



Department
for Work &
Pensions

[REDACTED]

DWP Ramsgate FEPS ESA
Mail Handling Site A
Wolverhampton
WV98 2BB

Telephone: 0345 608 8545
Textphone: 0345 608 8551
www.gov.uk

Our Reference : CRT
Your Reference: [REDACTED]

Date: [REDACTED]

Dear [REDACTED]

Important: Please read this letter carefully and give us as much information as possible.

It is important that you contact us about this letter no later than **17/11/2017**. If we do not hear from you by this date, we will make our decision on the basis of the information we have now. **If you need more time to reply please let us know straightaway.**

If you normally have someone who helps you with your claim you may wish to show them this letter.

We are looking at your **Employment and Support Allowance** award. It appears from the information we have that you failed to report a change in your circumstances promptly and we need more information about this from you.

You are required to provide information, with your claim or when asked, which is correct and complete. This includes correcting any mistakes and reporting any changes in your circumstances straight away. If you don't do this and this means that you have been overpaid benefit, then this could also lead to a £50 Civil Penalty being imposed.

We therefore need you to tell us if there was a reason why you failed to report a change in your circumstances promptly. **We were not informed that your entitlement to Disability Living Allowance ended on 14.02.17.**

We will consider whether to impose a Civil Penalty on the basis of the information you give us. It is therefore important that you tell us the reasons for your actions as soon as possible. If we do not hear from you by **17/11/2017**, we will make our decision on the basis of the information we have now.

If a Civil Penalty is imposed, you will have to pay this in addition to repaying any overpayment.





We will write to you again telling you what we have decided.

What the law allows

Social Security law allows a Civil Penalty of £50 to be imposed if it is decided that you were overpaid benefit because you:

- negligently made incorrect statements regarding your claim without taking reasonable steps to correct them; or
- failed to provide information or evidence about the claim without reasonable excuse; or
- failed to report changes in circumstances regarding the claim promptly without reasonable excuse.

What to do now

Please contact us by either telephone or post using the details at the head of this letter by **17/11/2017**. We can then check that the information we have is correct and if there is a reason why you failed to report the change in your circumstances promptly.

You may like to contact a local support organisation who can provide independent help and support. You can find their details online, at your local library or in the telephone directory.

Yours sincerely



M Cleworth
On behalf of M Fuller
Fraud and Error Prevention Service Manager

More Information about Civil Penalties

Question: Is a Civil Penalty a criminal matter?

Answer: No. The Civil Penalty is intended for those who fail to take proper care of a benefit claim or award, resulting in an overpayment. It is not intended for those who deliberately undertake in fraudulent criminal behaviour.

Details on the Department's use of civil penalties can be found at www.Gov.UK



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Question: If I have been overpaid benefit and need to pay the money I owe back, will that mean that a Civil Penalty will automatically be imposed?

Answer: No. Each case will be considered individually. There are many reasons why a person might make a mistake in giving information, may not have responded appropriately to a request for information or did not report a change in circumstances promptly. There may also be good reasons for the mistake or failure. The Department will look at all the circumstances which led to the overpayment in deciding whether or not a Civil Penalty is appropriate.

This is why it is important that you respond to this letter as soon as possible.

Question: If it is decided that I have not been overpaid benefit, could a Civil Penalty still apply?

Answer: No. There must always be an overpayment of benefit for a Civil Penalty to be considered and imposed.

Question: How will I be informed about the outcome of your decision?

Answer: By letter. If it is decided that a penalty is to be paid, we will write to you again. The letter will explain our decision and how much you will need to pay. The letter will also explain what to do if you disagree with our decision.