

Housing Benefit

General Information Bulletin

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

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HB G1/2014

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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	For information

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Benefit Fraud and Error campaign

1. A new Benefit Fraud and Error campaign from the Department for Work and Pensions (DWP), piloted in six areas was launched on 3 January 2014. The pilot locations are Southwark, Hounslow, Blackburn, Blackpool, Epping Forest and Cardiff.
2. Benefit claimants are being warned to disclose changes in circumstances as part of a campaign aimed at cutting the £1.6 billion annual cost of overpayments.
3. Claimants in six pilot areas will be warned they could face a fine of up to £2,000 for not disclosing any changes in their circumstances which could affect their benefit claim, such as having found a job or moved in with a partner.
4. The six week campaign will use adverts, posters, social media and direct mail letters.
5. Welfare reform minister Lord Freud said the aim was to stop fraud and overpayment, "before they even happen".
6. Jobcentre Plus partnership managers will be contacting local partners and stakeholders in the pilot areas, to raise awareness of the campaign and enlist support to amplify it.
7. Local authorities (LAs) in the pilot areas can help support this campaign by encouraging customers to:
 - report any change of circumstances
 - contact us if they aren't sure what they need to tell us about
 - look on GOV.UK for more information or talk to Jobcentre Plus

Queries

For more information please contact: alison.mannion@dwp.gsi.gov.uk

Disability Living Allowance (DLA) to Personal Independence Payment (PIP): reassessment areas extend

8. As reported in [HB Direct Issue 142](#), we are inviting DLA claimants living in Wales, the Midlands and East Anglia, to claim PIP if:
 - their disability-related needs change

- they reach age 16
- they reach the end of their award

9. This is known as reassessment.

10. From 13 January 2014, we extended these areas to postcodes beginning:

- DG (Dumfries and Galloway)
- EH (Edinburgh)
- TD (Galashiels)
- ML (Motherwell)

11. From 3 February 2014, we will further extend these areas to postcodes beginning:

- CA (Carlisle)
- DL (Darlington)
- HG (Harrogate)
- LA (Lancaster)
- YO (York)

12. A [postcode map](#) is available as part of the [PIP toolkit for support organisations](#), together with [tailored communications and guidance](#) for LAs.

13. Alongside the phased introduction of reassessment activity, we continue to take new claims to PIP across Great Britain.

14. An individual can also choose to claim PIP instead of DLA if they live in a reassessment area.

Queries

For more information, visit the updated [PIP toolkit](#). Send any questions or comments to: pip.feedback@dwp.gsi.gov.uk.

HB decisions by the Upper Tribunal

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

- CH/466/2011: Disabled child requiring a bedroom separate from sibling(s). Upper Tribunal substituted a decision following Court of Appeal decision in *Burnip and others*. Useful discussion of implications/legislative changes following *Burnip*
- CH/1572/2013: Possible official error overpayments but further evidence required from LA as to changes to Jobseeker's Allowance/Council Tax Benefit (CTB)/HB entitlement. Found as fact claimant had reported changes, and also that he and landlord were unaware they were being overpaid
- CH/1926/2013: Human Rights. 50/50 care of child. Indirect discrimination against men justified
- CH/2042/2011: Semis occupied by claimant and family are one dwelling. LA cannot impose local rules on time limits on claimants for providing information – it is in the legislation (paragraph 24); discussion on strike out rules (paragraphs 50 – 59 especially 57); jurisdiction following strike out (paragraphs 40 – 44); and the role of the (LA) respondent (paragraphs 62 – 63 and 71)
- CH/1711/2012: Overpayment due to tenant vacating property and not notifying anybody. No reason for landlord to know therefore Regulation 101(2) does not apply
- CH/1084/2013: Overpayment due to tenant vacating property and not notifying anybody. No findings of fact about how/when landlord could have known/knew tenant had left, especially in view of previous action against landlord for harassment
- CH/4148/12: CTB. No overpayment because no liability for Council Tax. The periodic tenancy was either a monthly or weekly one therefore not granted for a term of at least six months
- CH/2043/11: CTB. Two adjoining properties to be treated as a single dwelling as family reside in both

Queries

Decisions of the Upper Tribunal are published on their website which can be found here:

<http://www.administrativeappeals.tribunals.gov.uk/Decisions/decisions.htm>

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 fax on: 0113 2324841

Statutory Instruments

16. The following Statutory Instruments (SIs) has been laid:

- 2013 No.3165, The Social Security (Crediting and Treatment of Contributions, and National Insurance Numbers) (Amendment) Regulations 2013, coming into force 6 April 2014
- 2013 No.3196, The Jobseeker's Allowance (Habitual Residence) Amendment Regulations 2013, coming into force 1 January 2014
- 2014 No.0000, The Automatic Enrolment (Earnings Trigger and Qualifying Earnings Band) Order 2014, coming into force 6 April 2014
- 2014 No.10, The Pension Protection Fund and Occupational Pension Schemes (Levy Ceiling and Compensation Cap) Order 2014, coming into force from 14 March 2014

17. 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>

Uprating April 2014 – Child dependency increases

18. In response to enquiries that we have received we would like to clarify that there is no change to the child dependency increase which remains at £11.35 but the eldest child rate has changed and will be £8.05 from April 2014.

Queries

Any enquiries relating to this item should be sent to housing.benefitenquiries@dwp.gsi.gov.uk

What's new on the web

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

Document Type	Subject	Link
HB A23/2013	Benefit cap: dual cases in different local authorities	https://www.gov.uk/government/publications/hb-circular-a232013-benefit-cap-dual-cases-in-different-local-authorities
HB A24/2013	Housing Benefit: 2014 -15 Uprating	https://www.gov.uk/government/publications/hb-circular-

		a242013-uprating-2014-to-2015
HB U1/2014	Removal of the Spare Room Subsidy	https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/270200/hb-bulletin-u1-2014.pdf
HB G12/2013	<p>Benefit cap – official statistics release</p> <p>Changes to Local Housing Allowance uprating</p> <p>Universal Credit: guidance for local authorities on implementation</p> <p>Managed payments of the ‘Universal Credit housing element’ to landlords</p> <p>HB decisions by the Upper Tribunal</p> <p>HB cases awaiting decision by the Upper Tribunal</p> <p>Statutory Instruments</p> <p>What’s new on the web</p> <p>Appendix A (attached as a separate document) Managed payments of the ‘Universal Credit housing element’ to landlords</p>	https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/266511/g12-2013.pdf
HB Direct issue 144 January 2014	Newsletter	https://www.gov.uk/government/publications/hb-direct-january-2014-issue-144

HB circulars recently issued

HB A23/2013
HB A24/2013