

COVID-19 SURVIVAL KIT

Greater Manchester Law Centre has developed the attached guide to support residents and support organisations to assist people through the current health emergency

This guide will be updated regularly as the situation develops.

This service is open Monday - Friday

Call 0161-769-2244 or send your enquiries to housing@gmlaw.org.uk or benefits@gmlaw.org.uk

This guide is correct to 3rd April 2020.

Protect - YOUR HOME!

COVID-19 Protection From Eviction until 25 June 2020

Who is now protected from eviction?

Most people (renters and homeowners) are now protected from eviction until 25 June 2020.

If your landlord served Notice, or possession proceedings were issued at court before 26 March 2020 - the courts have decided that these cases will be suspended until 25 June 2020.

This is the statement from the court:



the court service will suspend all ongoing housing possession action – this means that neither cases currently in the or any about to go in the system can progress to the stage where someone could be evicted. This suspension of housing possessions action will initially last for 90 days, but this can be extended if needed. This measure will protect all private and social renters, as well as those with mortgages and those with licenses covered by the Protection from Eviction Act 1977. This will apply to both England and Wales.



If your landlord serves Notice now after the 26 March 2020 - no new possession proceedings can be issued until after the 25 June 2020. This is because of the emergency Coronavirus Act.

Who is still not protected from eviction?

It's only the people who are not covered by the Protection from Eviction Act and so could be evicted by their landlord without an order from the court that are now at risk. These include:

- lodgers
- homeless people who have been given temporary accommodation until they receive a duty decision or / who are living in a council or housing association hostel and
- some people where accommodation is part of their employment,
- asylum seekers living in asylum accommodation

Get urgent legal advice if you are one of these people and are threatened with eviction, get urgent legal advice. Contact us on **0161-769-2244** or email **housing@gmlaw.org.uk**

What happens if landlords try to evict unlawfully?

There is a very real risk that bad landlords may try to get round the temporary legal protection against eviction and force tenant to leave by making threats, changing the locks or cutting off services.

Get urgent legal advice to know your rights, warn your landlord, apply for an injunction to stop your landlord attempting to evict you or for an order to get you back into the property. Unlawful eviction is a criminal offence if you need to stop an eviction that is happening you should call 999.

Protect - YOUR RENT PAYMENTS!

What should I do if I can't afford my rent?

1. Contact your landlord:

[Name of your landlord or agent Their Address and their e-mail address]

[Date] Dear Re:

[landlord/ agent]
[address of your property]

I hope you are keeping well and safe.

I am writing to let you know that as a result of the COVID-19 crisis I am having additional difficulties making rent payments and I wanted to let you know as soon as possible so that you can take steps to minimise any loss or problems this may cause for you.

[Explain problems you are having for example: Unfortunately as I have lost employment and I am having to make new claim for benefits as I can no longer work and my earnings have reduced significantly as a result of lock down, my children being at home, increased costs and shortages]

I am struggling to pay for food, bill and other essential living costs.

I am doing all I can to try to improve my financial circumstances.

[Explain any steps you are taking for example: I have made a claim for benefits been looking for work applied for Discretionary Housing Payments tried to get advice about managing my income and my debts]

I don't want to just fall behind on my payments and so I am writing to see whether, in view of the crisis, you would be willing to show some flexibility with my payments for the next few weeks

For example by agreeing a rent payment holiday, a temporary reduced rent, or for me to differ my payments and agreeing an affordable repayment plan when the crisis is over. [you can keep in all options, or chose just one or make a specific proposal to your landlord here]

You probably already know, but in case not, I understand that if you have a mortgage for the property then you can ask your lender for a repayment holiday. https://www.fca.org.uk/consumers/mortgages-coronavi-rus-consumers

I know that the government and the courts have given some protection for tenants, meaning that no new possession claims can be issued and existing possession claims are suspended at least until 25 June 2020, but I don't want to just wait until the emergency protection ends and I want to do all I can to try keep you informed, reach an agreement and avoid the risk of eviction in the future.

Please contact me by e-mail

[e-mail is best as you then have a record of your landlord's response, but alternatively you can invite a response by telephone and confirm the agreement by text]

Take care and keep well.

