Outline of assessment

Time allowed: 3 hours. Each question carries a total of 25 marks. Answer only 4 of 8 questions.

The examination paper is divided into two sections. Section A contains four problem questions and Section B contains four essay questions. At least one question must be taken from each section.

Aims and Learning Outcomes

A Candidates should show a detailed knowledge of the law relating to social security benefits and housing law by stating relevant legal rules accurately and referring to relevant case law and legislation.

B Candidates should be able to explain the relevant legal rules and apply these to problem questions.

C Candidates should be able to discuss critically the legal principles raised in essay questions.

D Candidates should know how to give practical advice where appropriate.

On completion of this unit candidates will be able to:

• Solve factual problems in social security law and housing law.
• Critically assess the relevant law.
• Provide practical advice.

Outline Content of Syllabus

1. Selected Non-Means-Tested Benefits
   a. Jobseekers’ Allowance (contribution based)
   b. Incapacity Benefit (Employment & Support Allowance from Nov 2008)
   c. Disability Living Allowance

Guidance Notes

Candidates must know and understand the main conditions of entitlement to the selected social security benefits including any relevant disqualifications or exclusions. Candidates will be expected to be able to apply this knowledge to particular fact situations.

2. Selected Means-Tested Benefits
   a. Jobseekers’ Allowance (income based)
   b. Income Support
   c. Child Tax Credit
   d. Working Tax Credit
   e. Discretionary Social Fund payments

Guidance Notes

Candidates should be able to apply their knowledge of means-tested benefits and tax credits in answering questions on clients’ entitlements, and in dealing with problem questions. Candidates should know the eligibility criteria for benefits and tax credits and be familiar with how each benefit or tax credit can assist clients. They should know how, in general terms, the benefit works. However, they will not be required to know the specific rates for each benefit or tax credit, and will not be expected to make any benefits or tax credits calculations in the exam.
3. Decision-Making and Appeals
   a. Social Security Act 1998 reforms
   b. Revision of decisions
   c. Supersessions
   d. Appeals to tribunal
   e. Appeals to the Social Security Commissioners
   f. Reviews of Discretionary Social Fund decisions

Candidates will have a sound understanding of the claiming and decision making processes and the availability and procedure relating to revisions, appeals and reviews.
4. Social Security Issues
a. The insurance and means-testing principles
b. Decision-making and appeals
c. Gender and social security
d. Last resort support - the Social Fund

Candidates will be aware of the policy issues involved in these topics, assisted by coverage and discussion of the recommended texts.

5. Housing Law
a. Protected tenancies
b. Assured tenancies
c. Secure tenancies
d. Security of tenure
e. Unlawful eviction
f. Rent control
g. Repairs
h. Homelessness

Candidates will know and understand the rules governing residential tenancies in both the private sector and the public sector; classification of agreements; rent control and regulation; rent books; recovery of possession; harassment and unlawful eviction; repairing obligations at common law and under statute. Candidates will also know and understand the duties owed by housing authorities to homeless persons.
Recommended Textbooks:

