

COVID-19 UPDATE FROM CITIZENS ADVICE BRENT – 04 AUGUST 2021

Benefits update

Restoring the Universal Credit minimum income floor

The [new regulations restoring the minimum income floor \(MIF\)](#) came into force on 31 July 2021. [The original provisions suspending the MIF](#) are extended to 31 July 2022, with certain modifications.

The new regulations refer to ‘the MIF easement’, which is where the client’s threshold was treated as being a lower amount (including zero) under the original provisions. Where the MIF easement was being applied, the DWP must stop applying it, from the first assessment period (AP) after:

- determining that the client remains in gainful self-employment (GSE)
- completing any outstanding start-up period

The MIF easement can be reapplied, up to a total of 6 APs (and up to 2 APs at a time), if the client’s business continues to be affected by the pandemic.

The new regulations also keep the discretionary power to delay a GSE determination, but not the powers to extend a start-up period more generally or to treat a client as not being in GSE. It is not clear if these other easements were being widely used by the DWP.

In practice, this means that clients who were subject to the MIF before the pandemic will become subject to it again, but only once the DWP carries out a new determination to check they're still in GSE. These clients can have further temporary suspension of the MIF if needed. For newer UC claimants who haven't yet had a GSE determination, a determination will take place and they'll be subject to the MIF if found to be in GSE. Most of these clients should then qualify for a start-up period.

[DWP guidance](#) confirms that the DWP will:

- check if a client is still in GSE before reapplying the MIF
- extend any start-up period a client was in on 13 March 2020
- contact clients before reapplying the MIF

Housing update

The [Court of Appeal has decided that a Rent Repayment Order \(RRO\) can only be made against the tenant's immediate landlord](#). This overturns a previous Upper Tribunal decision that RROs could also be made against superior landlords (a rent to rent situation). Note that the case applies to England only. In Wales, RROs can be made against "appropriate persons", which could include a superior landlord who had breached the regulations on licensing houses in multiple occupation (HMOs) etc. You can [read a summary of the case](#) on NearlyLegal.

Consumer update

Travel restrictions - whole of the UK

Regulations for travel from amber list countries have been updated.

People do not have to quarantine or take a day 8 test if they are:

- fully vaccinated in the UK or under the UK vaccine programme overseas
- under 18 on the day they arrive in the UK and resident in the UK or in a country with a vaccine programme approved by the UK
- part of a UK approved vaccine trial
- fully vaccinated in Europe or the USA

If people are travelling from France, though, they must follow the standard amber list rules, which means they must quarantine, and take the day 2 and day 8 tests.

Further announcements are due - people are advised to check the [England](#), [Wales](#), [Scotland](#) and [Northern Ireland](#) guidance pages for the latest information.

Travel - Supreme Court appeal

There has been a Supreme Court judgment in the case of X v Kuoni Travel Ltd, which involved an assault on a holiday maker who was staying at a hotel as part of an all-inclusive package. The appeal was allowed unanimously - Kuoni was found liable under the package holiday contract as their obligations included ancillary services necessary to provide a holiday that was of a reasonable standard. These services included staff guiding guests round the premises - the attack occurred when an electrician employed by the hotel 'offered' to show Mrs X a shortcut to reception. You can [read a summary of this case](#).

Debt update

Illegal money lender's charges over homes removed

The Financial Conduct Authority (FCA) has obtained a [High Court Order to remove around 625 charges, notices or restrictions](#) registered in the name of companies run by illegal money lender, Dharam Prakash Gopee. Mark Steward, of the FCA, said: 'The order obtained today will ensure Mr Gopee's hold over properties owned by his victims is relinquished, by removing charges, notices and restrictions that he obtained in carrying out his illegal activities and which he continued to hold.'

The charges and restrictions are registered in the names of the following companies: Barons Finance Ltd, Euro Business Finance PLC, Ghana Commercial Investments Ltd, Reddy Corporation Ltd, Barons Finance 1 Ltd, Ghana Commercial Finance Ltd, Barons Bridging Finance 1 Ltd, Pangold Estate Ltd, Moneylink Finance Ltd, Speedy Bridging Finance Ltd, Agni Estates Ltd and Pangold Investments Ltd.

Employment update

Compulsory vaccination for care home workers will come into force on 11 November 2021 - England only

[The regulations provide](#) that everyone who enters a care home must be at least single vaccinated. The rules exempt care home residents, their family and friends, emergency workers and children so it largely applied to workers including non-emergency trades people. There is also a 16-week delay in implementation which allows employers and employees some breathing space to consider and implement appropriately.

More coronavirus testing centres introduced (so more exempted from self-isolation rules) - England only

The Department of Health and Social Care has announced that they are adding around [200 extra daily coronavirus contact testing centres](#). This is to underpin the plan to allow emergency service and critical workers to remain in work even though they have received alerts from the Covid-19 app or the NHS Test and Trace scheme and would otherwise be expected to self-isolate for 10 days.

Government issues [response to consultation on sexual harassment in the workplace](#)

Following a consultation held from 11 July to 2 October 2019 the government has issued its response on the legal framework around preventing sexual harassment in the workplace. Suggestions include:

- introducing a new duty on employers to take positive steps to prevent harassment in the workplace, including third party harassment
- supporting the EHRC to develop a statutory code of practice on preventing sexual harassment in the workplace
- extending the time limit for claims based on Equality Act 2010 from 3 to 6 months

It is proposed not to extend protections to volunteers and interns.

Useful resources on disability employment rights

Acas in conjunction with BEIS has launched a new [disability hub](#) to provide advice and guidance on disability employment rights for both employers and workers. The guidance on the disability hub covers:

- reasonable adjustments
- supporting mental health at work
- disability discrimination

- employment law
- applying protected characteristics at work
- coronavirus guidance