

# Housing Benefit and Council Tax Benefit

## General Information Bulletin

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

**HB/CTB G4/2010**

**22 March 2010**

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<b>Who should read</b>	All Housing Benefit (HB) and Council Tax Benefit (CTB) staff
<b>Action</b>	For information

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## **The Jobseeker's Allowance (Sanctions for Failure to Attend) Regulations 2010 Statutory Instrument 2010/509 – Impact on Housing Benefit and Council Tax Benefit**

- 1 These regulations provide for a new sanction in Jobseeker's Allowance (JSA) from 6 April 2010 when a customer fails to attend for interview.
- 2 A significant minority of jobseekers fail, repeatedly, to attend appointments and interviews with Jobcentre Plus advisers or to sign on in time. The sanction will act as an important mechanism to encourage them to attend mandatory appointments and interviews, which are important in engaging and supporting jobseekers in job-search activity and finding sustained employment.
- 3 The sanction will be applied when a jobseeker fails to attend a JSA mandatory appointment or interview and despite making contact within five working days of the missed appointment is unable to give a good reason for non attendance. When a sanction is applied entitlement to JSA will continue but the benefit will not be payable for a fixed period of one week, or two weeks in subsequent instances of failing to attend during the same claim. Currently entitlement to JSA ceases in this situation and the jobseeker has to reclaim benefit thus creating an administrative burden constantly closing and re-opening claims. The regulations will ensure that jobseekers who are receiving passported Housing Benefit (HB) or Council Tax Benefit (CTB) will continue to do so without interruption when the sanction is applied.
- 4 If a jobseeker fails to contact the Jobcentre within five working days of the missed appointment, their entitlement to JSA will cease and the local authority (LA) will be notified accordingly.
- 5 The regulations make minor amendment to the HB and CTB regulations to cross-refer to the sanction in regulation 2 (interpretation). A cross-reference is also inserted into regulation 3(j) (circumstances in which discretionary housing payments may be made) of the Discretionary Financial Assistance Regulations 2001 to ensure that jobseekers cannot apply for discretionary housing payments just because their JSA has been sanctioned for a failure to attend.

### **Queries**

- 6 If you have any queries about this article please contact:  
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## Statutory Instruments

- 7 The following Statutory Instruments (SIs) have now been laid
- 2010 No.349, The Community Task Force (Miscellaneous Provisions) Order 2010, coming into force 15 March 2010
  - 2010 No.385, The Social Security (Credits) (Amendment) Regulations 2010, coming into force 6 April 2010
  - 2010 No.424, The Welfare Reform Act 2009 (Section 26) (Consequential Amendments) Regulations 2010, coming into force from 22 March 2010
  - 2010 No.442, The Social Security (Persons Serving a Sentence of Imprisonment Detained in Hospital) Regulations 2010 coming into force on 25 March 2010
  - 2010 No.444, The Social Security (Notification of Changes of Circumstances) Regulations 2010, coming into force 5 April 2010
  - 2010 No.467 (C.32), The Pensions Act 2008 (Commencement No.6) Order 2010, came into force on 26 February 2010
  - 2010 No.468, The Social Security Pensions (Low Earnings Threshold) Order 2010, coming into force 6 April 2010
  - 2010 No.470, The Social Security Revaluation of Earnings Factors Order 2010, coming into force 6 April 2010
  - 2010 No.499, The Occupational and Personal Pension Schemes (Miscellaneous Amendments) Regulations 2010, coming into force 6 April 2010
  - 2010 No.506, The Occupational Pension Schemes (Contracting Out) (Amount Required for Restoring State Scheme Rights) Amendment Regulations 2010, coming into force 6 April 2010
  - 2010 No.508, The Social Security (Claims and Information) (Amendment) Regulations 2010, coming into force 6 April 2010
  - 2010 No.509, The Jobseeker's Allowance (Sanctions for Failure to Attend) Regulations 2010, coming into force 6 April 2010
  - 2010 No.510, The Social Security (Miscellaneous Amendments) Regulations 2010, coming onto force from 1 April 2010
  - 2010 No.560, The Pension Protection Fund (Miscellaneous Amendments) Regulations 2010, coming into force from 1 April 2010
  - 2010 No.563, The Social Security (Work-focused Interviews etc.) (Equalisation of State Pension Age) Amendment Regulations 2010, coming into force 6 April 2010
  - 2010 No.641, The Social Security (Miscellaneous Amendments) (No.2) Regulations 2010, coming into force from 1 April 2010
  - 2010 No.696, The Jobseeker's Allowance (Skills Training Conditionality Pilot) Regulations 2010, coming into force 26 April 2010
  - 2010 No. 697 (C.44), The Child Maintenance and Other Payments Act 2008 (Commencement No.7) Order 2010, coming into force 6 April 2010
  - 2010 No.725, The Occupational Pension Schemes (Employer Debt and Miscellaneous Amendments) Regulations 2010, coming into force 6 April 2010