Yours sincerely

[Your name]

Can I get extra help with my rent can I get if I receive Universal Credit or Housing Benefit:

If your income has dropped as a result of losing your employment or reduced hours make sure that you report the change to Universal Credit or the Housing Benefit Department as soon as possible as the help you receive towards your rent should increase.

You may also be able to get extra rent by applying for **Discretionary Housing Payments:**

Discretionary Housing Payments (DHPs)

DHPs provide additional help for people who are struggling with their rent and receive either Universal Credit or Housing Benefit because they are unemployed or on a low income.

Central government gives money to local councils to make the payments and councils can also add in money for DHPs from their own budget.

If you receive some help with your rent from Universal Credit or Housing Benefit but don't receive the full amount you can apply for regular extra payments.

This can help if:

- you have a spare room and are affected by the Bed Room Tax
- you have a larger family and are affected by the Benefit Cap
 you have adult children or other "non-dependents" living with you and your
- payments are reduced
- your rent is above the Local Housing Allowance (the maximum that Universal Credit or Housing Benefit will pay.

You can also claim DHPs to help with **a lump sum payment for arrears** (so long as you were receiving some Universal Credit or Housing Benefit at the time your arrears built up).

A lot of the reasons the government used to justified the Bedroom Tax, Benefit Cap, and other cuts to low income families do not apply during the COVID-19 crisis (if they ever did) this is because:

- you cannot move to a smaller home to escape the Bedroom
- you cannot move to a cheaper home to reduce your rent to within the Local Housing Allowance,
- you are less likely to be able to find work to escape the Benefit Cap;

However the government has not suspended these measures for renters during COVID-19. So far the only assistance they have given to people claiming Universal Credit or Housing Benefit is:

- A) to increase the Universal Credit personal allowance by £20 per week from 6th April (there has been no increase to the rate of housing payments);
- a small increase the Local Housing Allowance (the maximum Universal Credit or Housing Bene fit will pay).

If these changes are not enough to help you cover your rent payments in full then claiming a DHP (even if you have been refused before) may be your best option for avoiding rent arrears and avoiding the risk of eviction in the future.

How to Claim:

Whether to make an award of DHP,or how much to award, is left to the Council. It is therefore important that you give them as much information as possible to show why you need help and why a DHP is the only option.

Check on your Council's website for how to claim. Some have a paper form that they ask you to send or e-mail to them, others have an online form. Here are the links to the Council DHP web pages.

Bolton

https://selfserve.bolton.gov.uk/citizenportal/form.aspx?form=HB_DHP_FORM

Bury

https://www.bury.gov.uk/index.aspx?articleid=10992

Manchester

https://secure.manchester.gov.uk/info/200008/benefits_and_support/1342/discretionary_housing_payments/3

Oldham

https://www.oldham.gov.uk/info/100001/benefits_and_money/1780/claim_benefit_to_help_pay_rent/6

Rochdale

http://www.rochdale.gov.uk/council-tax-benefits-and-money/Pages/help-

Salford

https://www.salford.gov.uk/benefits/discretionary-housing-payments/aspx

Stockport

https://www.stockport.gov.uk/start/discretionary-payments-application-form

Tameside

https://www.tameside.gov.uk/Benefits/Discretionary-Housing-Pay-

Trafford

https://trafford-framework.egovhub.net/DISCRETIONARYPAYMENTS/launch

Wigan

https://finforms.wigan.gov.uk/Viewer-VicForms.asp?user=anon&Form=Wigan%20New%20 Discretionary%20Housing%20Payments%20(1.0).wdf

2) Get all your financial information together:

All you will need:

- A) Your National Insurance Number
- B) Rent statements and copies of any letters sent from your landlord, Notices, or possession proceedings (if you have them)
- C) Your bank details for all your accounts
- Details of any savings you have and all of your income (wages, benefits, maintenance payments)
- E) Details of the money you spend including:
 - Rent
 - Regular bills (gas, electricity, water, TV licence, Council Tax, mobile phones, internet/ media packages)
 - Debts and fines and how much you are repaying
 - Maintenance payments for a child
 - Transport costs (car, bike, public transport)
 - Food
 - Toiletries
 - Cleaning products and household maintenance
 - Clothes and shoes
 - Any additional costs you have because of any illnesses or disabilities
- Be ready to explain on the form how difficult your life is now in terms of your money or lack of it, the stresses you and your family are facing, and health problems or additional risks, the reasons why you cannot move to a smaller or cheaper home, find work or increase your hours, and any difficulties you have had with your benefits or finding help and advice. Councils only have so much money they can set aside for DHPs and you need to give them enough information to understand why you really need the help at this time.

