

Tribunal Representation Course 2011

DEVON WELFARE RIGHTS UNIT
Suite 2, Quintana Gate, Bartholomew Street East, Exeter EX4 3BH

CONSULTANCY SERVICE

Tuesday and Thursday – 10.00am to 1.00pm
The consultancy is **not** available directly to the public

Tel: 0300 5000 505 (consultancy), Tel: 01392 223827 (training), Fax: 01392 223848
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Web: www.dwru.org

Devon Welfare Rights Unit is a service of Citizens Advice

Training Details and Application Form



Aims and Objectives

Aim

The aim of this course is to develop the skills of advisers in order to increase the incidence and quality of effective advocacy and tribunal representation in Devon.

Objectives

This course will enable advisers to:

- Explain the structure for settling disputes relating to decisions about entitlement to benefits.
 - Identify and interpret relevant social security legislation and case law.
 - Present evidence and legal argument clearly and effectively, both orally and in writing.
 - Explain the role of, and procedures relevant to, social security appeals.
 - Gain experience of representation at tribunal hearings.
 - Put skills and knowledge into practice by taking responsibility for real cases in a supported setting.
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Learning methods

This blended learning course comprises a mix of face-to-face training sessions, study sessions, e-learning and coursework. The e-learning is divided into 'modules' which must be completed in advance of attendance at training sessions.

Employers will need to provide, for the duration of the course, access to:

- A computer with e-mail and internet.
- A copy of the Child Poverty Action Group 'Welfare Benefits and Tax Credits Handbook 2011 -12 '
- Access to social security legislation either free via the internet **or** Volumes 1 - 4 of Social Security Legislation 2010/11 published by Sweet and Maxwell and Housing Benefit and Council Tax Benefit Legislation (latest edition).

Any employers with concerns regarding access to the above should contact Angela O'Brien (01392 223828) at Devon Welfare Rights Unit.

Timetable

| Module/Session | Content | Date |
|-----------------------|-----------------------------------------------|-------------|
| Module 1 | The appeals system | 9/9/11 |
| Study Session | Module 1 | 16/9/11 |
| Module 2 | Social Security Legislation | 16/9/11 |
| Study Session | Module 2 | 23/9/11 |
| Day 1 | Preparing for the hearing and advocacy skills | 7/10/10 |
| Day 2 | Appeal hearings | 14/10/11 |
| Day 3 | Mock hearings | 21/10/11 |
| Day 4 | Mock hearings | 4/11/11 |
| Module 3 | After the hearing | 21/10/11 |
| Day 5 | Review | 11/11/11 |

Times of training days

Each training day will begin at 10am and finish at 4.00pm with breaks for tea/coffee and lunch. (Refreshments are provided, lunch is not.)

Venues

Study Session 1 and 2 Training days 1 - 5:

Citizens Advice South West Region
Ground Floor
Quintana Gate
Bartholomew Street East
EXETER
EX4 3BH

Additional Information

Fees (Please see Sept 2011 – March 2012 Training Programme re. funded and non funded voluntary sector organisations)

The course fees are:

Voluntary sector (Funded) organisations in Devon - £260

Voluntary sector (Non Funded) in Devon - £300

Voluntary sector organisations outside of Devon - £340

Statutory sector organisations in Devon - £340

Statutory Sector organisations outside of Devon - £440

RSL's/Housing Providers in Devon - £320

RSL's/Housing Providers outside Devon - £390

Private sector organisations - £900

Commitment

By applying for a place on this course you are making a commitment to complete the modules in advance of the relevant training days to attend the first study session and to attend all 5 training days. Completing the modules entails returning coursework by e-mail (see below). Please apply only if you are confident that you can meet this commitment. If, in the event, you are unable to complete a particular module within the time limit or are unable to attend a particular session you will need to discuss with one of the tutors whether you can continue with the rest of the course.

Tutors

Staff from DWRU will tutor the course. You will have a named key tutor who will provide individual guidance and support throughout the course.

Modules and coursework

Module 1 will be sent out on 9/9/11. On receipt of the response to module 1, the course tutor will send out module 2, the response to which will need to be received by 16/9/11. Module 3 will be sent out on 21/10/11 and will need to be returned by 11/11/11. In addition, coursework will be set on training days 1 and 2.

It is expected that it will take 10 -12 hours to complete each module or piece of coursework.

Module 1 and 2 Study Sessions

Study Session are arranged to help participants with completion of modules 1 and 2. The aim is to enable participants to support each other in their studies on these days and to access resources they may not have available elsewhere. On both dates resources (e.g. CPAG handbooks, legislation books and internet access) will be made available to aid study. **The first study session is compulsory** and will include an initial 1 hour introductory session led by a tutor. A tutor will be on site to assist throughout both days. The second sessions is

neither supervised nor compulsory but previous participants feedback evidenced the benefit of attending.

Casework Support

During the course you will be encouraged to take responsibility for a real benefits case. Preferably this should be from your own organisation and should be an appeal case. If you have difficulty in picking up a suitable case, please talk to your key tutor who may be able to find one for you.

