

Housing Benefit

General Information Bulletin

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HB G10/2015

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Contact	Queries about the <ul style="list-style-type: none">• technical content of this bulletin, contact details are given at the end of each article• distribution of this bulletin, contact housing.correspondenceandpqs@dwp.gsi.gov.uk
Who should read	All Housing Benefit (HB) staff
Action	Urgent response required - Discretionary Housing Payment expenditure data return forms due

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Changes to the Housing Benefit Matching Service

1. By August 2016, the Generic Referral Management System (GRMS) platform supplier (BT) will no longer be responsible for maintaining the GRMS service. In fact, the service will be 'de-commissioned' and will cease to exist.
2. The Housing Benefit Matching Service (HBMS) and all of the activity which currently sits with BT will come 'in house' and will be provided end-to-end by the Department for Work and Pensions (DWP) Customer Centric Team in Blackpool.
3. The DWP Customer Centric Team already provides the data matching solution, performance statistics and other reports such as 'Outstanding' lists. This will continue with the additional responsibility of creating the final output files which are issued to you.
4. Due to software/hardware constraints we will no longer be able to provide the Rich Text File (RTF) in the format that you are currently used to.
5. Our solution:
 - we have created a new RTF document which will contain some differences to the file you currently receive
 - there will be a single RTF for each referral as opposed to one RTF containing all matches
 - there will be some format changes to the RTF files you receive but the information received will be the same
 - we have also created two txt files; one will contain the Core fields i.e. the data from the front page of your referral and the other will contain any additional information items required for the records in the Core file. These two files can be easily joined using the referral id and can be viewed in MS Excel for ease.
6. There will be no change to your current referrals receipt process:
 - you will still return your referral results to the usual address and these will still be recorded and available for reporting purposes
 - you will receive all of the new files as well as the '001' file so you can decide which format best suits your needs/requirements
 - instructions will be provided on how to convert your .txt file to MS Excel.
7. In order to ensure that the new files are suitable we are seeking volunteer local authorities (LAs) to test the new file formats and provide feedback. Ideally we would like a minimum of 6 LAs; 2 from each software supplier to assist with the testing process.

8. If you wish to participate in the test, please email your details to Andrew.mclean2@dwp.gsi.gov.uk confirming your benefits software supplier.

Freezing of Local Housing Allowance rates

9. Following the announcement in the Summer Budget of the government's intention to **freeze Local Housing Allowance (LHA) rates for 4 years**, amendments to the Rent Officers Order, to take this measure forward, were laid and published on 12 October 2015 and can be found [here](#).
10. In practice this means there will be no increases to LHA rates for 4 years. From April 2016, rates will either remain at the April 2015 rate or be set at the 30th percentile of local rents if this is lower. This means in areas where the levels of market rents may have dropped, rates could decrease as they do under the current system.
11. The LHA rates which will apply from April 2016 will be determined and published by Rent Officers on 29 January 2016, together with the 30th percentiles of market rents.
12. Around 30 per cent of the potential savings from this measure will be used to create more Targeted Affordability Funding which will be available from 2017/18. Further details about this will be announced in due course.
13. If you have any queries about this article please contact housing.benefitenquiries@dwp.gsi.gov.uk

HB Fraud and Error 'campaign in a box' – reminder

14. In the October 2015 issue of [HB Direct](#) we told you about the HB Fraud and Error 'campaign in a box' toolkit we have developed as part of our on-going commitment to support LAs respond effectively to the Fraud and Error Reduction Incentive Scheme.
15. This is just to remind you that the toolkit is available via Glasscubes to support you in developing your own local publicity campaigns.
16. We would also like to use this opportunity to ask for feedback from anyone who is making use of this facility.
17. If you have any questions or would like to provide some feedback please contact alan.sullivan@dwp.gsi.gov.uk

Discretionary Housing Payment expenditure data return form

18. Thank you to all those LAs that have provided their mid-year Discretionary Housing Payment (DHP) expenditure return as per circular HB [A9/2015](#). This data helps us to monitor demand and trends in DHP expenditure and will inform future years' DHP allocations.

