

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 G3/2007

15 March 2007

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">- Tel: 0113 399 4040- Fax: 0113 399 4205- Email: orderline@cds.co.uk• bulletin in general, contact Kath Murphy<ul style="list-style-type: none">- Kath.Murphy@dwp.gsi.gov.uk
Who should read	All Housing Benefit (HB) and Council Tax Benefit (CTB) staff
Action	CIS removal (requires immediate attention/action) Workshops (requires immediate attention/action) Gurkhas (requires immediate attention/action) Performance Standards (requires immediate attention/action) Verification in relation to Non State Pension (requires immediate attention/action) For information – all other articles

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Addendum to MOU and continued access to CIS

- 1 As of 8 March 2007 there is a total of 93 LAs who have not returned the signed addendum to the Memorandum Of Understanding (MOU) as detailed in *HB/CTB G12/2006*. If these are not received by 30 March 2007 it will result in the removal of CIS access for those LAs. Please access the website for further details
www.dwp.gov.uk/housingbenefit/
- 2 If you have any queries please contact Olly Akanwo either by
Email: Olapeju.Akanwo@dwp.gsi.gov.uk
Tel: 020 7712 2434

Website

- 3 The IT Information Flows for LAs Project website has recently been updated (<http://www.dwp.gov.uk/housingbenefit/rat/>). Please consult the website for
 - an updated version of the LA CIS Guide
 - updated Desk aids and Forms
 - system availability details
 - details of changes to the CIS **Account Summary** screen
 - return of the RATs Pagets

CIS Availability

- 4 All LA users of CIS are advised that the system will be unavailable from 16.00 on Friday 23 March until 08.00 on Monday 26 March. This is to enable various upgrades to the system over the weekend. Users will notice from Monday 26 March that the **Account Summary** screen has been changed and will need to use the hyperlinks to access information no longer displayed on that screen.
- 5 Revised training will be on the website <http://www.dwp.gov.uk/housingbenefit/rat/> from 26 March.

Workshops on PINS and the new PM10

- 6 Housing Benefit Strategy Division and colleagues from our training division wish to conduct a major review of how the PINS course is delivered in the future. This review will include looking at the content and teaching methods, as well as additional training required for HB investigators.
- 7 In addition we want to hear your views on what training you require to meet the new security performance measure and how best we can meet this need.
- 8 We are therefore running the following workshops
 - 16 April** in London
 - 18 April** in Manchester
 - 20 April** in Edinburgh

- 9 The day will be divided into two distinct sessions so that relevant officers from LAs can attend. Numbers however are restricted to one delegate per authority per session. So if you have a good idea and want us to do things differently please sign up soon, as places are limited.
- 10 Nominations should be sent to ALAN.J.HORWOOD@DWP.GSI.GOV.UK Further details of the exact location of the courses and their content will be forwarded to delegates shortly.

Former Gurkhas – access to income-related benefits

- 11 The purpose of this article is to advise LAs of the action to take on receipt of a claim for HB or CTB from a customer who is a former member or dependant of a former member, of the British Army's Brigade of Gurkhas and who has been discharged from the British Army under the Ministry of Defence (MOD) Gurkha Chronic Condition List (GCCL).
- 12 It is also a reminder that in certain circumstances former Gurkhas who have been discharged from HM Forces may be able to access income-related benefits such as HB and CTB.

Background

- 13 Gurkhas are nationals from Nepal who are recruited to serve in the British Army in The Brigade of Gurkhas. They remain nationals from Nepal throughout their military service but in all other respects are full members of HM Forces. Except in exceptional circumstances, Gurkhas are always discharged from the British Army in Nepal.
- 14 To recognise their contribution to the UK the Government announced on 30 September 2004 that all Gurkhas discharged from HM Forces on or after 1 July 1997, and with at least four years service, would be able to apply for settlement in the UK. The new arrangements apply from 25 October 2004.

