



Formerly Citizens Advice

**Benefits, Debt & Money, Housing,
Employment, Consumer, Advocacy**

FREE, IMPARTIAL, CONFIDENTIAL ADVICE

0300 30 30 306

Welcome to an overview of your rights and entitlements.

This overview can be used as a guide for advice and information and can be followed up by contacting us at Community Advice.

Who Are We? and What Do We Do?

Community Advice Newry Mourne and Down, formerly Citizens Advice Newry, Mourne and Down was incorporated on the 1st of January 2019 following the realignment of the Citizens Advice Bureaux in Northern Ireland.

Community Advice is a registered charity that provides free, independent, impartial and confidential advice to the residents of Newry, Mourne and Down on problems and situations they face in their everyday lives. We help clients access advice via various channels of their choosing such as by lifting the phone, sending an email or messaging via WhatsApp.

At Community Advice we will support you whenever you need us, helping you find a way forward.

**Why not engage with us on social media:
@advicenmd where we offer up-to-date advice
on issues that affect our community.**



At Community Advice we deal with all problems even if they seem complicated or intimidating. We believe no one should face difficulties without good quality, free, independent and impartial advice.

That is why we are here: to give people the knowledge and confidence they need to find their way forward - whoever they are, and whatever their problem may be. When we say we are for everyone, we mean it. People rely on us because we are independent and totally impartial.

Staff and volunteers provide practical advice, negotiate on behalf of clients and even offer formal representation at tribunal hearings.

Our offices are also comprised of specialist money/debt advisers and Appeals Representatives.

Contact us:

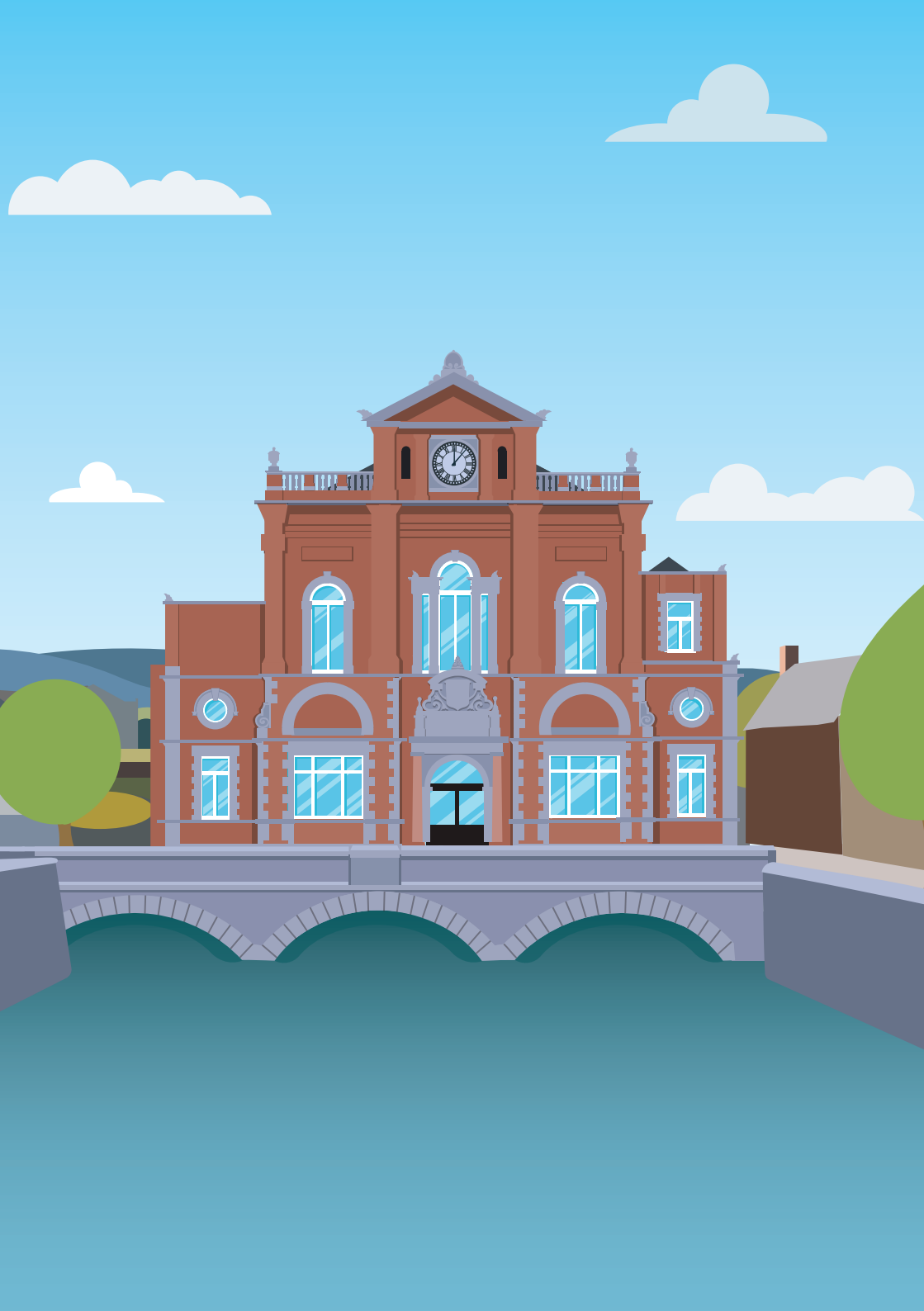
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01 Employment Rights

Contracts:

This can be either a written or verbal agreement. However, it is always beneficial to have this in writing to protect both employer and employee. If a verbal contract is given, you are entitled to a **Statement of Initial Employment Particulars**.

