Provide first line welfare rights legal advice

Overview

This standard is about providing clients with welfare rights information and advice at the point of initial contact with the service. You will work directly with clients to establish their needs and expectations of services, research information which is relevant to their situations and provide them with appropriate and accurate legal advice. You will also know when to refer clients on to alternative or more specialist sources of advice. In this standard the term `welfare benefits' includes means tested, non-means tested and contributory benefits.

Performance criteria

You must be able to:

1. communicate with the client in a manner appropriate to their understanding and needs
2. explain to clients the legal advice services you can offer in line with organisational requirements
3. check that clients' understanding of legal advice services is consistent with information you have provided
4. agree with clients their legal advice requirements in line with relevant legislation, policies and procedures
5. agree with clients any situations which require immediate action and take steps to implement in line with their requirements
6. explain the organisation's systems and procedures for working with clients
7. analyse available client information to assign relevance to their case in line with your professional judgement
8. record client details and agreed actions in line with organisational requirements
9. review sources of information to assess applicability to clients' situations
10. check that information obtained enables you to advise clients
11. analyse information received from clients and the research process to formulate options in line with clients' needs
12. present clients with information and possible options for action in line with organisational requirements
13. advise clients on the implications of possible options in line with organisational requirements
14. check clients' understanding of the advice offered in line with organisational requirements
15. agree actions required by you and clients in line with organisational requirements

Knowledge and understanding

You need to know and understand:

1. how to adapt communication styles in ways which are appropriate to the needs of the client
2. the legislative framework in your jurisdiction relating to welfare benefits
3. the current structure of the welfare benefits system, including the difference, relationship and interaction between:
3.1 means-tested benefits
3.2 non-means-tested benefits
3.3 contributory benefits
3.4 locally administered welfare schemes
3.5 non-contributory benefits
3.6 passported benefits
4. statutory bodies involved in the administration of welfare benefits
5. the eligibility rules for benefits relevant to different client groups
6. how entitlement may be affected by clients' circumstances
7. how to calculate benefit entitlement for clients
8. how to make benefit claims, taking account of:
8.1 the procedure for making claims
8.2 which department of organisations are responsible
8.3 time limits
8.4 rules and time limits for backdating and late claims
8.5 relevant evidence
9. how to recognise cases where benefits may be being overpaid or underpaid
10. how to keep up to date with major changes in legislation or benefit regulations and how this impacts on advice
11. the appropriate options for maximising benefit income
12. the legal position and action required by your organisation when clients are claiming fraudulently
13. appeals procedures, and options for challenging welfare benefits decisions
14. procedures for transferring from one benefit to another including transitional protection
15. the range of local support services and concessions available to clients
16. sources of financial assistance and how to assist with applications, including:
16.1 social security payments
16.2 payments from other statutory bodies

16.3 charities
16.4 passported benefits
16.5 educational benefits
16.6 health benefits

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