Information

Access to income-related benefits

- 15 From 25 October 2004, former Gurkhas who have been granted Indefinite Leave to Enter (ILE) or Remain (ILR) are able to access income-related benefits (income-based Jobseeker's Allowance, Income Support, State Pension Credit, HB and CTB) provided they satisfy the requirements of the Habitual Residence Test (HRT) and they meet the normal conditions of benefit entitlement.
- 16 Under the new arrangements, dependants such as spouses or civil partners who have been married or in a civil partnership for at least two years are granted ILE or ILR and they are able to access income-related benefits on the same basis as the former Gurkha.

The Gurkha Chronic Condition List (GCCL)

- 17 The British Army and MOD agreed in October 2005 that a number of The Gurkhas on the GCCL, who were themselves (or a member of their dependent family present with them in the UK) either too ill or suffering a medical condition that prevented their return to Nepal, should be discharged in the UK rather than in Nepal.
- 18 Special arrangements have been put in place by the Home Office to process their leave to remain applications immediately following discharge from HM Forces.
- 19 Following the decision at paragraph 17, 20 members of The Gurkhas on the GCCL have been discharged in the UK in two groups of 10. Their last dates of service were 14 December 2006 and 11 January 2007 respectively.

LA action

- 20 Former Gurkhas who have been granted Indefinite Leave to Enter or Remain in the UK will need to provide the following documents to confirm their immigration status and eligibility to access an income-related benefit
- their Passport endorsed with their leave to enter or remain in the UK, and
 - their official HM Forces discharge book
- 21 Please note that some former Gurkhas may have an Army pension and this income should be taken fully into account in any claim for an income-related benefit.

Further information

- 22 For further information about the background to this change please contact Melvyn Stinson,
DWP People from Abroad Policy Adviser
The Adelphi, 1-11 John Adam Street
London, WC2N 6HT
- Tel: 020 7712 2286 (for staff use only)
Email: Melvyn.stinson@dwp.gsi.gov.uk (for staff use only)

Performance Standards Funding to improve overpayment recovery

- 23 The Performance Standards Fund will close on 31 March 2007. If you have not already expressed an interest in taking up this project you still have time to do so. The latest edition of *HB Direct* advised that implementation must be completed by 31 March 2007. This is not the case.
- 24 Our project developers MAG:NET Solutions have agreed that they will continue to accept applications after 31 March 2007. Applications received after 31 March 2007 will qualify for a MAG:NET Solutions free trial ending on 31 March 2008 but the application will not qualify for DWP funding.
- 25 The new edition of DWP's Overpayments guide, due to be published in June, contains references to LoCTA as an effective method for tracing and reducing overpayments.

26 If you wish to register or require further information please email

- chris.swain@south-derbys.gov.uk or
- Info@magnetsolutions.co.uk

Evidence and verification requirements for Non State Pension

Background

27 With effect from 5 March 2007 evidence and verification requirements for Non State Pension (NSP) have changed. The change follows consultation with pensioner groups and will streamline the Pension Credit process.

28 In view of the difficulties customers are experiencing to provide NSP payslips, bank statements/bank book/building society book have been reclassified as acceptable forms of verification for both the amount and frequency of NSP. This should reduce the burden on the customer and ensure that pension providers are only contacted in exceptional circumstances.

Amended verification requirements

29 The new procedures introduced on 5 March 2007 allow the acceptance of **at least two** relevant bank statements/bank book/building society books to verify and determine the correct net amount and frequency of the NSP, backed up by a documented telephone call to the customer.

30 An NSP pay-slip and a letter from the pension provider are still acceptable forms of verification.

Verification process

31 The net amount being received and the frequency can be obtained from **at least two** bank statements/bank book/building society book, which **must** clearly show **at least two** payments of NSP. If the NSP payment amount and frequency cannot be determined from the bank statements/bank book/building society book then further enquiries with the customer or the pension provider must be made.

32 To establish the correct **net** amount of NSP being received by the customer and/or partner The Pension Service will contact the customer, or already have confirmed if any deductions have been made and if so

- what type of deduction
- the amount of deduction

33 Where frequency cannot be determined by looking at the bank statement/bank book/building society book, the customer will be asked to confirm when they receive their payments of NSP, for example weekly, four-weekly, calendar monthly, but not gross or net amounts of NSP.

34 **Please note:** Income tax is the only allowable deduction and therefore any other deduction will be added back into the net payment.

