

# Housing Benefit

## General Information Bulletin

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<https://www.gov.uk/government/organisations/department-for-work-pensions>

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**HB G6/2017**

**19 June 2017**

<b>Contact</b>	Queries about the <ul style="list-style-type: none"><li>• <b>technical content of this bulletin</b>, contact details are given at the end of each article</li><li>• distribution of this bulletin, contact <a href="mailto:housing.correspondenceandpqs@dwp.gsi.gov.uk">housing.correspondenceandpqs@dwp.gsi.gov.uk</a></li></ul>
<b>Who should read</b>	All Housing Benefit (HB) staff
<b>Action</b>	For information

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## **Employment and Support Allowance (Miscellaneous Amendments and Transitional and Savings Provision) Regulations**

1. As part of a package of amendments made by the Employment and Support Allowance (Miscellaneous Amendments and Transitional and Savings Provision) Regulations 2017 (SI 2017/581), due to come in to force on 23 June 2017, the wording in paragraph 17 (2) (b) (iv) in Schedule 4 of the Housing Benefit Regulations 2006 (SI 2006/213) have been changed as it was deemed no longer necessary. No amendment has been made to the equivalent paragraph in the Housing Benefit (persons who have attained the qualifying age for state pension credit) Regulations 2006 (SI 2006/214).
2. Paragraph 17 (2) (b) (iv) provides an additional earnings disregard where a claimant or their partner, if they have one, is in remunerative work of at least 16 hours per week and the person who is working meets the conditions to be awarded:
  - a disability premium
  - the support component in Employment Support Allowance, or
  - is a member of the work related activity group
3. The amendment made to paragraph 17 removes this condition so that the disregard can be applied even though the person working is not the one entitled to the disability premium, the support component or in the work related activity group.
4. It is estimated that approximately two hundred additional Housing Benefit (HB) claimants may be entitled to the additional earnings disregard of £17.10 per week across the country from 23 June 2017.

### **Implications for local authorities**

5. As such a small number of claimants are estimated to be affected across the country, the New Burdens which would be payable are below the de minimis level and therefore local authorities (LAs) will not be receiving any additional New Burdens funding for this change. The Department for Work and Pensions (DWP) is considering options for restoring the original policy intention and will communicate this in due course.
6. If you have any queries about this article please send an email to [housing.benefitenquiries@dwp.gsi.gov.uk](mailto:housing.benefitenquiries@dwp.gsi.gov.uk)

## Update: modernisation of the General Referral Matching Service

7. After successful Field Assurance Testing using a representative sample of LAs, DWP's Data and Analytics will now generate all HB fraud and error referrals to LAs using data held in their data warehouse.
  8. Although the outputs generated from the Data and Analytics data warehouse use different IT hardware and software, the process in the delivery of the referrals will not change.
  9. When you receive your HB fraud and error referrals, DWP will also provide you with support contacts for any issues you may experience around data loading. This is to ensure that all LAs are able to confirm that they can use the new outputs.
10. If you have any questions about the content of this article you can email [mark.browne@dwp.gsi.gov.uk](mailto:mark.browne@dwp.gsi.gov.uk)

## Pensions Directorate: centralised national contact template

11. In Bulletin [HB G9/2016](#) DWP's Pensions Directorate informed you about an ambitious programme of change which looked to introduce a Standard Operating Model for the management of notified changes across its network of Pension centres with one element of this approach impacting on LAs.
12. All 'Dead Letter Office' work, where post has been returned marked 'addressee gone away', was centralised within Cwmbran Pension Centre from September 2016. Pension centres had regularly utilised their LA contacts whenever they needed to confirm or secure up to date addresses for our customers, this contact primarily being made using a variety of contact templates.
13. To support the centralisation, a national contact template was developed to ensure that the process for HB teams remained fundamentally unchanged. This national template has been widely used since September 2016 to great effect. However, a number of the email addresses provided have been found to no longer exist or the named contact has changed roles. Work was undertaken to secure alternative addresses but invariably there were delays in securing customer information.
14. To help Pensions Directorate keep the contact template up to date we are asking that you inform us as soon as possible when changes are made. These changes should be forwarded to [Cwmbran.dlopod@dwp.gsi.gov.uk](mailto:Cwmbran.dlopod@dwp.gsi.gov.uk)