This should be given within two months and must outline your basic terms and conditions such as job description, annual leave and notice periods.



Wages:

All workers and employees have a legal entitlement to be paid at least the **national minimum wage**.

Minimum wage changes depending upon your age and is updated annually. As the minimum wage increases, so should your pay. You may have additional wage entitlements within your employment contract, but you still must be paid at least the national minimum wage.



Pension:

Under the **Workplace Pension Scheme**, all businesses with 10 or more employees must provide the option of a workplace pension. The ethos of this is when you pay in your boss does too. An employer must legally pay a minimum percentage and individuals can choose to top this up. Legally you must be given the option to avail of this, but it does not apply to some roles such as emergency service staff etc.

Holidays:

Every employee has an entitlement to an **annual leave allowance**. However, your employer has a legal right to dictate how holidays are taken. For example, some workers are asked to use annual leave towards bank holidays or for times when the business is closed like Christmas.

This is set at a legal minimum of 5.6 weeks or 28 days for a full-time employee. Part time employees are entitled to a percentage of this. For example, someone working 3 days per week would have an annual leave entitlement of 15 days per year ($28 \div 5.6 \times 3 = 15$).



Payslips:

All employees have a legal right to payslips. As a minimum, a payslip should detail: the hours you have worked, rate of pay, any deductions and your gross/net payment for the period worked.

Working Hours and Rest Breaks:

Most workers are limited to being asked to work a maximum of 48 hours in any one calendar week. This is protected under the **Working Time Regulations**. Employers can ask employees to opt out of this, but it must be the employees choice and must be done in writing.

Most employees are also entitled to at least one 20-minute break in every 6-hour working period. There are roles that this does not apply to such as emergency service staff etc.

Flexible Working:

Once you have been employed for 26 weeks, you have the right to request flexible working from your employer and 1 request can be made each year. This could be a change in the hours and/ or days that you work. Your employer is legally bound to consider this but can refuse it on certain legal grounds.

You should seek advice if you are considering requesting flexible working arrangements.



Agency Workers:

Many people work for agencies and are placed within businesses. As an agency worker, you have the same basic rights as all other workers and these increase once you have been in the post for 12 consecutive weeks.

If you are an agency worker and feel you are not receiving the rights you are entitled to, or if you have any employment questions or concerns you should seek advice and contact our office.

02

Unemployment Rights

Redundancy:

Redundancy can occur when an employer wishes to reduce the workforce. For example, if the type of work is no longer required or there is no longer a need for the same quantity of employees.

A **standard dismissal procedure** must be followed. However, this procedure does not apply to some collective redundancies.

The employer decides the reasons/justifications for making an employee redundant, but they must be fair. For example, disciplinary records, appraisals of skills/experiences, 'last in first out' or asking for volunteers.

If you feel you have been treated unfairly you can appeal against this.



Notice:

Your employer must give you a notice period before your employment is terminated. This is known as the **Statutory Redundancy Notice Period**.

- At least one week's notice if you have been employed between 1 to 2 months
- One week's notice is required for each year of employment between 2 and 12 years

Redundancy Pay:

You are entitled to redundancy pay if you are an employee who has been made redundant following at least two years of continuous work for the employer.



Rate of Statutory Redundancy Pay:

The amount payable is dependent on age of employee, length of service and contractual earnings (subject to a limit of £566 per week and 20 years).

- Up to age 21: Half of week's pay for each full year of service.
- Age 22 to 40: One weeks' pay for each completed year of service.
- Age 41: One and a half weeks' pay for each completed year of service.

It is essential you check your employment contract for any additional redundancy pay entitlements.



03 Benefits (When Unemployed)

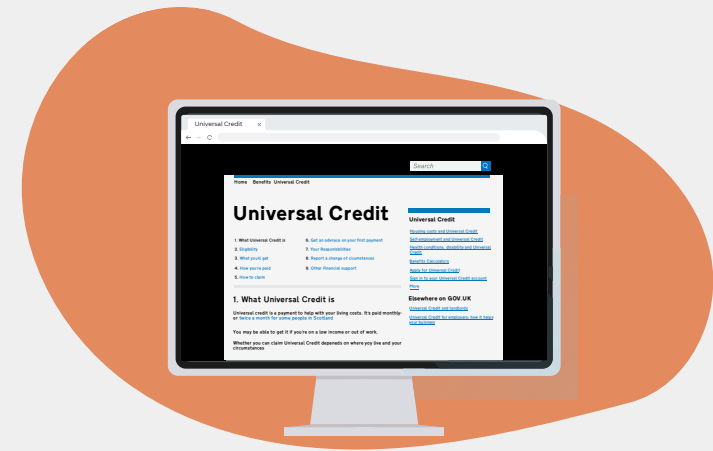
Universal Credit (UC):

Redundancy payments are treated as **capital** under UC. Capital refers to all savings and investments. If you and your partner have capital which exceeds £16,000 you will not be able to receive UC.

