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Guidance

LA Welfare Direct 8/2022

Updated 5 August 2022

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This publication is available at <https://www.gov.uk/government/publications/la-welfare-direct-bulletins-2022/la-welfare-direct-82022>

Contact

If you have queries about the:

- technical content of this bulletin then contact details are given at the end of each article
- general content and distribution of this bulletin, contact:
lawelfare.correspondence@dwp.gov.uk

Who should read

All Housing Benefit staff

Action

For information

Editorial

We have a variety of articles in this month's edition for you, so I won't keep you long here so you can delve into the main content.

In my area of the Local Authority, Partnership, Engagement and Delivery division (LA-PED), leading on change and communications, we have been reflecting on how we engage with you on various levels. As part of this, with the agreement of the LAs and Association representatives that sit on the LA Welfare Steering Group, LA Funding Group and Practitioners Operational Group, I recently wrote out to you all to share their contact details. This is so you can raise any issues with them that you would like to be discussed at our joint forums. You will see from the regular article in this publication the range of subjects that we cover. I cannot guarantee what outcomes may result from these discussions, but I do want to ensure that you have the right channels available to you in bringing things to our attention.

Another channel available to you is our inbox:

lawelfare.liaisonsteam@dwp.gov.uk. This is where you can also raise issues you think we should be aware of, common queries that arise or ideas for improvements in the services we provide to you. Glasscubes is another route and is more focussed on technical issues.

We are also gearing up to appear at forthcoming conferences, including the Scottish Institute of Revenues, Rating and Valuation conference in September 2022, where Clare Elliot (Head of LA-PED) will be reflecting on the Housing Benefit

service journey over the COVID-19 pandemic and the challenges that lie ahead. You'll see more details on this and other events in the relevant publications and email communications from those event organisers.

Finally, I hope you have the opportunity for a break over the summer.

Darren Baker LA-PED Deputy Director – Fraud, Error and Debt, Change and Communications

Adult Disability Payment case transfer and IT changes

1. As advised in February's [LAWD2/2022](https://www.gov.uk/government/publications/la-welfare-direct-bulletins-2022/la-welfare-direct-22022) (<https://www.gov.uk/government/publications/la-welfare-direct-bulletins-2022/la-welfare-direct-22022>), the Adult Disability Payment (ADP) was introduced in March 2022. It replaces the Personal Independence Payment (PIP) for Working Age adults in Scotland and is administered by Social Security Scotland.
2. From summer 2022, claimants living in Scotland who are currently in receipt of PIP will have their claims progressively transferred to ADP over a period of time.
3. Once a claim has been selected for transfer, the claimant will get a letter from the Department for Work and Pensions (DWP) to let them know that their claim is being transferred to Social Security Scotland. The letter will tell the claimant when their PIP award ends.
4. Social Security Scotland will then send the claimant an ADP welcome letter which will explain what will happen next and when they will transfer over to ADP.
5. DWP will continue to pay PIP until the claim is transferred to Social Security Scotland. There will be no break in payment during the transfer from PIP to ADP.

Local Authority Claim Information

6. No amendments have been made to the Local Authority Claim Information (LACI) to reflect the award of ADP.
7. The LACI will still only include the tick box to confirm if the claimant is in receipt of Attendance Allowance, PIP or Disability Living Allowance. If LAs receive a LACI to make a new claim to Housing Benefit (HB), and the claimant lives in Scotland, the answer to this question will always be 'No'.
8. The LA will need to check Searchlight in all cases where the claimant lives in Scotland to check for an ADP award.

Impact on LAs

9. For HB purposes, ADP is treated in the same way as PIP and LAs should continue to follow business as usual processes when a claim is transferred. Since there will be no break in entitlement between the PIP and ADP awards, premiums on HB will also continue without any gap.

10. LAs in Scotland should continue to follow the existing ADP single point of contact process until Tuesday 30 August 2022 when Automated Transfer of LA Systems (ATLAS) files will be available to download following the implementation of the new schema.

