

Housing Benefit

General Information Bulletin

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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 cap – official statistics release

1. An update to two sets of official benefit cap statistics was released on Thursday 7 November 2013.
2. The first set of statistics show at national and regional level, the cumulative number of households capped to September 2013 (based on data returned from local authorities (LAs) in the period 2 to 26 September). These statistics are broken down by cap banding, number of children and household type.
3. This release does not capture the complete implementation of the benefit cap. As HB returns are gathered through September not all of the caseload in Tranche 2 LAs will be captured. This will be more apparent in London, where a greater proportion of LAs were in Tranche 2. Therefore, the spread of the caseload across the country and the demographics of the capped population will differ from the complete caseload.
4. The second set of statistics relate to national Jobcentre Plus activity regarding claimants who have been identified as potentially impacted by the benefit cap. The new data includes cumulative totals for Great Britain (GB), up to 11 October 2013, for:
 - the number of claimants identified as potentially affected by the benefit cap accepting employment support
 - the number of claimants identified as potentially affected by the benefit cap participating in employment support
 - the number of claimants identified as potentially affected by the benefit cap moving into work
5. These publications have been produced by departmental statisticians to adhere to the United Kingdom Statistics Authority protocols.
6. The statistics can be accessed using the following link: [benefit cap Statistics](#)

Queries

If you have any queries about the information contained in this item please contact: benefitcap.external@dwp.gsi.gov.uk

Benefit cap – notifying DWP of a permanent decrease or end of HB entitlement in capped cases

7. Each month details of the awards taken into account for benefit cap purposes are gathered from a range of sources. For HB the source of this information is the monthly Single Housing Benefit Extract (SHBE) scan that LAs return to the Department for Work and Pensions (DWP). This means that there is a delay in DWP's Belfast Cap Calculation Team (BCCT) knowing about changes to the HB rate.

8. This delay results in nugatory work for both DWP and LAs. For DWP, the BCCT continue to receive changes as they don't know that HB has fallen below the level to be capped or ended. For LAs the subsequent Automated Transfer to Local Authority Systems (ATLAS) transactions from the DWP changes need to be cleared.
9. This is primarily a problem where HB ceases to be paid or it falls to a level that means that the LA is no longer capping a HB claimant. Following consultation with the Practitioners Operations Group, we have amended the process that LAs should follow when the LA stops paying HB, or the HB reduces so the benefit cap no longer applies.
10. In cases where the LA stops paying HB in capped cases, the LA should complete the email notification template, and send it to the BCCT. The LA should, where possible include the reason why the HB has ceased or reduced.
11. LAs should only inform BCCT once the decision has been made to cease or reduce HB, and the cap no longer applies, not when HB is suspended because of a doubt over the claimant's entitlement. DWP is aware that some terminations are automated and therefore the templates may not be sent in these cases.

LA/DWP email notification template

12. Could LAs please remember to fully complete section 7 of the LA/DWP email notification template. In particular, the email address provided should be a GCSX address account. BCCT are unable to respond to non-GCSX addresses.

Queries

If you have any queries about the information contained in this item please contact: la-benefit.capnational@dwp.gsi.gov.uk

The Social Security (Persons Required to Provide Information) Regulations 2013

13. Every year the Exchequer loses more than £1 billion due to benefit fraud. In October 2010 the government announced its strategy to tackle fraud and error and to protect the integrity of the benefits system
14. Section 109B of the Social Security Administration Act 1992 allows authorised officers to gather information from specified persons for the purposes of the prevention, detection and investigation of Social Security fraud.
15. The Social Security (Persons Required to Provide Information) Regulations 2013 came into force on 1 October 2013. These regulations apply in GB and

allow authorised officers also to gather information from landlords, rent officers, childcare providers and also LAs which administer a Council Tax Reduction (CTR) scheme for those purposes.

16. We have introduced these regulations primarily to take account of the introduction of Universal Credit, namely in relation to its elements relating to housing costs and childcare ensuring our powers reflect equivalent information gathering provisions applying in relation to tax credits and to HB respectively. The regulations also allow investigators to gather information about a person's local CTR from LAs.
17. The information can only be requested where it is necessary to obtain it in connection with an investigation being made into a person's benefit claims.

Queries

If you have any queries about the information contained in this item please contact:

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Reassessing Disability Living Allowance claimants for Personal Independence Payment

18. We have started reassessing some existing Disability Living Allowance (DLA) claimants for Personal Independence Payment (PIP) in Wales, West Midlands, East Midlands and parts of East Anglia; read more in [HB Direct issue 142](#).

Reports of changes in care and mobility needs

19. In the [reassessment postcodes](#), where we get a report that there has been a change in an existing DLA claimant's care or mobility needs, we'll ask them to claim PIP instead. This will take place whether the report is from the claimant or from another person. Doing so means that the claimant only has to go through one review of their benefit entitlement rather than having to be reviewed for DLA and then subsequently reassessed for PIP. This will also bring these claimants into a regular cycle of reviews, which is a feature of PIP.

20. Outside the reassessment postcodes this review is known as the Right Payment Programme (RPP). We send the claimant a form to describe their care and mobility needs and provide any additional evidence. They may also be asked to attend a medical examination. Awards of DLA reviewed under RPP may go up, may go down or may stay the same.

Children claiming DLA approaching their sixteenth birthday

21. From May 2013, we started writing to the parents, guardians and representatives of those claimants who were due to turn 16 on or after 7 October 2013. This was to tell them that the young person would soon be invited to claim PIP, based on earlier plans to begin reassessment on 7 October.
22. DWP Ministers decided that we should continue to invite these young people to claim PIP as originally planned although reassessment began from 28 October. This was to avoid having to assess young people for DLA then for PIP. We'll continue to invite children due to turn 16 on or after 7 October to claim PIP if they live in Wales, West Midlands, East Midlands or East Anglia. They will continue to get DLA until we make a decision about PIP.
23. We will not invite children reaching age 16 elsewhere in GB to claim PIP yet but we will check their eligibility for adult DLA if their award is due to expire on or near their 16th birthday.
24. Those children who are being paid DLA under the special rules for terminally ill people will be invited to claim PIP at the end of their existing DLA award. If that date is after October 2017, or they receive an indefinite award, we will ask them to claim PIP towards the end of planned reassessment activity (due to finish by September 2017).

DLA claimants with fixed term awards

25. We will invite claimants living in a reassessment postcode whose DLA fixed term award is due to end on or after 17 March 2014 to claim PIP instead.
26. We will ask claimants whose fixed term DLA award ends before 17 March 2014 to make a renewal claim for DLA and claim PIP at a later date.

DLA claimants choosing to claim PIP

27. Existing DLA claimants who want to voluntarily claim PIP are now able to do so in Wales, West Midlands, East Midlands and parts of East Anglia only.

How to claim PIP

28. New PIP claims can be made by phoning 0800 917 2222 (textphone 0800 917 7777). Full details of how to claim can be found at gov.uk/pip, including when existing DLA claimants may be affected (gov.uk/pip-checker).

29. Please stop issuing 'DLA 1A Adult' and 'DLA 1 Adult' forms, using these forms may delay claims. You can still use DLA forms for children.

Up-to-date information

30. Please visit gov.uk/dwp/pip-toolkit for up-to-date information to adapt for your own guidance and communications. This includes [materials tailored for LAs](#) and more about other [benefits and services that PIP may affect](#), such as concessionary travel and blue badges. Please send any questions about the toolkit to: pip.feedback@dwp.gsi.gov.uk.

31. For any other PIP enquiries, claimants and advisors should visit www.gov.uk/pip or phone the PIP enquiry line 0845 850 3322 (textphone 0845 601 6677).

Recording of change events for SHBE performance purposes

Local Housing Allowance (LHA) annual reviews

32. Circular HB/CTB A8/2012, issued in January 2013, advised that from April 2013 LHA annual reviews would take place in April each year instead of on the anniversary date of a claim as was the case previously. This change brings LHA reviews in line with annual uprating and prepares for the integration of housing support within Universal Credit. However, the circular did not address the recording of these reviews via the SHBE for performance purposes.

33. Following internal and external discussions on the recording of LHA annual reviews, we can now advise that when actioning future LHA annual reviews they should be treated as change events rather than uprating.

34. The rationale for this is set out below:

- this helps with the continuity of statistical outputs, as reviews have been recorded as changes in the past under the previous arrangements
- an LHA annual review is somewhat different from the "uprating of HB applicable amounts and social security benefits" that are caught by the definition of a Type 1 change in the SHBE guidance
- all annual rent increases are currently recorded and counted as change events, the LHA annual review is really the equivalent of this for LHA recipients

35. LHA annual reviews should, therefore, be recorded as Option 2 (All other changes) in Field 250 and then Option 10 (LA activity) in Field 254.

36. In addition to the LHA annual reviews, there may be occasions during the year when a customer (or landlord) reports a rent increase or decrease. These notifications should continue to be actioned as currently, i.e. as a change event. In these cases the review should be recorded as Option 2 (All other

changes) in Field 250. The option selected in Field 254 would be determined by how the change was identified/reported.