- 8 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

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

Document Type	Subject	Link
HB/CTB Bulletin G3/2010	The maximum HB/CTB period for working age customers Identity card roll-out in London for 16 – 24 year olds The CIS Prompts to LAs Project Local Authority Omnibus Survey, Reports for wave 19 Statutory Instruments	<a href="http://www.dwp.gov.uk/docs/g3-2010.pdf">http://www.dwp.gov.uk/docs/g3-2010.pdf</a>
HB/CTB Circular A4/2010	War Pensions: Uprating 2010/11	<a href="http://www.dwp.gov.uk/docs/a4-2010.pdf">http://www.dwp.gov.uk/docs/a4-2010.pdf</a>
HB/CTB Circular A5/2010	Right Time Indicator – Publication of Performance Information for 2009/10 Quarters 1 and 2	<a href="http://www.dwp.gov.uk/docs/a5-2010.pdf">http://www.dwp.gov.uk/docs/a5-2010.pdf</a>
HB/CTB Circular S1/2010 (Revised)	Details of the revised government DHPs contribution for 2010/11 for some local authorities	<a href="http://www.dwp.gov.uk/docs/s1-2010.pdf">http://www.dwp.gov.uk/docs/s1-2010.pdf</a>
HB Direct Issue 99 March 2010	Newsletter	<a href="http://www.dwp.gov.uk/docs/issue-99-mar-2010.pdf">http://www.dwp.gov.uk/docs/issue-99-mar-2010.pdf</a>
EAS CIS Implementation Project FAQs	FAQs	<a href="http://www.dwp.gov.uk/docs/eas-cis-faqs.pdf">http://www.dwp.gov.uk/docs/eas-cis-faqs.pdf</a>

## HB/CTB Circulars issued recently

- 10 The following HB/CTB Circulars have been issued recently

HB/CTB Circular A6/2010

HB/CTB Circular A7/2010

HB/CTB Circular A8/2010

## Current HB/CTB Circulars

11 Following the issue of HB/CTB Guidance Manual, Amendment 21, the current 'A' circulars are listed in the table below.

<b>Number</b>	<b>Subject</b>
A13/2007	Details of the intended distribution of data collection modernisation funding
A2/2008	HB/CTB Performance Indicators from April 2008
A3/2008	Recovery from customers who have been declared bankrupt
A4/2008	HB/CTB Right Benefit Performance Indicator from April 2008
A5/2008	Guidance on completion of the Single HB Extract fields for the derivation of the performance data for the 'Right Time' and 'Right Benefit' indicators
A10/2008	Additional information for LAs on the 2008/09 HB/CTB Right Benefit and Right Time Performance Indicators and Comprehensive Performance Assessment 2008
A23/2008	2008/09 HB/CTB Right Benefit and Right Time Performance Indicators and Publication of Performance Data and HB Recoveries and Fraud
A24/2008	Amendments to the HB Overpayments and Excess CTB Regulations, which include changes to the provisions relating to 'recovery from a partner' Introduction of a new overpayments subsidy classification called 'Administrative delay' Changes to the definition of a Fraud overpayment in the Subsidy Order
A26/2008	Guidance to LAs on the In and Out of Work Processes and The Housing Benefit and Council Tax Benefit (Amendment) (No. 3) Regulations 2008 SI No 2987
A3/2009	2008/09 HB/CTB Right Time Performance Indicator : Update for LAs
A5/2009	Sale and rent back arrangements
A7/2009	Data Take On and Processing Schedule (DTOPS) for the extraction and transfer of Housing Benefit Matching Service (HBMS) and Single Housing Benefit Extract (SHBE) data for 2009/10
A8/2009	2009/10 HB/CTB Right Benefit Performance Indicator - Update for Local Authorities (LAs)
A10/2009	The Social Security (Use of Information for Housing Benefit and Welfare Services Purposes) Regulations 2008
A11/2009	Dealing with changes in circumstances
A13/2009	2009/10 Single HB Extract – Guidance for Local Authorities (LAs)
A14/2009	Process for the transfer of the Housing Benefit Recoveries & Fraud (HBRF) Return from 1 June 2009 (Quarter 1 2009/10 onwards)
A15/2009	HB overpayments and excess CTB issues
A20/2009	The HB/CTB pensioner time for claiming provisions: Upper Tribunal decision in Leicester City Council v LG, CH/0392/2009
A21/2009	Preventing homelessness due to mortgage and landlord repossession
A22/2009	Future provision of performance data for the Right Benefit Indicator
A23/2009	HB Overpayments and Excess CTB issues
A25/2009	Valuation of capital assets: reminder of current service agreement and revised guidance on jointly owned property
A26/2009	Amendment to the Local Housing Allowance Guidance

A1/2010	The Social Security (Miscellaneous Amendments) (No.4) Regulations 2009 (SI 2009 No 2655) HB and CTB (War Pensions Disregards)(Amendment) Regulations 2009(SI2009 No.3389) Students Grant and Loan Rates
A2/2010	Housing Benefit and Council Tax Benefit: 2010 Uprating
A3/2010	Permitted work: obtaining details from Jobcentre Plus
A4/2010	War Pensions: Uprating 2010/11
A5/2010	Right Time Indicator – Publication of Performance Information for 2009/10 Quarters 1 and 2
A6/2010	Referring Housing Benefit overpayments to Debt Management
A7/2010	Data Take On and Processing Schedule (DTOPS) for the extraction and transfer of the Single Housing Benefit Extract (SHBE) from 29 March to 24 September 2010
A8/2010	The Social Security (Miscellaneous Amendments) (No. 2) Regulations 2010 (SI 2010 No 641)

- 12 You may destroy all other HB/CTB A circulars, but we recommend you keep at least one copy of each for reference purposes.
- 13 You will also find copies of all HB/CTB 'A' circulars on the DWP website at <http://www.dwp.gov.uk/local-authority-staff/housing-benefit/user-communications/hbctb-circulars/>