Capital between the lower capital limit of £6,000 and the upper capital limit of £16,000 may reduce your UC entitlement as it is treated as monthly earnings and referred to as Tariff Income.

- **Tariff income** rate is £4.35 per month for each £250 (or part of £250) above the lower limit of £6,000

Capital below £6,000 will not affect your UC payments.



New-Style Job Seekers Allowance (JSA):

If you have paid sufficient **National Insurance Contributions**, you may be eligible to claim New-Style JSA. This benefit is for individuals who are seeking work, unemployed or working less than 16 hours per week.

New-Style JSA can be claimed on its own or alongside a UC claim. It is not means-tested and will not be affected by a redundancy payment.

04

Becoming a Parent

Time Off:

If you're expecting and in work, you'll be entitled to one or more of the following:

- Maternity Leave
- Paternity Leave
- Adoption Leave
- Shared Parental Leave

You accrue your statutory holiday entitlement during this time.

Pay:

You can check that you meet the criteria for maternity pay, paternity pay, and adoption pay with us at Community Advice. If you don't qualify for maternity pay, you may be eligible for maternity allowance.



Once the baby is born you could be entitled to:

- Child Benefit
- Extra financial support on your UC claim
- Sure Start Maternity Grants (from 11 weeks before due date)
- Healthy Start Scheme
- Free NHS dental treatments if pregnant or if you have had the baby 12 months before the dental treatment begun

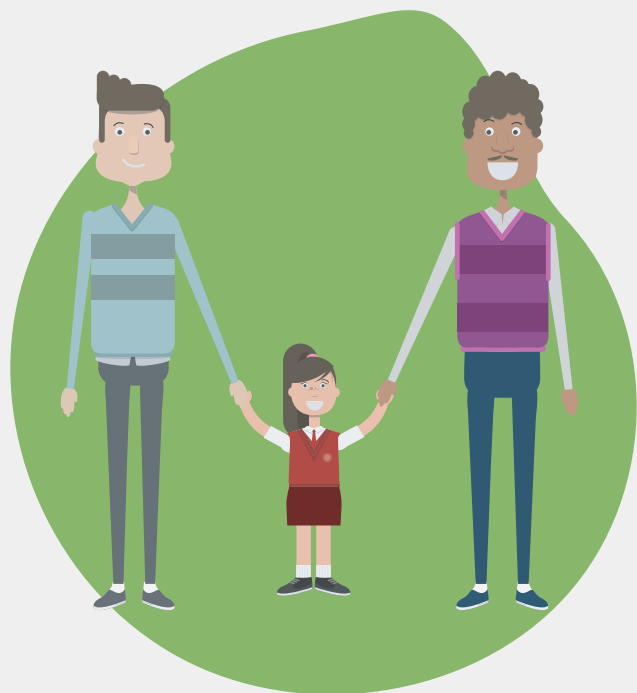
Returning to Work:

You may be entitled to help with registered childcare costs through Universal Credit or Tax-Free Childcare.

You can also ask your employer for flexible working arrangements which include reducing your hours, working from home, and job sharing. However, these arrangements are at the discretion of your employer.

Parents also have a right to **parental leave**. This is unpaid time off work to look after your child or make arrangements for their welfare.

As your child gets older and starts school you may be entitled to extra support. This support may include free school meals and subsidised school uniforms and supplies.



05

Sickness and Disability

If you take time off from work due to illness, you might be entitled to **sick pay**. There are two types of sick pay:

- Company Sick Pay (also called **Contractual or Occupational Sick Pay**)
- **Statutory Sick Pay**

If your employer runs their own sick pay scheme it is a '**company sick pay scheme**' and you should be paid what you are entitled. If you are not entitled to anything under a company scheme, your employer should still pay you Statutory Sick Pay (SSP) if eligible.

Your employer may set out how you should inform them that you are sick, ringing in before a certain time of the day, for example. Usually, you will be able to self-certify for 7 days of illness, beyond that a fit note (doctors note) is normally required.



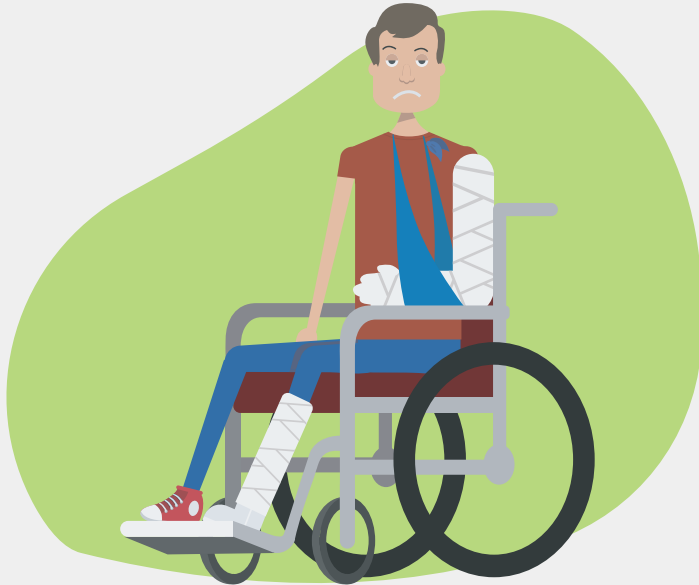
The amount of sick pay you get isn't usually affected by the cause of your sickness. Your employer may have a special scheme in place for workplace injuries - check with them for details.