19. Would those LAs intending to provide data but have not yet done so please complete and return [the form](#) to dhp.monitoringinbox@dwp.gsi.gov.uk urgently or by 23 October 2015 at the very latest.

HB/CTB decisions by the Upper Tribunal

20. Decision Making and Appeals (DMA) Leeds is aware of the following HB cases that have been decided by the Upper Tribunal:

- CH/1182/2015: Claimant appeal. Dismissed. HB/CTB overpayment. Misrepresentation and failure to disclose occupational/private pension
- CH/1624/15: Capital. Insufficient findings of fact on what happened to money in bank account
- CH/1928/15: Capital. Tribunal failed to take account that property tenanted
- CH/522/15: Capital. District Valuer asked correct questions when valuing property
- CH/1392/15: Under-occupancy deduction. Remit. Nelson followed
- CH/1443/15: Under-occupancy deduction. Remit. Nelson followed
- CH/1784/14: Under-occupancy deduction. Remit. Nelson followed
- CH/3952/14: Under-occupancy deduction. Remit. Nelson followed
- CH/86/15: Under-occupancy deduction. Remit. Nelson followed
- CH/731/15: Under-occupancy deduction. Remit. Nelson followed
- CH/952/15: Under-occupancy deduction. Remit. Nelson followed
- CH/1213/15: Under-occupancy deduction. Remit. Nelson followed
- CH/1309/15: Under-occupancy deduction. Remit. Nelson followed
- CH/1362/15: Under-occupancy deduction. Remit. Nelson followed
- CH/1391/2014: LA appeal dismissed. HB overpayment. Regulation 100(2) “not reasonably to have been expected to realise they were being overpaid”, including a discussion on CH/2554/2002
- CH/1440/2013 and CH/1312/2013: These appear under case heading CIS/204/13 (4 cases decided). CH/1440/13 and CH/1312/13 - final decisions - allowed. Decisions terminating benefit of 25 November 2011 and 12 January 2012 allowed from 31 October 2011 and 5 January 2012. Claimant has a right to reside pursuant to Court of Justice of European

Union in C-507/12 Saint Prix. DWP has six weeks in which to decide to appeal further and is still considering doing so. CIS/204/13 is an interim decision awaiting Mirga at Supreme Court

- CH/1441/15: Under-occupancy deduction. Remit. Nelson followed
- CH/1462/15: Under-occupancy deduction. Remit. Nelson followed
- CH/279/13: Under-occupancy deduction. Remit. Nelson followed
- CH/1391/14 concerns an overpayment. CH/1440/13 and CH/1312/13 are linked cases concerning the right to reside
- CH/1484/15: Under-occupancy deduction. Remit. Nelson followed
- CH/3591/14: Under-occupancy deduction. Remit. Nelson followed
- CH/3699/14: Under-occupancy deduction. Remit. Nelson followed
- CH/3902/14: Under-occupancy deduction. Remit. Nelson followed
- CH/4412/14: Under-occupancy deduction. Remit. Nelson followed
- CH/4418/14: Under-occupancy deduction. Remit. Nelson followed
- CH/4437/14: Under-occupancy deduction. Remit. Nelson followed
- CH/4955/14: Under-occupancy deduction. Remit. Nelson followed
- CH/4956/14: Under-occupancy deduction. Remit. Nelson followed
- CH/5491/14: Under-occupancy deduction. Remit. Nelson followed
- CH/283/15: Under-occupancy deduction. Remit. Nelson followed
- CH/288/15: Under-occupancy deduction. Remit. Nelson followed
- CH/388/15: Under-occupancy deduction. Remit. Nelson followed
- CH/488/15: Under-occupancy deduction. Remit. Nelson followed
- CH/868/15: Under-occupancy deduction. Remit. Nelson followed
- CH/1026/15: Under-occupancy deduction. Remit. Nelson followed
- CH/1483/15: Under-occupancy deduction. Remit. Nelson followed
- CH/5146/14: Under-occupancy deduction. LA decision restored. Nelson followed