Get legal advice as soon as possible if you apply for a DHP and are refused.

Protect - YOUR JOB!

The government's **Coronavirus Job Retention Scheme (CJRS)** is designed to help employers if they cannot cover staff costs due to coronavirus. Its aim is to avoid redundancies, and the scheme can offer grants of up to 80% of an employee's wage for all employment costs, up to a cap of £2,500 per month. The scheme is set to run for 3 months starting March 1, 2020 and could be extended.

If the business you work for applies for CJRS, they will designate some or all of their employees as 'furloughed workers,' and will need to notify employees of this change. You will still need to consent to being furloughed. They will have to submit information through an HMRC portal to apply for reimbursement.



However, changing the status of employees when applying for CJRS remains subject to existing employment law and, depending on the employment contract, may be subject to negotiation. If your employer tries to change the terms of your contract or any other status of your employment while designating you a 'furloughed worker' you should get advice.

What does it mean if I am designated a 'furloughed worker'?

This would mean that you are kept on your employer's payroll, rather than being made redundant. **You should not undertake work for them while you are furloughed.**

Your employer will claim a grant of up to 80% of your wage for all employment costs, up to a cap of £2,500 per month. You will remain employed while furloughed but you should not be undertaking work. Your employer could choose to fund the differences between this payment and your salary, but does not have to.

If your salary is reduced as a result of these changes, you may be eligible for support through the welfare system, including Universal Credit.

Will I have to pay tax on income from CJRS?

Yes – individuals will pay Income Tax and National Insurance on any payments received through this scheme as they are replacement for income in line with normal practise for benefits or grants that replace income.

Will this cover the cost of employer National Insurance contributions and employer pension contributions?

Yes – individuals will pay Income Tax and National Insurance on any payments received through this scheme as they are replacement for income in line with normal practise for benefits or grants that replace income.

What businesses are eligible for this scheme?

All UK businesses are eligible, this includes:

- businesses
- charities
- recruitment agencies (agency workers paid through PAYE
- public authorities

The scheme is open to all UK employers that have created and started a PAYE payroll scheme on/before 28 February 2020 and have a UK bank account.

What workers are covered by this scheme?

The CJRS definitely applies to anyone employed through the PAYE system regardless of their employment contract, this can mean salaried employees, those on flexible or zero-hours contracts and agency workers. The scheme can cover part time or full time staff.

The scheme does not apply to self-employed people or contractors.

How will this work for those on zero-hour/flexible contracts/agency workers?

This scheme aims to support all those employed through the PAYE system regardless of their employment contract, including those on zero-hour contracts.

Zero-hour and flexible contracts can cover a whole range of working arrangements, and the 80% grant is applied to whichever is higher:

- The earnings in the same pay period in the previous year; or
- The average earnings in the whole previous 12 months (or fewer if they have worked for less time than this, including a part month calculation if they were taken in February).

Can I be furloughed for a short period of time, e.g. a week or a couple of days, and then re-employed?

A worker must be furloughed for a minimum of 3 weeks for their employer to be eligible to claim under this scheme. This is consistent with the public health guidance seeking to minimise the number of people outside of their homes on a regular basis.

The scheme supports employers asking the maximum number of employees to remain at home during the coronavirus outbreak. · A clear minimum period also aids a clear definition of who is and who is not furloughed.

Can a business furlough someone after hearing the announcement and then claim back to March 1st even though they had been working that whole time?

No – the scheme is backdated to March 1st with a view to covering those who have already been made redundant as a result of the coronavirus.

What if I have already been made redundant?