11. As cases are transferred following the IT changes detailed below, LAs:

- will not receive a PIP end of award ATLAS notification when the PIP award has been ended (for case transfers)
- should be able to view the details in Searchlight
- will receive a new award ATLAS notification when ADP has been awarded.

ATLAS IT changes

12. A new ATLAS schema will be implemented on 26 August 2022 to include the ADP data.

13. The changes LAs will notice after national go live are:

- The new award and change of award notifications will now include ADP.
- A new benefit cap removal reason introduced for ADP.

Impact on LAs

14. All LAs will be affected by these changes as DWP issue a single ATLAS schema for the whole of the Great Britain.

15. The LA software suppliers are making the required changes to HB LA systems.

16. Individual LA software suppliers will advise their LAs when the new software will be available for download and testing, ahead of the national go live date.

17. From 27 August 2022, the ATLAS files will be in the new schema. However, the files for 27 August to 29 August will not be available for LAs to download from Transfer Your File (TYF) until Tuesday 30 August 2022, due to the English Bank Holiday on Monday 29 August 2022.

Action for LAs

18. All LAs must download and test the new software ready to receive and process the ATLAS files in the new schema on Tuesday 30 August 2022.

Use of ADP data

19. Scottish Government has asked DWP to provide the ADP data via ATLAS files and accessible on Searchlight for the purposes of the administration of HB, Discretionary Housing Payments (DHPs) and Local Council Tax Reduction.

20. The next version of the DWP/LA Memorandum of Understanding will be updated to include ADP information.

21. The ATLAS Awareness Pack has been updated to include ADP and will be published on Glasscubes ahead of national go live.

22. If you have any questions on the IT changes in this article, email: lawelfare.ladsdeliveryteam@dwp.gov.uk

23. For all other enquires email: lawelfare.laliaisonteam@dwp.gov.uk

Update: Employment and Support Allowance Underpayment/Incapacity Benefit reassessment corrective exercise.

24. In March 2022, DWP shared details of 22,500 HB claimants affected by the Employment and Support Allowance (ESA) Underpayment/Incapacity Benefit (IB) reassessment corrective exercise. Further information about this exercise can be found in [LAWD3/2022 \(https://www.gov.uk/government/publications/la-welfare-direct-bulletins-2022/la-welfare-direct-32022\)](https://www.gov.uk/government/publications/la-welfare-direct-bulletins-2022/la-welfare-direct-32022).

25. DWP shared details of these claims with LAs via TYF. This enabled LAs to check the HB award and pay any arrears that may be due.

26. Since the initial exercise was completed, further cases have been identified that have subsequently had their ESA (Income Related (IR)) award reassessed. These will not have been included on any list shared via TYF. We expect the number of these cases to be low.

27. Once DWP has reassessed the ESA (IR) award, a letter will be issued to the claimant detailing the periods of any arrears payment of ESA (IR). This letter also advises the claimant to contact their LA to request that their HB award is also reassessed for the relevant dates set out in the letter. This letter can be used as evidence of the revised ESA (IR) award.

28. If a claimant contacts the LA to ask for their HB award to be reassessed because of this exercise, they should be asked to provide the DWP letter as proof of the revised ESA (IR) award. The LA should then reassess the HB award and

pay any arrears that may be due, in line with previous instructions that were shared in LAWD3/2022 (see link above).

29. If you have any questions, contact: lawelfare.laliaisonteam@dwp.gov.uk

Supported accommodation and temporary accommodation process guides

30. Following the recent implementation of LA IT system changes for supported accommodation and temporary accommodation, LA-PED has again developed bespoke process guides.

31. These guides will assist assessors to record the changes accurately on their front-end IT system, therefore ensuring improvements to the quality of the management information collated by DWP.

32. The guides will be available on Glasscubes and located within each IT software supplier's own area. They should be used in conjunction with LAs own IT supplier's release notes and policy guidelines which will be launched on:

- **NEC** – 15 July 2022
- **Capita** – week commencing 25 July 2022
- **Civica** – early August 2022

33. Any queries regarding the guides should be emailed to: lawelfare.datamatching@dwp.gov.uk

The Universal Credit (Transitional Provisions) Amendment Regulations 2022

34. The Universal Credit (Transitional Provisions) Amendment Regulations 2022 were laid in Parliament on 4 July 2022 and came into force on 25 July 2022.