Further information

- 35 For further information on this new procedure, LAs should contact their local Pension Centre through the normal liaison channels.

Changes to the 2007/08 HBSD/IAD Scan Guidance and Specification

- 36 Further changes have been made to the 2007/08 HBSD/IAD Scan Guidance and Specification. These changes have been necessary to provide clarification in response to anomalies recently identified by software suppliers.
- 37 Details of the amendments – numbered 11/2007 to 15/2007 – are available to view in table format on the 'Amendments' page within the HBSD/IAD Scan section of the Housing Benefit Data Service website www.knowledgenetwork.gov.uk/hbds
- 38 The 'Amendments' page can be accessed from the main HBSD/IAD Scan menu or by using this shortcut link
www.knowledgenetwork.gov.uk/dwp/kimshbds.nsf/docs/amendments
- 39 These amendments have been applied to the HBSD/IAD Scan Guidance and Specification, which is now updated as Version 4.
- 40 If you have any problems accessing the website and/or these amendments please contact John Lowdon by email: hbdataservice@dwp.gsi.gov.uk

Queries

- 41 If you have any queries or would like more information, please contact Jan Ripley at hbsdiad-scan@dwp.gsi.gov.uk

Changes to the 2007/08 HB/CTB MIS Guide

- 42 Amendments have been made to the 2007/08 HB/CTB MIS Guide. These correct and clarify certain time periods, dates and links to other referenced guidance.
- 43 Details of the amendments – numbered 1/2007-08 and 2/2007-08 – are available to view in table format on the 'Amendments' page within the 2007-08 MIS Guide section of the Housing Benefit Data Service website www.knowledgenetwork.gov.uk/hbds
- 44 The 'Amendments' page can be accessed from the main 2007-08 MIS Guide menu or by using this shortcut link
http://www.knowledgenetwork.gov.uk/dwp/kimshbds.nsf/docs/MIS_07_08_amendments
- 45 These amendments have been applied to the 2007/08 HB/CTB MIS Guide, which is now updated as Version 2.
- 46 If you have any problems accessing the website and/or these amendments please contact John Lowdon at hbdataservice@dwp.gsi.gov.uk

Queries

- 47 If you have any queries or would like more information, please contact Jan Ripley at hbdataservice@dwp.gsi.gov.uk

Next Steps for HB/CTB Data Collection

- 48 Work is underway to merge the HBMS and HBSD/IAD scans and enhance functionality.

What are the plans?

- 49 The first stage of the plan is to bring the two scans together into one. During this past year as we developed the HBSD/IAD Scan Local Authorities told us that run time, especially whilst producing the HBMS Scan too, was an issue. This merger will result in one slick scan that continues our aim of reducing the burden of data collection for both LAs and DWP and improving the quality of data available.
- 50 Plans for electronic transfer will improve the process of moving this data between LAs and DWP. We plan to look at not only receiving data electronically but to pass back Data Matching Referrals in this same way.
- 51 We also plan to improve the way in which the Data Matching Referrals are presented by replacing the current method of creating a referral for each item of incorrectness with a customer centric approach. This will mean creating a referral for each customer that identifies all areas of incorrectness for that person.

When will this happen?

- 52 These enhancements will be phased over a number of years. Developments to HBSD/IAD Scan specification for 2008/09 will enable the merger with the HBMS Scan to commence next year – from April 2008.

What happens next?

- 53 There will be more information over the coming weeks and months. Look out for updates in *General Information Bulletins* and *HB Direct* as well as visiting our website www.knowledgenetwork.gov.uk/hbds

Queries

- 54 If you have any queries please contact Jan Ripley at jan.ripley@dwp.gsi.gov.uk

2005 HB/CTB Performance Standards – Amendment 4

- 55 We will shortly be issuing *2005 HB/CTB Performance Standards – Amendment 4*. The amendment
- updates the *Security* theme
 - expands the *Good practice* sections in each of the themes
 - makes other minor changes