The scheme will be back dated to March 1 with a view to covering those who have already been made redundant due to the Coronavirus outbreak. If firms re-employ staff made redundant after March 1st, they are eligible to then be furloughed and the employer would qualify for the grant.

If you have been made redundant and your employer has not offered to reinstate you and designate you a furloughed worker, you should get legal advice.

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What about if I started a job after 1 March?

Workers taken on after March 1 are excluded from the scheme.

Can my employer sack me while I'm on furlough? Is my employer allowed to sack me as soon as the furlough scheme comes to an end?

Yes, you can still be made redundant while on furlough or immediately after. There is no requirement to bring the employee back to work after the period of furlough. If an employee is made redundant during the period of furlough then grant payments will cease.

However, in both cases normal redundancy rules and protections will apply. Where a business feels that redundancy is the only option, this must still follow the rules which include giving a notice period and consulting staff before a final decision is reached. More information on redundancy can be found here.

If the CJRS is deemed a reasonable alternative to dismissal, there could be grounds for an unfair dismissal case, but again, this remains unclear for the time being.

If you have been made redundant after March 1, 2020 you should legal advice.

My employer has reduced my hours but has not designated me a 'furloughed worker', does this scheme apply to me?

No, if you are still undertaking work for your employer - even if your hours are reduced - you are not eligible for the CJRS scheme. If your salary is reduced as a result of these changes, you may be eligible for support through the welfare system, including Universal Credit.

I am on Statutory Sick Pay, can my employer change me to a 'furloughed worker'?

Employees on sick leave or self-isolating should get Statutory Sick Pay, but can be furloughed after this. Employees who are shielding in line with public health guidance can be placed on furlough.

If your employer currently has you on SSP, there is no reason you should not be moved to 'furloughed' status. If your employer does not approach you about designating you a 'furloughed worker' ask them about the scheme and your applicability,

I have more than one job, how does that work?



If you have more than one job, you can be furloughed by one or more of your employers. Each job is separate, and the cap applies to each employer individually.

How will my employer decide which workers to furlough?

This is a difficult question, it is essentially up to your employer which employees are furloughed and which continue working. Any decision to furlough a worker must be consented to by the worker, and equality and discrimination laws still apply to any

decisions your employer is making. If you feel that the decision to furlough certain workers and not others did not comply with equality and discrimination laws, you should gey legal advice.

I am on Maternity Leave, contractual adoption pay, paternity pay or shared parental pay, does this apply to me?

Individuals who are on or plan to take Maternity Leave must take at least 2 weeks off work (4 weeks if they work in a factory or workshop) immediately following the birth of their baby. This is a health and safety requirement. In practice, most women start their Maternity Leave before they give birth.

Getting Advice

ACAS Helpline: 0300 123 1100

Greater Manchester Law Centre (weekly clinic) –

Contact: reception@gmlaw.org.uk - Call: 0161 769 2244

Protect - YOUR INCOME!

For workers and self-employed people:

What happens if I work for an employer but can't work because I or someone in my household has COVID-19 symptoms or need to self-isolate and I can't work from home?

If you earn over £118 per week, tell your employer straight away. You may be entitled to Contractual Sick pay, if not you should be eligible for Statutory Sick Pay of £94.25 per week: https://www.gov.uk/statutory-sick-pay/how-to-claim

You can provide your employer with an isolation note if you're away from work for more than 7 days due to the virus. Apply online: https://111.nhs.uk/isolation-note/



What happens if I work for an employer but can't work from home and my work place is closed or my employer says there is no work for me to do?

If you are laid off by your employer because there is no work for you to do this is called being furloughed. If you were paid through PAYE and on the payroll on 28 February 2020 (whether fixed hours, casual or zero hours) you should still receive wages from your employer and your employer can claim 80% of your wages back from the government.

What happens If I work on a zero hours/flexible contract - can I still be furloughd and can my employer still apply for assistance?

Yes, if the amount you receive varies you should either receive your average pay between April 2019-2020 or the amount you received for the same month last year (whichever is higher).

What happens to my Working Tax Credits if I am furloughed?

