

# Housing Benefit

## General Information Bulletin

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[www.gov.uk/dwp](http://www.gov.uk/dwp)

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**HB G1/2018**

**23 January 2018**

<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.correspondenceandpgs@dwp.gsi.gov.uk">housing.correspondenceandpgs@dwp.gsi.gov.uk</a></li></ul>
<b>Who should read</b>	All Housing Benefit (HB) staff
<b>Action</b>	For information

## Contents

	paragraph
Housing Benefit Debt Recovery data returns.....	1
HB Cases awaiting decision by the Upper Tribunal.....	7
HB decisions by the Upper Tribunal .....	8
New Legislation .....	11
What's new on our HB pages on <a href="http://www.gov.uk">www.gov.uk</a> .....	13

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## Housing Benefit Debt Recovery data returns

1. The Housing Benefit Debt Recovery (HBDR) data replaced the Housing Benefit Recoveries and Fraud in 2016.
2. The HBDR data and the Single Housing Benefit Extract (SHBE) form the two main data sources that are delivered by local authorities (LAs) to the Department for Work and Pensions (DWP). These returns provide the management information relating to HB which is then used by DWP analysts to produce the HBDR National Statistics.
3. DWP analysts will use the HBDR data to fulfil their responsibilities around monitoring the performance of LAs and carrying out analysis to improve HB policy and/or analysing areas of particular interest or concern.
4. LAs must submit their HBDR returns to DWP within set deadlines as detailed within the guidance and HBDR Excel template.
5. At present DWP are experiencing a high number of LAs who are either missing the deadline for submitting their data or have re-submitted revised data after the deadline has passed. This is creating additional pressures for DWP analysts whose role it is to produce the HBDR National Statistics. We would like to remind LAs that if:
  - their data is late it may be excluded from the HBDR National Statistics for that quarter.
  - the data submitted is queried by DWP the revised data is required to be re-submitted by the LAs promptly.
6. If you have any queries or need a copy of the guidance referred to in this article please email [hbdr@dwp.gsi.gov.uk](mailto:hbdr@dwp.gsi.gov.uk)

## Cases with the Upper Tribunal

### HB cases awaiting decision by the Upper Tribunal

7. Decision Making and Appeals (DMA) Leeds have been made aware of the following HB case that is awaiting decision by the Upper Tribunal, since our previous General Information Bulletin entry in September 2017.
  - CH/127/16 – Maintaining contact with claimant during the course of protracted proceedings before a tribunal and issues with data sharing without claimants consent.

## HB decisions by the Upper Tribunal

8. We are aware of the following HB cases that have been decided by the Upper Tribunal:
  - CSH/115/15: Removal of Spare Room Subsidy (RSRS). Remit. Nelson followed.
  - CH/534/17: RSRS. Remit. Insufficient findings made on the bedroom size criteria.
  - CH/3112/16: Further findings needed about actual level of claimant's capital.
  - CH/1575/17 - Dismissed- Overpayment (OP). Issues with lapsing appeal correctly – First-tier Tribunal (FtT) rightly held appeal had lapsed and no appeal before it. Council directed to reissue decision with appeal rights.
  - CH/410/17: Dismissed – no Error – OP. Partial official error as claimant contributed by failing to disclose.
  - CH/2306/16: Judge decided to remit case following lack of response to Directions.
  - CH/862/16: RSRS. LA appeal upheld. Room was a bedroom although used for storage. Incapacity Benefit followed.
  - CH/2575/17: Remit. Inadequate reasons from the FtT on liability and proceeding in the absence of the appellant with the hearing.
  - CH/511/17 – Remit – FtT not clear on whether or not OP was due to an 'Official error'.
9. Decisions of the Upper Tribunal are published on their website which can be found on [www.gov.uk](http://www.gov.uk)
10. 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](mailto:fldmdma.customersupportservices@dwp.gsi.gov.uk) or Fax on: 0113 2324841

## New Legislation

11. The following Statutory Instruments (SIs) have been laid:
  - 2017 No.1104, The Occupational Pensions (Revaluation) Order 2017, came into force 1 January 2018.
  - 2017 No.1151, The State Pension Revaluation for Transitional Pensions Order 2017, laid on 27 November 2017.

- 2017 No.1152, The State Pension Debits and Credits (Revaluation) (No. 2) Order 2017, laid on 27 November 2017.
- 2017 No.1187, The Social Security (Miscellaneous Amendments No. 5) Regulations 2017, came into force from 21 December 2017.
- The Rent Officers (Housing Benefit and Universal Credit Functions) (Amendment) Order 2017 No. 1323 has been published to legislation.gov.uk: <http://www.legislation.gov.uk/id/uksi/2017/1323>.
- The Financial Assistance Scheme (Increased Cap for Long Service) Regulations 2018 No. has been published to legislation.gov.uk: <http://www.legislation.gov.uk/id/uksi/2018/9780111163542>
- The Pension Schemes Act 2015 (Transitional Provisions and Appropriate Independent Advice) (Amendment No. 2) Regulations 2017 No. 1272 has been published to legislation.gov.uk: <http://www.legislation.gov.uk/id/uksi/2017/1272>.

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

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

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

Document Type	Subject	Link
<b>HB G11/2017</b>	Update: Verify Earnings and Pensions service  Update: National Fraud Initiative  Reminder: Payment Deduction Project  HB Decisions with the Upper Tribunal  New Legislation  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/664632/g11-2017.pdf">https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/664632/g11-2017.pdf</a>
<b>HB Direct December</b>	Editorial	<a href="https://www.gov.uk/government/publications/hb-direct-">https://www.gov.uk/government/publications/hb-direct-</a>

<p><b>issue 180</b></p>	<p>Real Time Information for HB Overpayment Recovery</p> <p>You are the Champions!</p> <p>Important reminder: 2017-2018 Memorandum of Understanding between DWP and LAs</p> <p>LA Insight Survey: Wave 34 starts soon</p> <p>New LA Welfare Steering Group</p> <p>Clarification: Temporary accommodation and Universal Credit</p> <p>Benefit service resilience</p>	<p><a href="https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/672724/u4-2017.pdf">newsletters-2017/hb-direct-issue-180</a></p>
<p><b>U4/2017</b></p>	<p>Closure of the gateway to new Universal Credit Live Service claims</p>	<p><a href="https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/672724/u4-2017.pdf">https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/672724/u4-2017.pdf</a></p>
<p><b>Circular HB A10/2017 (2nd revision)</b></p>	<p>Housing Benefit Uprating 2018-19 (2nd revision)</p>	<p><a href="https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/671913/a10-2017.pdf">https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/671913/a10-2017.pdf</a></p>
<p><b>Circular HB S13/2017</b></p>	<p>Indicative 2018/19 Housing Benefit administration subsidy arrangements for English, Scottish and Welsh local authorities</p>	<p><a href="https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/669993/s13-2017.pdf">https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/669993/s13-2017.pdf</a></p>
<p><b>A1/2018</b></p>	<p>War Pensions: Uprating 2018 -19</p>	<p><a href="https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/674163/a1-2018.pdf">https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/674163/a1-2018.pdf</a></p>