ATLAS notifications

37. DWP analysts have been looking at the impact of ATLAS notifications on the total number of changes recorded via SHBE to identify changes in entitlement (increases or decreases) which can be attributed to ATLAS.
38. Initial findings have shown the number of changes identified via SHBE, as a direct result of ATLAS, are less than expected based on the number of ATLAS files issued to LAs on a regular basis. There could be various reasons for this.
39. One of the reasons may be the incorrect recording of ATLAS notifications via SHBE. We would remind all LA benefit processing staff to ensure that the correct option in Field 254 is selected when an ATLAS notification is actioned. LA staff should select Option 15 "CIS Prompt/ATLAS" in Field 254 which has been in place since April 2011.
40. This option should be selected when processing all ATLAS notifications, whether they are input manually or by batch (mass-calculation). We would also ask that system control staff check the parameters that have been set for automated batch processing ATLAS notifications, to ensure the correct option is being applied.
41. Where the LA contacts the customer to investigate reasons for Her Majesty's Revenue and Customs Award/DWP Benefit entitlement changes following an ATLAS notification and receives new evidence, e.g. change of earnings information, this change should still be recorded as ATLAS, rather than claimant notification. This is because the ATLAS notification was the trigger for the LA to contact the customer. Claimant notification should be used where the **customer** has contacted the LA directly to notify a change.

Publication of preliminary estimates of HB Fraud and Error within the benefits system

Important advice for all LAs

42. Following publication of the preliminary estimate for 2012/13 of the levels of fraud and error across all benefits in GB, the National Audit Office recommended that DWP undertake an analysis of the results to determine root causes: <https://www.gov.uk/government/publications/fraud-and-error-in-the-benefit-system-preliminary-201213-estimates>
43. DWP accepted this recommendation and analysis has shown the increase in HB Fraud and Error is mainly due to an increase in claimant error from incorrect earnings
44. We acknowledge the additional demands on LA staffing resource that occurred with the introduction of ATLAS and continue to occur due to the

implementation of Welfare Reform. However, it is important for LAs to ensure that claimant earnings information is updated regularly, to keep overpayments to a minimum.

45. We would encourage LAs to continue to perform regular checks on claimants' earnings. This may be in the form of setting diary dates as a reminder to check on irregular earnings or ensuring the ATLAS notifications are actioned and followed up where necessary

Queries

If you have any queries about the information contained in this item please contact: performance-framework@dwp.gsi.gov.uk

Statutory Instruments

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

- 2013 No.2657, The Welfare Reform Act 2012 (Commencement No. 13 and Transitional and Transitory Provisions) Order 2013, coming into force 28 October 2013
- 2013 No.2689, The Personal Independence Payment (Transitional Provisions) (Amendment) (No. 2) Regulations 2013, came into force 25 October 2013
- 2013 No.2734, The Occupational and Personal Pension Schemes (Disclosure of Information) Regulations 2013, came into force 6 April 2014, certain provisions cease to have effect from 6 April 2015
- 2013 No.2827, The Rent Officers (Housing Benefit Functions) Amendment (No. 2) Order 2013, coming into force 4 December 2013
- 2013 No.2828, The Housing Benefit and Universal Credit (Size Criteria) (Miscellaneous Amendments) Regulations 2013, coming into force 4 December 2013
- 2013 No.2869, The Pensions Act 2004 (Code of Practice) (Governance and Administration of Occupational Defined Contribution Trust-Based Pension Schemes) Appointed Day Order 2013, coming into force from 21 November 2013
- November 2013, The Housing Benefit and Universal Credit (Size Criteria) (Miscellaneous Amendments) Regulations 2013 (S.I. 2013 No. 2828): report by the Social Security Advisory Committee under section 174(1) of the Social Security Administration Act 1992 and statement by the Secretary of State for Work and Pensions under section 174(2) of that Act

47. 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

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

Document Type	Subject	Link
HB A20/2013	The Social Security (Miscellaneous Amendments) (No. 3) Regulations 2013	https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/251220/a20-2013.pdf
HB S7/2013	HB subsidy arrangements 2014/15: Details of the specific grant for administration costs for ENGLISH authorities	https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/254615/s7-2013.pdf
HB S8/2013	HB subsidy arrangements 2014/15: Details of the specific grant for administration costs for WELSH authorities	https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/254616/s8-2013.pdf
HB G10/2013	<p>HB Credit Reference Agency data-matching mailbox</p> <p>Risk based verification guidance</p> <p>DHPs reporting measures</p> <p>Benefit Cap – official statistics release</p> <p>Claimant Commitment</p> <p>Child Benefit awards queries</p> <p>Payments to Equitable Life pre-September 1992 with profit annuity Policyholders</p>	https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/251957/g10-2013.pdf

	<p>Bankruptcy and overpayment recovery</p> <p>.GOV.UK website</p> <p>HB/CTB cases awaiting decision by the Upper Tribunal</p> <p>Statutory Instruments</p> <p>What's new on the web</p>	
HB U7/2013	Removal of the spare room subsidy – First-tier Tribunal decisions	https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/254373/u7-2013.pdf
HB U8/2013	Judicial Review of the Benefit Cap	https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/255248/u8-2013.pdf
HB Direct issue 142 Nov 2013	Newsletter	https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/255165/hb-direct-issue-142.pdf
Data sharing guidance for LAs	Guidance	https://www.gov.uk/government/publications/data-sharing-guidance-for-local-authorities

HB circulars recently issued

HB A20/2013

HB S7/2013

HB S8/2013