4345

Immigration Advisory Service

iasservices.org.uk

charity providing representation and advice in immigration and asylum law

Tel: 0844 887 0111

Immigration Lawyers Practitioners' Association

ilpa.org.uk

membership association for immigration law practitioners

Tel: 020 7251 8383

Ombudsman services

Where a constituent has a complaint against an organisation, and that organisation's complaints procedures have been exhausted, you may wish to suggest referral to an ombudsman.

Complaints about Government departments and certain other public organisations must be referred to the Parliamentary and Health Service Ombudsman. Such a referral must be made by the MP on his or her constituent's behalf, the so-called 'MPs' filter'.

Complaints about the NHS can be made directly to the Parliamentary and Health Service Ombudsman or through an MP. For the other ombudsmen, you merely have to point the constituent in the right direction.

Approaching an ombudsman is only appropriate where the case involves maladministration. Complaints must therefore relate to the way in which an organisation has dealt with a situation or reached a decision, not with the correctness of the decision or course of action itself.

Examples of maladministration could include:

- an organisation not following its own policies or procedures
- rudeness
- delay in taking action or failing to take action
- treating someone unfairly compared to others
- giving wrong or misleading information.

You also need to bear in mind that the ombudsman will not investigate a case if it is about to go to court or if court action has been started. Indeed, they may not wish to deal with it at all if they feel it could be better dealt with in a court of law.

The complainant must have already complained to the organisation concerned; the ombudsman will not hear new cases. Nor will they accept a complaint about something which affects all or most of the inhabitants in a local area – it has to be something which has affected your constituent as an individual.

What can the ombudsman do?

If the ombudsman decides to accept the case (and they do have the discretion to refuse), they will investigate the matter and produce a report, which is sent to the complainant and to the organisation about which the complaint has been made.

If the ombudsman agrees that the complaint is justified and that the constituent has suffered injustice or hardship, the report will ask for one or more of the following:

- an apology
- financial compensation or repayment of money due, for example, tax or benefits
- better facilities for patients
- better administrative procedures
- better instructions for staff.

There is no appeal against the ombudsman's decision. Decisions are not legally binding but do tend to be complied with.

Parliamentary and Health Service Ombudsman

The Parliamentary and Health Service Ombudsman handles complaints about government departments and agencies in the UK and the NHS in England. This is likely to be the most important ombudsman for an MP to be aware of.

The Parliamentary and Health Service Ombudsman can take up complaints “that government departments, their agencies and some other public bodies in the UK have not acted properly or fairly or have provided a poor service.”

The Parliamentary Commissioner Act 1967 states that the ombudsman may only investigate a complaint referred by a Member of the House of Commons.

Examples of the type of complaint the ombudsman could deal with are:

- slow or unsatisfactory responses to letters to government departments
- incorrect or misleading information and advice given by government officials
- refusal by government officials to give information
- rudeness, discrimination or unhelpfulness of government officials
- failure to follow reasonable rules in procedures and administration
- poor health services, such as a long wait for treatment or an operation
- failure to provide a disability aid
- dirty wards at a hospital
- unhelpful or inadequate staffing at a hospital
- the care and treatment provided by a doctor, nurse or other trained professional
- complaints about GPs, dentists, opticians and pharmacists working for the NHS.

The ombudsman cannot usually look into the following types of complaint:

- problems which can usually be taken to court
- complaints about the police
- complaints about things which have not caused the person who's complaining hardship or suffering

- complaints about government policies
- complaints reported to an MP more than twelve months after the constituent became aware they had a reason to complain
- complaints relating to services in a non-NHS hospital or nursing home (unless they are paid for by the NHS)
- decisions an NHS authority or individual providing NHS services has a right to make, even if you do not agree with the decision.

ombudsman.org.uk

Complaints helpline: 0345 015 4033

Local Government Ombudsman

The Local Government Ombudsman can deal with complaints of maladministration in the following organisations:

- local authorities (but not town or parish councils)
- joint boards of local authorities
- Police and Crime Commissioners and the Mayor's Office for Policing and Crime
- fire and rescue authorities
- national park authorities
- the Environment Agency (flood defence and land drainage matters only)
- school admission and exclusion appeal panels
- the Greater London Authority.

