

Housing Benefit and Council Tax Benefit

General Information Bulletin

Department for Work and Pensions, The Adelphi, 1 - 11 John Adam Street, London WC2N 6HT
<http://www.dwp.gov.uk/housingbenefit/>

HB/CTB G20/2008

21 October 2008

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 – announcement on changes to the Local Housing Allowance rates for larger properties

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Changes to the TAS1 Procedures - further advice

- 1 In *General Bulletin G19/2008* there was an item to explain the changes to the TAS1 procedures from 3 November 2008. This change applies to all forms in the TAS1 series, and includes all TAS1 forms relating to HB and CTB.
- 2 It is suggested that a covering letter, in place of the appropriate TAS1, is attached to the submission bundle to be sent to the appellant. A copy of the suggested format for this covering letter can be found at *Appendix A*.
- 3 Enquiries should be directed to DMA-Office-Support-L@dwp.gsi.gov.uk

Statutory Instruments

- 4 The following Statutory Instruments (SIs) have now been laid
 - 2008 No. 2543, The Child Support (Consequential Provisions) Regulations 2008, coming into force 27 October 2008
 - 2008 No. 2544, The Child Support (Miscellaneous Amendments) (No.2) Regulations 2008, coming into force 27 October 2008
 - 2008 No. 2545, The Child Support, Pensions and Social Security Act 2000 (Commencement No.14) Order 2008, coming into force 26 September 2008
 - 2008 No. 2548 (C.110), The Child Maintenance and Other Payments Act 2008 (Commencement No.3) and Transitional and Savings Provisions Order 2008, coming into force 26 September 2008
 - 2008 No. 2551, The Child Support Information Regulations 2008, coming into force 27 October 2008
 - 2008 No. 2569, The Social Fund Cold Weather Payments (General) Amendment Regulations 2008, coming into force 27 October 2008
- 5 Copies of SIs can now be downloaded from DWP's own website <http://www.dwp.gov.uk/advisers/docs/lawvols/bluevol/> and the website of the Office of Publication Information <http://www.opsi.gov.uk/stat.htm>

Change to method of claiming HB/CTB for people applying for Pension Credit over the telephone

- 6 Further enhancements to the current HB/CTB telephone application process are being introduced to make HB/CTB more accessible to pensioners and increase HB/CTB take-up still further. This simplified HB/CTB telephone application process is planned to go-live from 3 November 2008 for new Pension Credit applications and will align with the claim processes already in place for State Pension and Pension Credit.

- 7 Customers contacting The Pension Service to make a new Pension Credit application will be able to make a telephone claim for HB/CTB alongside their Pension Credit application, without needing to complete a claim form or provide a signature. A HB/CTB Adjudication and Operations Circular will be issued soon with further details.
- 8 HB/CTB claim information – including non-dependant and child details – will be sent directly to the local authority on a printed Local Authority Claim Information document (LACI). The LACI will be sent at the point the Pension Credit application is assessed.
- 9 The date of receipt of a claim for the purpose of ‘Right Time’ Indicator will be the date the LACI is received by the LA. (*HB/CTB Circular A5/2008 para 10* refers). The date of claim (which determines the start date for entitlement purposes) is the date the customer first contacted The Pension Service. This date will be displayed on the first page of the LACI as ‘Initial date of contact’.
- 10 If applicable, a supplementary rent form will be issued to the customer at the end of the telephone application process. As the LACI will not be sent until Pension Credit is assessed, the LA could receive the supplementary rent form first. Receipt of a supplementary rent form by itself does not constitute a claim for HB/CTB and processing time will not start until the LACI is received.
- 11 Briefing packs explaining the new telephone application process were handed out at LA Delivery Events throughout May and June 2008. The briefing pack is entitled *HB/CTB Telephone Claims via The Pension Service – October 2008* and sets out the background to the improved HB/CTB application process and how it affects LAs. The briefing pack also includes a copy of the LACI and a Printed Output Guide that explains the outputs on the LACI. An electronic copy of the briefing pack can be accessed at

<http://www.dwp.gov.uk/housingbenefit/claims-processing/working-with-dwp/pensions.asp>

Queries and further information

- 12 If you have any queries about the new process you can contact us by emailing HB/CTB.NEWPROCESSQUERIES@DWP.GSI.GOV.UK
- 13 Further information will also be available at The Pension Service/LA Conferences that are being held between 30 October and 14 November. LAs have been invited to attend one of these events.

Local Housing Allowance rates for larger properties

- 14 You may be aware of the announcement made yesterday by the Secretary of State for Work and Pensions concerning new rules for Local Housing Allowance (LHA) rates for larger properties.
- 15 This follows a number of reports in the media in the past week criticising the levels of benefit paid to some customers in the London area.

- 16 We are confident that the LHA scheme is working extremely well overall and that you have undertaken implementation very successfully. However, an urgent enquiry has been conducted into the payment of benefit in respect of properties with more than five bedrooms. As a result of this enquiry, Ministers have decided to cap LHA rates at the five bedroom rate for all new customers.