## Update: Right Benefit Initiative

15. We are pleased to confirm that 324 LAs opted-in to the Right Benefit Initiative (RBI). The initiative commenced on 1 April 2017, replacing the Fraud and Error Reduction Incentive Scheme for 2017/18. RBI has provided up-front funding to enable LAs to invest in additional, or retain existing resource to process the Optional Real Time Information (RTI) referrals. The referrals provide details when an HB claimant's earnings or occupational pension changes, which could affect their HB award.
16. By completing the referrals and correcting claims LAs are helping to reduce fraud and error in DWP and HM Revenue & Customs. The aim is to reduce fraud and error across both departments to 1.6% before the end of March 2018. HB is by far the largest contributor to DWP fraud and error losses, with earnings the largest area of fraud and error in HB so LAs who action these referrals will see a reduction of fraud and error in their caseloads.
17. Housing Delivery Division's Performance Development Desk Based Engagement Team (DBET) will be monitoring completion rates of the Optional RTI referrals and will be contacting LAs to obtain good practice from those who are completing large numbers of referrals. We will support those LAs with lower completion rates; in a bid to obtain the best return on investment.
18. You can find more information on RBI on [www.gov.uk](http://www.gov.uk). Or, if you have any queries about RBI or Optional RTI you can email DBET via [feris.team@dwp.gsi.gov.uk](mailto:feris.team@dwp.gsi.gov.uk)

## Subsidy and Discretionary Housing Payment final claims submissions

19. The deadline of 30 April 2017 for submission of 2016/17 HB initial final subsidy claims and Discretionary Housing Payment reflects wider governmental accounting and HM Treasury requirements.
20. Once again, the vast majority of LAs succeeded in submitting their claims by the deadline, thereby enabling DWP to comply with these requirements. We recognise and are extremely grateful for the considerable efforts of LAs in this regard.
21. Any enquiries should be emailed to: [linda.hayes@dwp.gsi.gov.uk](mailto:linda.hayes@dwp.gsi.gov.uk)

## Cases with the Upper Tribunal

### HB cases awaiting decision by the Upper Tribunal

22. Decision Making and Appeals (DMA) Leeds have been made aware of the following HB/CTB cases that are awaiting decision by the Upper Tribunal, since our previous General Information Bulletin entry In March 2017.

- CH/595/17: Whether the claimant or his partner has a right to reside in the UK as a primary carer of a child in education under the Immigration (European Economic Area) Regulations 2006 or any other EU law provisions.
- CH/463/17, CH/3083/16, CH/462/17 and CH/3082/16: Whether claimant had 'exclusive use' of accommodation in relation to regulation 13D (2).
- CH/635/17: Treatment of earnings where pay reduced by repayment of redundancy money.

### HB decisions by the Upper Tribunal

23. We are aware of the following HB cases that have been decided by the Upper Tribunal:

- CH/115/16 and CH/116/16 are linked decisions with the following heading: Linked cases involving capital and earnings. Tribunal did not have jurisdiction on capital issue. Appeal on earnings issue remitted.
- CH/1715/16: Remit without reasons.
- CH/3208/16: Remit. Insufficient findings of fact on where purported non-dependant normally resided.
- CH/467/16: Remit. Tribunal failed to make clear distinction between commercial basis and contrivance.
- CH/109/17: Tribunal failed to explain why HB was payable for two homes.

24. Decisions of the Upper Tribunal are published on their website which can be found here: [www.gov.uk](http://www.gov.uk)

25. If you have any queries about cases before the Upper Tribunal Judges or courts, please contact us by: email at: [fldmdma.customersupportservices@dwps.gov.uk](mailto:fldmdma.customersupportservices@dwps.gov.uk) or Fax on: 0113 2324841

## Statutory Instruments

26. The following Statutory Instrument (SIs) has been laid:

- 2017 No.664 (C.56), The Welfare Reform Act 2012 (Commencement No. 29 and Commencement No. 17, 19, 22, 23 and 24 and Transitional and Transitory Provisions (Modification)) Order 2017, made on 19 May 2017.
- 2017 No.689, The Social Security (Emergency Funds) (Amendment) Regulations 2017, coming into force 19 June 2017

27. Copies of SIs can be downloaded from <http://www.legislation.gov.uk/>

## What's new on our HB pages on [www.gov.uk](http://www.gov.uk)

28. The following items can be found on the website link shown:

Document Type	Subject	Link
<b>HB G5/2017</b>	Real Time Information service starts to rollout  Data Validation Transformation service  Introduction of Bereavement Support payments from April 2017  HB decisions by the Upper Tribunal  Statutory Instruments  What's new on our HB pages on <a href="http://www.gov.uk">www.gov.uk</a>	<a href="https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/614379/g5-2017.pdf">https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/614379/g5-2017.pdf</a>
<b>Circular HB A8/2017</b>	The Social Security (Emergency Funds) (Amendment) Regulations 2017	<a href="https://www.gov.uk/government/publications/housing-benefit-adjudication-circulars-2017">https://www.gov.uk/government/publications/housing-benefit-adjudication-circulars-2017</a>
<b>Circular HB S9/2017</b>	Initial payment for Real Time Information Bulk Data Matching Initiative 2017/18	<a href="https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/617632/s9-2017.pdf">https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/617632/s9-2017.pdf</a>
<b>Circular HB S10/2017</b>	Rent Rebate Subsidy Limitation information - 2017/18	<a href="https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/618942/s10-2017.pdf">https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/618942/s10-2017.pdf</a>