

Housing Benefit and Council Tax Benefit

General Information Bulletin

Department for Work and Pensions, 1st Floor, Caxton House, Tothill Street, London SW1 9NA

<http://www.dwp.gov.uk/local-authority-staff/housing-benefit/>

HB/CTB G4/2012

April 2012

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) and Council Tax Benefit (CTB) staff
Action	For information

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Lone Parent Obligation

Background

1. At present lone parents with youngest child aged 7 are no longer entitled to Income Support (IS) if they are claiming solely on the grounds of being a lone parent. They are required to claim Jobseekers Allowance (JSA) if they are able to work or Employment and Support Allowance (ESA) if their capacity for work is limited by a disability or health condition. This is subject to certain exemptions and conditions.

Lone Parent Obligation Extension Changes

2. In the 2010 Coalition budget it was announced that the age limit would be further reduced to include lone parents with a youngest child aged 5 or older. The Welfare Reform Bill which provides provision for this change received Royal Assent in both Houses of Parliament on 8 March 2012.
3. From 21 May 2012 the age of the youngest child will reduce to age 5 for new and repeat claims. As with Lone Parent Obligations this change will be introduced in two stages for existing lone parents, starting from
 - **May 2012** for existing lone parent claimants with a youngest child aged 6, or turns 6; then from
 - **August 2012** for existing lone parents claimants with a youngest child age 5, or turns 5.

What other benefits can they claim?

4. Those who have not found paid work when their IS ends will be able to apply for JSA or, if their capability of work is limited by a disability or health condition, ESA.
5. At the voluntary interview a form will be completed to change the claim from IS to an alternative benefit (where appropriate). The local authority (LA) will receive an Electronic Transfer of Data (ETD) and an Automated Transfer to Local Authority Systems (ATLAS) notification where the customer is entitled to either income based JSA or ESA. Where the customer is not entitled an end of entitlement notification will be issued when the IS claim is closed.

Will Housing Benefit (HB) and Council Tax Benefit (CTB) be affected?

6. Claimants who are affected by these changes will be told that there should (or will?) be no break in their entitlement to HB or CTB if they move to either income based JSA or income related ESA. If the claimant moves onto any other Jobcentre Plus benefit this could impact on the rate and amount of HB and CTB they receive.
7. The claimant is informed on the fact sheet that if they are getting HB and/or CTB they have a legal obligation to report any changes in their circumstances directly to the local authority.
8. For more information go to:
http://www.direct.gov.uk/en/MoneyTaxAndBenefits/BenefitsTaxCreditsAndOtherSupport/On_a_low_income/DG_175842

Queries

For further information on the content of this item please contact:

hbsdmp.wweg@dpw.gsi.gov.uk

Customer Information System & ATLAS in relation to Carer's Allowance

9. In August 2009, changes were made to the Customer Information System (CIS). One of the changes was to include the rates of Carer's Allowance (CA) paid to our customers.
10. Unfortunately, in certain circumstances the rates of CA that are shown on CIS may be incorrect.
11. When a claim for CA is awarded and the customer has underlying entitlement only instead of showing the rate of CA as £0.00 from the date of claim, CIS shows the full rate of CA from the date of claim to the date which we input the decision, and then £0.00 from that date onwards.
12. **For example:** Mrs Smith claims CA from 2 January 2012 and an underlying entitlement decision is input on 12 January 2012.
13. CIS will show CA in payment at £55.55 from 2 January 2012 until 11 January 2012 and £0.00 from 12 January 2012.
14. Any ATLAS notifications would also supply the detail as per above, as it uses the data provided on CIS to the LA.
15. If the customer provides copies of system generated computer letters from the Carer's Allowance computer system these will be correct.
16. A recent customer complaint has identified that this discrepancy may not be common knowledge. A customer was given an overpayment of HB due to the discrepancies with the information he was providing and the information available through CIS.
17. If your customer disputes the information obtained from CIS or ATLAS, please ring the Carer's Allowance Unit on 0845 608 4321 to check.

