

Housing Benefit

General Information Bulletin

Department for Work and Pensions, 6th Floor, Caxton House, Tothill Street,
London SW1 9NA

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

ISSN 2054-2836 (Online)

HB G3/2015

17 March 2015

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.correspondenceandpq@dwp.gsi.gov.uk
Who should read	All Housing Benefit (HB) staff
Action	For information

Contents

	paragraph
Universal Credit families' expansion.....	1
Universal Credit national expansion.....	7
Universal Credit at Work – spring 2015.....	13
Fit for Work.....	18
Risk Based Verification.....	31
Qualified HB Subsidy Claims.....	33
HB Subsidy Team generic email address.....	35
Debt Market Integrator.....	37
Personal Independence rollout.....	49
Benefit Cap – secure email addresses.....	55
Increase in the maximum amount of the Administrative Penalty.....	58
MAG:NET – use of LoCTA.....	64
Cases with the Upper Tribunal.....	66
Statutory Instruments.....	71
What's new on the web.....	73

Crown Copyright 2015

Recipients may freely reproduce this bulletin.

The three Universal Credit articles were first published in issue 157 of Housing Benefit Direct but are being repeated here to cover as wide an audience as possible.

Universal Credit families' expansion

1. From 24 November 2014 the Department for Work and Pensions (DWP) started taking claims from families in six sites in the North West of England; Birkenhead, Bromborough, Hoylake, Upton, Wallasey covering the Wirral local authority (LA) area and Warrington.
2. Following this successful pilot DWP extended to a further 26 Jobcentre areas from 26 January 2015; including Hammersmith, Rugby, Harrogate, Bath, Inverness, Shotton and 20 in the North West of England.
3. Meaning that for the first time, parents will be able to claim back 70 per cent of childcare costs no matter how many hours they work. Providing more generous support with childcare costs will help parents to get back into work.
4. All the remaining sites that went live by Christmas 2014 started to take claims from families from 2 March 2015. This means that from 2 March DWP has been offering Universal Credit to singles, couples and families in 96 jobcentre areas across 45 LAs in England, Scotland and Wales.
5. Please note that the expansion to families is only in those sites that went live up until the end of 2014. No sites that are going live as part of 2015/16 national rollout will take claims for couples and/or families.
6. More information on the [expansion to families](#) and the [current live sites](#) and which claimant groups they cater to is available on GOV.UK.

Universal Credit national expansion

7. In autumn 2014 DWP announced that from February 2015 Universal Credit would begin to expand to all remaining jobcentres and LAs in a controlled way for new claims from single people, who would otherwise have claimed Jobseeker's Allowance (JSA), including those with existing Housing Benefit (HB) and Tax Credit claims.
8. Following the successful rollout of Universal Credit in the North West of England, we will use a similar tranche based approach for national expansion.
9. On 16 February 2015 the first jobcentre areas of national expansion went live with Universal Credit, as part of the first tranche of rollout scheduled to take place between February and April 2015.
10. Once Tranche One is complete in April 2015, Universal Credit will be live in 1 in 3 jobcentres across Great Britain.

11. As part of the commencement of national expansion we also published on GOV.UK the go-live dates for those jobcentre areas and LAs that will rollout as part of Tranche One (February – April 2015) and Tranche Two (May – July 2015) along with the latest planning assumptions for Tranche Three (September – November 2015) and Tranche Four (December 2015 – April 2016).

12. All four tranches of [national expansion](#) can be accessed on GOV.UK.

Universal Credit at Work – spring 2015

13. The introduction of Universal Credit is the biggest welfare reform change in a generation and we are already seeing the positive effects that Universal Credit is having.

14. On 16 February 2015 we published research from the first 6,000 Universal Credit cases that shows, compared to JSA, claimants are doing more jobsearch activity, finding work quicker, staying in work longer and earning more.

15. The research shows that, over a 4 month period, claimants are:

- 13 per cent more likely to have been in work than those on JSA
- earning more money.

16. Similar to previous findings, the report also confirms that new Universal Credit claimants in the expanded sites are more likely than JSA claimants to:

- believe the benefit system is encouraging them to find work
- take any job they are able to do
- spend more time looking for work.

