Part 6 Preview

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PMG Oct 2014

Status: Final
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CAPITAL
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Introduction

6000  This part provides the methodology on the preview. Full details of the post preview process can be found in Part 7.

6001  The preview includes an initial check of the technical aspects of ESA/JSA/SPC/HB review cases to establish what further evidence may be required for the official error check.

6002  Technical details for each benefit can be found in the respective parts of this guide

6003  Where a case may require hand off for the official error check, it will be the responsibility of the MRO performing the official error check to undertake the actual determination and calculation of these errors.

6004  For official error the preview check is restricted, in the case of SPC/ESA/HB to an award week (the selected period) and, in the case of JSA, an award fortnight (the selected fortnight) based around the Monday date of the sample period specified in the visiting programme Appendix 3.

6005  For potential claimant related errors you will also ensure that you check and record the claimant’s current benefit award/entitlement details for the purposes of the claimant review. You will use this during the review to identify any discrepancies that may arise impacting on the correctness of the claimant’s claim.

6006  You may exceptionally visit a case (with approval) without recording the case fully on the FREDA system if:

• it is a spare case, likely to become a replacement (i.e. high up on the replacement list) and
• this replacement is in a remote area already being visited on a main sample case during the visiting period

The case must still however, be fully previewed.

6007 - 6009

Order of precedence

6010  The order of precedence is -

• the first 4 JSA new claims listed on the targeted sample list within the first 2 days of the visit
PMG October 2014

- JSA review
- SPC review
- HB review cases
- ESA review

6011 - 6019

The preview

6020 Your examination of the case should:
- establish whether a case needs to be excluded from the claimant review or any further PM action
- establish if the claimant has moved out of the area covered by the PSU and for any HB elements whether this has also meant a move outside the LA
- establish if there is any ongoing fraud activity
- identify cases for priority visits. For example, JSA cases, to ensure fewer cases are abandoned and the sample size is maintained. Or, cases with apparent payment errors.
- identify evidence required to support the check for claimant fraud/claimant error/official error
- identify any third party evidence required to be obtained by the ECO/PCP as applicable
- establish any inconsistencies or errors in the claim which may indicate incorrectness
- establish whether CTC/WTC is in payment and whether the child element has migrated to Her Majesty’s Revenue and Customs (HMRC), removing the payment of child allowances and premium payments by DWP, as applicable
- check whether there are any outstanding notifications either from the claimant or between the LA and DWP, as applicable, etc that may affect the periods of check
- check whether an AIP has been set and what type of SPC is in payment, as applicable
- become familiar with all aspects of the claim so that as far as possible the claimant’s known current circumstances are established prior to visit

Claim and Entitlement start dates

6021 You must check that the claim and entitlement start dates that are recorded on FREDA are correct, and amend them if they are incorrect.
Date of current claim

6022 Enter the date the claim was made, i.e. the date that the claimant indicates that they wish to claim from, where that is different from the first date of contact, otherwise the first date of contact.

Note: ESA cases - for IB (IS) reassessment cases the date of claim is the date they move over to ESA

Entitlement Start Date

6023 The date entered should be the date for which a claimant first receives benefit, except for some JSA/ESA claims where three waiting days have to be served in which case the three days should be included as if paid for.

6024 This may be different from the current claim date. FEMA can use this information to assess the extent to which the profile of claim durations in the sample reflects that in the benefit caseload.

6025 Additionally for HB elements of the check

• establish the basis on which HB has been awarded
• for non-passported HB cases in receipt of SPC, that the correct Assessed Income Figure (AIF) supplied by PDCS has been used

6026 You must conduct a pre-visit preparation check, where the home visit is not conducted within 2 working days of the preview, to identify and record any change of circumstances that have occurred between the selected period and the date of the review.

Note: the pre-visit preparation methodology is detailed in Part 7 of this guide.

6027 It is essential that you access all the required screens on the specific benefit system under check along with checks of other systems, and that this information is correctly recorded on the Preview proforma.

Screen Prints

6031 For Common Sample cases there is no requirement to routinely obtain screen prints for any aspect of the case.
6032 For HB cases, as there is no national computer system that PM staff are able to access, there is still a requirement for LA screen prints to be obtained to support the PM review.

6033 The following screen prints will be required from the LA systems for each case reviewed:

- Notepad
- Personal details
- Partner, children and non-dependant details
- Appointee details (if applicable)
- Amount of rent and Rent officer decision (if applicable)/LHA details
- Eligible/ineligible service charges
- Calculation of rent, to show applicable amounts and premiums used in assessment
- Income and capital prints
- Frequency of payments/payee details
- Weekly rate of HB (N.B. If the LA apply Rent Free Weeks (RFW) then a calculation must be done to convert to a 52/53 week figure which is recorded on the Preview proforma. See Part 15 Rent free weeks
- Method of payment and last payment details

Data Imaging Process (DIP) (HB only)

6034 For non-passported cases obtain DIP prints in relation to:

- Earnings (if applicable) - wage slips to support the calculation the LA has used (normally 5 if paid weekly, 2 if monthly, 3 if fortnightly) OR a certificate of earnings form from the employer OR a letter from the employer (see Part 15)
- Income for all members of the assessment unit to include NTC / Non State Pensions (NSPs) and any other form of income (see Part 15)
- Verification of any savings or capital (see Part 15)
- Verification of any benefits in payment to include IB, SDA, JSA(C), ESA(C), WMA/WPA or Carer’s Allowance
- All information relating to the assessment of Self-Employed/Student income from the LA including any local stencils used by the LA for assessment
- A full copy of the HB claim form or the last full review form if the review form supersedes the original claim form (also applies to passported HB cases)
- Tenancy agreement/proof of rent
- Details of any non-dependents

This list is not exhaustive.
For passported cases obtain DIP prints in relation to:
- Tenancy agreement/proof of rent
- Details of any non-dependents

**Sensitive Records/Restricted Access Cases**

6052 The LA and DWP computer systems will indicate if a case is sensitive. These cases cannot be accessed without authorisation. System access should be obtained by the completion of form UA16 authorised by the Line Manager and then via CIT. Where a member of staff is related to or knows a claimant, procedures will vary. In DWP restricted access will apply to that case.

