

Housing Benefit and Council Tax Benefit

General Information Bulletin

Department for Work and Pensions, 1st Floor, Caxton House, Tothill Street, London, SW1H 9NA
<http://www.dwp.gov.uk/housingbenefit/>

HB/CTB G20/2009

23 November 2009

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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Customer Management System Release 11

- 1 Release 11 of the Customer Management System (CMS) will be delivered on 7 December 2009 and builds on the successful implementation of previous releases by introducing a series of initiatives that will have a direct impact upon LAs. This article tells you about the initiatives.

In and Out of Work Process to support HB and/or CTB claims

- 2 The In and Out of Work process has been rolling out to local authorities (LAs) since October 2008. By the end of November 2009, it will be live in over 330 LAs. Rollout is expected to be completed by March 2010. The process involves Jobcentre Plus gathering additional evidence for LAs to support the customers' claims to HB and/or CTB when moving out of or in to work.

JSA (Contribution Based) claims

- 3 For claims to Jobseeker's Allowance (Contribution Based) (JSA(Cont)) when there is an associated claim to HB and/or CTB, questions are enabled for the customer and partner if one exists. Currently in these circumstances, verification is only triggered for the customer but this new requirement will also trigger verification for a partner. The new verification items will include (when appropriate)
 - Proof of partner identity
 - Details of final earnings
 - Details of wages (5 weekly or 2 monthly payslips)
 - Proof of Bank/ Building Society accounts (last 2 months)
 - Proof of other investments (eg shares, ISA, premium bonds)
 - Proof of non-dependant contribution (rent paid)
 - Proof of non-dependant income
 - Proof of other income

Private tenants

- 4 A new evidence trigger has been introduced for all associated claims to HB when the customer is renting from a private landlord. In these cases customers are asked to provide evidence of their rental liability.
- 5 When a New Jobseekers Interview (NJI) is appropriate, the Jobcentre Plus agent will inform the customer to bring the additional evidence with them. During the NJI the verification details will be updated on CMS and will output onto the LA Input Document.

- 6 If the evidence is not required for a Jobcentre Plus benefit the evidence will be photocopied and the photocopy will be certified as a true copy. The evidence will be sent to the LA attached to a Housing Benefit Evidence Checklist (HBEC).
- 7 However, if the customer has failed to bring the requested additional evidence to their NJI to support their HB and/or CTB claim they will be advised to send it direct to the LA.

LA Input Documents

- 8 The verification section of the LA Input Document has been enhanced to include the new evidence. Each evidence item will be output (when appropriate) and will document whether it has been seen or not seen by Jobcentre Plus. This will make it clear to the LA when additional evidence is outstanding.
- 9 A new field 'Verification Complete' has been added to the evidence table and this will be output for each evidence item. This field will only output if there has been some verification action on the evidence item. When the verification complete field is output as 'No' this will indicate that the item has been partially verified. However when the verification complete field is output as 'Yes' this will indicate that the item has been fully verified.

LAs who have not rolled out the In & Out of Work Process

- 10 If your LA has not rolled out the In and Out of Work process you will notice that additional information has been included with the LA Input Documents within the verification section. Customers should be advised to send the information direct to the LA.

Equalisation of State Pension age for women

- 11 Changes are being made to CMS to support the legislative change introducing 'Equalisation of State Pension age for women and the minimum qualifying age for receiving Pension Credit'.
- 12 CMS uses the customer's or partner's date of birth to identify if the customer or partner has reached state pension age or the qualifying age for Pension Credit on or before the initial date of contact. When appropriate these customers will be directed to the Pensions, Disability and Carers Service.

Fast Path process for Jobcentre Plus Benefits

- 13 The Fast Path process is aimed at customers who know from the outset which benefit they wish to claim. Using a more direct route through CMS it speeds up and improves the process for these customers. The fast path process was previously available for customers who knew they wanted to claim (JSA(Cont) or Incapacity Benefit (IB) only.