- CH/297/15: Under-occupancy deduction. LA decision restored. Nelson followed
- CH/5489/14: Under-occupancy deduction. LA appeal dismissed. Nelson followed
- CH/2363/14: Commerciality. Insufficient reasoning and analysis of the evidence
- CH/3146/14: Temporary absence. Conflict between decision notice and statement of reasons
- CH/3718/14: Capital. Tribunal erred in stating that all money in a bank account must be capital
- CH/3140/2014: Landlord appeal. Remitted. HB overpayment – close relative - no liability. Tribunal proceeded in absence of appellant without proper consideration of interests of justice under Rule 31
- CH/4430/2014: Claimant appeal. Remitted. HB/CTB overpayment following Jobseeker's Allowance disallowance and overpayment (separate files). HM Courts and Tribunal Service failed to book interpreter and other natural justice errors

21. Decisions of the Upper Tribunal are published on their website which can be found [here](#).

22. If you have any queries about cases before the Upper Tribunal Judges or courts, please contact us by email at fldmdma.customersupportservices@dwp.gsi.gov.uk or by fax on 0113 2324841.

Statutory Instruments

23. The following Statutory Instruments (SIs) have been laid:

- 2015 No.1662, The Social Fund Cold Weather Payments (General) Amendment (No.2) Regulations 2015, coming into force 1 November 2015
- 2015 No.1670 (C.95), The Pensions Act 2014 (Commencement No. 6) Order 2015, provisions not already in force will be introduced from 12 October 2015
- 2015 No.1673, The Offshore Installations (Safety Zones) (No. 3) Order 2015, coming into force from 30 September 2015

- 2015 No.1677, The Occupational Pension Schemes (Schemes that were Contracted-out) (No.2) Regulations 2015, coming into force from 31 October 2015
- 2015 No.1753, The Rent Officers (Housing Benefit and Universal Credit Functions) (Local Housing Allowance Amendments) Order 2015, coming into force 2 November 2015
- 2015 No.1754, The Universal Credit and Miscellaneous Amendments Regulations 2015, laid on 14 October 2015

24. Copies of SIs can now be downloaded from DWP's own website <http://www.dwp.gov.uk/publications/specialist-guides/law-volumes/the-law-relating-to-social-security/> and the website of the Office of Publication Sector Information <http://www.opsi.gov.uk/stat.htm>

What's new on the web

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

Document Type	Subject	Link
G9/2015	Data-hub update New State Pension and ETD/ATLAS Merger LA Subsidy Workshops Pensions Service annual uprating exercise HB higher permitted work disregard increase Student uprating 2015/16 Marriage allowance and married couple's allowance Help to Buy ISA Administrative Penalties Valuation of capital Knowledge Hub launch to support Disability Living	https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/461819/hb-bulletin-g9-2015.pdf

	<p>Allowance claimants</p> <p>HB/CTB cases with the Upper Tribunal</p> <p>Statutory Instrument</p> <p>What's new on the web</p> <p>Local authority submissions to the Value Office Agency – Desk aide</p>	
U1/2015	Clarification on the impact of sanctions on Housing Benefit	https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/465024/u1-2015.pdf
HB Direct issue 162 October 2015	<p>Editorial</p> <p>NAFN Services available to HB teams</p> <p>HB fraud and error 'campaign in a box'</p> <p>Fit for Work service now live across Great Britain</p> <p>Reminder for LAs to report Discretionary Housing Payment expenditure</p> <p>FERIS – 63% of LAs improve their performance</p> <p>Caseload Management Information</p> <p>Universal Credit update</p> <p>Further rollout of PIP</p>	https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/465262/hb-direct-october-2015.pdf
A12/2015	Process to obtain appropriate claimant Personal Independence Payment information not available via the Customer Information System	https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/467459/a12-2015.pdf