6053 In LAs the levels of restriction will vary and will need to be ascertained from the LA contact should such a case be selected for a HB review. In general, you would be allowed to access the system to view the case details, but would not be able to take screen prints. Where this is the case you should note it on the notes facility in FREDA.

**Current Fraud Activity**

6054 When considering the suitability of a case for review, you must check CIS (for CS cases) or the LA (for HB cases) for any current fraud interest. Where an interest is recorded on a CS case, you must contact to the Business Support Team (BST) to obtain the FES investigators details from FRAIMS to establish if the activity is still current.

6055 You must title your email to BST ‘FES Investigator details required’. You will need to quote the Claimant’s Name and FREDA number and NINO. BST will provide the Investigator’s Name, Investigator’s contact details and Fraud or Compliance Case number.

6056 For HB cases you will liaise directly with the LA contact to obtain the investigators details to establish if the activity is still current.

6057 Whether or not a review can go ahead will depend on what the investigation relates to and the type of activity being undertaken.

**Reviews**
6058 If a Fraud and Error Service (FES) or LA Fraud investigation is current and it does not relate solely to a past period, the case will be tracked by the PM SPOC and any outcome of the investigation will be recorded on the PM database.

6059 Where the claimant has not been contacted by fraud as yet, the case and the activity are classed as current; the case will be passed back to PM to pursue.

6060 Where the claimant has been contacted by fraud and the activity is still current, you must ensure the case is flagged for PM interest. To highlight that the CC Officer must interview the claimant face to face, the PM SPOC will track the case to conclusion.

6061 If the activity has already concluded the case will be considered for BF, where a review can be conducted in the visiting period, or abandonment, see Part 5.

6062 If an LA Fraud interest has been noted or a claim to HB has been made, and there is an ongoing investigation, you must establish:
• what the allegation is for;
• when the investigation is likely to be concluded.

6063 If conclusion is expected within the visiting period, on receipt of confirmation, the result can be used if the LA investigation has resulted in the cessation of IS/JSA/ESA/SPC. This is the same as with FES/Compliance investigations.

6064 If the LA is unable to confirm when the investigation will be concluded, you must ask whether conducting a PM review would be prejudicial to the investigation. If the LA requests that the claimant is not interviewed by PM, you will need to obtain full details and refer the case to the team manager for advice.

6065 You must also challenge the investigator if informed that the review visit cannot go ahead. It is not a foregone conclusion that fraud investigations take precedence over the PM visit. In prosecution cases, as long as the claimant has been interviewed under caution, the PM visit can go ahead. There is also no need to wait for a fraud overpayment calculation.

6066 When considering this type of case the PM team manager must take into account:
• the allegation being investigated
• the likely effect (if any) on the claimant’s benefit and
• whether it is feasible for you to complete a review on the case within the applicable time limits.
The case will be passed to you and you should immediately consider any official error but where the claimant needs to be contacted to obtain information to complete the check, this must not be done until the fraud action has been concluded.

Notifying PM Interest

For all cases where PM will track a case for ongoing fraud to conclusion, a Fraud referral form (FRF) must be raised in the same way as a new referral to fraud as a result of PM activity.

By raising an FRF, PM will ensure that the case will be treated as priority by FES and that the outcome will be communicated to PM immediately following conclusion of the investigation.

It will also ensure that cases recorded as High Suspicion Tracking by PM FREDA are matched by the number of cases listed with PM interest in FRAIMS.

For cases subject to LA investigation that are not recorded on FRAIMS, a tracking proforma must be issued accordingly.

Possible Internal Fraud

If you suspect internal fraud you must stop work on the case. For HB cases you should contact your Team Manager and the nominated contact for internal fraud at the LA immediately. For DWP cases you should contact your Team Manager and the Local Security Specialist.

Nothing further must be done with the case without the Team Manager first seeking advice from AGA.

Notepad entry
You will check that the ECO has entered PM involvement in dialogue 110 as applicable and where omitted contact them to ensure input. See Part 4 for details of the wording to be used.

For cases subject to a HB review, where a notepad function exists on the LA computer system, the following entry will need to be made:

“Performance Measurement: Benefit Review interest. Please contact (insert name of LA Decision Maker/MRO and contact number)”.

This will prevent LA staff from accidentally alerting the claimant that a visit is planned, or inputting a change without informing you. Where no LA notepad facility exists, the clerical papers should be noted that a benefit review is taking place.

Preview proforma completion

You should enter the case details on the Preview proforma.

Evidence

Selected Period Check Principles

When conducting the selected period check you will consider all information received and any office activity PRIOR to the date the payment covering the selected period is released. You should take no account of any information or office activity carried out after the date payment was released, regardless of whether either would subsequently affect the payment made for the selected period or not. However, the information will still need to be considered for the potential impact on the claimant review and whether this should still go ahead. See Part 5 and details later in this part covering potential cessation of condition of entitlement, for more information.

