



Department
for Work &
Pensions

www.gov.uk/dwp

Central FoI Team
Caxton House
6-12 Tothill Street
London
SW1H 9NA

Owen Stevens
ostevens@cpag.org.uk

Email: freedom-of-information-request@dwp.gov.uk

Our Ref: FOI2020/01998

Date: 7 January 2020

Dear Owen Stevens,

Thank you for your Freedom of Information request received on 17 January 2020. You asked for:

"There is a process for reinstating legacy benefits and, presumably, closing UC claims in the event that a claimant entitled to SDP in a legacy benefit at the date of their claim mistakenly claims UC - see para.19 onwards of HB Adjudication Memo A1/19<<https://www.gov.uk/government/publications/housing-benefit-adjudication-circulars-2019/a12019-hb-gateway-severe-disability-premium-and-claimants-with-3-or-more-children>>.

However it seems that even where a UC claimant (who was previously a legacy SDP recipient) met, and continues to meet, all the criteria for the SDP DWP caseworkers sometimes reject MGP1 forms received from local authorities and requests to move back to legacy benefit by claimants (I have attached an example of this).

Please provide any guidance (whether internal or not) or policy document stating the circumstances in which DWP either will and/or will not close a UC award and/or move someone who has mistakenly claimed UC back to legacy benefits."

DWP Response

I confirm that we hold the recorded information to respond to your request, please see the attached policy document.

If you have any queries about this letter, please contact the Department quoting the reference number above.

Yours sincerely,
Policy Group FOI Team
Department for Work and Pensions

Your right to complain under the Freedom of Information Act

If you are not happy with this response you may request an internal review by e-mailing freedom-of-information-request@dwp.gov.uk or by writing to DWP, Central FoI Team, Caxton House, Tothill Street, SW1H 9NA. Any review request should be submitted within two months of the date of this letter.

If you are not content with the outcome of the internal review you may apply directly to the Information Commissioner's Office for a decision. Generally, the Commissioner cannot make a decision unless you have exhausted our own complaints procedure. The Information Commissioner can be contacted at: The Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow Cheshire SK9 5AF
Web: ico.org.uk/Global/contact_us or telephone 0303 123 1113 or 01625 545745