If you are furloughed, you can continue to be treated as being in full time work for 8 weeks. After that period a further 4 week "run on" applies where it is accepted that work has stopped, but benefit continues to be paid. What is not clear is whether; if your employer brings you back to work during that last 4 weeks, WTC can continue.

We will update this guide on are website when more is known.

Beyond 12 weeks Tax Credits should stop and you will need to claim Universal Credit instead. If the lockdown stretches past 8 weeks that might change and we will update this guidance accordingly.

What happens if I am not furloughed but my hours reduce can I claim more Working Tax Credit?

If your income reduces and you are in receipt of Working Tax Credits you can ask HMRC to reassess your award; however the hours worked must remain above 16 for you to continue to qualify.

What happens if I am self-employed and can't work or my earning have reduced?

If you have completed a tax return for 2019 or do so by 23 April 2020 and have made a profit of less than £50,000 then HMRC should contact you with a form to fill in so that you will receive 80% of your average monthly income up to a maximum of £2500 per year. However, this help won't be available until June 2020.

If you have not completed a Tax Return you will need to claim Universal Credit, see below.







What happens if I have lost my job?

You should claim benefits as quickly as possible.

Which benefit should I claim if I'm unemployed and sick?

If you are unemployed, not receiving Statutory Sick Pay and too sick to work you need to claim either new style Employment Support Allowance or Universal Credit or both.

Which benefit should I claim if I'm unemployed and not sick?

Universal Credit



How do I claim Employment Support Allowance?

Employment Support Allowance (ESA): You may be able to claim new-style ESA if you are self employed, or an employee who is following government advice on self-isolation and unable to work.

There are no rules on the savings you have, so people who can't claim UC because they have over £16,000 in household savings can apply. However you need to have paid enough National Insurance to qualify.

If you are eligible, the ESA will be payable from day one of sickness, rather than day eight, if you have Covid-19 or are advised to self-isolate.

To claim call 0800 328 9244; be prepared for a long wait; possibly several hours.

A claim form is available: https://www.gov.uk/government/publications/new-style-employment-and-support-allowance-esa-claim-form however during the lockdown Jobcentre staff will still need to complete this over the telephone.

New claims for ESA do not require a sick note if the claim is due to Coronavirus but you may be asked to provide one if you are still ill in a few weeks time

If you continue to be too sick to work you will be asked to undertake a Work Capability Assessment; currently all face to face assessments are cancelled, so insead you will be sent a Limited Capability for Work Questionnaire and the DWP medical services will conduct an assessment on the basis of the information you give in the Questionairre; the form of those assessments has not been published at the time of writing.

How do I claim Universal credit?

In addition to claiming ESA, if you have less than £16,000 in savings you should also claim Universal Credit because this is paid at a higher rate.

Universal Credit (UC): Universal Credit is available for people who are out of work or on a low household income (this can be worked out using this benefits calculator), aged over-18 and under pension age, and have less than £16,000 in household savings. You don't need to have paid National Insurance contributions to make a claim,

UC requires an online claim: https://www.gov.uk/apply-universal-credit

Once an online claim is made for UC a telephone interview must be arranged to agree a "claimant commitment", hold times are lengthy; if you don't wish to wait, once the claim is submitted place a message on your journal asking them to call you and they should be in touch to arrange a time to call.

Once an online claim is made for UC a telephone interview must be arranged to agree a "claimant commitment", hold times are lengthy; if you don't wish to wait, once the claim is submitted place a message on your journal asking them to call you and they should be in touch to arrange a time to call.

UC also requires you to verify your identity, there are online providers for that however a lot of people can't provide the information required; if that process fails, then select the dialogue "I can't complete this online" then put a message on the journal asking them to contact you.

A biographical check can be completed; Job Centre Plus staff create a number of questions based on the information already held by DWP and HMRC; they will ask 5 questions and you must get three correct. If that fails they can write to a professional such as your GP to verify you.

If you claim UC and are in immediate hardship you can request an advance payment; that payment is a loan that will be recovered from the next 12 monthly payments.

