

Series No	04/07	Date Published	tbc
Contact	Operational Support Adviceline:	To	All IS Financial Assessors, IS Benefit Processing staff, Decision Makers and Personal Advisers.
	01253-848000		

The 23 day rule does/do not apply.

The contents of this bulletin can be made available to the public on request.

Classification	Subject	Paragraph	Action
Reminder	Estranged Young People aged 16-19 claiming Income Support. Verifying estrangement.		For attention of all Financial Assessors, IS Processing staff, IS Decision Makers and Personal Advisers.
Managers' Action: Ensure that all IS Financial Assessors, IS Processing staff, IS Decision Makers and Personal Advisers are aware of the contents of this bulletin.			

Estranged Young People aged 16/19 claiming Income Support.

- 1 Estranged young people aged 16-19 who re-enter full time education or approved training are entitled to claim Income Support (IS) and consequently may wish to change their claim from Jobseekers Allowance (JSA) to IS.
- 2 This is a reminder that staff must take appropriate and timely action to avoid delays when estranged young people who, prior to their 19th birthday, re-enter full time education or approved training and wish to switch from JSA to IS.
- 3 Some young people have been experiencing a complete stop in their benefits (sometimes for weeks at a time) when they try to switch from JSA to IS. This means that many young people simply refuse to risk their benefits, and therefore will not engage in learning.
- 4 The transition to IS should be seamless. Specialist advisers are reminded to pass information to IS processors, when a young person transfers from one benefit to another, to ensure that the young person does not experience any delays in benefit entitlement.

Estrangement

5 Young people can receive IS if, out of necessity, they live away from their parents or any person acting in their place (see DMG 20668) because:

- a. they are estranged; or
- b. they are in physical or moral danger; or
- c. there is a serious risk to their physical or mental health.

NB Regard should be given as to whether the young person is being looked after by someone else.

Verification of information – estranged

6 The young person should be believed unless their statement is self – contradictory or inherently improbable.

7 Adjudication and Constitutional Issues (ACI) Division have sought legal advice about the verification of evidence. ACI advise that the law on verification is clear – what a customer says is itself evidence and that corroboration of that evidence is not necessarily required. NB it is seldom safe to reject evidence solely because the customer's demeanour does not inspire confidence in their truthfulness.

8 Advisers should be aware that, in many cases, a young person might not feel able to discuss matters with a third party. They may also feel that by leaving the household they are no longer at risk of harm.

9 There need be little or no contact with parents in cases where young persons are estranged. Confirmation can still be sought if there are any grounds for doubt on the estrangement.

10 The overriding principle is that the young person's statements should be believed. The need to involve a third party will be the exception. Only in the event that advisers have strong, evidence-based doubts, will the following procedures be necessary.

11 Always ask permission from the young person before contacting any third parties, and obtain a signed statement agreeing to allow contact with third parties.

12 If they refuse permission without good reason, explain that without evidence from third parties it may not be possible to make a decision to pay Income Support.

13 Consent must be given voluntarily and not as a result of threats or inducements. Do not place undue pressure on the young person to give permission

14 The young person may be embarrassed about the reasons for their claim, or concerned that information will be released that will allow them to be traced. Inform the young person that:

- Only information needed to decide on their claim is required; and
- No information that will allow them to be traced will be released without their permission.

15 Before the young person leaves make sure that:

- the interview is fully complete; and
- all details of the young persons circumstances have been obtained.

Evidence from Third Parties

16 If a responsible third party such as;

- An adult relative,
- Social worker,
- Recognised voluntary worker,
- Community sector worker,
- Connexions/Careers Service personal assistant or
- Youth worker

accompanies the young person, ask them to confirm the young person's evidence.

17 Outside organisations and other third parties may be able to offer useful evidence, which can help you reach a decision on a claim. The third parties listed above may have had close association with the young person or their family. They may have detailed knowledge of certain particular circumstances of the case.

18 Consider carefully any evidence presented and it's bearing on the claim. Such evidence could be presented in person, by telephone or in writing.

19 It should be agreed how evidence will be provided. Some outside organisations and other third parties can provide a telephone service and this may be the quickest method of obtaining evidence. When this is not possible a letter of support could be agreed on. When a third party provides supporting evidence, record it in writing and, as far as possible include the following details;

- Identity of the third party;
- Third party's organisation or relationship to the young person;
- How long they have known the young person;
- How they obtained the evidence they are providing e.g. professional contact, providing accommodation in a crisis.
- Whether they can be contacted by telephone and a contact number
- Details of the evidence they can provide; and
- The date the evidence was provided.

Third Party does not reply to request for Information – Estrangement

20 If the third party cannot be contacted by phone, request the verification in writing. Set a case control in IS530 or set a clerical BF for 1 week and if no reply is received, issue a reminder.

21 If no reply is received after another week, consider asking another third party.

Further Information

22 For further information and guidance on claims from young people in relevant education or training, refer to DMG Volume 4, chapter 20 and DMG Volume 6, chapter 30. Also see IS GAP Release 29 Circular 01/06.