

Housing Benefit and Council Tax Benefit

General Information Bulletin

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<http://www.dwp.gov.uk/housingbenefit/>

HB/CTB G13/2009

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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 Corporate Document Services Ltd Orderline<ul style="list-style-type: none">- Email: orderline@cds.co.uk• bulletin in general, contact Kath Murphy<ul style="list-style-type: none">- Email: Kath.Murphy@dwp.gsi.gov.uk
Who should read	All Housing Benefit (HB) and Council Tax Benefit (CTB) staff
Action	For information

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HB/CTB cases awaiting decision by the Upper Tribunal

- 1 Decision Making and Appeals (DMA) Leeds is aware of the following HB/CTB cases that are awaiting decision by the Upper Tribunal (UT)
 - CH/761/2007: an appeal against the tribunal decision that the 'person to whom HB was paid' did not include a landlord's agent to whom the HB was sent (see R(H) 10/07 which appears to apply)
 - CSH/5/09: Liability issues. Whether claimant lacked capacity to enter into contract and whether lease on a commercial basis
 - CH/2631/08: whether element of tax credit for child care costs should be taken into account when determining the amount of non-dependant deductions
- 2 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 UT (previously Commissioners') office, or the appeal is lodged following grant of leave by a First-tier Tribunal (FtT) Judge (previously tribunal chairman). Please let us know if a case reference (CH/.. or CSH/..) has been allocated.

Queries

- 3 If you have any queries about cases before the UT Judges (previously Commissioners) or courts, please contact us by
 - email at DMA-OFFICE-SUPPORT-L@DWP.GSI.GOV.UK or
 - fax on 0113 2324841

E-Transfer of HB and CTB claim data - Implementation of Phase 2

Introduction

- 4 Following the successful pilot of Phase 1 of the e-Transfer Project where Housing Benefit (HB) and Council Tax Benefit (CTB) claim data is sent from Jobcentre Plus to local authorities (LAs) on an electronic Local Authority Input Document (LAID), we are now introducing the electronic transfer of the LA Claim Information (LACI) document.

Electronic LACI

- 5 HB/CTB claim information will be transferred from the Pension, Disability and Carers' Service (PDCS) to LAs on a LACI. Testing is currently taking place on the file transfer of the LACI and if successful the e-LACI will be rolled out to three of the Phase 1 pilot LAs at the end of July followed by the remaining Phase 1 pilot sites two weeks later. Rollout to all the remaining LAs will be conducted as part of the national rollout of the e-LAID.
- 6 As bulletin G10/2009 explained, LAs will be rolled out in batches when a Data Transfer Appliance (DTA) has been installed and is working. The Government Connect project team are in the process of contacting all LAs to arrange this.
- 7 Government Connect will notify the project that a DTA has been installed and is successfully working. On receipt of this the e-Transfer project team will provide the nominated LA Single Point of Contact (SPOC) with the LA e-enablement date and a readiness checklist. The e-enablement date will usually be approximately three weeks after confirmation that the DTA is working successfully.

LA Action

- 8 LA SPOCs need to ensure that their IT and Benefit/Revenue sections are aware of this change and the IT sections are liaising with Government Connect over the DTA installation.
- 9 LAs should read the latest version of the briefing pack available on the DWP website (<http://www.dwp.gov.uk/local-authority-staff/housing-benefit/claims-processing/hb-information-flows-programme/> under e-Transfer update) as soon as possible so they can start preparing for their e-enablement.
- 10 LAs will have to return the readiness checklist for e-enablement, one week before the e-enablement go live date.
- 11 If the LA SPOC details have changed please notify the project via the email address below.

Queries

- 12 If you have any queries please contact QH.HBINFOFLOWSPROGRAMME@DWP.GSI.GOV.UK

Statutory Instruments

- 12 The following Statutory Instruments (SI) have now been laid
- 2009 No.1377, The National Insurance Contribution Credits (Transfer of Functions) Order 2009, coming into force from 6 April 2010
 - 2009 No.1396, The Social Security (Industrial Injuries) (Prescribed Diseases) Amendment Regulations 2009, coming into force from 13 July 2009
 - 2009 No.1488, The Social Security (Equalisation of State Pension Age) Regulations 2009, coming into force from 6 April 2010
 - 2009 No.1489, The Social Fund Winter Fuel Payment (Temporary Increase) Regulations 2009, coming into force from 21 September 2009
 - 2009 No. 1490, The Social Security (Miscellaneous Amendments) (No. 2) Regulations 2009, coming into force 13 July 2009
 - 2009 No. 1494, The Social Security (Recovery of Benefits) (Lump Sum Payments) (Amendment) Regulations 2009, coming into force 13 July
 - 2009 No. 1541, The Social Security (Incapacity Benefit Work-focused Interviews) (Amendment) Regulations 2009, coming into force 26 October 2009
 - 2009 No.1542, The Pensions Act 2004 (Commencement No.13) Order 2009, coming into force from 23 June 2009
 - 2009 No.1552, The Pension Protection Fund (Entry Rules) (Amendment) Regulations 2009, coming into force from 21 July 2009
 - 2009 No. 1565 (C.80), The Pensions Act 2004 (Code of Practice) (Material Detriment Test) Appointed Day Order 2009, coming into force from 29 June 2009
 - 2009 No. 1566 (C.81), The Pensions Act 2008 (Commencement No. 4) Order 2009, coming into force from 29 June 2009
 - 2009 No.1575, The Social Security (Students and Miscellaneous Amendments) Regulations 2009, coming into force from 1 August 2009
 - 2009 No.1583 (C.82), The Pensions Act 2004 (Commencement No.6, Transitional Provisions and Savings) (Amendment) Order 2009, coming into force from 26 June 2009
 - 2009 No.1608 (C.85), The Welfare Reform Act 2007 (Commencement No.11) Order 2009, coming into force 2 July 2009
 - 2009 No.1676, The Social Security (Deemed Income from Capital) Regulations 2009, coming into force 2 November 2009
- 13 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 Information <http://www.opsi.gov.uk/stat.htm>

What's new on the web

14 The following items can be found on the website link shown

Document Type	Subject	Link
HB/CTB Bulletin G11/2009	Supply of information under the Freedom of Information Act 2000 'Take Up the Challenge' – tackling child poverty Statutory Instruments	http://www.dwp.gov.uk/docs/g11-2009.pdf
HB/CTB Bulletin G12/2009	A new look DWP website was launched on 30 June	http://www.dwp.gov.uk/docs/g12-2009.pdf
HB/CTB Circular A14/2009	Process for the transfer of the Housing Benefit Recoveries & Fraud (HBRF) Return from 1 June 2009 (Quarter 1 2009/10 onwards)	http://www.dwp.gov.uk/docs/a14-2009.pdf
HB Direct issue 91 July 2009	Newsletter	http://www.dwp.gov.uk/docs/issue-91-july-2009.pdf

HB/CTB Circulars issued this month

15 The following HB/CTB Circulars have been issued this month

HB/CTB Circular A14/2009

Other publications issued this month

16 The following publications have been issued this month

HB Direct Issue 91 July 2009