If you need to claim Universal Credit, no conditionality applies during the COVID-19 lockdown. This means you do not have to attend the Job Centre or provide evidence that you are looking for work. When the lockdown finishes you will have to either provide a sick note or show that you are looking for work (the Work Related Requirments).

Can I get help whilst I wait for benefits?

When you claim for Universal Credit you can apply for an Advance Payment by requesting one on your journal. A payment up to the maximum award you will get on UC should be made to you once you have verified your ID.

We urge caution though, a maximum Advance Payment with Housing Costs for one person including housing costs would come to roughly £1000, however it will be recovered from the following year's monthly payments. A monthly repayment of £83 will make a sizeable dent in a living costs award of only £404 a month.

What happens if I am refused an Advanced Payment?

There is no right of appeal against the refusal of an Advance Payment however you should be able to ask Job Centre Plus to reconsider a decision. Usually, an Advance Payment is only refused if you are not likely to be entitled to UC.

Protect – YOURSELF FROM GOING WITHOUT ESSENTIALS!

Can I get help in an emergency from the Council?

Each council has a Hardship Payment fund offering help for emergencies or while you are waiting for other benefits to come through.

You can apply directly to your Council for hardship payments or urgent help during the COVID-19 lockdown:

Bolton



https://www.bolton.gov.uk/benefits/help-crisis-emergency

Bury

0161 253 5353

https://www.bury.gov.uk/burysupportfund

Manchester

0800 234 6123 (emergency social services number – 0161 234 5001; if you are have nowhere to stay at night 0161 234 5001)

https://secure.manchester.gov.uk/info/200008/benefits_and_support/6302/apply_for_a_cash_grant_if_you_are_in_financial_crisis

Oldham

0161 770 7007

https://www.oldham.gov.uk/info/100001/benefits_and_money/1837/emergency_support_local_welfare_provision

Rochdale

01706 923685

http://www.rochdale.gov.uk/council-tax-benefits-and-money/discretionary-crisis-fund/Pages/apply-for-an-award.aspx

Salford



0800 952 1000



https://www.salford.gov.uk/advice-and-support/welfare-rights-and-debt-advice-service/salford-assist/how-do-you-apply-for-help-from-salford-assist/

Stockport





https://www.stockport.gov.uk/start/apply-for-stockport-local-assistance-scheme

Tameside





https://www.tameside.gov.uk/support/independentliving

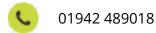
Trafford





https://www.trafford.gov.uk/residents/benefits-and-council-tax/benefits/trafford-assist.aspx

Wigan





https://www.wigan.gov.uk/Resident/Benefit-Grants/Welfare-Reform/Local-Welfare-Support.

If you have children or are a vulnerable adult and haven't been able to get support from anywhere else you may also be able to get some financial help from Social Services.

What happens if my child had free school meals but they can no longer go to school?

Contact your child's school to find out about alternative help or apply for help to the Council's hardship scheme.

Is there any help with gas or electricity bills?

Contact your supplier – some suppliers are sending pre-payment cards with credit to people who are stuck at home and self-isolating.

Is there any other help that I can get to get?

There may be grants available to assist you for both on-going and unexpected expenditure, for example if you work(ed) in a particular industry. To do a grant search please go to

https://grants-search.turn2us.org.uk/



Protect - YOURSELF FROM DEBT!

I am worrying about my debts what can I do?

The Money Advice Service has developed some useful tools about what to do now to stop the situation getting worse

https://www.moneyadviceservice.org.uk/en/articles/coronavirus-and-your-money#things-you-can-do-right-now

Is there any help with water rates?

Contact your supplier – some are agreeing to defer payments and all are putting a hold on debt collection.

Is there any help with Council Tax?

It depends on the Council, some are offering payment holidays or deferred payments and if your income has dropped you may be entitled to Council Tax Support. We will update this guide once we have definitive information – check your local council website for latest information.



What about other bills, loans or debts?

Contact the creditor – ask for payment holidays, reduced payments or for them to delay enforcement action. Most are offering some help to people during COVID-19.

Don't go to loan sharks or take out pay-day loans.

If you are struggling – get advice there is free advice available now https://www.moneyadviceservice.org.uk/en/tools/debt-advice-locator