- 56 The *Security* theme has been significantly changed to reflect the introduction of the new Performance Measure **10** from April 2007. Enabler **33** has also been amended to take account of changes to the Fraud Partnership Agreement.
- 57 The *Good practice* sections include new material from LAs on new ways of working, such as using electronic claim forms, mobile working and flexible working patterns. The Benefit Fraud Inspectorate has also added further good practice identified in their work with LAs.
- 58 Some of the newly contributed material has been placed in shaded boxes in order to distinguish it from the more generic good practice. You will sometimes find this new material has been split, for example with mobile working, between the *Resource management* theme under *Strategic management* and the *Claims administration* theme under *Gathering information*.
- 59 Our website at www.dwp.gov.uk/housingbenefit/ will also be updated for April and will include some newly designed management tools and checklists. We hope you will find them useful. You may, for example, want to use the new *Good practice* checklist if reviewing any part of your Benefit Service delivery.
- 60 We intend to send out a questionnaire a few weeks after you have received the amendment. We hope you will use this chance to give us your feedback, particularly on the enhanced *Good practice* sections. This will help ensure the guidance continues to meet your needs. In the meantime, you can contact Valerie Hunt via email (valerie.hunt@dwp.gsi.gov.uk) if you wish to discuss any of the new material.
- 61 We would like to use this opportunity to thank all of you who have contributed to the *Good practice* sections. We will continue to welcome new material for future updates.

Distribution of the amendment

- 62 We recently attempted to contact you all by letter to confirm the number of hardcopies you need and the correct contact name for delivery purposes. Most of you responded and you should receive your required number of copies by the end of March. Those of you who did not respond will receive only one copy which will need to be duplicated as necessary by yourselves. If you have not received your copies by the first week in April please let us know immediately by e-mail performance-framework@dwp.gsi.gov.uk

Closure of SAFE-VF email address

- 63 The recent revisions to the Performance Standards and the introduction of the single subsidy stream have resulted in a significant reduction in the number of enquiries to the SAFE-VF email address. We have therefore decided to close the email address with effect from the end of March.
- 64 Enquiries concerning
- **fraud and error policy and procedures, and identity** should be directed to Fraud-Error-Policy@dwp.gsi.gov.uk
 - the **performance measures** should be directed to Performance-Framework@dwp.gsi.gov.uk

Commissioners' cases

Tribunal Of Commissioners – Decision making by Appeal Tribunals

65 A recent decision by a Tribunal of Commissioners, CIS/624/2006 (see the OSSCSC website <http://www.osspsc.gov.uk/asp/view.aspx?id=2113>) held that a tribunal hearing an appeal against an outcome decision need not give a new outcome decision if the appeal succeeds. They can just decide the issue under appeal. The Commissioners disagreed with CH/2673/03 which had come to the opposite conclusion. The decision affects 1st tier decision makers and appeals officers as well as appeal tribunals. Guidance is to be issued.

Other cases

66 The following cases (that we know about) are also awaiting decision by a Commissioner

- CH/1821/06 – Direct payment to landlord – already paid to tenant
- CH/3629/06 – Direct payment to landlord – already paid to tenant – landlord not notified
- CH/1840/06 – Right to reside – EEA National (stayed pending decision of Court of Appeal in CIS/3573/05)
- CH/2205/06 – Overpayment – application of R(H) 6/06
- CH/2280/06 – Overpayment – whether recoverable from agent
- CH/361/06 – Overpayment – whether payment on account recoverable – referral for ROD – reg 12A(3)
- CH/4371/06 – Overpayment – WTC overpaid by Revenue
- CH/2042/06 – Reg 65 HBGR (old number) – application of reg 72(11)
- CH/4096/06 and others – supported accommodation – some support provided by landlord
- CH/1768/06 Extended payment refused – right of appeal?

Decisions on cases decided have been issued to LAs.

Court of Appeal

67 The claimant has been granted leave to appeal to the Court of Appeal from the decision of the Commissioner in CIS/1216/05 and CH/1220/05 (whether appeal should be adjourned when prosecution pending).

Thanks

68 Thanks to those LAs for letting 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 Commissioners' office, or the appeal is lodged following grant of leave by a Chairman. Please let us know if a case reference (CH/.. or CSH/..) has been allocated.

