

Housing Benefit and Council Tax Benefit

General Information Bulletin

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

HB/CTB G10/2008

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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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In and Out of Work pilots – update and request for Pathfinder sites

Background

- 1 The In and Out of Work Pilots have been running since September 2007 in six Local Authority (LA) areas
 - Lambeth
 - Liverpool
 - Merthyr Tydfil
 - Sedgemoor
 - West Lothian
 - West Somerset
- 2 The pilot areas have been testing new processes which involve Jobcentre Plus acting as a single point of contact for customers who are claiming HB/CTB and/or tax credits along with their Jobseekers Allowance (JSA) or Income Support (IS). The pilots have demonstrated that closer working between Jobcentre Plus, LAs and the Tax Office can deliver a range of benefits as follows
 - significant improvements to the customer experience
 - paying customers more quickly - end to end 15% faster
 - leading to increased customer confidence to take up short-term work
- 3 The LAs involved in the pilots are positive about the improved relationships with Jobcentre Plus and the increase in mutual understanding of roles and requirements. The majority of local authority input documents they receive are complete with evidence and tax credit award notifications are received directly from the Tax Office. This reduces the number of customer contacts required and double handling.

Latest news

- 4 In light of these benefits we want to begin wider implementation of the in and out of work processes with a view to full roll out by December 2009. In deciding how best to take this work forward we have decided a phased approach is best to take account of
 - the busy change programme Jobcentre Plus and LAs are already managing this year
 - the requirement for LAs to have a GCSx connection to allow the electronic exchange of personal data
 - further testing of the into work processes, and

- the need to make minor changes to the claims and payments regulations to fully support the new processes.
- 5 The In and Out of Work Project is therefore looking to establish a number of pathfinder areas in the regions that do not yet have a pilot and to expand the existing pilots so that by this summer there are at least 20 LAs following the new processes. Later this year, once regulations are in place, we hope to increase that number but the bulk of roll out activity will take place after April 2009. We have discussed this approach with the Local Authority Associations (LAAs) and there will be formal consultation on the regulation changes later this year.

Could you be a pathfinder?

- 6 We would be interested in hearing from you if you are already working towards establishing a GCSx connection and your LA is in one of the following regions
- East of England
 - East Midlands
 - North East
 - South East
 - West Midlands
 - Yorkshire and Humberside
- 7 The pathfinder areas will provide the In and Out of Work Project with the opportunity to develop an implementation model for the wider roll out so your involvement at this stage could help influence how we proceed in the future. In addition, participating LAs should be able to take advantage of the benefits of the new processes including improved customer service and clearance times.
- 8 We also want to hear from LAs in the regions where we already have pilots so that we can expand activity in those areas.
- 9 If you want to volunteer, or need further information before doing so, please contact Clare Mitton by email clare.mitton@dwp.gsi.gov.uk or by telephone 0207 962 8427 by **Wednesday 4 June 2008**.
- 10 Annexes A and B, sent with this bulletin, show an overview of the new processes. We will be describing these in greater detail in future communications.

Statutory Instruments

- 11 The following Statutory Instrument (SI) has now been laid
- 2008 No 1167, The Discretionary Housing Payments (Grants) Amendment Order 2008, coming into force 22 May 2008

- 12 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>

Local Housing Allowance and withdrawal of benefit claims

- 13 Following national rollout of Local Housing Allowance (LHA) we have received a number of queries from LAs requesting advice regarding customers withdrawing their benefit claims.
- 14 Customers become eligible for the LHA upon either a change of address or making a new claim for benefit. We have been asked to provide a view on whether a customer can legitimately surrender their claim for benefit in order to submit a subsequent claim for LHA at a later date. Whilst there is no statutory mechanism expressly permitting a customer to withdraw their claim after it has been decided, there is a body of case law which holds that a customer cannot be forced to continue receiving benefit when they have indicated that they no longer wish to do so.
- 15 The relevant case law that we have considered is:
- CJSA/1332/2001
 - CDLA/1589/2005
 - CJSA/3979/1999
- 16 Commissioners have held that it is a fundamental condition of an award of benefit that the claimant is prepared to receive payments. In other words, if a person indicates unequivocally and freely that they no longer wish to receive benefit, entitlement should cease from that point on.
- 17 In view of these Commissioners decisions, we do not consider that a claimant should be prevented from surrendering an award of benefit if they indicate that they no longer wish to claim it.
- 18 Once a customer withdraws their claim, there should be a minimum period of one week before their benefit could be re-instated as a new claim for LHA.
- 19 For further advice or information please contact the LHA team
LHAadviceline@dwp.gsi.gov.uk

What's new on the web

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

Document Type	Subject	Link
Circular HB/CTB A7/2008	Housing Benefit Matching Service (HBMS) Data Take-on and Processing Schedule (DTOPS) 30	http://www.dwp.gov.uk/hbctb/circulars/2008/A7-2008.pdf
Circular HB/CTB A8/2008	The Social Security (Miscellaneous Amendments)(No2) Regulations 2008	http://www.dwp.gov.uk/hbctb/circulars/2008/A8-2008.pdf
Circular HB/CTB A9/2008	Housing Benefit Data Service (HBDS) timetable and process for the extraction and transfer of the Single HB Extract for 2008/09	http://www.dwp.gov.uk/hbctb/circulars/2008/A9-2008.pdf
Bulletin G8/2008	<p>Reminder about security</p> <p>New Regulations: Reform of Extended Payments and Disregard of child maintenance</p> <p>Change of name</p> <p>Statutory Instruments</p> <p>Secondment opportunity</p> <p>What's new on the web</p> <p>HB/CTB Circulars issued this month</p> <p>Other publications issued this month</p>	http://www.dwp.gov.uk/housingbenefit/news/newsletter/bulletins/2008/g8-2008.pdf

Document Type	Subject	Link
Bulletin G9/2008	Security Performance Measure PM10 2007/08 (unitary Councils in England subject to CPA) Right Benefit Indicator Statutory Instruments Changes to the Risk Scored Review Lists issued by the Housing Benefit Matching Service (HBMS) Current HB/CTB Circulars	http://www.dwp.gov.uk/housingbenefit/news/newsletter/bulletins/2008/G9-2008.pdf
HB Direct Issue 77 May 2008	Newsletter	http://www.dwp.gov.uk/housingbenefit/news/newsletter/2008/Issue77May2008.pdf
Moredirect April 2008	Magazine	http://www.dwp.gov.uk/housingbenefit/news/newsletter/2008/MoredirectApril2008.pdf
Time limits and backdating rules for Pension Credit, HB and CTB – equality impact assessment		http://www.dwp.gov.uk/resourcecentre/pc_hb_ctb_eia.asp

HB/CTB Circulars issued this month

- 21 The following HB/CTB Circulars have been issued this month
- Circular A8/2008
 - Circular A9/2008