35. The amendments amend existing legislation that applies when claimants migrate from legacy benefits to Universal Credit (UC) but they do not change HB regulations. The amendments remove provisions that impacted natural migration to UC that are no longer required. They also remove complexities and enhance the consistency of treatment for those claimants who move to UC as part of the managed migration.

36. LAs should note that now the amendments have come into force, when a new UC claim is submitted, DWP no longer needs to be satisfied that UCs basic conditions of entitlement are met before it will send a stop notice to an LA; submission of the UC claim will be enough to trigger the stop notice. However,

there will be no changes to the stop notice process as a result of these amendments and the LA should continue to action the stop notice as business as usual.

Publication of the refreshed HB Subsidy Guidance Manual for financial year ending March 2022

37. DWP has recently refreshed and published the latest [Housing Benefit Subsidy Guidance Manual \(https://www.gov.uk/government/publications/housing-benefit-subsidy-guidance-manual-2021-to-2022\)](https://www.gov.uk/government/publications/housing-benefit-subsidy-guidance-manual-2021-to-2022).

38. In future, the only parts of the manual that will be updated will be those where there has been a change in policy or there is a need to refer to a specific year.

39. If you have any questions, contact:
lawelfare.lapaymentsandsubsidy@dwp.gov.uk

Invitation to a test and learn pilot: Email solution for Attendance Allowance form DBD68LA

40. DWP currently sends form 'DBD68LA' via post to LAs for claimants in receipt of Attendance Allowance to establish care home admission dates and funding information. The completed form is then posted back to DWP.

41. The increase of LA and DWP staff working from home has resulted in significant delays in the information being received and actioned by DWP.

42. To address this, and following the success of the Personal Independence Payment (PIP) test and learn pilot mentioned in [LAWD6/2021 \(https://www.gov.uk/government/publications/la-welfare-direct-bulletins-2021/la-welfare-direct-621#invitation-to-a-test-and-learn-pilot-email-solution-for-the-personal-independent-payment-form-pip3007\)](https://www.gov.uk/government/publications/la-welfare-direct-bulletins-2021/la-welfare-direct-621#invitation-to-a-test-and-learn-pilot-email-solution-for-the-personal-independent-payment-form-pip3007), DWP would now like to run a test and learn pilot for Attendance Allowance.

43. Feedback from the LAs taking part in the PIP pilot has been overwhelmingly positive resulting in improved claim accuracy and processing speed.

44. As with the PIP process, we would like to explore the effectiveness of using secure email (using the gov.uk network) as a way of corresponding with LAs to obtain the information regarding care home admissions and funding information.

45. We plan to start our pilot by working with the LAs that are currently using the PIP secure email process.

46. If you are currently participating in the PIP exercise, we will contact you directly to invite you to a meeting on **Thursday 11 August** (to be held on Microsoft Teams), to discuss the plans for returning 'DBD68LA' forms for those claimants in receipt of Attendance Allowance via email.

47. If your LA is not currently involved in the PIP process and would like to join the call to find out more, please contact: lawelfare.laliaisonteam@dwp.gov.uk by **Wednesday 10 August 2022**.

48. In the longer term, DWP will continue to work with the LA Adult Social Care suppliers to develop a more strategic solution for LAs to provide the care home data to DWP using automated technologies. This will help remove the resource burden on LAs staff. More information will be shared with LAs on this over the coming months.

Publication of HB speed of processing statistics for January to March 2022

1. The department published [HB speed of processing statistics and associated data for quarter 4 \(Q4\)](https://www.gov.uk/government/statistics/housing-benefit-statistics-on-speed-of-processing-for-2021-to-2022) (<https://www.gov.uk/government/statistics/housing-benefit-statistics-on-speed-of-processing-for-2021-to-2022>) on Wednesday 27 July 2022.