If your employer is responsible for your incapacity, you have a legal right to make a **personal injury claim**. This applies to both a physical injury sustained at work or a psychological injury, like stress. You should speak to a lawyer or trade union representative if you're considering this.

If you're on sick leave you can normally build up four weeks' of statutory paid holiday time, like any other employee. **Statutory holiday entitlement** is built up (accrued) while an employee is off work sick (no matter how long they're off).

Any statutory holiday entitlement that isn't used because of illness can be carried over into the next leave year. If an employee is ill just before or during their holiday, they can take it as sick leave instead.

An employee can ask to take their paid holiday for the time they're off work sick.



Statutory Sick Pay

You get SSP for the days you would normally have worked. It's not paid for the first three days you're off, unless you've been paid SSP within the last eight weeks and are eligible for it again. It's paid by your employer for up to 28 weeks.

Employment and Support Allowance

If you're self-employed, not eligible for SSP or it has run out, you may be able to apply for **Employment and Support Allowance**.

Entitlement to payment of '**New style**' ESA is dependent on your National Insurance contributions. Your partner's income and savings won't affect how much new style ESA you're paid.

'**New style**' ESA lasts for 365 days if you're in the work-related activity group.

There's no time limit if you're in the support group, or if you're receiving **income-related ESA**.

To keep getting ESA you must report any change in your circumstances and maintain the conditions of entitlement. You may also need to send fit notes regularly.



There are several benefits individuals with disabilities can claim. Which benefit you qualify for is dependent upon the age of the claimant.

Daily Living Allowance (DLA)

DLA is the benefit for **children under 16 with disabilities**. DLA is split into two key components:

- Care Component
- Mobility Component

There are three rates in which the care component can be paid and each of these rates equate to a different sum of money.

- High Rate
- Middle Rate
- Low Rate

The mobility component also has two separate rates.

- High Rate
- Low Rate

When a child on DLA turns 16, they will be asked to transfer to a **PIP claim**. When DLA changed to PIP, everyone under pension age who was on DLA was asked to claim PIP. This was contentious as following re-assessment people's money was either enhanced, remained the same, or they may have had their money reduced or lost their award entirely.



Personal Independence Payment (PIP)

PIP is a disability benefit payable to individuals aged between **16 and pension age**. PIP is measured via a points-based system which assesses a client's needs with reference to various **daily living** and **mobility** descriptors.

PIP awards points based upon a client's ability to carry out specific tasks and whether they require assistance/support from another person.

PIP also comes in two components:

- Care Component
- Mobility Component

Unlike DLA the care component only has two rates.

- Standard Rate
- Enhanced Rate

This is the same for the mobility component. There are different payment amounts for each. An award of PIP is based upon what help the client needs to carry out their daily living activities or mobilising.

Attendance Allowance (AA)

If a person reaches pension age and is disabled, they can apply for AA. AA focuses extensively on the requirement for support, supervision and/or assistance from another person for an individual's day and/or night care needs.

AA is payable in two rates:

- Low Rate
- High Rate

There is no **mobility component** for Attendance Allowance unlike DLA and PIP. It is assumed that all individuals of pension age have some extra mobility needs which are not necessarily reflective of their disability.

Carers Allowance

When you are in receipt of PIP care component at any rate, DLA care at the middle or high rate or AA at any rate, someone may be entitled to claim Carers Allowance for you.

There are certain criteria that need to be met in order to claim.

- Must be caring for the person for at least 35 hours per week
- The person you are caring for must be in receipt of a qualifying disability benefit
- Must be aged 16 and over
- Meet all presence/immigration conditions
- Not be in full-time education
- Must not earn over the earnings threshold per week



06

Universal Credit (UC)

UC is an income-based benefit for working age people that was introduced to replace the legacy benefits.

UC has replaced:

- Income Support
- Income-based Job Seekers Allowance
- Income-related Employment Support Allowance
- Housing Benefit
- Working Tax Credit
- Child Tax Credit

Universal Credit was designed as a simpler benefit that only required one claim, rather than making several claims for multiple benefits like the old system.

With Universal Credit there are no set amounts that a person can receive, and their entitlement is conditional to several different circumstances.