Queries

- 69 If you have any queries about cases before the Commissioners or courts, please contact us by
- email at ACI-Office.Support-Leeds@dwp.gsi.gov.uk or
 - by fax on 0113 2324841

Council Tax Benefit flyers and posters

- 70 Two popular communications products promoting Council Tax Benefit have been updated and re-launched for 2007. Last year many of you included the flyer in council tax bills and displayed the poster in your offices, which you found to be simple and effective ways to raise awareness of the benefit among your customers.
- 71 Both products can be downloaded from www.dwp.gov.uk/housingbenefit/bestprac/ and can be adapted to include your own logo if required. Quark files are also available if you prefer to have the items professionally printed.

Further information

- 72 If you require any further information, please contact Tracey Jones on 0113 232 4458.

Digital Switchover – affect on communal systems

- 73 Digital Switchover is changing the UK's television broadcasting to a fully digital format through a phased switch off between 2007 and 2012. Analogue terrestrial transmission network and television equipment will need to be adapted or converted.
- 74 A service charge for the relay and maintenance of TV signals within a communal system is already eligible for benefit but only for ordinary free to view channels and not where a satellite dish feeds the system. Technological developments in this area are moving fast and it is not appropriate to specify methods of reception in HB legislation.
- 75 It is up to the landlord, in consultation with tenants, to decide on which type of system to install. The landlord may choose to arrange to have the system upgraded themselves or under a leasing arrangement and in either case recover the cost through an increase in the service charge.
- 76 With effect from 2 April 2007 we are revising the wording in paragraph 1(a)(iii) of Schedule 1 to the HB Regulations. This will provide that HB service charges that relate to the relay of ordinary domestic free to view channels on communal TV systems continue to be eligible for HB, but television rental, subscription charges or the license fee will not.
- 77 The intention is that HB should help with a service charge or an increase in a service charge concerned with the upgrade and maintenance of equipment which brings the broadcast signal into the home as part of the communal facilities of the building. Anything beyond the plug on the wall inside the home, eg equipment, pay TV subscriptions, should be the responsibility of the individual. Additional subscriptions to pay for TV services, like licence and rental fees, are classed as ineligible. This includes all cable and broadband services that are not available on a free to view basis.

- 78 As with any eligible service charge, where you consider that the charge is excessive by comparison with similar services elsewhere you should make a deduction from the otherwise eligible charge in the normal way.

Further information

- 79 For further information please contact Lynne Isaacson by email Lynne.Isaacson@dwp.gsi.gov.uk

General Information Bulletins – introduction of twice monthly bulletins

- 80 This article was previously published in *HB Direct Issue 63*, but is being repeated in this bulletin as a reminder and for the benefit of those who may not have seen the original article.
- 81 As you will all know, General Information Bulletins were introduced as part of our review of communications in 2004. These have been issued mid-monthly and have proved to be a valuable means of communicating important advice and information. At the same time, Urgent Information Bulletins were introduced to replace ‘Dear Benefit Manager’ lists. The intention being that these would be issued in exceptional circumstances only when we needed to get information out to you immediately.
- 82 We have recently conducted a small scale review of communications and have found that we have, in fact, issued more Urgent bulletins than General Information bulletins, which suggests that Urgent bulletins have not always been used as we had intended.
- 83 Given the pace at which the Department’s welfare reform agenda is moving and the obvious impacts on HB, it is likely that we will need to communicate with you about important issues more frequently. With that in mind, we have decided to increase the frequency of the General Information Bulletin to twice monthly for a six month trial period starting in April. The bulletins will be issued on 7th and 21st of each month, unless those dates fall at the weekend or on public holidays when the most appropriate working day will be used. We are expecting to see a significant reduction in the need for urgent bulletins to be issued.
- 84 At the end of the six month period this trial will be fully evaluated and we will be asking for your feedback before making any permanent changes to the arrangements.
- 85 The first of the twice monthly bulletins will be issued in advance of the regular publication date on Thursday 5 April, this is because we have the extended Easter break over the weekend of 6 to 9 April (inclusive).

