

Castlemilk Law and Money Advice Centre

Annual Report 2018

CASTLEMILK LAW AND MONEY ADVICE CENTRE

Annual Report 2017-18

The total number of cases dealt with by the Law Centre in 2017-18 were as follows.

Total cases

Debt	209
Housing	175
Employment	64
Other	29
Women's Rights	89
Benefits	<u>1426</u>
Total	<u>1992</u>

Benefits cases

General work on means-tested and disability-related benefits cases funded by CGC grant and legal aid on a case-by-case basis

Means-tested	353
Disability-related	<u>1073</u>
Total	<u>1426</u>

Including 450 tribunal callings

Housing debt cases

General work on rent, mortgage and homelessness cases funded by SLAB

Rent arrears	55
Mortgage arrears	16
Other housing	<u>104</u>
Total	<u>175</u>

Including 102 court callings

Foodbank cases

Funding from combination of Scottish Government Aspiring Community Fund, Robertson Trust and others.

Total number of cases (mainly benefits) 160

Women's Rights cases

Discrimination, domestic abuse cases and related issues funded by City of Glasgow Council, Violence Against Women Fund at the Scottish Government

Total cases	89
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Benefits cases

The case numbers expected were largely borne out by the cases that we took on. There were some variations. We carried out substantially more type 3 cases where there was representation than we expected. This is particularly true in regard to benefit tribunal cases. We predicted around 300 cases and carried out 450 tribunal appearances.

The variation in tribunal cases was caused by a number of factors. The basic point however is that substantial number of local people are being taken off disability related benefits and being forced to appeal against this decision by the DWP. Nearly all of the 450 tribunal cases relate to Employment and Support Allowance or Personal Independence Payment. We found that the number of these cases rose more sharply than we expected.

One of the reasons our caseload is currently running at 450 per annum is that the Tribunal Service are arranging for us to attend more frequently. They have in fact suggested to us that we either increase the number of appeals we attend on behalf of clients, or reduce the number of appeals made by clients, or refer to other agencies. Ideally there should be an equilibrium between the number of appeals lodged on behalf of clients and the number of hearings attended by us. By our calculations, we are getting close to that, but it is still likely that we are submitting slightly more appeals than hearings being allocated and this means that there will be a slight backlog in regard to our cases. We shall consider how best to deal with this by considering how to allocate more staff to appeal hearings.

It would not be our intention to reduce the number of appeals being submitted though. We are planning to encourage clients to ensure that they are receiving appropriate levels of Personal Independence Payment. Receipt of PIP enables clients to obtain higher levels of ESA. This will then allow clients to claim higher levels of Universal Credit when they are migrated to that benefit later this year or into 2019. It is likely that this will involve more appeals over the next year or two.

We are very successful at appeal winning around 80% of cases. By our calculations, this nets around £1.5m for clients under this category of work alone.

Housing and Employment cases

In terms of the statistics for housing and employment cases, these appear to be slightly down on our estimates. In fact there are a substantially higher number of employment cases and the housing cases are roughly on target overall. The Law Centres receives an IGF fund for its Women's Rights Project and there has been a substantially increased demand for help on employment law, especially from women. This is explained in more detail below, however over the past three years client numbers in employment cases have increased from around 50 to around 60 and now are running at over 70. The majority of these clients are women and we have been highly successful in casework.

We have been highly successful in avoiding tenants being evicted. In fact in one case we were able to obtain compensation for flood damage caused to a client who came to us with an eviction action. In another case we were able to challenge a landlord's treatment of a person with disabilities who was in the process of being evicted. We have been able to introduce community care services in this case to help the client maintain their tenancy. We have also had an employment tribunal which established that agency workers were entitled to statutory sick pay and statutory maternity pay and failure to comply with these was unlawful discrimination.

Most of our housing work is carried out through a project funded by the Scottish Legal Aid Board, however a certain amount of work is also carried out under the IGF activities and this work addresses homelessness by avoiding evictions and ejections and also by alleviating homelessness problems for many clients.

Casework and funding issues

In addition we have maintained casework levels. Although the figure for cases through the Council IGF grant is around the 1600 mark, we have responded to the reduction in Council funding by seeking funding elsewhere for carrying out additional work. We have maintained offices in the Gorbals and Toryglen as well as Castlemilk and we are now working from two locations in Govanhill rather than just one.

Our core funding from City of Glasgow Council provides a sufficient basis for us to continue with legal aid funding and funding for our Women's Rights Project from the Violence against Women and Girls Fund at the Scottish Government as well as the IGF.

In addition, we have attracted further funding from the Aspiring Communities Fund to develop our work at the Foodbank in Govanhill and this supplements existing funding we are receiving from the Robertson Trust centred round this work.

In addition we supplement our grant income with payments from the Legal Aid Board on a case by case basis.

We have recently started to receive funding from the Aspiring Communities Fund, run by the Scottish Government, for our work at the Foodbank and this is explained below.

All this has been done while we have experienced considerable difficulty. Three members of our staff were affected by cancer related illness and two members of staff are still absent at the time of writing. More positively, three members of staff have either recently become parents or are awaiting a due date. One senior solicitor left at the end of last year and we have only recently replaced her.