The constituent can send their complaint directly to the local government ombudsman for your area or you can ask a local councillor to do this for them.

lgo.org.uk

Helpline: 0300 061 0614

Financial Ombudsman Service

The Financial Ombudsman Service can help with complaints about most problems involving financial products and services provided in or from the UK. The areas covered include:

- bank accounts
- credit, debit and store cards
- payment protection insurance (PPI)
- other insurance, such as motor, travel and household
- loans, including payday loans
- hire purchase and pawnbroking
- mortgages
- repayment problems and debt collection
- money transfers and online payments
- financial advice, savings and investments
- pensions.

It mainly deals with consumer complaints about companies which are authorised by the Financial Conduct Authority (FCA) and providers of consumer credit. You should contact the Financial Ombudsman Service consumer helpline on 08000 234 567 directly to find out if it can deal with your complaint and send a complaint form.

There is a time limit for making the complaint. This is six months from when you get a final decision from the company about how it is going to deal with the matter.

[financial-ombudsman.org.uk](https://www.financial-ombudsman.org.uk)

Helpline: 08000 234 567 or 0300 123 9123

Housing Ombudsman Service

The Housing Ombudsman Service deals with complaints about registered housing providers, including housing associations and other social landlords, managers and agents that are part of the Housing Ombudsman scheme, and local authorities in respect of their function as landlords of council tenants. Other complaints about local authorities need to be made to the Local Government Ombudsman.

If a constituent has a complaint against a landlord, or management agent, they must first check if it is a member of the service. They can search the members' directory on the ombudsman's website.

housing-ombudsman.org.uk

Helpline: 0300 111 3000

Energy Ombudsman Service

Through the Energy Ombudsman, consumers can seek help with disputes with their energy supply company or network operator.

The ombudsman may be able to deal with a constituent's complaint if they have exhausted the supplier's complaints process or if the complaint is more than eight weeks old.

ombudsman-services.org/energy

Helpline: 0330 440 1624

Discrimination

In 2014/15 Citizens Advice helped people with **12,000 discrimination enquiries** face to face, on the phone and by email. There were also over **670,000 visitors** to our discrimination self help information on the Citizens Advice website.

A discrimination problem can often lead to a complex web of issues including job loss, debt, homelessness, relationship breakdown and/or health issues.

Sometimes it does not occur to constituents that what has happened to them may have been discrimination, harassment or hate crime. Or they may believe that it was, but feel uncomfortable about voicing this view.

The main legislation that protects people from discrimination is the Equality Act 2010. Discrimination and harassment can be unlawful where people are treated unfairly because of:

- age
- disability (having a long-term physical or mental impairment lasting more than 12 months and having more than a minor or trivial effect on ability to carry out normal day-to-day activities)
- gender reassignment
- marriage and civil partnership
- race
- religion or belief
- sex
- sexual orientation
- pregnancy and maternity.

These are known as protected characteristics.

It is always worth asking if your constituent feels that this could apply to their situation. Unlawful discrimination can happen in many areas of life including employment, consumer, welfare benefits, housing, education, public functions, services, transport, or hate crime. Even where the treatment is not unlawful it may still be unfair and can be challenged.

Discrimination can take many forms, and the bullet points below give very simplified explanations of the main kinds. Discrimination is only made unlawful by the Equality Act 2010 when the kinds of unfairness described below are connected with one of the protected characteristics. Bear in mind that for each of the different kinds of discrimination there may be good justification or a defence that makes it lawful.

- Direct discrimination is when someone is treated differently and worse to other people.
- Indirect discrimination is when someone is disadvantaged by a blanket or 'one size fits all' policy or process.
- Harassment is when someone is subjected to unwanted conduct or a hostile environment.
- Victimisation is when someone is treated badly because they complained about discrimination.

A disabled person who is disadvantaged by a policy or process is often able to ask for an adjustment to be made. This right can be very practical and useful in solving problems for disabled people at work, or using, for example, shops or public services.