17. Once fully rolled out, Universal Credit will boost the economy by £7 billion every year. You can read the [full report](#) here.

Fit for Work

18. Fit for Work (previously known as the Health and Work Service) is designed to support people in work with health conditions and help people back to work who are off sick.

19. There are two elements to Fit for Work:

- free, expert and impartial advice is delivered by our team of occupational health professionals to employees, employers and General Practitioners (GPs) via our website and telephone line
- referral to an occupational health professional for employees who have been off sick or who are likely to be off sick for four weeks or more. The Fit for Work occupational health professional will identify obstacles preventing the employee from returning to work and produce a Return to Work Plan tailored to the employee's needs. Referrals will normally be made by GPs

but employers may also be able to refer an employee if, after four weeks absence, they have not been referred by their GP. Fit for Work is designed to work alongside, not replace, existing occupational health services.

Fit for Work in England and Wales

20. The Fit for Work advice service went live at the end of 2014, and from 9 March 2015 GP referrals commenced in Sheffield and the Betsi Cadwaladr University Health Board.
21. Fit for Work will be expanded across England and Wales over the coming months, with GPs being able to refer nationwide by autumn 2015. Employers in areas where GPs can refer may start to receive Return to Work Plans. These provide recommendations and evidence of sickness, replacing the need for a fit note.
22. All employers nationally will be able to refer from autumn 2015, once GP referrals have fully rolled out.
23. Fit for Work is being delivered in England and Wales by Health Management Ltd.
24. Further information about the service or to find out where the service is live and rolling out soon in England and Wales can be found [here](#).
25. To talk with a specialist adviser, call:
0800 032 6235 (England)
0800 032 6233 (Cymraeg)

Fit for Work in Scotland

26. The Fit for Work Scotland website went live at the end of 2014 and the assessment service went live on 30 January 2015 in three NHS Board areas with Lanarkshire, Lothian and Tayside accepting referrals from GPs. Rollout will extend to the remaining National Health Service (NHS) Board areas in spring 2015 including functionality to allow employers to make referrals.
27. Fit for Work is being delivered in Scotland by the Scottish Government via NHS Scotland.
28. Further information about the service or to find out where the service is live and rolling out soon in Scotland, can be found [here](#).
29. To talk with a specialist adviser, call: 0800 019 2211.
30. If you have any queries on this article please phone Phil Mercer, 020 7449 5399.

Risk Based Verification

31. Risk Based Verification (RBV) was introduced for LAs in April 2012. Although this was offered on a voluntary basis, there were a number of requirements set out in circular [HB S11/2011](#) that needed to be followed. One of these requirements described in paragraph 16 is that ‘every participating LA will need a robust baseline against which to record the impact of RBV.....’ This is a reminder for LAs to observe the conditions set out in the circular and, in particular, document your baseline. Where the requirements of the circular are not being met this will lead to subsidy claims being qualified.

Queries

32. If you have any queries about RBV, please contact us by email at:
hbsubsidy.queries@dwp.gsi.gov.uk

Qualified HB Subsidy Claims

33. Following the issue of circular [HB S4/2014](#) which dealt with the high number of qualified final subsidy claims, we began a programme of LA visits to discuss audit qualifications. Additionally, we invited LA expressions of interest in attending subsidy workshops to identify best practice in addressing audit qualifications and ten workshops were held from September 2014 to February 2015. With a view to reducing the number of qualified final subsidy claims, we are going to collate the examples of best practice which were highlighted at the workshops and also by the LAs which were visited and present them in a short guide which LAs will be able to use, the guide will be published on [GOV.UK](#)

Queries

34. If you have any queries about this matter, please contact us by email at:
hbsubsidy.queries@dwp.gsi.gov.uk

HB Subsidy Team generic email address

35. As you all know Council Tax Benefit (CTB) no longer exists, so we have amended the HB Subsidy Team generic email address. The new email address is: hbsubsidy.queries@dwp.gsi.gov.uk

36. Emails sent to the old generic address will be automatically redirected to the new mailbox; you will receive a response confirming the redirection.