- 14 From CMS Release 11.0 the Fast Path process will also be available for customers who only wish to claim Income Support (IS) and JSA (Cont) and JSA (Income Based(IB)). These customers will be asked if they wish to claim HB and/or CTB.
- 15 Customers will still be offered the opportunity of an eligibility check to determine potential eligibility to all primary and/or secondary benefits, if they do not know which benefit they wish to claim.

Queries

- 16 For further advice and information about these changes please contact HBSDMP.WWEG@DWP.GSI.GOV.UK

More identity cards are on the way

- 17 With National Identity Cards set to be offered to UK citizens and European Economic Area (EEA) nationals living in the UK later this year, LA staff may be presented with them by customers accessing your services. LA staff must know how to recognise a card and make sure it is genuine.



- 18 The cards will initially be offered to residents in Greater Manchester, as well as airside workers at London City and Manchester airports.
- 19 The cards, which are being offered on a voluntary basis, will provide an easy, convenient way of helping people to prove their identity. LA staff must know how to recognise a card and make sure it is genuine.
- 20 More detailed information will be published in future General Information bulletins as it becomes available.
- 21 Further information on who will be eligible and what the cards look like can be found by accessing the [Identity and Passport service](#) website. Information has also been published in HB/CTB G19/2008, G22/2008 and G8/2009 and are available on the [HB area](#) of the DWP website
- 22 For any queries about the ID Cards, though not for verification issues please contact CAXTONHOUSE.FRAUD-ERROR-POLICY@DWP.GSI.GOV.UK

Review of data sharing

- 23 We have recently started a review of current data sharing legislation that applies to customer benefits-related data, and how it impacts on the delivery of HB/CTB and other LA services and benefits (eg Fairer Charging, Blue Badge, Free School Meals).
- 24 The review was prompted by growing requests from LAs keen to make use of customer data in order to deliver joined up services, or to provide more targeted take up campaigns.
- 25 Some LAs already offer customers the opportunity to apply for several benefits or services at one time, eg joint claim forms for HB/CTB and Free School Meals, or joint teams who deal with Pension Credit, HB/CTB and Fairer Charging assessments. Being able to re-use customer data in this way is more efficient for the LA, it is better for the customer who only has to provide information once, and it can be used to help improve take up or a range of benefits or services.
- 26 But this approach can only work where the customer's consent has been properly obtained. Customers are generally happy to agree where they are being helped to receive their full entitlements. But getting informed consent can be time consuming, and operational difficulties arise where services are provided across different teams or departments.
- 27 The review aims to find out more about the circumstances where sharing data could be beneficial to customers and LAs. What would LAs like to do with customer data if the law allowed it? How far could service delivery be improved? What would customers be happy with in terms of sharing their personal data? We would like to build up a good picture of how customer data could be used to good effect, and how this might impact on LAs and on customers. We would also like to hear about any schemes where LAs have been able to deliver services more effectively by re-using customer data. Are there any models that can be replicated in other areas? Does customer consent work? Are these schemes operating as well as they might, or is the legal framework still proving difficult to work within?
- 28 Judging from the number of enquiries we are getting on this subject we think it would be helpful to produce some general guidance on data sharing, which will help LAs confirm or improve their understanding of what the current legislation allows. We hope to issue this within the next few months.
- 29 In the longer term there may be a need for legislative change, and any information we can collect to show the benefits of data sharing will be very helpful in building up a business case for change.

- 30 The review will continue to the end of December 2009, and we will report on our findings in the New Year. You are invited to submit your views on this policy area, which will be used to feed into this report. In particular we are keen to hear about examples of where you
- would like to make better use of customer data, but cannot because the law currently does not allow this, and
 - have been able to share data successfully, leading to improved service delivery
- 31 Please send your views and comments, by 16 December 2009, to
Carol Foster-Middleton
Housing Benefit Strategy Division
Caxton House
London
Email: Carol.Foster-Middleton@dwp.gsi.gov.uk.