Note: receipt of post is defined as received by DWP/LA, not receipt by the section responsible for processing the change. It is the original date of receipt that will be the determining factor for PM.
Although the MRO conducting the technical benefit check will be responsible for categorising any error that may result by applying the above principles, they must be taken into account during the preview to identify potential error.

Available evidence

As part of the preview, you will check all existing evidence available and relevant computer systems. Where the available evidence is insufficient for the officer performing the technical benefit check to determine if there is any official error on the case, you will complete the Preview proforma detailing the evidence that you will need to obtain from the claimant at the review.

The following evidence will form part of the technical and visit preview:

- information relating to the current claim held on any accessible computer system within DWP for example, PSCS, PRCS, CMS, NIRS2, JSAPs, ISCS, LMS, CES, MSRS, NTC portal and LA, as applicable, including any DIP system
- CIS to check other benefits paid to the claimant; to check for details of, and benefits paid to, the claimant’s partner, dependant(s), and, where relevant, any non-dependants
- an examination of all benefit related system dialogues to establish whether the case is live and benefit/entitlement is in payment, the amount of the award, other income, other benefits in payment, potential claimant fraud/error information for the review and the correctness of the case for official error purposes
- information held on any accessible computer system within DWP relating to a previous claim/application (but not where the information has been archived)
- indications of adult maintenance interest, as applicable
- information via CIS/FRAIMS to check for any ongoing fraud activity
- exceptionally, any archived information relating to a current or previous claim, which the MRO considers is instrumental to the preview in progress. The MRO will state why such information has been requested
- all clerical papers and documentation relating to the current claim, including un-actioned post/evidence
- scanned documents relating to a current claim that are held on local systems (e.g. Burnley Pensions Centre (previously Empower pension centre e-CRM system))
- any clerical papers relating to a previous claim and stored within the BDC/Pension Centre/LA as applicable. The MRO will expect these documents to be made available. The MRO may refer to these previous claim papers as good practice, or where a query arises during the MRO
preview, which may be resolved by reference to them. The MRO will record the reason such reference was made
• exceptionally, any clerical papers relating to a previous claim which are stored remotely, and which the MRO considers are instrumental to the check in progress. The MRO will state why such papers have been requested
• for ESA cases any supporting evidence from IB/IS claims which was used in reassessment to ESA benefit award.

Additionally for SPC Review cases:

• any information on the Customer Account Management (CAM) system including the corresponding dates and times which relate to the Verint telephony system
• any information with regard to the claimant’s claim in the form of a telephone recording that is held on the Verint telephony system:

Additionally for HB Review cases:

• check of details provided by the LA regarding overpayment deductions being made. If this has not been provided by the LA initially, the MRO should see the details recorded within the LA systems.
• any information with regard to the claimant’s claim to HB taken with a claim to SPC in the form of a telephone recording that is held on the Verint telephony system. The LA will have been sent a Local Authority Claim Information document (LACI) in these cases – a record of the information obtained by PDCS. This may have been input to the LA’s Electronic Data Management (EDM)/Data Imaging Process (DIP) system, but there is no requirement for the LA to retain the LACI in paper form.
• any information held regarding proof of tenancy/tenancy agreement as applicable

Additionally for ESA cases

• ESA Verint claims including any claim to HB/Council Tax reduction
• DM decision re WCA/LCWRA
• where the claimant previously received ESA, the end date for this falls within the 12 weeks prior to the Date Claim Made, and the claimant did not receive IS/JSA between the two ESA claims and a rapid reclaim has been taken you will require documentation /transcript of the original claim

6202-6209
NIRS 2 checks

6210 The NIRS2 information is a source of information that can be used to build up a profile of the claimant before your visit and will help identify potential fraud cases.

6211 Whilst undertaking the preview you will use NIRS2 data/information to identify potential claimant fraud/error or potential official error. The following are examples of the use of this data/information to check:
- identity details against those on the claim form
- for indication of employment since the claim for benefit began
- for contracted-out deductions - indicating a possible occupational pension
- if a claimant has previously been self-employed (class 2 contributions paid)
- for potential working and signing and/or any undeclared work
- for any Territorial Army (TA), Naval Reserves (RNR) or Air Force Reserves (RAFR) annual payments indicating that the claimant is undertaking TA work for which payment is received and may be treated as earnings.
- for inconsistencies with details held on CIS
- the contributions screen within NIRS to identify any undeclared NSP Income or earnings

This list is not exhaustive.

6212 PM staff are not authorised to, and must not, approach employers or pension providers to establish whether employment/NSPs shown on NIRS2, are current.

6213 - 6219

Types of evidence

6220 You will require all existing evidence/information/verification supporting the award relating to the selected period, in order to complete your preview. This includes:
- documents provided by the claimant or third party in support of the claim
- Mortgage sub-files, as applicable
- documents relating to a relevant change of circumstances, including unactioned post
- For clerical cases or dependants information AA/DLA/PIP/AFIP/Carer’s Allowance (CA) cards

6221 Documents could be held at a central point in the BDC/Pension Centre/LA or remote store.
Where a full case review has taken place prior to the selected period, you will always check for changes and discrepancies by comparing the review form(s) with:

- the original claim/application form
- any additional information such as forms A6/LT54 where additional evidence has been recorded and/or off-line DM decisions made, where applicable

Additionally for JSA/ESA cases

Where there has been a short break between claims and a rapid reclaim has been completed, you will require sight of the original claim documentation/ any information on the CAM system including dates and times which relate to the Verint telephony system relating to any linking claims/ any information in the form of a telephone recording that is held on the Verint system/transcript to which the rapid reclaim relates.