Key points to have in mind:

- Most people who experience discrimination want an apology, or the discrimination to stop, or a change in a policy or process. In many cases the most effective way to get those outcomes is a negotiated settlement, not a court order.
- Claims about discrimination in employment will be heard in an employment tribunal and other discrimination claims will usually be heard in the county court. There are strict time limits for each type of claim.
- Fees were introduced into the employment tribunal in July 2013. Constituents will have to pay up to £1,200 in order to make and pursue an employment tribunal claim for discrimination (see page 67 for details).
- County court discrimination cases are rare, and usually only brought with the aid of specialist advice.
- Problems that include harassment, hate incidents/ crime or targeted violence could well come under criminal law, and may require action by the police and housing authorities.

Questions to ask before seeking further advice for your constituent:

- What has happened?
- When did the unfairness happen? When did it start/end?
- Has the constituent been treated differently to other people? Who is treated differently to them and how?
- Why does the constituent think this has happened?
- Is the problem at work? Does the constituent want to keep their job or leave their job? If they want to stay in their job, this will need to be considered in deciding what actions to take.
- Have they experienced problems in using public services (e.g. Jobcentre Plus or health services)? Or private sector services (e.g. shops or private residential care homes)?
- Have they experienced problems in accessing services because of a disability (e.g. using a train station or a bank)?

What people should take with them if seeking further help:

- any contract (employment etc)
- documents relating to policies and procedures
- details of their employer or service provider's name, address, telephone number, company registration number
- details of their GP and any other person who has been treating them for an illness or condition
- any work or personal diary covering the period over which the problems occurred
- the names and contact details of any witnesses who might be prepared to give statements in relation to events that took place
- any other documents or evidence they have in their possession that are relevant.

Key dates to check:

- when did the issue first take place?
- when did the matter last occur?
- if employment, the start dates and date of dismissal
 - usually last day at work (where dismissed)
- any meetings or tribunal dates.

Referring constituents to other organisations

All local Citizens Advice can provide generalist advice on these issues and some have specialist discrimination and hate crime advisers who can advise constituents, represent them at tribunals and court, or work with the authorities to address hate crime problems.

In addition to the local Citizens Advice or another local voluntary organisation, other alternatives to provide support include pro bono legal services.

Pro bono legal services

In a complex discrimination case, Citizens Advice can help the constituent to access pro bono services, for example:

The Bar Pro Bono Unit

barprobono.org.uk

charity which helps to find pro bono (free) legal assistance from volunteer barristers.

Tel: 020 7092 3960

LawWorks

lawworks.org.uk

charity which aims to provide free legal help to individuals and community groups who cannot afford to pay for it and who are unable to access legal aid

Free Representation Unit

thefru.org.uk

providing free legal representation for the public and advocacy experience for junior lawyers

Equality Advisory and Support Service (EASS)

equalityadvisoryservice.com

information and guidance on discrimination and human rights issues.

Helpline: 0808 800 0082

Pensions

Citizens Advice has a long history of supporting people with issues affecting their retirement. Last year, we helped **90,000 people with pension issues** and **200,000 people** visited our pensions self help information on the Citizens Advice website.

Pension Wise

In April 2015, pension reforms came into effect giving people more freedom to choose how they use their defined contribution pension pots.

As part of these reforms, the Government created Pension Wise, a new service to help people understand the options available to them. The purpose of the guidance is to ensure people are able to make informed decisions about their pension, which suit their individual needs. Pension Wise does not recommend specific pension products.

People can get guidance in three ways: face to face, online, on the phone.

Citizens Advice delivers face to face Pension Wise appointments from over 500 locations across England and Wales.

Pension Wise will not affect the services we are already providing to your constituents.

Pension guidance

People may come to you to find out more about their pensions options, or because they are concerned about pension scams.

General questions to ask:

- Are they aged 55 or over?
- Do they have a defined contribution pension pot?
- Are they approaching making a decision about their pension?

Where they can get help:

- People over 55 are eligible for a face to face or telephone Pension Wise appointment. Visit pensionwise.gov.uk or a local Citizens Advice to book.
- Anyone can get online guidance by visiting pensionwise.gov.uk

How people should prepare for a Pension Wise appointment:

- Find out how much their pension pot is worth
- Get a state pension forecast
- Create a list of essential outgoings, e.g. housing and utilities.

Help with scams

If a constituent is concerned they have been the victim of a scam, they can:

- Seek help from their local Citizens Advice or call the Citizens Advice Consumer service on 03454 04 05 06.
- Scams can be reported to Action Fraud via actionfraud.police.uk or by calling 0300 123 2040.