Debt Market Integrator

Background

37. The Debt Market Integrator (DMI) is a cross government initiative commissioned by the Fraud, Error and Debt Taskforce and led by the Cabinet Office. It will enable government to leverage its collective purchasing power to procure specific debt recovery and analytics services, and increase the net value of debt collected for government.
38. The model was tested and confirmed with the market / potential suppliers as part of a market engagement exercise. Integrated Debt Services Limited (IDSL) is a joint venture between Cabinet Office and TDX. A TDX/Equifax, partnership has been appointed as the provider of these cross-government debt services.
39. IDSL will be an independent company with a management team and staff dedicated to sourcing and providing leading market services and growing the business. It will provide services in 3 key areas:
 - analytics (i.e. on-line customer financial data; off-line bulk reporting)
 - collection (Debt Collection Agencies)
 - enforcement (i.e. Bailiff Services; Arrest Warrants; Orders for sale of property).

Initial Customers/Service commencement dates

40. The six initial customers are DWP, Driver and Vehicle Licensing Agency (DVLA), Her Majesty's Revenue and Customs (HMRC), Home Office (HO), Legal Aid Agency and the Student Loans Company. These customers will begin accessing services on a phased basis starting in July 2015. For the initial six months following the first go-live no additional new customers will be taken on until January/February 2016.
41. However the Cabinet Office will be looking to quickly expand the customer base in order to maximise the benefit to government. IDSL services are outlined in the Service Catalogue which will be available following contract signature in March 2015. The contact for this and any other enquiries will be Thomas Vogt-Skard who can be contacted at thomas.vogtskard@cabinetoffice.gov.uk

Rationale for change

42. All government customers historically contracted separately with debt collection agencies, legal firms, bailiffs and credit reference agencies for debt recovery, enforcement, and data / analytics services. This approach enabled suppliers to negotiate effectively as each customer was procuring services in isolation losing benefits achievable through economies of scale.

43. All existing contracts for debt services to the initial customers end between November 2014 and November 2016. IDSL will replace these contracts as the single route to market for government departments.

44. IDSL has been designed to ensure that debt policy and policy decisions are retained within government, either with the debt-holding departments, HM Treasury or Government Ministers.

How benefits will be achieved

45. IDSL brings better access to market-leading analytics capability which is considered to be one of the key value drivers. This proposition has been confirmed through the procurement exercise as well as a recent government debt collection pilot with HMRC. The analytics capability in segmenting customers referred, allows placement of debts through the most suitable collections route/company. IDSL have access to a panel of over 50 specialist suppliers with an extensive range of capabilities.

46. Using analytics to match debtors to suppliers reduces unnecessary work so the supplier resource is minimised allowing the pricing of commission costs to very competitive.

47. The panel allows placement with the most appropriate supplier. IDSL will continually review suppliers and introduce new suppliers to compete for work to ensure consistently high performance. The placement period for debts is expected to be a minimum of two years and IDSL use second and tertiary placement to maximise recoveries. The majority of recoveries will be achieved from the first placement but the use of further placement if the initial company is unsuccessful is critical to maximising returns.

Queries

48. For further information about this article please email
thomas.vogtskard@cabinetoffice.gov.uk

Personal Independence Payment rollout

49. From 30 March 2015 we are further extending the rollout of Personal Independence Payment PIP natural reassessment to some Disability Living allowance (DLA) claimants living in the postcode areas beginning BL (Bolton), FY (Fylde), CW (Crewe), OL (Oldham), SK (Stockport), HU (Hull), FK (Falkirk), TQ (Torquay), TA (Taunton), and TR (Truro) where:

- an existing DLA claimant's fixed term award is coming to an end,
- they are approaching age 16,
- we receive information about a change in their care or mobility needs, or
- an individual chooses to claim PIP instead of their DLA.