Your key tutor will provide support with your case. This may be in the form of telephone consultancy, individual or group discussion or even assistance at a tribunal hearing.

Travel Expenses

DWRU is unable to meet travel expenses.

Course Summary

Module 1: The Appeals System

Aim: Participants will achieve a comprehensive overview of the social security appeals system from revision to appeals from first tier tribunals.

Objectives: by the end of the module participants will understand:

- The difference between revisions, supersessions and appeals and when it is appropriate to use each method
- What decisions can be appealed
- Time limits and the process and rules for late appeals
- When judicial review is a more appropriate remedy
- The difference between social security appeals and child support appeals (which are not covered on this course)
- Who sits on the different types of appeal tribunals
- When appeals to the upper tribunal can be made.

Participants will be provided with course notes and exercises to complete and return.

Module 2: Legislation and case law

Aim: Participants will be able to identify, find and interpret legislation, guidance and case law in relation to individual cases.

Objectives: by the end of the module participants will understand:

- The overarching principles of social security law
- The difference between an Act and Regulations

- The role played by guidance
- The role played by caselaw
- Where to find the relevant legislation, guidance and caselaw
- How to interpret the law
- How to prepare a written submission in support of an appeal.

Participants will be provided with course notes and exercises to complete and return.

Training Day 1: Preparing for the hearing and advocacy skills

Aim: Participants will have practiced oral advocacy skills and will be able to interpret appeal papers in preparation for a hearing.

Objectives: by the end of the day participants will be able to:

- Understand and interpret appeal papers
- Feel confident about presenting a case orally.

This will be done by presentation, role play, group work, discussion and coursework and link with the training to date.

Training Day 2: Appeal Hearings

Aim: Participants will be familiar with tribunal procedures and responsibilities and be able to present the client's case in that context.

Objectives: By the end of the day participants will:

- Understand tribunal procedures
- Understand who is entitled to attend and what their respective roles are
- Understand what measures can be taken when the unexpected occurs
- Be familiar with the practicalities of attending a hearing
- Understand how a tribunal's responsibilities are affected by the right of appeal on a point of law.

This will be done by presentation, discussion, group work, role play and quizzes.

Training Days 3 and 4: Mock Hearings

Aim: Participants will practice their advocacy skills in a realistic environment.

Objectives: by the end of Day 4 participants will have:

- Had the chance to practise skills by participating in a mock tribunal in one or more roles (i.e. client, advocate, Chair, panel member)
- Had the opportunity to reflect on their performances and feelings in the context of the course
- Received appropriate feedback

The mock hearings will be arranged to be as realistic as possible and time built in to each day for feedback and discussion.

Module 3: After the Appeal

Aim: Participants will be able to identify the options open to claimants following a successful or unsuccessful appeal hearing.

Objectives: by the end of the module participants will know:

- What to do after a successful appeal
- What to do after an unsuccessful appeal
- How they can keep themselves updated (CPAG, SSC website, Rightsnet etc)

Participants will be provided with course notes and exercises to complete and return.

Training Day 5: Review

Aim: Participants will be enabled to provide and receive feedback in relation to the whole course and be able to identify opportunities for further learning and development.

Objectives: by the end of the day, participants will have had the opportunity to:

- Provide individual and group feedback on the course as a whole
- Discuss their individual development on a on-to-one basis with a course tutor
- Identify further training and support needs.

This will be done in group and individual feedback sessions.

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Tribunal Representation Course 2011 Application Form

- 1 Name and e-mail address: _____

- 2 Name, telephone number and address of your organisation: _____

- How long have you worked in this organisation? _____
- 3 How many hours do you work each week? _____
- 4 What benefit training have you previously attended?
- 5 Please list: _____

- 5 Have you ever attended any tribunal representation training?
Yes
No

Devon Welfare Right Unit Tribunal Representation Course 2011

If 'Yes':

a). When did you attend the training? _____

b). Who provided the training? _____

c). Was the training good average or poor ?

d). How long was the course? _____

6 Have you ever represented a client at a social security appeal?

Yes

No

7 Does your organisation provide a tribunal representation service?

Yes

No

8 Are there other organisations in your area that provide a tribunal representation service?

Yes

No

If you have any special requirements (e.g. due to disability, caring responsibilities, employment commitments) which make it difficult for you to attend the course, please contact us. We will do our best to make the course accessible to you.

The training venue has full disability access.

***Please complete the statement below and return this form to
Llinos Davies at DWRU by Friday 5th August 2011
Bookings will be confirmed by Tuesday 16th August 2011***

I understand that the DWRU Tribunal Representation Course 2011 requires a commitment to attend all sessions and to participate fully in the coursework and casework during the course.

Signed: Date:

We as the employer of the above named person agree to make fund there place on the Tribunal Representation Course.

Signed: Date:

On behalf of employing organisation

Role Title: Organisation

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