Amendments to the LHA regulations

- 17 As now, the national rent services will publish monthly LHA rates for all property sizes up to and including five bedrooms. For families with an entitlement of more than five bedrooms, the following rules will apply
- **for new claims**, families living in five bedroom properties or less will have their benefit rates capped at a *maximum* of the LHA rate for five bedroom properties in that area
 - **families already claiming LHA** and living in a property with more than five bedrooms which costs more than the capped rate will have their case reviewed at the first anniversary of their claim. We need to do further work on exactly when these customers will see a reduction in their benefit as for some the claim anniversary will fall shortly after the introduction of the change. In these circumstances we will work closely with you so that these families' needs are met by ensuring that they know about the change and their options for dealing with it
- 18 Whilst this is a significant change to the principles behind the LHA scheme, it is important to note that around 99% of cases will be unaffected by the changes; we estimate that less than 1% of families have an entitlement of more than five bedrooms, and many of these will actually live in smaller sized accommodation.
- 19 We anticipate these changes will come into effect no later 1 April 2009 and we will consult with your representatives and the Social Security Advisory Committee in the normal way in advance of amending regulations.
- 20 We recognise this is an unexpected change, and will provide as much support as we can over the coming months. We will issue further communications on our plans over the next few weeks.

Queries

- 21 If you have any queries in the meantime, please contact Penny Higgins
Email: Penny.Higgins@dwp.gsi.gov.uk

What's new on the web

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

Document Type	Subject	Link
HB/CTB Bulletin G18/2008	Simpler HB/CTB for older people from October 2008 DWP HB/CTB website – update your bookmarks Statutory Instruments What's new on the web HB/CTB Circulars issued this month Other publications issued this month	http://www.dwp.gov.uk/housingbenefit/user-communications/bulletins/2008/G18-2008.pdf
HB/CTB Bulletin G19/2008	Changes for lone parents from November 2008 Changes to the TAS1 procedures Employment and Support Allowance - Electronic Transfer of Data (ETD) National Identity Scheme - ID Cards for Foreign Nationals 'In and Out of Work Processes' – Ministerial Announcement on National Implementation Single HB Extract Statutory Instruments	http://www.dwp.gov.uk/housingbenefit/user-communications/bulletins/2008/G19-2008.pdf
HB Direct Issue 82 October 2008	Newsletter	http://www.dwp.gov.uk/housingbenefit/user-communications/hb-direct-newsletter/2008/issue82october2008.pdf
HB/CTB Circular A16/2008	Changes to the backdating rules for Housing Benefit and Council tax Benefit claims	http://www.dwp.gov.uk/housingbenefit/user-communications/circulars/2008/A16-2008.pdf

Document Type	Subject	Link
HB/CTB Circular S4/2008	HB/CTB subsidy arrangements for 2009/10: Details of the specific grant for administration costs, distribution of the government contribution	http://www.dwp.gov.uk/housingbenefit/user-communications/circulars/2008/S4-2008.pdf
Employment and Support Allowance Operational Guidance	Guidance	http://www.dwp.gov.uk/housingbenefit/claims-processing/operational-manuals/esaoperationalguidancev2-0-2.pdf
Communications Toolkit	Guidance	http://www.dwp.gov.uk/housingbenefit/security/communication.asp
Local Authority Support Team Customer Service Charter	Guidance	http://www.dwp.gov.uk/housingbenefit/claims-processing/information-flow/cis/LASTCustomerServiceCharterv13.pdf
Claims Guidance – Change of circumstances	Guidance	http://www.dwp.gov.uk/housingbenefit/claims-processing/claims-guidance/change-circumstances.asp#newextended
HB Information Flows programme – What's new	Update information	http://www.dwp.gov.uk/housingbenefit/claims-processing/information-flow/whats-new/
LA efficiency – improving value for money	Guidance	http://www.dwp.gov.uk/housingbenefit/performance-value-for-money/value.asp

HB/CTB Circulars issued this month

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

HB/CTB Circular A17/2008

HB/CTB Circular A16/2008

Other publications issued this month

24 The following publication has been issued this month

HB Direct Issue 82 October 2008

Appendix A: Covering letter to accompany an appeal submission bundle sent to the appellant or the appellant's appointee

Dear (a) (b)

About your appeal

I enclose a copy of the appeal papers with this letter. These papers give the reasons for our decision.

We have sent a copy of the same information and your appeal letter to the Tribunals Service. They will get in touch with you to explain what happens next with your appeal.

[(c) We have sent a copy of the papers to your representative].

If you want more information please get in touch with us. Our address and telephone number are at the top of this letter. An Advice centre like the Citizen's Advice Bureau or a local law centre can also give you free advice.

If you ask someone for help and advice you should take this letter and the appeal papers with you.

Yours sincerely

Signature:

Date:

(insert Initial or Forename and Surname of sender)

Notes for completion

- (a) insert the appellant's or appointee's title, e.g Dr, Mr, Mrs, Miss, etc
- (b) insert the appellant's or appointee's surname
- (c) include where the appellant has a representative