Additionally for SPC cases

Depending on the type of AIP that has been set on the claim the evidence available to check the correctness of the claim may differ.

AIP - Rapid Reviews

In cases where the most recent AIP that has been set is a Rapid Review, you must request all available evidence to conduct the preview. However where there is no evidence available due to there being no further contact from the claimant, then you should conduct the preview as normal using the evidence available on the DWP benefit systems.

AIP - Full Reviews

In cases where the most recent AIP that has been set is a Full Review, you must ask for all available evidence to conduct the preview. These should normally be paper-based reviews which should be used in conjunction with the DWP benefit systems.

Where the review has been ‘run on’ from April 2009, the evidence required will relate to the original start date and not the run-on date. In some cases the original start date may not be clear, and may have ‘dropped off’ the system. Where there is insufficient evidence in the case or on the system to determine
the correct AIP start date, a record print should be requested from the PCP in order to ensure that the correct date is used.'

New Claims – That are not yet subject to a review/AIP Run On

6228 These cases will either be a paper-based claim or a teleclaim. In the case of a paper based claim you will be expected to preview the case based upon all available clerical evidence along with the DWP benefit systems.

6229 Where the claim was a teleclaim you will be expected to obtain a full transcript of the call from the Field Support Team. Where there is evidence to show that there is a teleclaim, but this cannot be traced, you must provide supporting evidence – for example an email trail from the PCP or the BST.

*Note: the setting of an AIP run on should be treated as an extension of the existing AIP and not a new AIP.*

Additionally for HB cases

6230 For HB claims that have been made via CMS, the documents that are available at preview will differ from those made via HCTB1 or LA claim form. These will consist of:
- a copy of the signed Jobcentre Plus system generated claim form
- a Jobcentre Plus electronic input document confirming evidence verified to support the primary benefit claim (e.g. last wages, other benefits etc)
- copies of original documents produced to confirm HB specific aspects of the claim

HB claims made via the telephone in respect of Pensioner cases

6231 Claimants contacting a pension centre to make a new Pension Credit application are able to make a telephone claim for HB/Council Tax reduction alongside their Pension Credit application, without needing to complete a claim form or provide a signature.

6232 HB/Council Tax reduction claim information – including non-dependant and child details will be sent directly to the Local Authority on a printed LACI document. The LACI will be sent at the point the Pension Credit application is assessed.

6233 A supplementary rent form will be issued to the claimant at the end of the telephone application process. As the LACI will not be sent until Pension Credit is assessed, the LA could receive the supplementary rent form first. Receipt of a supplementary rent form by itself does not constitute a claim for
HB/Council Tax reduction and processing time will not start until the LACI is received.

Self-Employed

6234 See Training Products for guidance on HB Self Employed cases

Students

6235 See Training Products for guidance on HB Student cases

Missing casepaper/missing or insufficient evidence

6236 The PM definition of a missing casepaper is:

- Where the benefit paying office presents no evidence at all and is unable to locate a casepaper

Or

- Where the benefit paying office presents an actual casepaper but with no documents to support the current award

6237 Where a casepaper is presented with some documentation to support the existence of the current award but not all the evidence that is required for PM checking purposes

6238 Where the whole casepaper or relevant review/claim form relating to the claim/award selected for check is missing, the MRO will complete the preview as far as is possible prior to conducting the review. The Preview proforma will also need to be annotated with the information that will need to be gathered at the review.

6239 Full details of the process to establish evidence for the selected period and what information needs to be obtained for this, for measurement purposes are contained within Part 7 Review.

6240 If the evidence available is unclear in any way, or if you need additional evidence so that the official error check can be completed, you will (in respect of evidence required from the claimant) try to obtain this or clarify missing or incomplete evidence at the review.

6241 Where the information can be obtained from another DWP business unit or elsewhere in the LA, you will obtain this information yourself as part of the preview, however you should not contact the claimant prior to the review or any third party (such as an employer).
Acceptable evidence

6270 PM will accept, as evidence, an A6 form (or LA equivalent) and e-mail containing full details of a telephone call from a claimant when reporting changes of circumstances however, you may need to refer to the business guidance and systems to confirm documentary requirements.

6271 Where the statement can be supported by documentary evidence (such as change in part time earnings/Occ Pen etc.) and where for example:
   • the change in question is too extensive or complicated to be accurately recorded over the telephone
   • there are doubts about the accuracy of the statement or
   • depending on the nature of the change, further information/evidence may be required
   • PM will require documentary evidence and expect the office to have obtained such evidence

Evidence that has been scanned will be treated in the same way as original evidence as this is an exact replica of the original paper documentation.