Witness service

The Citizens Advice Witness service uses fully trained and experienced paid staff and volunteers. It provides free practical and emotional support and information to witnesses who are attending criminal courts to give evidence, before and after the trial, in order to help them give their best evidence. This can include pre-trial court visits and support in court on the day.

Any witness giving evidence in a criminal court in England and Wales is able to get support from the Witness service, along with witnesses' families and supporters.

The service receives referrals from:

- witness care units
- the Crown Prosecution Service
- other prosecuting bodies
- the police
- defence solicitors
- self-referrals.

Key questions to ask to ascertain suitability for the service:

- Has the constituent been asked to be a witness?
- Are they preparing to be a witness for the prosecution or defence?
- Do they consider themselves as a potential vulnerable witness?
- What do they know/how much do they know about the court system?
- Are they aware of delays that can occur during a trial which can impact the time they dedicate as a potential witness?

Where to signpost them to:

- Constituents can self-refer by calling the answering machine service on 0300 332 1000, or by contacting the Witness service at the court which is hearing the case.
- Further information is available at [citizensadvice.org.uk](https://www.citizensadvice.org.uk) (search 'going to court')

Other useful contacts:

Crown Prosecution Service

[cps.gov.uk](https://www.cps.gov.uk)

Tel: 020 3357 0000

Ministry of Justice (Moj)

[justice.gov.uk](https://www.justice.gov.uk)

Tel: 020 3334 3555

Useful websites and helplines

“South Derbyshire Citizens Advice has brilliant staff who are very caring and are always willing to listen and I cannot praise them highly enough.”
Heather Wheeler MP, South Derbyshire



Useful websites and helplines

Acas

[acas.org.uk](https://www.acas.org.uk)

free, confidential, impartial advice on all employment rights issues

Helpline: 0300 123 1100

The Bar Pro Bono Unit

[barprobono.org.uk](https://www.barprobono.org.uk)

charity which helps to find pro bono (free) legal assistance from volunteer barristers

Helpline: 020 7611 9500

Business Debtline

[businessdebtline.org](https://www.businessdebtline.org)

debt advice for small businesses

Helpline: 0800 197 6026

Citizens Advice

[citizensadvice.org.uk](https://www.citizensadvice.org.uk)

self help from Citizens Advice

- Citizens Advice (England and Wales)
- Citizens Advice Scotland
- Citizens Advice Northern Ireland
- Citizens Advice Consumer Service

The Disability Benefits Helpline

[gov.uk/disability-benefits-helpline](https://www.gov.uk/disability-benefits-helpline)

advice or information about a claim already made for Disability Living Allowance, Attendance Allowance or Personal Independence Payment

- Disability Living Allowance (DLA)
If born on or before 8 April 1948, Telephone: 0345 605 6055
If born after 8 April 1948, Telephone: 0345 712 3456
- Attendance Allowance (AA)
Telephone: 0345 605 6055
- Personal Independence Payment (PIP)
Telephone: 0345 850 3322

Citizens Advice Consumer Service

[citizensadvice.org.uk/consumer](https://www.citizensadvice.org.uk/consumer)

trained advisers giving consumer advice over the phone and online

Helpline: 03454 04 05 06

Civil Legal Advice

[gov.uk/civil-legal-advice](https://www.gov.uk/civil-legal-advice)

free legal advice in England and Wales if eligible for legal aid

Helpline: 0345 345 4345

Consumer Council for Water

[ccwater.org.uk](https://www.ccwater.org.uk)

consumer watchdog agency for the water industry

Helpline: 0121 345 1000

Energy Saving Advice Service

[energysavingtrust.org.uk](https://www.energysavingtrust.org.uk)

impartial energy saving advice for homes and businesses in England and Wales

Helpline: 0300 123 1234

Equality and Human Rights Commission

equalityhumanrights.com

information and guidance on discrimination and human rights issues

Helpline: 0808 800 0082

Extra Help Unit

this is not a public helpline – people can be referred to it by:

- the Citizens Advice Consumer Helpline (03454 04 05 06)
- their local politician
- Ofgem
- the Energy Ombudsman