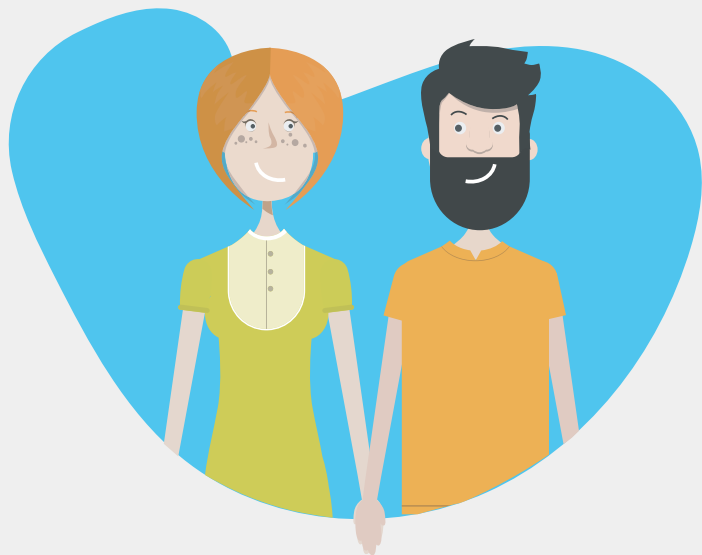


In order to make a claim for Universal Credit you must:

- Be aged 18 or over, however some exemptions do apply for people aged 16 and 17
- Be under state pension age
- Not be in full-time education or training, unless exemptions apply
- Not have capital exceeding the value of £16,000

If you are making a claim for Universal Credit and you live with a partner, you will be treated as a couple and will need to make a joint claim, meaning that both claimant's circumstances will be considered.

If one person in the couple is below state pension age and one person is above, they are treated as a **mixed age couple**. Therefore, they will be forced to make a claim for Universal Credit rather than making a claim for Pension Credit.



UC and Work:

Universal Credit can be claimed by people who are out of work, people who are unfit for work due to their health conditions, and those who are on a low income.

For those who claim Universal Credit while they are working, their **income** will be taken into consideration when determining their entitlement. The amount that is taken off their entitlement depends upon the claimants' circumstances.

Additional amounts can be awarded. These amounts account for the number of dependent children you have or whether these children are in receipt of any disability benefits.

You can also get help towards **childcare costs** if you are working and can receive an additional amount if you are a **carer** for someone in receipt of disability benefit.

Helping with housing costs such as rent and rates is also available and dependent on the type of accommodation you reside in.



How to Claim:

Universal Credit is an online benefit. This means that it must be claimed and managed online through a **journal**.

There are alternatives for those unable to access or use the online systems.

We can provide assistance and support with all aspects of Universal Credit including the application process, changes of circumstances and managing your claim.

Contact our office for more information.

07

Retirement and Pensions

State Retirement Pension:

Currently (2021/2022), the state pension age for men and women is **66**. This is under review and may change in the future.

Your state pension age is the earliest age you can start receiving your **state pension**. Anyone can continue working past state pension age. The amount of state pension you receive is based upon your **National Insurance record** when you reach State Pension age. A **pension forecast** can be requested in the years prior to reaching pension age. This forecast provides you a marker of what you can expect to receive.

You will not get your State Pension automatically - you must claim it. You should get a letter no later than 2 months before you reach State Pension age, telling you what to do.



If you do not get an invitation letter, then you can claim by phoning **The Northern Ireland Pension Centre**. Here, you can make the claim over the phone or request a paper version to be sent. This can be returned by post or online at [nidirect.gov.uk](https://www.nidirect.gov.uk).

Your State Pension will be paid directly into your bank, building society, or any National Savings account that accepts Direct Debit payment.

Pension Credit:

Pension Credit awards individuals extra financial support to help with their living costs, provided they are over state pension age and on a low income. It can be claimed at the same time as your State Retirement Pension. If you are a mixed age couple, **both** must be over pension age to claim Pension Credit.

Pension Credit is an **income-related benefit**. Therefore, savings, income, land and secondary properties determine how much you are eligible to receive. Even a small amount of Pension Credit entitlement can then enable you access to other help. This can include rates, rent, TV licences and NHS costs etc.

You might get extra help if you're severely disabled, a carer, or responsible for a child or qualifying young person.