50. We have said consistently that we would take a controlled approach to the introduction of PIP, including the reassessment of existing DLA claimants, continuously learning lessons from live running. In the areas chosen to extend the natural reassessment rollout, the assessment provider has sufficient local capacity to handle the increased volumes.
51. Extending rollout in this gradual way ensures that we can continue to focus on reducing delays and improving the service to claimants. We will continue to monitor progress before making any decisions on extending natural reassessment further.
52. Existing DLA claimants who have a lifetime or indefinite DLA award will not be affected until at least October 2015.
53. For further information about PIP please visit the [PIP Intranet site](#)
54. For any queries on this article please contact
margaret.birchall@dwp.gsi.gov.uk

Benefit Cap – secure email addresses

55. The Benefit Cap team in Belfast is receiving an increasing amount of LA templates that do not contain a secure email address which they need in order to send a reply. This is causing the team extra work and increases the risk of a security breach, particularly with less experienced members of staff. Can all LA staff please remember to input a secure email address on every template that you send to the Belfast Benefit Cap team.
56. Paragraph 13 of circular [HB A15/2013](#), ‘Administration of the Benefit cap’, states that LA’s must have a secure email address for return of the template from Belfast. To meet security level requirements the email address must include GCSX or GSX after the ‘@LA Name’ in the address.
57. Any enquiries relating to this item should be sent to
la-benefit.capnational@dwp.gsi.gov.uk

Increase in the maximum amount of the Administrative Penalty

58. The change to the legislation detailed in the Social Security (Penalty as an alternative to prosecution) (Maximum Amount) Order 2015 comes into force on 1 April 2015. From this date the maximum amount of an administrative penalty that can be offered as an alternative to prosecution, where the case is deemed not so serious that prosecution would be considered in the first instance, will increase to £5000.
59. It is anticipated that the offer of administrative penalties for cases with higher overpayments will be exceptional.

60. Section 115A(3) of the 1992 Act allows for a penalty of £350 or 50% of a recoverable overpayment, whichever is the greater, subject to the new maximum penalty of £5000.
61. The new maximum amount cannot be applied retrospectively and only applies in cases where the act or omission which gives rise to grounds for instituting proceedings for the offence to which the penalty relates occurs on, or after, the 1 April 2015.
62. The process for considering and applying an administrative penalty does not change. The appropriate guidance and letters are being updated.
63. For further information please contact paul.collier4@dwp.gsi.gov.uk

MAG:NET – use of LoCTA

64. Those of you that use the LoCTA system supplied by MAG:NET Solutions limited will have received a recent communication from them informing you of the Department's intention to withdraw from the agreement it currently has with MAG:NET.
65. We wanted to inform you that we are currently working through all the issues and in the meantime have suspended enforcement of the 6 months termination period in order to reach a reasonable conclusion. We will provide you with further information at the earliest opportunity.

Cases with the Upper Tribunal

HB/CTB cases awaiting decision by the Upper Tribunal

66. Decision Making and Appeals (DMA) Leeds is aware of the following HB/CTB cases that are awaiting decision by the Upper Tribunal:
 - CH/3592/2014 – complex capital holdings, complicated by possible tax evasion via multiple ISAs.
 - CH/3988 & 3991/2014 – CTB incorrectly awarded to claimant where landlord should have been liable.
 - CH/4608/2014 – non-commercial basis and £30 thousand overpayment.
 - CH/4625/2014 – service charge for water.
67. Thank you to those authorities that have let us know on 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.