Evidence obtained by Visiting Officers (VO)/Local Service (LS)

6280 Evidence obtained by VO/LS must be sufficient to enable you to carry out the preview.

6281 You will seek further evidence where:
   • the claim/review form obtained by the VO/LS is incomplete
   • information gathered by the VO/LS is unclear, inconsistent, or incomplete
   • prescribed verification procedures have not been followed

Check validity of the claim

6300 You will check that:
   • the conditions of entitlement to benefit are met (see Conditions of Entitlement)
   • the claim form has been fully completed and evidence of identity has been verified where appropriate (see Evidence of identity)
PMG October 2014

- the date of claim, and 'Treat as Made' (TAM) dates are correct (see Extending the time limit for claiming)
- the evidence requirements have been met, unless the claimant falls within one of the exemption categories
- the correct statistical symbols have been used (PM will inform offices of statistical symbols which are incorrect)
- where appropriate, the date of claim termination is correct
- the correct AIP type code has been entered. PM will tell the office of any which are incorrect (SPC Review cases).
- the dates of birth of both the claimant and partner(s) have been verified

Additional checks

6301 Where appropriate, you will also check the following:
- Child Benefit
- Common Enquiry Service dialogues - to check if other benefits have been claimed or are in payment (e.g. DLA/PIP(AF/IP)/AA, WTC etc.) and to check in RPL for existence of a GMP, indicating possible entitlement to occupational pension.
- Carer's Allowance Unit - to check for details of a claim to, payments of Carer's Allowance (including an increase for dependants) and to check for any underlying entitlement.
- Customer Management System (CMS)

6302- 6339

Conditions of Entitlement

6340 PM will check that the claimant satisfies the conditions of entitlement to receive benefit.

6341 You will confirm that a claimant who falls within a prescribed category for any day in the benefit week has been treated as falling within that category for the whole of that week, and that this has been reflected in the award.

Potential cessation of the current condition of entitlement where payment of benefit is continuing

6342 Where you identify that entitlement may stop (e.g. medical evidence expired), you will consider whether another condition of entitlement is satisfied (e.g. the claimant is a carer).
6343 You will record details of whether or not another condition is met on FREDA and must confirm from the details provided by the claimant at the review interview, whether there is a potential error on the case.

6344 If there is unactioned information in the case that has come from the claimant that, if actioned, would cause the benefit to cease the case would need to be considered for abandonment as per Part 5.

6345 Where the unactioned information would cause the benefit to change, details of the anticipated impact of actioning the change must be taken into account. This is because it will have an impact on any errors ultimately recorded on the case.

6346 If, in the normal course of events, the office closes the claim or the payment is inhibited by the system before a successful interview with the claimant, as a result of the current condition of entitlement ending, you will need to consider the case for abandonment, see Part 5.

6347 If there is information in the case from a source other than the claimant e.g. GMS scan that would cause the benefit to change or cease, if actioned, the case must be retained for the claimant review to be conducted.

JSA Review Cases

6348 Whether or not the jobseeker satisfies the conditions of entitlement to receive the contributory element, JSA will be checked. However, you should be aware of the JSA conditions of entitlement in their entirety, details of which are contained within the DMG Volume 4 Chapter 20.

6349 You should check that a JSAg is present for the selected period at preview to cover the eventuality that the case goes dormant before the Official Error check takes place. Where no JSAg is present you can consider contacting the ECO immediately to supply the JSAg and/or requesting the claimant copy at the review.

Contributory JSA (JSA (C))/ESA (ESA(C))

6350 Where the claim is JSA(C)/ESA(C) or JSA(C) and JSA (IB) or ESA (C) and ESA(IB), you will be required to identify and obtain evidence/information/verification relating to occ pen, income, part time earnings etc.
6351 Where you identify any missing contributions or discrepancies from NIRS that are of a contributory nature, you will record details on FREDA for the technical benefit check.

Joint claims

6352 The responsibility for the checking of joint claims will be carried out within the technical benefit check. However, you will need to be aware of the criteria for a joint claim. Where the claimant and partner satisfy these criteria and a joint claim has not been made, a potential official error will need to be recorded on FREDA.

6353 For details of the current criteria for Joint Claims please see DMG Volume 1, DMG Volume 4, and the Joint Claims Exemption Guide for action that should be taken where one party to a joint claim does not satisfy the conditions of entitlement.

SPC Review Cases

6360 Full details of the conditions of entitlement to SPC are contained within the DMG Volume 13 Chapter 77.

HB Review Cases

6361 HB may be payable if the claimant:
  • is legally liable to pay rent or other eligible payments for accommodation occupied as their home
  • is legally liable, or treated as liable, to make payments to occupy their home
  • although not liable to make such payments, they pay them as if they are liable

6362 Full details covering entitlement to HB are contained in the HB Guidance Manual produced by DWP.

Persons Subject to Immigration Control (PSIC) (HB)
The Immigration and Asylum Act 1999 excludes persons subject to immigration control from entitlement to IS/JSA(IB)/ESA(IR) and HB unless they fall into one of the following categories:

- claimants with limited leave to remain in the UK (normally ineligible for IS/JSA(IB)/ESA(IR)/HB) but whose funds from abroad have stopped temporarily
- sponsored immigrants whose sponsors have subsequently died
- sponsored immigrants resident for 5 years or more
- asylum seeker granted refugee status or given exceptional leave to remain

This list is not exhaustive. See HB Guidance Manual for full details.

PSIC cases will appear in the HB sample therefore careful previewing and handling of this type of case is essential. You must consider what evidence of identity was produced when the claim was made and should check the Home Office reference numbers so their immigration status may be confirmed with the Home Office central point of contact.

If the claim includes payments for dependants, you must check that there is supporting evidence recorded on the Standard Acknowledgment Letter (SAL) from the Home Office, or that the dependant has an Application Registration Card (ARC).

Evidence of identity

In accordance with Part 1 of the Social Security Administration Act 1992, which applies to all DWP benefits and HB, a claimant is not entitled to benefit unless they, and anyone for whom they are claiming (unless a child/young person, or, if the claim was made/treated as made prior to 5 October 1998, their partner) have satisfied certain criteria as regards identity.

Note: for claims to Non-Standard HB, the evidence requirement can be met by using information provided for the claim to ESA/IS/JSA/SPC and copied to the LA.