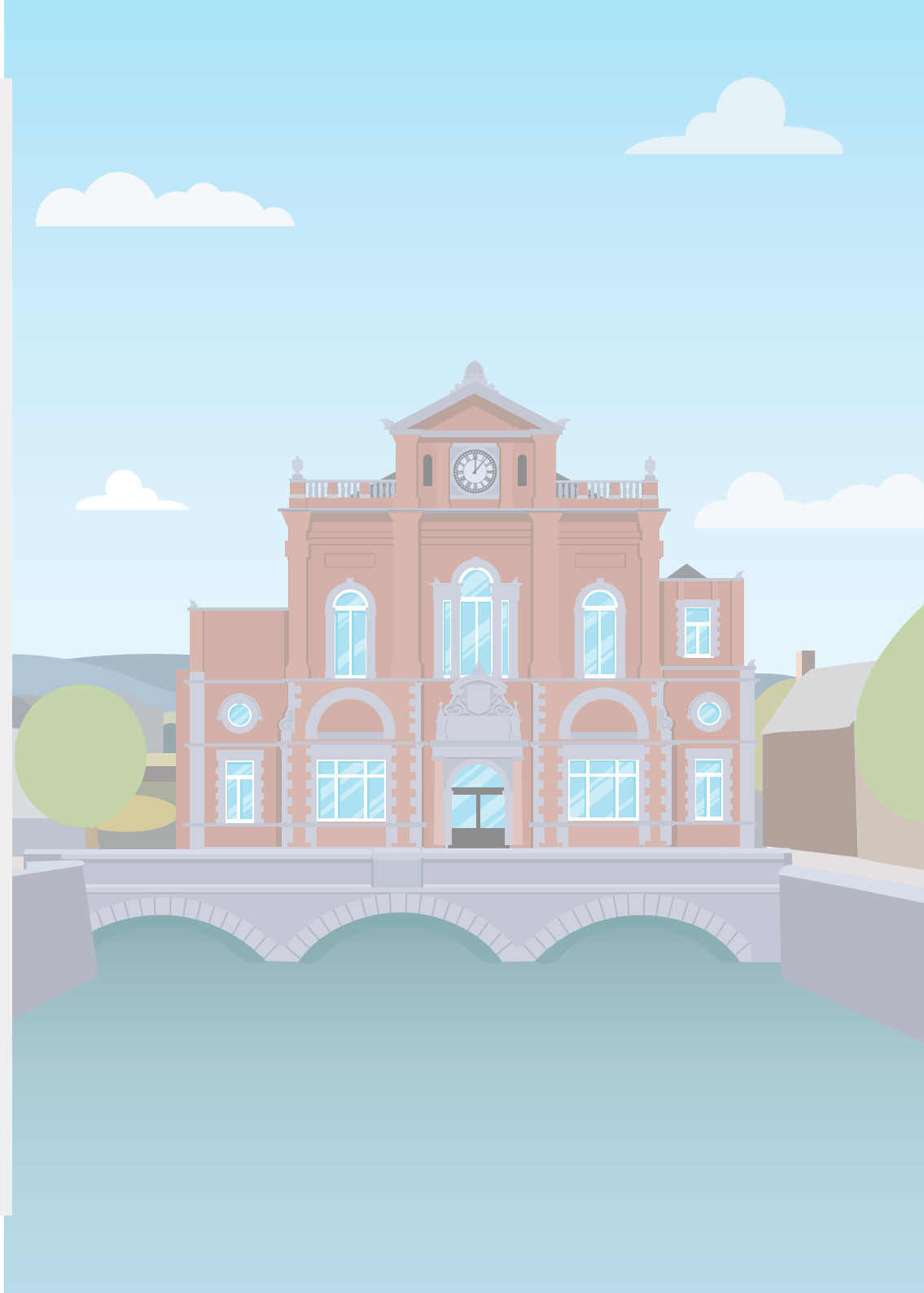
When you apply for Pension Credit your income is calculated. Some income, such as disability benefit, does not count towards income. If you have a partner, your income is calculated together in a **joint claim**.



Pension credit can be claimed in the same way as state retirement pension, and you can also download a form from the website, [Nidirect.gov.uk](https://www.nidirect.gov.uk).

Pension Wise:

Pension Wise is a government service that offers free, impartial pension guidance on personal, workplace and state pensions. Their services can be accessed via our organisation for an advisory appointment.



08

Debt & Money

If you are struggling with debt, you are not alone, bills are a fact of life. Problems arise for those who can't see a way out.

If you owe money and you're struggling to pay it back, there are practical actions that you can take. The worst thing to do is to ignore the problem - it won't just go away. It is never too early or too late to seek help.

Our Debt and Money Advisers will help you decide which option are most suitable in order to help you manage or clear your debts.



Firstly, you'll need to work out a realistic personal budget so you know where your money is going and how much you can afford to pay to your creditors (people you owe money to). This is often referred to as an **Income and Expenditure Calculation**.

We'll advise you to shop around for deals on for example satellite television and broadband to help you reduce your outgoings.

There are many ways to repay your debts once you've taken stock of your situation. Our advice and assistance is free, impartial and confidential and we tailor our advice to your personal circumstances.

Options include:

- Debt Repayment Plans
- Individual Voluntary Arrangements
- Debt Relief Orders (in overwhelming debt circumstances and Bankruptcy)

At CANMD our debt advisors work to find the best solutions for each individual client.

Your options will depend on the amount of money and assets you possess. We'll also advise you on what restrictions and responsibilities you must agree to and how different repayment options will affect you.

This can be crucial for people dealing with mortgage issues, secure loan problems, car finance debt or for those where creditors are pursuing legal action against them.

We provide all the advice and support you need to help you deal with your debt difficulties. It might not be straight-forward or quick to resolve, but there is always a way. The earlier you tackle them, the easier they are to deal with.

Contact our office to take the first step.



09

Housing & Tenancy

As the cost of living increases, people are finding it challenging to pay their bills, rent, mortgages and may even find themselves homeless.

We offer advice, support and advocacy with all housing inquiries and can signpost you to more specialised agencies and services if needs be.

Tenancy Deposit Scheme

When you start renting a home from a private landlord you will usually pay a deposit. The landlord must protect this deposit under the **tenancy deposit scheme**. This scheme ensures you are protected and get your deposit back when you move out of the property, provided the property is returned in good condition and you have paid your rent in full up to date.



Landlord Registration Scheme

The **Landlord Registration Scheme** collects and maintains accurate information on landlords and their properties. By law, all Northern Irish private landlords must register with the Landlord Registration Scheme.

It is important to ensure your landlord is a registered landlord. This improves tenant confidence, landlord accountability and safeguards good practice.

Paying for Accommodation

If you are not working and not able to pay for your housing costs, you will have to claim **housing costs** through Universal Credit or **Housing Benefit** under the old system. If you are over state pension age, have no capital exceeding £16,000 and are in receipt of income-related Employment Support Allowance, Income-based Job Seekers Allowance, Income Support or are on a low income then you are eligible.