HB/CTB decisions by the Upper Tribunal

68. Decision Making and Appeals Leeds is aware of the following HB cases that have been decided by the Upper Tribunal:

- CSH/776/2014: Claimant appeal. HB/CTB overpayment (OP). Remitted. A one-off case containing numerous flaws / errors concerning decision making process, suspension, failure to disclose-misrepresentation, recoverable or non-recoverable official error, determination on Employment and Support Allowance (ESA) entitlement, etc.
- CSH/593/14: Spare room subsidy. Claimant appeal dismissed. Tribunal's decision was consistent with Nelson
- CH/1449/2014: Claimant appeal. Remitted. HB/CTB/OP. "reasonably expected to realise" requires a judgement by the tribunal on claimant's reliance on Regulation 100(2) that he couldn't be ... , rather than the LA's argument that he could be ...
- CH/1821/2014: Claimant appeal. Remitted. HB/CTB/OP/Living Together As Married Couple. Follows Judge Jacobs' analysis of need for findings of fact on "emotional aspects of marriage" in CH/4086/2012.
- CH/2544/2014: Claimant appeal. Upper Tribunal Judge (UTJ) substitutes their own decision. Claimant's original appeal was within 13 month absolute limit therefore it should have been considered for lateness by tribunal
- CH/3025/2014: Landlord appeal. UTJ substitutes their own decision. OP appeal allowed in part, findings of fact on balance of probability as to date tenant actually left, reduced recoverable OP
- CH/3707/2014: Claimant appeal. UTJ substitutes their own decision. Suspension procedure (leading to supersession then backdating application on renewal claim leading to this appeal) not followed correctly
- CSH/369/14: Spare room subsidy. LA appeal upheld. Extra bedroom could not be allowed for husband despite his health
- CSH/389/14: Spare room subsidy. Original LA decision restored. Nelson followed
- CSH/698/14: Spare room subsidy. Claimant appeal dismissed. Shared care of child. Under regulation 20 child normally lives elsewhere
- CH/59/14: Spare room subsidy. LA appeal upheld. Shared care of child. Under regulation 20 child normally lives elsewhere
- CH/1135/14: Capital. Further valuation of property needed on basis that there is no extant structural certificate

- CSH/743/14: Spare room subsidy. Secretary of State appeal allowed. Nelson followed. Room could be used as a bedroom despite alternative use as a storeroom
69. Decisions of the Upper Tribunal are published on their website which can be found here:
<http://www.administrativeappeals.tribunals.gov.uk/Decisions/decisions.htm>
70. If you have any queries about cases before the Upper Tribunal Judges or courts, please contact us by email at
fldmdma.customersupportservices@dwp.gsi.gov.uk or Fax: 0113 2324841

Statutory Instruments

71. The following Statutory Instruments (SIs) have been laid:

- 2015 No.118, The Occupational Pension Schemes (Power to Amend Schemes to Reflect Abolition of Contracting-out) Regulations 2015, coming into force 6 April 2015
- 2015 No.185, The Social Security Pensions (Flat Rate Accrual Amount) Order 2015, coming into force 6 April 2015
- 2015 No.186, The Social Security Pensions (Low Earnings Threshold) Order 2015, coming into force 6 April 2015
- 2015 No.187, The Social Security Revaluation of Earnings Factors Order 2015, coming into force 6 April 2015
- 2015 No.202, The Social Security (Penalty as Alternative to Prosecution) (Maximum Amount) Order 2015, coming into force 1 April 2015
- 2015 No.336, The Social Security (Traineeships and Qualifying Young Persons) Amendment Regulations 2015, coming into force 27 March 2015
- 2015 No.338, The Child Support (Miscellaneous and Consequential Amendments) Regulations 2015, coming into force 23 March 2015
- 2015 No.339, The Jobseeker's Allowance (Extended Period of Sickness) Amendment Regulations 2015, coming into force 30 March 2015
- 2015 No.342, The Social Security (Maternity Allowance) (Earnings) (Amendment) Regulations 2015, coming into force 6 April 2015
- 2015 No.343, The Social Security (Fees Payable by Qualifying Lenders) (Amendment) Regulations 2015, coming into force 1 April 2015