The claimant/person for whom they are claiming (unless exempt) must:

- provide a NINO, together with information/evidence to show that the NINO is theirs (as per the Secure NI No Allocation Process guide (SNAP)) , or
- provide information/evidence to enable their NINO to be traced, or
- make an application for a NINO and provide enough information/evidence for one to be allocated to them (the claim/application can be processed provided that such an application has been made)
Additionally for JSA elements of the check

6392 Jobcentre staff are required, on forms JSA1, JSA3, JSA4A, JSA4RR to annotate the notes box that the ID of the claimant, and of the person for whom they are claiming (unless exempt), has been confirmed. If the “yes” box has been ticked and no information has been entered in the additional box, then it is accepted that evidence has been confirmed and this aspect of the preview should be cleared as correct. This information may also be annotated on LMS in Conversations.

6393 However, if there are doubts identified elsewhere on the claim suggesting that further information needs to be obtained to confirm the claimant’s or partner’s identity, then this must be done before this aspect of the case can be cleared.

6394 Where these forms have not been annotated, responsibility falls to the JSA benefit processing staff to follow guidance in order to confirm ID. The Secure NINO Allocation Process Guide (SNAP) contains details of acceptable evidence.

6395 Where the JSA form(s) has been annotated with documentary evidence, seen in support of the claimant and/or partner’s ID, the MRO will check that the evidence provided constitutes evidence to support ID.

*Note: the MRO will not accept ES24, LMU or such like as evidence to support confirmation of ID.*

All cases

6396 Where you conduct a preview on a case on which the above procedures have not been followed or the documentary evidence used is not acceptable, you should confirm the claimant and/or partner’s identity at the review.

Verification of date of birth (SPC Cases)

6397 You will require verification of the claimant’s and/or partner’s date of birth usually by the production of a birth certificate. The verification of the dates of birth is a mandatory requirement under SPC.

6398-6399
Extending the time limit for claiming (JSA/SPC/ESA)

6400 If the time limit for claiming has been extended you will check that the request to extend the prescribed time was made before the claim was determined, and that the request was recorded on one of the following:

• notes box of the claim form
• form DLIS 103/JSA5/CMS input document/CMS 1 C&P
• form A6 (for request made by telephone)/ CMS1 C&P
• a letter from the claimant
• the CAM system

Note: the request to back date can either be specific or implicit.

Example 1
The claimant makes a claim following the death of a partner and comments on the claim form “I would have claimed, but I was too distressed”. This would not be a specific request, but would lead the S of S to consider a request for back dating under C & P Regs 19(7)(g) and 19(6)(b).

• You will check that the DM’s decision is held in the casepaper and been correctly recorded, including their reasons for allowing the extension. You will record a potential error where the prescribed time has been extended automatically without a specific request.

Example 2
Claimant makes a claim to benefit 10 days following separation from their partner. Claimant does not indicate that they wish to claim from an earlier date.
The office makes no contact with the claimant but 'backdates' the claim to the date of separation.
PM will raise an official payment error for any of the days for which benefit was paid from the day of separation up to the day before the claimant contacted the office to claim, where these days fall within the selected period.

6401 Where there is no request for extending the time limit for claiming as described in the above paragraphs, you will leave the case as incomplete for the ECO to provide the required evidence/information or a DM decision to enable the official error check to be conducted along with case categorisation.

Extending the time limit for claiming (HB)
Working Age Claimants

6402 If the time limit for claiming HB has been extended you will check:
   • that the claim made by the claimant states it covers a past period
   • that there is good cause shown for failing to claim earlier and
   • that good cause existed continuously during any allowed period of
     backdating.

6403 A claim can only be backdated for a maximum of six months before the
date the request to backdate was received. For example if a claimant makes
a claim to HB then later submits a claim to backdate, the maximum date will
be calculated from the date the request to backdate was received not the date
the ongoing claim to benefit was received.

Pension Age Claimants

6404 For Men aged 60-64 if they or their partner is claiming or receiving IS, JSA
   (IB) or ESA (IR), the six month backdating rules would apply and there will be
   a requirement for them to demonstrate good cause for not claiming earlier.
   Good cause would have to be considered for the full period of back dating
   requested.

6405 Claimants who are within 4 months of reaching qualifying age for SPC are
   entitled to receive HB for three months prior to the date they make their claim
   to HB, as long as they satisfied the conditions of entitlement, and are not
   required to request that backdating for this period is considered.

6406 In addition to the consideration for backdating during this three months
   being automatic, there is also no requirement for good cause to be
   demonstrated for failing to make a claim earlier.

6407 The exception to requiring a valid claim for backdating is where the HB
   claim has ended due to the death of a former partner or due to a separation.

6408 The date of the change can be treated as the date of claim where the
   claim is made within one month of the previous award:
   • ending; or
   • being revised; or
   • being superseded

Rent penalty notice or no rent payable order appealed against and won
(Scotland only)

6409 If an HB claim was terminated because of the issue of a rent penalty
   notice or no rent payable order and there has been a successful appeal
against that notice or order, backdating does not need to be considered and full arrears should be paid. This is because the claim will fall to be treated as existing.

**Effective claim**

6410 A valid claim is a condition of entitlement. Therefore, for the claim to be effective it must be made in the manner prescribed in regulations.