You are not eligible for housing costs if you reside in a care home, are abroad or subject to immigration conditions, are a full-time student, member of a religious order that provides housing, you live with your landlord who is a close relative or partner or if you used to own or have a long tenancy of the home you now rent.

Please contact our office for a benefit check to verify your eligibility for housing costs or **home improvement grants** from the **Housing Executive** in certain circumstances.



Eviction



Landlords must carry out due process. A notice to quit must be in writing. It should clearly state that is an official Notice to Quit and include the date on which you must vacate the property. The court will only enforce the notice if it is in the right format.

The amount of notice landlords are legally required to give depends on how long you have lived in the property.

Landlords can only evict a tenant during the term of a tenancy agreement if they can show that the contract allows for this or that you have materially breached the agreement and failed to remedy the breach.

You are a periodic tenant if your contract has expired and hasn't been renewed. You will also be periodic if no fixed term was agreed but the tenancy has lasted for longer than 6 months. If you are no longer protected by a tenancy agreement landlords do not need a reason to end the tenancy.

Local Housing Allowance (LHA)

The Local Housing Allowance applies to the private rental sector. LHA refers to the standard amount of maximum Housing Benefit (HB) set, according to where you live and who resides in your household.

This can never be more than your rent. The application of LHA means your HB may be less than your rent even if you are entitled to maximum benefits.

Therefore, you are expected to make up any shortfalls or seek cheaper accommodation.

LHA rate depends upon:

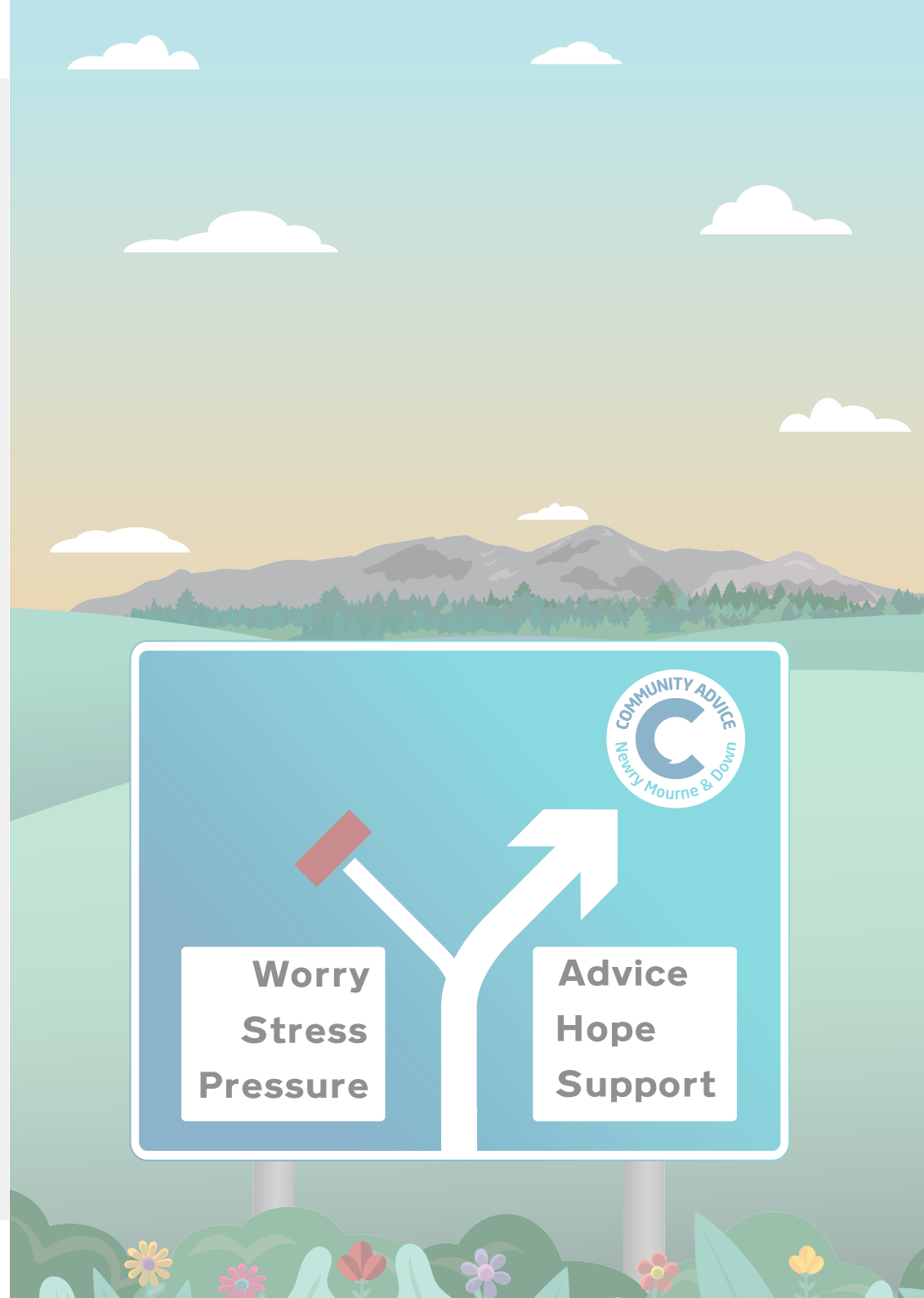
- The postcode of your property
- Size of your household
- Number of bedrooms

Homelessness

If you are homeless and have nowhere to stay, there are laws and protections which can help you. If your landlord is unfairly evicting you, or you are no longer safe where you reside you can get advice and support.