Tracey Lingard
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Carer's Allowance Unit
Department for Work and Pensions

Queries

For further information on the content of this item please contact:

Tracey.lingard@dpw.gsi.gov.uk

HB/CTB cases awaiting decision by the Upper Tribunal

18. Decision Making and Appeals (DMA) Leeds is aware of the following HB/CTB case that is awaiting decision by the Upper Tribunal:

- CH/3299/2011: capital derived from foster children's DLA correctly taken into account in foster parent's HBCTB assessments?

19. Thank you to those authorities that have let us know about cases they are appealing. Please notify us of cases at the point that the application for leave to appeal is made to the Upper Tribunal office, or the appeal is lodged following grant of leave by a First Tier Tribunal Judge. Please let us know if a case reference (CH/.. or CSH/..) has been allocated.

Queries

For further information on the content of this item please contact:

DMALEEDS.CUSTOMERSUPPORTSERVICES@DWP.GSI.GOV.UK or fax on 0113 2324841

The Benefit Cap

Update

20. The benefit cap project team will shortly be sending out a detailed briefing pack to secure e-mail addresses in each LA. This will be the same route that DWP used for sending out the ATLAS packs. This will include

- details of the data scan that we will be sending to every LA from 23 April 2012, that will list all the claimants potentially affected by the benefit cap in that LA's geographical area
- a copy of the direct mail letter that we will be sending to claimants from 4 May 2012
- security protocols for storing and destroying the data scan
- copies of letters sent to DWP District Managers on 11 April 12 regarding the data scan and direct mail.

Data scan

21. The data scans will be sent out from 23 April 2012. We are attempting to get all the scans sent by close of play on 4 May 2012. The data scans will be sent to the secure named e-mail addresses of the main business sponsor e-mail account that we used for the Employee Authentication Project. The briefing pack will include this list of named individuals. We will then call the LA to provide a password to that named person so that the data can be accessed. If that person is not available, alternative arrangements will be made to transfer the data

securely. We would ask you to bear with us and await your phone call. If you have not received a call by close on 4 May 2012 please contact:

alan.sullivan@dwp.gsi.gov.uk

22. Once the data scan is received by the benefits department, you will need to liaise with other departments that may have dealings with claimants affected by the cap. These departments will include Social Services, Education and Housing. You will also want to ensure that you are in contact with your local Jobcentre Plus colleagues.

Direct Mail

23. The direct mail will be sent to 67,000 households (90,000 adults) between 4 and 22 May 2012. LAs can expect to receive queries from claimants that have received the letter. Front line customer service staff will therefore need to be fully briefed. This should include a general awareness of the cap, the rationale behind it, how it could affect the claimant and how the claimant may change their circumstances to avoid having their benefit capped. Please ensure that all front line staff see this bulletin and previous bulletin HB/CTB G3/2012.
<http://www.dwp.gov.uk/local-authority-staff/housing-benefit/user-communications/hbctb-bulletins/>

Employment support

24. We would expect all LAs, their call centres & customer service centres to signpost claimants to Jobcentre Plus for advice on finding work and direct them to the Directgov website; www.direct.gov.uk/jobseekers where they can find support to apply for jobs, compile CVs and prepare for an interview. In addition www.direct.gov.uk/benefits provides claimants with information about how they can get Working Tax Credit including how many hours they will need to work to qualify. All claimants will receive links to these sites in their direct mail letter.

Helpline and other forms of support

25. DWP will provide a helpline that will be available from 9 May 2012. Claimants will be told about the helpline in the direct mail. Claimants can call the 0845 number with enquiries and to obtain general information regarding the potential impact of the cap. The helpline will also provide a handover referral to DWP offices for claimants who have requested employment support. DWP will ensure that those affected are proactively offered, via an outbound call, an appointment to discuss their circumstances and other support that may be available to them.
26. If claimants have housing issues, they will be signposted to the relevant LA.
27. As previously advised in HB/CTB G3/2012, DWP District Managers have been advised to set up local liaison with LAs, who will then jointly provide support to claimants who will be affected by benefit cap.

