

Housing Benefit Urgent Bulletin

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

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Contact	Queries about the <ul style="list-style-type: none">• distribution of this bulletin, contact housing.correspondenceandPQs@dwp.gsi.gov.uk• content of this bulletin, contact housing.benefitenquiries@dwp.gsi.gov.uk
Who should read	All Housing Benefit (HB) staff
Action	For information

‘Windrush generation’: Information for local authorities on the handling of Housing Benefit cases.

1. The Home Secretary made a statement to the House of Commons on 23 April 2018 where the issues on the ‘Windrush generation’ were highlighted. This bulletin provides information from the Department for Work and Pensions’ Housing Delivery Division (HDD) to local authorities (LAs) on how to handle Housing Benefit (HB) cases affected.

Background

2. The Immigration Act 1971 provided that migrants living in the United Kingdom (UK) before it came into force, should be treated as having been given indefinite leave to enter or remain in the UK, as well as retaining a right of abode for certain Commonwealth citizens.
3. It has since emerged that relatives of migrants from Commonwealth Caribbean countries who settled in the UK from the late 1940s to the 1970s, were considered to be unlawfully resident as they could not provide documentation to prove they have lived in the UK continuously.

4. This has prompted the Home Office to set up a dedicated taskforce, within UK Visas and Immigration Division, to help people demonstrate their right to be in this country and access services.
5. Further information can be found on the Home Office pages on www.gov.uk

Action to take on HB cases

6. Should LAs identify an HB cases where the claimant is unable to evidence their immigration status to allow access to HB, but indicates they are from the 'Windrush generation', LAs are urged to apply extreme caution and refer the claimant, or their representative, to the Home Office dedicated taskforce team detailed below; to allow them to undertake necessary action.
7. See **Annex A** for a list of Caribbean Commonwealth countries where former citizens of those countries may be affected.
8. External customers or representatives should contact the free phone number on 0800 678 1925 or email commonwealthtaskforce@homeoffice.gsi.gov.uk
9. Following any referrals to the task force, the Home Office recommend that LAs wait at least 2 weeks to allow the referral to be reviewed and any necessary paperwork provided, prior to LAs taking any further steps to process, restrict or stop HB claims or allow access/remove any other services.
10. In exceptional circumstances if a claimant experiences unacceptable delays in being able to resolve their immigration status with the Home Office, the LA may make representation on behalf of the claimant by contacting HDD at hdd.strategyteam@dpw.gsi.gov.uk for further support.

Action to take on cases sent by HDD in regards to the Home Office Data Share

11. Any LA who has yet to action immigration cases, sent by HDD, where the Home Office has indicated an HB claimant's 'leave to remain' has been revoked, should suspend taking any further action until further advice is provided.

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Annex A

'Windrush generation' Commonwealth Countries

- Antigua and Barbuda
- Bahamas, The
- Barbados
- Belize
- Dominica
- Grenada
- Guyana
- Jamaica
- Saint Lucia
- St Kitts and Nevis
- St Vincent and the Grenadines
- Trinidad and Tobago