HB/CTB cases awaiting decision by the Upper Tribunal

- 32 Decision Making and Appeals (DMA) Leeds is aware of the following HB/CTB cases that are awaiting decision by the Upper Tribunal (UT)
- CH/1987/2009. LA appeal. HB/CTB overpayments from 1993 due to ownership of properties. But DWP cannot locate IS files from this date and so an IS revision / supersession has not been carried out for the same period.
 - CH/2270/2009. LA appeal. Overpayment arose because of arrears of pay to an LA employee under equal pay legislation. First Tier Tribunal (FtT) decided official error because LA made a mistake in failing to undertake systemic review of pay scales under equal pay legislation [earlier].
 - CH/890/09 - exempt accommodation - meaning of 'voluntary organisation'.
 - CH/1608/08 - whether foster children treated as occupying the home for the purposes of the application to the rent officer.
 - CH/1986/09 - prisoner receiving medical treatment - whether temporarily absent from home.

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 office, or the appeal is lodged following grant of leave by an FtT Judge. Please let us know if a case reference (CH/.. or CSH/..) has been allocated.

Queries (reminder of change of email address)

- 33 If you have any queries about cases before the Upper Tribunal Judges (previously Commissioners) or courts, please contact us by
- email at
DMALEEDS.CUSTOMERSUPPORTSERVICES@DWP.GSI.GOV.UK or
 - fax on 0113 2324841

Change of address – Upper Tribunal (Administrative Appeals Chamber)

- 34 On **Monday 30 November 2009** the Upper Tribunal (Administrative Appeals Chamber) moved office. The address is

Upper Tribunal
(Administrative Appeals Chamber)
5th Floor
Chichester Rents
81 Chancery Lane
London
WC2A 1DD

Tel: 020 7911 7085

Fax: 020 7911 7093

Email: adminappeals@tribunals.gsi.gov.uk

Website: www.administrativeappeals.tribunals.gov.uk

Changes to the HB/CTB overpayment referral process to Debt Management

Background and Introduction

- 35 DWP Shared Services Debt Management currently recovers overpayments of HB and CTB on behalf of LAs when they are unable to recover the overpayment from the benefits they administer and another social security benefit is in payment to the debtor.
- 36 Currently Debt Management recovers overpayments and reimburses LAs using two methods
- Account Payables, known as the Third Party Payment system (TPP), payable every four weeks
 - Local IT system, payable every thirteen weeks via Local Payment system (classed as non TPP)

- 37 Phase 1 of the Debt Management HB (TPP) Implementation Strategy saw the Debt Management computer system enhanced to allow non TPP overpayments to be transferred to the new IT system in February 2008. There was no change to the administration of TPP cases.
- 38 Following a number of workshops with all key stakeholders it was decided in August 2009 to implement Phase 2 of the Debt Management HB (TPP) Implementation Strategy from 1 December 2009. As a result
- all new HB referrals to be sent directly to Client Referral Centre (CRC) Wales, Porth on a standardised referral form
 - all HB referrals to be managed on the Debt Management computer system
 - periodicity of repayment to LAs will change
 - change to contact details
 - current TPP cases to be administered centrally

New process from 1 December 2009

- 39 All LAs are required to send **only** HB overpayment referrals to CRC Wales using the standardised referral form at Appendix 6 of the Service Level Agreement (SLA) attached to this bulletin as **Annex A**.
- 40 All referrals are to be sent via either
- E-mail, using Government Connect (GC) to a dedicated address within CRC Wales, Porth. To be able to attach the referral to an e-mail the customers name should replace the existing file name.
E-mail is the preferred and most secure option. LAs can set a read receipt using this method which will confirm receipt at CRC Wales.
 - a dedicated postal address

Please see the table below which has been split nationally into geographical areas for logistical reasons.