- 2015 No.345, The Universal Credit (Surpluses and Self-employed Losses) (Digital Service) Amendment Regulations 2015, coming into force 6 April 2015
- 2015 No.349, The Social Security (Application of Reciprocal Agreements with Australia, Canada and New Zealand) (EEA States and Switzerland) Regulations 2015, coming into force 1 April 2015
- 2015 No.363, The Health and Safety and Nuclear (Fees) Regulations 2015, coming into force 6 April 2015
- 2015 No.367, The Diffuse Mesothelioma Payment Scheme (Amendment) Regulations 2015, coming into force 31 March 2015
- 2015 No.389, The Social Security (Members of the Reserve Forces) (Amendment) Regulations 2015, coming into force 6 April 2015
- 2015 No.407, The Offshore Installations (Safety Zones) Order 2015, coming into force from 18 March 2015
- 2015 No.437, The Employment and Support Allowance (Repeat Assessments and Pending Appeal Awards) (Amendment) Regulations 2015, coming into force 30 March 2015
- 2015 No.457, The Social Security Benefits Up-rating Order 2015, coming into force from 6 April 2015
- 2015 No.468, The Automatic Enrolment (Earnings Trigger and Qualifying Earnings Band) Order 2015, coming into force 6 April 2015
- 2015 No.470, The Guaranteed Minimum Pensions Increase Order 2015, coming into force 6 April 2015
- 2015 No.482, The Occupational and Personal Pension Schemes (Disclosure of Information) (Amendment) Regulations 2015, coming into force 6 April 2015
- 2015 No.483, The Control of Major Accident Hazards Regulations 2015, coming into force 1 June 2015
- 2015 No.493, The Occupational Pension Schemes (Consequential and Miscellaneous Amendments) Regulations 2015, coming into force 6 April 2015
- 2015 No.496, The Social Security Benefits Up-rating Regulations 2015, coming into force 6 April 2015
- 2015 No.498, The Occupational and Personal Pension Schemes (Transfer Values) (Amendment and Revocation) Regulations 2015, coming into force from 6 April 2015

- 2015 No.499, The Social Security (Overpayments and Recovery) Amendment Regulations 2015, coming into force 6 April 2015
- 2015 No.500, The Mesothelioma Lump Sum Payments (Conditions and Amounts) (Amendment) Regulations 2015, coming into force 1 April 2015
- 2015 No.501, The Occupational and Personal Pension Schemes (Automatic Enrolment) (Amendment) Regulations 2015, coming into force 1 April 2015
- 2015 No.503, The Pneumoconiosis etc. (Workers' Compensation) (Payment of Claims) (Amendment) Regulations 2015, coming into force 1 April 2015
- 2015 No.546, The Universal Credit (EEA Jobseekers) Amendment Regulations 2015, coming into force 10 June 2015
- 2014 No.634 (C.32), The Welfare Reform Act 2012 (Commencement No. 23 and Transitional and Transitory Provisions) Order 2015, made on 10 March 2015

72. 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

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

Document Type	Subject	Link
HB G2/2015	Personal Independence Payments improved waiting times Judicial review – R (on the application of A) v the Secretary of State for Work and Pensions [2015] EWHC 159 (Admin) Clarification of Bulletin HB U6/2014 Migrants Access to Benefits changes Universal Support	https://www.gov.uk/government/publications/hb-bulletin-g22015

	<p>delivered locally</p> <p>The Social Security (Miscellaneous Amendments) Regulations 2015 (SI 2015/67)</p> <p>The Shared Parental Leave and Statutory Shared Parental Pay (Consequential Amendments to Subordinate Legislation) Order 2014 (SI 2014/3255)</p> <p>Fraud and Error Reduction Incentive Scheme, guidance and good practice</p> <p>Statutory Instruments</p> <p>HB Decisions by the Upper Tribunal</p> <p>What's new on the web</p>	
HB S2/2015	New Burdens payment for RTI information bulk data matching initiative	https://www.gov.uk/government/publications/hb-subsidy-circular-s22015-new-burdens-payment-for-real-time-information-bulk-data-matching-project
HB S3/2015	Fraud and Error Reduction Incentive Scheme 2015/16 funding	https://www.gov.uk/government/publications/hb-subsidy-circular-s32015-fraud-and-error-reduction-incentive-scheme-201516-funding
HB A4/2015	Pensions Flexibilities	https://www.gov.uk/government/publications/hb-circular-a42015-defined-contribution-pension-fund-options-from-6-april-2015
HB Direct issue 157 March 2015	Newsletter	https://www.gov.uk/government/publications/hb-direct-march-2015-issue-157
Guidance	Housing Benefits Overpayments Guide	https://www.gov.uk/government/publications/housing-benefit-

	2015	<u>overpayments-guide</u>
Good Practice Guide	Pursuing Housing Benefit overpayment recovery effectively	<u>https://www.gov.uk/government/publications/housing-benefit-overpayment-recovery-good-practice</u>