Some key points

50. During Q4 of financial year ending (FYE) March 2022 there were 88,000 new HB claims and 3.6 million change of circumstances to existing HB claims processed in Great Britain (GB).

51. For new HB claims, this is an increase of 5,000 (6%) since last quarter, and a decrease of 2,500 (3%) when compared to the same quarter a year earlier.

52. For change of circumstances to existing HB claims, this is an increase of 2.6 million since last quarter and a decrease of 360,000 (9%) when compared to the same quarter a year earlier.

New claims

53. The average time taken to process a new HB claim during Q4 for FYE March 2022 was 20 calendar days. This is one day higher than Q4 of FYE March 2021.

Change of circumstances

54. The average number of days taken to process a change of circumstance to an existing HB claim during Q4 FYE March 2022 was 3 calendar days. This is the same as Q4 of FYE March 2021.

To note

55. Please note, sometimes we need to omit certain LA data due to concerns over the quality of the data and details of the LAs not included are listed below. It should be noted however that the omission of LA data outlined below does not change the story in the release but can sometimes have a slight impact on regional level figures:

- HB speed of processing statistics do not include figures for Gloucester City Council because of a cyber-attack suffered by the LA impacting data provision. Therefore, speed of processing figures for Gloucester will be omitted in line with our standard approach for handling missing data or data with quality concerns. Analysis for Gloucester using historical data shows that the GB and regional (South West) level speed of processing figures are not impacted by the omission of Gloucester data. Volumes of both types of HB claims are likely to be affected by less than 1% at GB level and around 4% at regional (South West) level.
- London Borough of Hackney have now resumed the supply of HB speed of processing data to DWP, but because recovery work in Hackney is still ongoing, the statistics have been omitted until we are happy with the quality of the data.
- Due to technical problems around IT systems, which resulted in data anomalies and erroneous HB claims, HB speed of processing statistics do not include data for Tandridge District Council for the full period of this release (Q4 2021 to 2022).

Practitioners' Operational Group and LA Welfare Steering Group

56. The last LA Welfare Steering Group (LAWSG) meeting took place on 21 July 2022. Agenda items included LA Welfare issues Highlight Report, Move to Universal Credit (UC) and an Office for Local Government update.

57. Both groups' meetings are held bi-monthly (and alternately) so the next Practitioners' Operational Group meeting is scheduled to take place on 18 August 2022.

58. If you have any questions regarding topics raised at these consultation groups, you can email: lawelfare.correspondence@dwp.gov.uk

Secondment opportunities in LA-PED division

59. Working with LAs, as one of our major stakeholders in Welfare Reform, continues to feature heavily and for this reason we value the expertise and knowledge that LA HB experts can bring to the team. These secondment

opportunities provide an opportunity to gain an insight and experience of policy development and workings of central government.

60. LA-PED has had a programme of bringing HB experts from LAs in to work alongside data sharing, subsidy, change and performance teams on secondment. We are now looking to register your interest for further secondment opportunities over the coming months.

61. LA-PED comprises approximately 120 staff. The division is responsible for overseeing the performance of LAs in their delivery of HB. It monitors a range of performance data including how quickly and accurately HB is paid and the prevention and detection of fraud and error. LA-PED offers support and challenge to those LAs not meeting performance expectations.

62. It supports a large programme of data sharing activity that is paramount in helping LAs pay the correct amount of HB and is heavily involved in managing change activity supporting the Welfare Reform agenda.

63. It's also responsible for paying HB Administration Subsidy, DHPs, New Burdens and additional grant funding.

64. This is an exciting opportunity to play a leading role in maintaining and improving stakeholder relationships between DWP and LAs and in designing innovative opportunities for closer working during this busy and complex period of welfare reform.