Local Authority	Type	E-mail address	Postal Address
Welsh LAs	Referrals only	porth.housingbenefitwales@dwp.gsi.gov.uk	Debt Management(P)HBEN PO Box 171 Mitcheldean Gloucester GL17 OXH
Scottish LAs	Referrals only	porth.housingbenefitscotland@dwp.gsi.gov.uk	Debt Management(P)HBEN PO Box 171 Mitcheldean Gloucester GL17 OXH
English LAs	Referrals only	porth.housingbenefitengland@dwp.gsi.gov.uk	Debt Management(P)HBEN PO Box 171 Mitcheldean Gloucester GL17 OXH

- 41 All quality referrals will be loaded onto Debt Management computer system by CRC Wales.
- 42 Non quality referrals will not be loaded onto the Debt Management computer system; they will be returned to LAs via E-mail, if LAs are using GC, or if not, by post.
- 43 Contact Centres will either instigate recovery or tell LAs if the HB debt cannot be recovered by Debt Management.
- 44 All notifications are automated Debt Management computer system produced. LAs should note individual debtor records with the relevant Contact Centre details on receipt of the notice of recovery. Please use these details when sending correspondence to Debt Management relating to the debtor, **including Appendix 7 of the SLA**, attached to this bulletin as **Annex A**.
- 45 Please note **only** correspondence should be sent to Contact Centres. The postal address for each CC is as follows

Bradford Debt Management (BF)
 PO Box 171
 Mitcheldean
 Gloucester
 GL17 OXG

- 46 For the following Contact Centres substitute the first line of the address as follows using the remainder of the address as above

Corby	Debt Management (CB)
Dearne Valley	Debt Management (DV)
Nuneaton	Debt Management (NE)
Trafford	Debt Management (MCR)

- 47 All telephone enquiries relating to individual cases and repayment to LAs should use the following number **0845 8500293**.
- 48 Repayment to LAs will be made each calendar month, one month in arrears. This will replace the existing quarterly repayments but not the current method of payment to LAs which is either by cheque or direct payment.
- 49 However, a transitional period is required to facilitate this change as follows

Quarter Ending	Month Ending	Payment due by
30/09/2009		30/11/2009
31/12/2009		28/02/2010
	31/01/2010	14/03/2010
	28/02/2010	31/03/2010
	31/03/2010	30/04/2010 at sequence

- 50 Debt Manager will issue automated notifications when debt recovery breaks down or the debt is fully recovered.

Management of the current TPP cases

- 51 Further to the above changes existing TPP cases will not transfer to the Debt Management computer system. They will be administered by a centralised team at Dearne Valley Contact Centre, until the debt is fully recovered or returned to LAs.
- 52 All correspondence for these cases should be sent to Dearne Valley Contact Centre. LAs using GC should use E-mail as a preferred means of contact.
- 53 The telephone number provided below is a generic number for all Debt Management Contact Centres. When this number is used for a query, the Contact Centre will arrange a call back from the centralised TPP Debt Management HB team at Dearne Valley.

Telephone Number	0845 8500293
E-mail	DearneValley.HousingBenefit@dwp.gsi.gov.uk
Postal address	Debt Management(DV) PO Box 171 Mitcheldean Gloucester GL17 OXG

- 54 Repayment to LAs for these cases will continue every four weeks.
- 55 The TPP process will be reviewed again during 2010. If there is any change a further notification will be issued to LAs.

Service Level Agreement (SLA) between LAs and Debt Management

- 56 A revised SLA for 2009/12 has been signed off between LAs and Debt Management and is attached at **Annex A**. The SLA has been subject to a review by all stake holders and has been approved by the Local Authority Associations (LAA) at the Practitioners Operational Group and Carol Sheridan, Head of Debt Management. It was deemed appropriate for Debt Management to reproduce the National Framework Agreement. This agreement contains the full principles to govern the operation of SLA.

Engagement Management

- 57 Debt Management CRC Wales Porth is responsible for LA Engagement Management. The requirements outlined within the SLA will apply to all LAs that sign up to the SLA agreement by completing Appendix 5 of the SLA. Signed copies of Appendix 5 should be sent to the address below. Debt Management will sign and return a copy of the agreement for LA retention.