During the course of last year we were able to access funding from the Aspiring Communities Fund. This was not just for additional help for ourselves based round the Foodbank in Govanhill, but also enabled us to work with partners who have also obtained funding under this project. We have been able to increase the activity at the Foodbank to take in not just legal advice but also help from a newly introduced support worker in regard to housing problems, health problems and other social work type problems. The support worker is able to act as an advocate for those attending the Foodbank and ensure that each person attending has access to non-legal services provided by other agencies in the area.

We have also obtained funding for a community food worker whose job it is to tie up local foodbanks with local community meal providers. This worker will aim to establish a much more solid network of groups and people who can help those attending foodbanks. She will also connect the work at the Foodbank, and related local activities, to the Glasgow Community Food Network.

The Law Centre has been instrumental in developing the work of the local food network, especially round foodbanks and food poverty. This network is at an early stage but it is proving very effective at creating links between local groups based round foodbanks, environmental projects and local growers.

Women's rights

In our Women's Rights work, there was a marked increase in the number of clients seeking help with employment problems. Prior to 2015/16 there were less than 50 clients seeking help under this project on this issue. By 2016/17 there were a total of 88 cases under the project with 56 cases relating to employment law. In 2017/18 there were a total of 89 cases under the project with 64 cases relating to employment law. These numbers were continuing to rise. We had around 23 cases at the Employment Tribunal, although not all of these cases proceeded to a full hearing.

The Law Centre's overall Women's Rights Project consists of a solicitor working two days per week on the IGF Women's Rights Project and another solicitor working two days per week on a Violence against Women and Girls Project funded by the Scottish Government. Due to the increased levels of demand from women on employment law we concentrated the employment law cases on the work supported by the Integrated Grant Fund from the Council.

In 2017/18, the cases on employment law were wide and varied. Of the 64 employment law cases, around 22 cases related to dismissal including redundancy with another 7 cases relating to unpaid wages.

There were substantial numbers of cases on discrimination, which mainly included sex discrimination. In one particular case, we went to Tribunal for a client who was an agency worker and experienced discrimination due to her pregnancy. We were successful in this case. It related to pregnancy illness. This provision was only introduced under the Equality Act 2010 and there are a minimal number of cases on this issue. It was therefore an important case which clarifies how the Tribunals will deal with cases on this type of discrimination.

We were also able to deal with cases which supported women who were financially excluded. This often related to difficulties with employment problems. We maximised income for clients and

ensured they were entitled to maximum benefits and other types of income. We also supported women who were in debt and also where their income was reduced to arrears of child support.

It was noticeable however that demand for help with employment law for women was very high and increasing and required us to reallocate resources to cover the number of clients who needed help.

The Law Centre's Women's Rights Project as a whole acts for women subject to domestic abuse, issues with children and represents those who have claims for criminal injuries compensation.

Working with Glasgow South East Foodbank

Our activities also included developing joint services with the Glasgow Community Food Network, the local Trussell Trust Foodbank and other local support services, building on our report on Foodbank clients and maintaining and improving services in light of our findings, and providing appropriate advice and support to those with housing issues.

We have been extremely successful in this area. At the start of the year we worked along with partners at the Glasgow South East Trussell Trust Foodbank and a local environment agency- Urban Roots – in developing an application to the Aspiring Communities Fund. We were successful in this application.

We started a new project - the "Foodbank Support Project". This consists of one full time advisor and one part time advisor who will be located at the foodbank when it is open, and will work from the Law Centre at other times. In addition the foodbank can employ a support worker who can help foodbank clients with housing, health and social work needs and also a community food worker employed by Urban Roots who can provide better networking and liaison between local foodbanks, local community meal providers and the Glasgow Community Food Network.

There are still around a dozen foodbanks in south east Glasgow, the area which we cover, and also around five or six providers of community meals. In addition we have cooperated with others in helping establish the new Glasgow Community Food Network which has now launched and held a number of public events. A recent event took place on 31 January 2018 and focused on food and security and food sharing. It will be the role of the part time community food worker in the project

to liaise between these three groups and develop a network of groups, agencies and individuals who can provide community help and support for those attending foodbanks and others in food insecurity in the area.

Through all of this process, it is intended to highlight the problems faced by people who attend foodbanks and build communities which can support those attending foodbanks in order to challenge the circumstances and practices which lead to their existing in the first place.

Review of premises and opening hours

We reviewed our premises and concluded that existing opening hours continued to be appropriate for local needs. Location of Castlemilk and Toryglen premises would not change and the planned local move in the Gorbals to Crown Street would proceed as planned. Current opening hours were:

Castlemilk 155 Castlemilk Drive, First floor, Glasgow G45 9UG
9am to 5pm Monday to Friday with additional opening on Monday and
Tuesday evenings

Toryglen 179 Prospecthill Circus, Glasgow G42 0LA
9am to 5pm Monday to Friday

Gorbals 72 Commercial Road, Glasgow G5 0RG
9am to 5pm Monday to Friday

Full opening hours were subject to staff availability. We decided that delivering advice face to face in office or on home visits would continue to prevail and that new clients seeking advice over the phone or by email would be encouraged to attend an appointment, but giving advice by these methods would not be precluded.

This was the best use of current resources.