Personal requirements

65. Candidates should possess the following:

- good understanding of HB procedures and regulations
- good drafting and communication skills
- ability to build and maintain effective working relationships with LAs and other stakeholders
- ability to work with people at different levels in the organisation and to work as part of a team to achieve results
- ability to deliver work at pace and with successful, quantifiable outcomes

Further information

66. Secondment posts would be offered for either 12 months or 24 months dependant on the role offered across the division. The posts would usually be full time and based across the country, although no moves at public expense would be considered. These opportunities will be determined by business need so your CV will be kept on file and you will be contacted once a suitable opportunity arises.

67. If you are keen to register your interest and are at S01/S02/S03 and Pay Band level 4 or equivalent, (roughly equates to civil service HEO/SEO/G7 grades) please:

- check with your LA that you could be released, and then
- send your CV by email to laped.businesssupportteam@dwp.gov.uk

HB decisions by the Upper Tribunal

68. Decision Making and Appeals (DMA) Leeds is aware of the following HB cases that have been decided by the Upper Tribunal (UT):

- CH/31/21: Transitional provisions. HB correctly terminated where UC claim made.
- CH/1786: Removal of Spare Room Subsidy. Bedroom used by overnight carers. Carmichael followed.
- CH/1253/18: Under occupancy deduction applied. Hockley and Nelson followed.
- UA-2018-112856: UT found the First-tier Tribunal decision to be 'ultra vires' because HB entitlement was not before it second time round. However, that made no practical difference to the outcome. HB overpayment found to be recoverable from claimant but not from claimant's wife.

69. A selection of [decisions of the UT \(https://www.gov.uk/administrative-appeals-tribunal-decisions\)](https://www.gov.uk/administrative-appeals-tribunal-decisions) are published on their website. Do be aware that there is an undefined time lapse between decisions being issued and their appearance on the website.

70. If you have any queries about cases before the UT Judges or courts, please contact us by email at:

quarryhouse.dmaleedscustomersupportservices@dwp.gov.uk

HB cases awaiting decision by the UT

71. DMA Leeds has not been made aware of any new HB cases that are awaiting decision by the UT since July's LAWD bulletin.

New Legislation

72. The following Statutory Instruments (SIs) have been laid:

- Occupational Pension Schemes (Climate Change Governance and Reporting) (Amendment, Modification and Transitional Provision) Regulations 2022. SI 2022/733, laid on 4 July 2022
- Universal Credit (Transitional Provisions) Amendment Regulations 2022. SI 2022/752, laid on 4 July 2022
- Social Fund Winter Fuel Payment (Temporary Increase) Regulations 2022. SI 2022/813, laid on 18 July 2022
- Occupational Pension Schemes (Investment) (Employer-related investments by Master Trusts) (Amendment) Regulations 2022. SI 2022/827, laid on 19 July 2022

73. Copies of SIs can now be downloaded from [legislation.gov.uk] (<http://www.legislation.gov.uk/>)

What's new on our [HB pages](https://www.gov.uk/government/collections/housing-benefit-for-local-authorities-bulletins) (<https://www.gov.uk/government/collections/housing-benefit-for-local-authorities-bulletins>) on www.gov.uk

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

| Document Type | Subject | Link |
|---------------|---------|------|
| | | |

| Document Type | Subject | Link |
|---------------|--|--|
| LAWD7/2022 | Editorial Housing Benefit overlapping of liabilities. Reminder: Employee Authentication Service – Replacement audit findings assurance. Automated Transfer of LA Systems Schema changes. Planned HB Award Accuracy Initiative and Verify Earnings and Pensions service workshops DWP measures to improve access to home ownership POG and LA Welfare Steering Group. HB Decisions with the Upper Tribunal. New Legislation. What’s new on our HB pages on www.gov.uk | LAWD7/2022 (https://www.gov.uk/government/publications/la-welfare-direct-bulletins-2022/la-welfare-direct-72022) |

| Document Type | Subject | Link |
|---|--|---|
| Housing Benefit Subsidy Guidance Manual 2021-2022 | Latest HB Subsidy Guidance Manual for financial year ending March 2022 | Housing Benefit subsidy guidance manual (https://www.gov.uk/government/publications/housing-benefit-subsidy-guidance-manual-2021-to-2022) |

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