**Signature on claim form (JSA/SPC/ESA)**

6411 Although a signature adds weight to the evidence on a claim form, in certain circumstances the lack of a signature on a claim form does not make the claim invalid, provided that:
- the claimant has stated elsewhere on the claim form their intention to claim
- the claim has been made in writing on an official claim form for the benefit being claimed
- the claim has been made in accordance with instructions on the form, unless certain reasons apply, for example the claimant has physical, learning, mental or communication difficulties, the information or evidence does not exist
- the claim includes any information or evidence in connection with the claim as the claim form may require unless certain reasons apply (see above bullet point)

6412 Where a claim form has been produced by the S of S, already completed with the claimant’s answers, and issued to the claimant to be signed and returned, this is an approved claim form. However, a claim in the prescribed manner will not be received until:
- the claimant completes the form by signing it; and
- the form has been returned to the relevant office with the information and evidence it requests
- If the office has processed a non-valid claim, PM will regard the DM, on behalf of the Secretary of State, as having accepted the claim as a valid claim.

6413 If the claim has been disallowed on the basis that there is no signature, but the intention to claim was expressed, the MRO will leave the case incomplete for the ECO/PCP to arrange for the claim to be processed.

**Signature on claim form (HB)**
A claim for HB can be made:
- in writing
- on an approved claim form provided free of charge by the LA; or
- in a form acceptable to the LA e.g. a letter stating the claimant wishes to claim HB; or
- electronically if the LA has an e-enabling Direction for claims to be made this way
- by telephone
- when the LA publish a number to take claims and the claimant is interviewed by an LA administrator over the telephone during which they complete a claim form or claimant statement for the claimant to check and sign
- where a claimant makes a claim alongside a claim for SPC

Where the claim has been made over the telephone with the LA, the claimant must approve the statement issued by signing and returning it to the LA. If they do not sign and return the statement, the claim will not be valid.

Where a claim for HB has been taken with a claim for SPC over the telephone, there is no automatic requirement to subsequently sign a written statement to make the claim valid.

Where the claim has been made electronically, a signature is not mandatory although there may be circumstances where an electronic or digital signature is required to validate the claim.

If the claimant is required to supply additional information for the claim to be processed, the claim will be classed as defective if the information is not provided by the relevant deadline.

Once an application is accepted as valid, the DM must establish if all conditions of entitlement are satisfied.

Non-valid application form

If the office has processed a non-valid claim, PM will regard the DM, on behalf of the S of S, as having accepted the claim as a valid claim.

If the claim has been disallowed on the basis that there is no signature, but the intention to claim has been expressed on the claim form, the MRO will leave the case as incomplete for the PCP to arrange for the claim to be processed.
Claims/applications by telephone

Background

6440 Claims to SPC/ESA can be made entirely by telephone call to the Contact Centre telephone number specified by the S of S. No claim form is issued to the claimant and no signed declaration obtained.

6441 Therefore, it is not necessary for claimants to provide a written statement of their circumstances unless the S of S so directs or, unless during a telephone conversation the claimant states they wish to claim in writing.

6442 When a claim by telephone has been determined, a decision notice and statement of details are sent to the claimant. The claimant is asked to check the accuracy of the facts contained in the statement of details and notify the Department immediately if there are any inaccuracies, changes or omissions. Claimants are also reminded of their responsibility to notify relevant future changes in their circumstances.

Teleclaims process

6443 A call will only need to be listened to and a transcript made where the call relates to the latest review. Where this has been superseded by a clerical review it is not necessary to listen to the call.

6444 Where it is necessary for PM to listen to a teleclaim, the transcription of State Pension Credit/ESA teleclaims will be the responsibility of the Business Support Team (BST).

6445 The transcript will become the audit trail for PM purposes, which will be used by all subsequent PM staff dealing with the case and retained within the PM docs. Where it is necessary to listen to a call and make a transcript, this must be done before attempting to perform the review element of the check.

Initial MRO action

6446 At the point of preview you will identify if a transcription of any SPC teleclaim is required. The only exception should be if a new AIP has been set after the original telephone application for SPC has taken place. This would be either in relation to ‘Life event’ or ‘significant birthday’.

6447 If the PCP has not provided details of the call, this must be obtained before referral to BST.
6448 Transcription of the call must be requested from the BST using the ‘Teleclaim Referral’ PMG Appendix 12. All fields in Part 1 are mandatory.

6449 On completion of the referral the file should be named with the FREDA reference number and placed in the BST’s shared folder.

**BST action**

6450 On receipt of the referral the case will be allocated by the BST team manager with an anticipated turnaround of 5 working days for SPC cases. Incomplete referrals will be returned via the BST team manager. A 10% validation check will be carried out by the BST team manager.

6451 Completed transcripts will be placed in individual team folders by the BST. Teams using a Virtual Management Board (VMB) will have their completed transcripts placed by BST in a folder called Verint Transcripts, which is located in the Visit Control area of the VMB.

6452 For ESA, BST will request the teleclaim details and provide ESA transcripts to the Checking Team

**Additional MRO Action**

6453 You will periodically check the team folder for completed transcripts. The completed transcript must be printed and retained with the PM papers. Any delay outside the prescribed timescale should be referred to the BST team manager via the Operational Team Manager.

6453– 6469

**ESA /JSA Reviews**

**Treatment of other benefits**

**General**

6470 Whilst undertaking the preview you will:
- ensure the amount and payment cycle (where appropriate) are recorded correctly. The MRO will need to see system or documentary evidence to substantiate the amount taken into account.
Note: a payment error arising from an incorrect rate of other benefit at uprating will be classed as official error (since uprating is not a change the claimant is required to declare).

