

## Housing Benefit Circular

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

# HB A22/2013

### ADJUDICATION AND OPERATIONS CIRCULAR

<b>WHO SHOULD READ</b>	Section 151 Officers Legal Officers Managers in the following teams: <ul style="list-style-type: none"><li>• Housing Benefit (HB)</li><li>• Troubled Families Teams</li><li>• Housing Options</li><li>• Homeless Prevention Teams</li><li>• Social Services</li><li>• Supporting People Teams</li><li>• Other local authority departments who need social security information from the Department for Work and Pensions (DWP) or HB teams or who need to supply welfare services information to DWP or HB teams</li></ul>
<b>ACTION</b>	For information
<b>SUBJECT</b>	Clarification of information sharing relating to Welfare Services – domiciliary (non-residential) and residential care (as outlined in A5/2012)

### Guidance Manual

The information in this circular does affect the content of the HB Guidance Manual. Please annotate this circular number against section D3, paragraphs 3.190 and 3.430.

### Queries

If you

- want **extra copies of this circular/copies of previous circulars**, they can be found on the website at: <https://www.gov.uk/government/collections/housing-benefit-for-local-authorities-circulars>
- have any queries about the
  - **technical content of this circular**, contact [housing.benefitenquiries@dwp.gsi.gov.uk](mailto:housing.benefitenquiries@dwp.gsi.gov.uk)
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## **Clarification of information sharing relating to Welfare Services – domiciliary (non-residential) and residential care**

### **Introduction**

1. Circular [HB/CTB A5/2012](#) gave advice about information sharing to support delivery of a number of welfare services. This circular clarifies what data may be shared for residential and non-residential care. The scope of what is permitted is wider than in the original circular.

### **Description of the clarification**

2. Circular [HB/CTB A5/2012](#) stated on page 15 what the legislation supporting information sharing meant in practice:

“Domiciliary (non-residential) care: local authorities (LAs) can seek benefit information from LA HB teams in order to complete the financial assessment which determines how much a person might have to pay towards the cost of their care.

Residential care: LAs can seek benefit information from LA HB teams in order to complete the financial assessment which determines how much a person might have to pay towards the cost of their care.”

3. This was further summarised at Annex A of that circular, referring to benefits in payment.
4. In some cases this has understandably been interpreted as meaning that only information directly about the benefit claim resulting in a benefit payment that was still current can be shared, i.e. including benefit amount, but excluding financial information DWP has acquired to inform its decisions, such as information about the sources of income which DWP has acquired from other public authorities or the customer as part of the claim process. It could also be interpreted as meaning that such information relating to claims that did not result in payment or were no longer current could not be shared. This has led to some requests (for example requests for information on the amount of occupational pension) being rejected when the information could have been shared.
5. This circular clarifies that:
  - domiciliary (non-residential) care: LAs can seek information relating to claims (whether or not awarded), awards (closed and live), payments or entitlements from LA HB teams in order to complete the financial assessment which determines how much a person might have to pay towards the cost of their care. This information may include any data DWP has collected and used to determine a claim, award, payment or entitlement. If the information is not available from LA HB teams then LAs can approach DWP direct in order to obtain the information to complete the financial assessment. This information

may be any data that DWP has collected and used to determine a claim award, payment or entitlement

- residential care: LAs can seek information relating to claims (whether or not awarded), awards (closed and live), payments or entitlements from LA HB teams in order to complete the financial assessment which determines how much a person might have to pay towards the cost of their care. This information may include any data DWP has collected and used to determine a claim, award, payment or entitlement. As above if the information is not available from LA HB teams then LAs can approach DWP direct
6. Other elements of circular [HB/CTB A5/2012](#) to ensure information is handled securely and proportionately still fully apply with the addition that the Personal Independence Payment is now classed as a prescribed benefit.