Discretionary Housing Payments

28. Additional funding has been agreed for Discretionary Housing Payments (DHP) to support vulnerable claimants affected by the benefit cap. DHP guidance will be updated to take account of the cap.

Queries

For further information on the content of this item please contact:

Alan.sullivan@dwp.gsi.gov.uk

Statutory Instruments

29. The following Statutory Instruments (SIs) have been laid

- 2012 No.757, The Social Security (Miscellaneous Amendments) Regulations 2012, coming into force from 1 April 2012
- 2012 No.780, The Social Security Benefits Up-rating Order 2012, coming into force from 1 April 2012
- 2012 No.819, The Social Security Benefits Up-rating Regulations 2012, coming into force 9 April 2012
- 2012 No.824, The Social Security (Suspension of Payment of Benefits and Miscellaneous Amendments) Regulations 2012, coming into force 17 April 2012
- 2012 No.853, The Jobseeker's Allowance (Domestic Violence) (Amendment) Regulations 2012, coming into force 23 April 2012
- 2012 No.863 (C.23), The Welfare Reform Act 2012 (Commencement No1) Order 2012, coming into force from 1 May 2012
- 2012 No.874, The Social Security (Lone Parents and Miscellaneous Amendments) Regulations 2012, coming into force 21 May 2012
- 2012 No.911 (C.29) The Pensions Act 2007 (Commencement No.4) (Amendment) Order 2012, CORRECTION
- 2012 No.913, The Employment and Support Allowance (Duration of Contributory Allowance) (Consequential Amendments) Regulations 2012, coming into force 1 May 2012
- 2012 No.918, The Mesothelioma Lump Sum Payments (Conditions and Amounts) (Amendment) Regulations 2012, coming into force 1 April 2012
- 2012 No.923, The Pneumoconiosis etc.(Workers' Compensation) (Payment of Claims) (Amendment) Regulations 2012, coming into force 1 April 2012

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

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

Document Type	Subject	Link
Universal Credit - information for LAs	LA Transitional Working Group updates with minutes from recent meetings	http://www.dwp.gov.uk/local-authority-staff/universal-credit-information/local-authority-transition-working/
Universal	Financial and	http://www.dwp.gov.uk/local-

Credit - information for LAs	Commercial Working Group updates with minutes from recent meetings	authority-staff/universal-credit-information/finance-and-commercial-working/
Information	Joint DWP/LAA Steering Group minutes -14 March	http://www.dwp.gov.uk/docs/hb-steering-grp-mins-140312.pdf
Bulletin G3/2012	<p>The Benefit cap Recovery of Housing Benefit</p> <p>Overpayments from Universal Credit</p> <p>Impact of the Universal Credit Programme visits to local authorities</p> <p>The Social Security (Recovery) (Amendment) Regulations 2012 (SI 2012 No.645)</p> <p>Tax Credits: One off Payments</p> <p>Care Homes - Protected Housing Benefit Cases</p> <p>Update on transitional funding</p> <p>Statutory Instruments</p> <p>What's new on the web</p> <p>HB/CTB Circulars issued recently</p>	http://www.dwp.gov.uk/docs/g3-2012.pdf
HB Direct Issue 124 April 2012	Newsletter	http://www.dwp.gov.uk/docs/issue-124-apr-2012.pdf
HB/CTB Circular A2/2012	HB/CTB operational information, performance support and inspection in 2012/13	http://www.dwp.gov.uk/docs/a2-2012.pdf
Guidance	HB/CTB Good Practice Guide	http://www.dwp.gov.uk/local-authority-staff/housing-benefit/performance-and-good-

		practice/hbctb-good-practice-guide/
Guidance	Subsidy Guidance Manual	http://www.dwp.gov.uk/local-authority-staff/housing-benefit/performance-and-good-practice/subsidy-guidance-manuals/

HB/CTB Circulars issued recently

HB/CTB Circular A2/2012