The Housing Executive may be able to offer you somewhere to stay depending on your circumstances. You should contact the **Housing Executive Housing Solution Team** on 03448920900.

Acting quickly is important if you are homeless or facing homelessness. The quicker you get help, the more probable you are to be able to sort out your debts, find somewhere suitable to live, or prevent a landlord from evicting you.



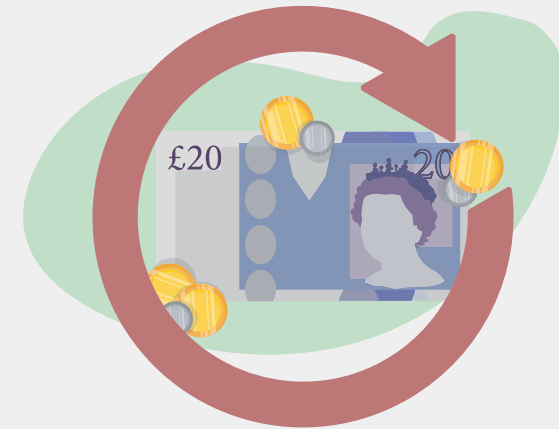
10 Consumer Rights

Consumer Rights Act 2015 (CRA):

This act sets out the basic rules which govern how consumers buy and businesses sell.

CRA 2015 includes reference to our expectations, because descriptions tend to refer exclusively to appearance - but must also consider how long things last and how well they should work. Therefore, customers are entitled to seek refunds, replacements and repairs. This was the first time that digital content was covered by consumer legislation.

This new legislation made **consumer law** clearer and easier for consumers to understand, enabling individuals to buy and sell with confidence.



Refunds:

When you make a purchase, you do not have an automatic right to get your money back if you just change your mind and there is nothing wrong with the item. This is regardless of how expensive the purchase was. It is up to the seller to use their own discretion as to whether they offer you anything.

Buying Goods Online:

When purchasing online you automatically are entitled to a **14-day cooling-off period unless** the item is bespoke or made to measure. This period starts the day after you receive your item and there does not need to be anything wrong with the item to qualify for a **refund**.



Unfair Trading:

This includes when a trader makes misleading statements, leaves out crucial information about a product or behaves aggressively. If you believe you have been misled, you should contact **Trading Standards Service** or our organisation for further assistance and to investigate complaints. If regulations have been breached, enforcement actions can be taken, such as:

- Written advice
- Written warning
- Formal caution
- Prosecution

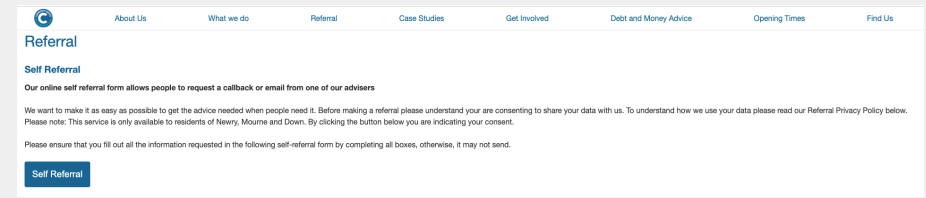
If a matter goes to court and convictions are made, traders can be subjected to **finest** - and in more serious cases **prison sentences**. If you require any advice, contact us for all consumer-related issues.

Self-Referral/Partner Organisation Referral

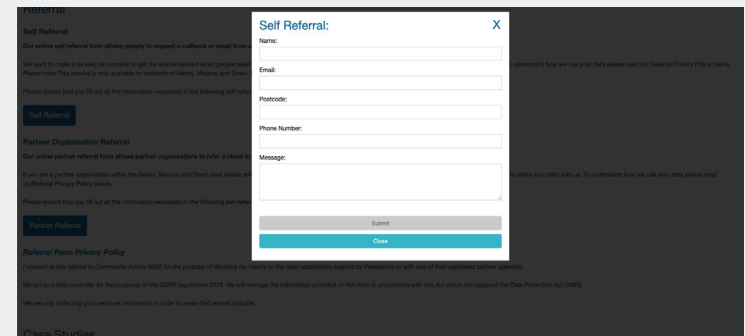
Our online self-referral form allows people to request a call-back or email from one of our advisers. This can be located on our website <https://advicenmd.com/>

Here, at CANMD we want to make it as simple as possible for people to gain the advice they need. Partner Organisations can also directly refer clients.

Before making a referral, please understand you are consenting to sharing your data with us. This service is only available to residents of Newry, Mourne and Down.



On our website homepage you can scroll down to our referral section.



Here is the self-referral form you will find on our website.

SLIEVE GULLION

ROWALLANE

NEWRY

SLIEVE CROOB

THE MOURNES

CROTLIEVE

DOWNPATRICK

