

Housing Benefit Circular

Department for Work and Pensions
Caxton House, Tothill Street, London SW1H 9NA

HB A10/2015

ADJUDICATION AND OPERATIONS CIRCULAR

WHO SHOULD READ	All Housing Benefit (HB) staff
ACTION	For information
SUBJECT	April Uprating: Clarification of effective dates for Housing Benefit

Guidance Manual

The information in this circular does not affect the content of the HB Guidance Manual.

Queries

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April Uprating: Clarification of effective dates for Housing Benefit

Background

1. We have been made aware of some possible misunderstanding on the part of local authorities and IT suppliers as to the effective date in Housing Benefit (HB) for changes to non-social security benefit income. In particular Tax Credits and non-State pensions, where the change coincides with April uprating of applicable amounts and where rent is charged on a non-weekly basis.

Weekly rents

2. Where rent liability is charged on a weekly basis, April uprating takes effect from the first Monday in April in accordance with HB Regulation 79(3) (Regulation 59 of the pension age HB Regulations). As annual uprating where rent is charged on a weekly basis takes effect on a Monday, this avoids part-week assessments between 1 April and the first Monday (unless the rent increases during this period, although this is unlikely in practice).

Example 1

Tax Credits increase on Monday 30 March 2015. The change takes effect on Monday 6 April 2015 in accordance with Regulation 79(1) and uprating takes effect on the same date.

Non-weekly effective date when there has been a rent change

3. If there is a change in the claimant's rental liability during the first week in April, then uprating, changes to the rent and increase in income all take effect from the date of the rent increase, as per HB Regulation 79(2) and 79(4).

Example 2

Tax Credits increase on Monday 30 March 2015 and there is a rent increase effective from Wednesday 1 April 2015. Uprating of the applicable amount and increase to Tax Credits both take effect in the HB award from Wednesday 1 April 2015 alongside the rent increase.

Non-weekly effective date when there has been no change

4. If there is no change in the claimant's rental liability, then uprating takes effect from 1 April in accordance with Regulation 79(3) and the increase in income takes effect from the first day of the benefit week following the date on which the increase to the income actually occurs in accordance with Regulation 79(1).

Example 3

Tax Credits increase on Monday 30 March 2015. Uprating of the applicable amount takes effect from Wednesday 1 April 2015 and the increase to Tax Credit income takes effect from Monday 6 April 2015.

5. Ordinarily, where there has been no rent increase and two changes of circumstances occur in a single benefit week which would take effect in different benefit weeks in accordance with Regulation 79 (Regulation 79(4) requires that they shall all take effect on the first day of the benefit week in which they occur). Regulation 79(4) cannot be applied in this situation, however, as it would result in uprating taking effect from a date in March. The Social Security Administration Act does not allow uprating to take effect from any date earlier than 1 April.