Financial Conduct Authority

fca.org.uk

impartial financial information

Helpline: 0800 111 6768

Financial Ombudsman Service

financial-ombudsman.org.uk

the independent service for settling disputes with financial firms

Helpline: 08000 234 567

Financial Services Compensation Scheme

fscs.org.uk

final safety net for consumers who have claims against authorised financial firms

Helpline: 0800 678 1100

Free Representation Unit

thefru.org.uk

providing free legal representation for the public and advocacy experience for junior lawyers

Helpline: 020 7611 9555

Health Costs Advice Line

nhsbsa.nhs.uk/1884.aspx

provides NHS patients with information about entitlements to prescription charge exemptions and information on the requirements to qualify for charge exemption at dispensing chemists and pharmacies

Helpline: 0845 850 1166

Home Heat Helpline

homeheathelpline.org.uk

advice on energy efficiency and fuel debts

Helpline: 0800 336 699

HM Revenue and Customs

[gov.uk/government/organisations/](https://gov.uk/government/organisations/hm-revenue-customs/contact/tax-credits-enquiries)

[hm-revenue-customs/contact/tax-credits-enquiries](https://gov.uk/government/organisations/hm-revenue-customs/contact/tax-credits-enquiries)

advice on tax credits

Tax credits helpline: 0345 300 3900

Immigration Law Practitioners' Association

ilpa.org.uk

membership association for immigration

law practitioners

Universal Jobmatch

gov.uk/jobsearch

search and apply for full or part-time jobs in GB and abroad

Jobcentre Plus

gov.uk/contact-jobcentre-plus

benefits for people of working age

National Jobcentre Enquiry line

(cancel or change an appointment): 0345 604 3719

New benefit claims line: 0800 055 6688

Existing benefit claims lines:

- Jobseeker's Allowance, Income Support, Incapacity Benefit or Employment and Support Allowance: 0345 608 8545
- Maternity Allowance: 0345 608 8610
- Bereavement: 0345 608 8601
- Social Fund: 0345 603 6967
- Universal Credit: 0345 600 0723
- Discretionary Assistance Fund in Wales: 0800 859 5924 or 03301 015 000

Law Centres Network

lawcentres.org.uk

offer face to face legal advice to local residents, and some run a telephone advice line

LawWorks

lawworks.org.uk

charity which aims to provide free legal help to individuals and community groups who cannot afford to pay for it and who are unable to access legal aid

Legal Ombudsman

legalombudsman.org.uk

investigates the way complaints about a lawyer are dealt with by the lawyers' own professional body

Helpline: 0300 555 0333

Civil Mediation Council

cmregistered.org

find a local mediation service

Money Advice Service

moneyadvice.service.org.uk

free and impartial money advice

Helpline: 0300 500 5000

MP hotlines

Many organisations have dedicated hotlines for MPs and their staff to use. A list of these can be found on the parliamentary intranet.

National Debtline

nationaldebtline.co.uk

free, independent debt advice over the phone debt information pack, sample letters, factsheets

Helpline: 0808 808 4000

Ofgem

ofgem.gov.uk

energy regulator

Helpline: 03454 040506

Parliamentary and Health Service Ombudsman

ombudsman.org.uk

Helpline: 0345 015 4033

Payplan

payplan.com

debt calculator, debt solutions, budgeting

Helpline: 0800 280 2816

Pension Wise

pensionwise.gov.uk

free and impartial government service about
your defined contribution pension options

Helpline: 0300 330 1001

Refugee Council

refugeecouncil.org.uk

free advice and information to asylum seekers
and refugees in UK

Shelter

shelter.org.uk

housing advice including mortgage and rent arrears,
repossession, eviction, court action

Helpline: 0808 800 4444

Shelter Cymru

sheltercymru.org.uk

Wales-specific housing advice

Helpline: 0845 075 5005

TaxAid

taxaid.org.uk

help with a tax problem if HMRC cannot sort it out

Helpline: 0345 120 3779

Turn 2 Us

turn2us.org.uk

benefits calculator and details of grant giving charities

Helpline: 0808 802 2000

Citizens Advice
3rd Floor North
200 Aldersgate
London EC1A 4HD

Tel: 03000 231 231
citizensadvice.org.uk

Citizens Advice is an operating name of
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Registered charity number 279057