Further information

- 86 Further information is available from Kath.Murphy@dwp.gsi.gov.uk

Important information for HB Managers concerning Stats 124 returns

- 87 Please note that from now on we shall expect LAs to adhere to the 4-week deadline for HB and CTB data returns, as set out in the Stats 124. This will apply to the data returns for the 4th quarter of 2006/07 and all subsequent quarterly returns.
- 88 Please ensure that your authority's data returns are sent to the Information Directorate in good time for receipt **before** the deadline expires. Any returns received after this date may result in delays to your data being published on the Department's Intranet site until the next quarter and may not be available for inclusion in your Chief Executive's pen picture.

Further information

- 89 If you require further information about this matter please contact Larry Jackson, at the Information Directorate in Newcastle upon Tyne,
- via email at Larry.jackson1@dwp.gsi.gov.uk or
 - by telephone on 0191 225 3086

HB Rapid Reclaim extended to Incapacity Benefit

- 90 The existing IS/JSA Rapid Reclaim process ensures that claimants who reclaim those benefits have access to HB Rapid Reclaim. This process has now been extended to incorporate customers who claim Incapacity Benefit. Jobcentre Plus rolled out this national process through their Standard Operating Model "quick wins" programme late last year.
- 91 When you receive form HBRR1 you should check that
- the form is properly completed. If not, you can either return form HBRR1 to the claimant or send form HCTB1, as appropriate
 - the claimant has declared there are no changes of circumstance since their last entitlement to benefit. If the claimant has declared a change, then it will not be appropriate to process the claim without getting further information from them. Depending on the individual circumstances of the claim, you can either send form HCTB1 to the claimant or contact them about the specific change
 - the claimant is entitled to IS/JSA(IB). Jobcentre Plus will send an ETD notification of IS/JSA(IB) entitlement (you can also use the CIS for confirmation). For JSA(Cont) or IB cases, Jobcentre Plus will not automatically notify you of entitlement. In these cases you should check the CIS to establish that JSA(Cont) or IB has been re-awarded. If the claimant is not entitled to IS, JSA(IB), JSA (Cont) or IB send them form HCTB1
 - it is not more than 12 weeks since the claimant's previous entitlement to HB/CTB. Issue of form HBRR1 is linked to the last entitlement to IS/JSA/IB and, although it is unlikely that the previous date of HB/CTB entitlement will be more than 12 weeks from the date of the reclaim, you should check to make sure that this is the case
- 92 Once you have established that the claim is a rapid reclaim you can restore HB/CTB to the previous level of entitlement.

93 We are currently updating form HBRR1 to incorporate the changes.

Queries

94 If you have any queries, please contact Tara Taggart by email
Tara.Taggart@dwp.gsi.gov.uk

What's new on the web

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

Document Type	Subject	Link
HB/CTB Bulletin G2/2007	Getting access to Tax Credit information Pension Credit - verification of capital PM !0 - frequently asked questions Liaison arrangements on benefit issues between Jobcentre Plus and LAs - supporting guidance National Fraud Initiative 06/07 Current HB/CTB Circulars Local Housing Allowance - communications products ISCS Uprating error - information on CIS	http://www.dwp.gov.uk/housingbenefit/news/newsletter/bulletins/2007/g2-2007.pdf
HB/CTB Bulletin U2/2007	ISCS Uprating error on savings credit cases with SDA	http://www.dwp.gov.uk/housingbenefit/news/newsletter/bulletins/2007/u2-2007.pdf
HB/CTB Circular A2/2007	Changes to the HB and CTB Regulations (both for working age and pension age claimants) as a result of the Housing Benefit (Daily Liability Entitlement) Amendment Regulations SI 2007/294	http://www.dwp.gov.uk/hbctb/circulars/2007/a2-2007.pdf

HB/CTB Circulars issued this month

96 The following HB/CTB Circular has been issued this month

- Circular F1/2007

Other publications issued this month

97 The following publications have also been issued this month

- HB/CTB Guidance Manual Amendment 10
- HB Direct Issue 63 March 2007
- HB Direct Issue 63 March 2007 – Special Local Housing Allowance Issue

Publication due this month

98 The following publication is due to be issued this month

- 2005 HB/CTB Performance Standards Amendment 4