Debt Management (P) HBEN
PO Box 171
Mitcheldean
Gloucester
GL17 OXH

- 58 The minimum standard of requirement 3 found on page 6 of the SLA has a target of 20 working days. This target is to complete action within Debt Management. Not all notifications will be received by the twentieth day. LAs will need to take account of this when setting a Brought Forward (BF) control for the outcome of their referral.
- 59 Appendix 3 of the SLA contains relevant Debt Management contact details and defines roles and responsibilities for providing information about individual cases, repayment to LAs and non compliance with the SLA.
- 60 To comply with the SLA and aid liaison it would be appreciated if each LA could send a completed LA contact details form at **Annex B** to Meryl.Morris@dpw.gsi.gov.uk

Queries

- 61 Should you have any queries relating to this article please contact

Meryl Morris CRC Wales Meryl.Morris@dpw.gsi.gov.uk

Chris Jones CRC Wales Christine.M.Jones@dpw.gsi.gov.uk

Asset freezing

- 62 At the Practitioners Operational Group meeting on 21 October 2009, the Asset Freezing Unit (AFU) from HM Treasury (HMT) presented a paper on asset freezing legislation. Asset freezes are applied to persons designated at the United Nations or under domestic terrorism legislation. AFU explained that designated persons must not be paid HB/CTB, or any other funds, without the LA first obtaining a licence from AFU. Their paper is attached at **Annex C** for information.

- 63 On 27 November 2009, AFU will hold a workshop on asset freezing and have initially invited LAs that are known to have designated persons residing in their area. AFU intend to hold further workshops for other LAs and we will provide more details about this as soon as we know more.
- 64 Housing Benefit Strategy Division (HBSD) is currently working with AFU and colleagues in the Department for Work and Pensions (DWP) to determine what help it can offer to LAs in order to comply with asset freezing legislation. This work is ongoing and we will keep you updated as it progresses.
- 65 If you need more information please contact the asset freezing unit at afu@hmtreasury.x.gsi.gov.uk or by phone on 0207 270 5454 or visit the following web pages

http://www.hm-treasury.gov.uk/fin_sanctions_index.htm

http://www.hm-treasury.gov.uk/fin_sanctions_afu.htm

Statutory Instruments

- 66 The following Statutory Instruments (SIs) have now been laid
- 2009 No.2909, The Child Support (Miscellaneous Amendments)(No.2) Regulations 2009, coming into force from 10 November 2009
 - 2009 No.2930, The Occupational and Personal Pension Schemes (Authorised Payments) Amendment Regulations 2009, coming into force 1 December 2009
- 67 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

- 68 The following items can be found on the website link shown

Document Type	Subject	Link
HB/CTB Bulletin G18/2009	HB/CTB electronic claims Statutory Instruments What's new on the web HB/CTB Circulars issued recently	http://www.dwp.gov.uk/docs/g18-2009.pdf

Document Type	Subject	Link
HB/CTB Bulletin G19/2009	Child Poverty Action Group (CPAG) Court of Appeal decision Electronic Transfer of HB/CTB Claim Data to LAs Project (e-Transfer Project) National Rollout Maintaining HB/CTB services during the swine flu pandemic	http://www.dwp.gov.uk/docs/g19-2009.pdf
HB/CTB Circular A19/2009	Changes to First-Tier Tribunal rules	http://www.dwp.gov.uk/docs/a19-2009.pdf
HB/CTB Circular A20/2009	The HB/CTB pensioner time for claiming provisions: Upper Tribunal decision in Leicester City Council v LG, CH/0392/2009	http://www.dwp.gov.uk/docs/a20-2009.pdf
HB Direct issue 95 November 2009	Newsletter	http://www.dwp.gov.uk/docs/issue-95-nov-2009.pdf

HB/CTB Circulars issued recently

69 The following HB/CTB Circulars have been issued recently

HB/CTB Circular A19/2009

HB/CTB Circular A20/2009

HB/CTB Circular F3/2009

HB/CTB Circular F4/2009