- check details on CIS to establish whether any other benefits are being paid to the claimant, partner, any dependants and, where relevant, any non-dependants
- use Common Enquiry Service (CES), where appropriate, to verify details
- check underlying entitlement to other benefits noting this on FREDA for the effect to be established during the technical benefit check on the award of premiums etc, for example, that the carer premium has been removed from the correct date when underlying entitlement to Carer’s Allowance ceases
- check that the effect on premiums has been considered when payment of the other benefit ceases.
- For ESA awarded as part of the IB/IS Reassessment process that the claimant should have been given the opportunity to claim ESA(IR). This is because in some circumstances it may be more beneficial e.g. following the WCA they may be placed in the Support Group which would entitle them to an Enhanced Disability Premium. As part of the preview check the MRO (OO) will need to consider whether or not there is possible entitlement and establish if a claim was invited. If a claim was invited and not made then this aspect can be cleared. If no claim was invited and the MRO (OO) considers there may be possible entitlement form ESA3 should be completed at the review.

Child Benefit

6471 For cases where benefit includes elements for child/children or this may indicate a query regarding ongoing conditions of entitlement:
- You will check whether CHB remains in payment

Possible income in respect of other Social Security Benefits

6472 Legislation provides for the application of notional income in respect of notional entitlement. However, in some cases it may be difficult to decide that an income would be payable on application and apply notional income. A claimant cannot be forced to claim a benefit that they do not wish to claim. The fact that a claimant has not claimed a benefit does not necessarily mean that it will not be taken into account. Therefore, DMs must decide the facts of each case individually to determine whether notional income should be applied to unclaimed Social Security benefits, especially where the claim is the only formality preventing the claimant obtaining the benefit.
Treatment of Other Income

Part-time earnings

6480 You will check that all necessary evidence is available for the technical benefit check to be performed.

6481 You will require sight of the original wage slip(s) or a certified copy of wage slips, or form A15 etc

6482 You may accept a record detailing the information, which was taken from the original document/certified copy/signed photocopy. The record should fully document the gross earnings and any voluntary and mandatory deductions being taken from wages, e.g. income tax, NI, union dues, private pension contributions. If no deductions are being made, this must be clearly stated.

6483 You will need to check that the contract of employment, which will stipulate the periods that they do not receive payment is available for ancillary workers and lunchtime supervisors so that any recognisable cycles and assessment of the award can be checked as part of the technical benefit check.

6484 Whilst undertaking the preview if you identify any self-employed earnings you will be required to obtain copies of the accounts where appropriate, and clerical papers showing details of any assessment for use when completing the official error check along with the case categorisation.

Final earnings, holiday pay, and pay in lieu of notice (PILO)

6490 You will no longer be required to check for verification of final earnings, holiday pay and PILON as payments of this type will be treated as capital and normal capital rules will apply where the previous employment was full time.

6491 Where the previous employment was part time and it ended before the first day of entitlement, any payment will be treated as capital. If the part time employment ended on or after the first day of entitlement it will be treated as
earnings and where holiday pay has been paid more than 4 weeks after the employment ended it will be treated as capital.

6492 In addition, you will check that details are held in the casepaper of any ex-gratia payments and their make up, and whether these include redundancy and/or compensation payments.

Other income

6493 At the preview stage you will record on the Preview proforma the payday and frequency of payment and the amount that has been taken into account from the due date. In addition, you will check that all the required evidence/information is available for the official error check and case categorisation noting any potential official error on the Preview proforma. The following gives further guidance in respect of common types of other income.

Student grants/loans

6494 You will ensure that the student grant/loan evidence/information is available and record on the notes facility in FREDA the appropriate amounts noting any disregards for use at the official error check and case categorisation stage.

Child’s income, where dependants are included in the assessment.

6495 You will record income received by a dependent child, for instance, during the summer vacation, on the notes facility in FREDA noting any potential official error where the income has not been correctly taken into account up to the value of the child’s applicable amount.

Non State Pension (NSP) due

6496 You will identify and record:
- previous employment details for an indication of likely entitlement to an NSP
- whether the office has taken account of an NSP due but not claimed (notional income)
- for claimants with a partner over the age of 60 years, who may have deferred claiming, that the possibility of notional income from an NSP needs considering/investigating
- any indication that a late spouse’s NSP may be inherited by the claimant
- existence of a Guaranteed Minimum Pension (GMP) shown against the SP award in RPL
If the claimant is entitled to a GMP, they may:
- be receiving an NSP
- be entitled to an NSP which they have not yet claimed
- have received their NSP entitlement as a lump sum

NSP in payment

Where an NSP is in payment, you will check and record:
- the pay-day and frequency of payment
- evidence to support that the correct rate of NSP has been taken into account

Satisfactory evidence will be a copy of the latest NSP pay statement showing gross amount, deductions and the payment cycle. Exceptionally, where this is not available, you may accept a detailed recording of the details taken from the original document/certified copy/signed photocopy, including gross amounts, details of deductions and the payment cycle.

A bank statement alone showing an entry for the net payment of NSP is not sufficient, because certain deductions from the gross amount may not be allowable deductions. This must be supported by a statement showing if deductions apply including what the deductions are and the value of the deductions.

Capital

You will check and record on the notes facility in FREDA for official error purposes:
- the capital details held for the claimant on the system and their claim papers
- that capital in excess of the lower limit has been verified
- that all necessary verification is available, i.e. scanned, or certified copies of relevant documents relating to the capital held, e.g. bank statements, building society pass books, national savings or money value certificates, share certificates, full proceeds of property sale, business accounts.

Mini bank statements are not regarded as acceptable verification of capital held; unless they are POCA mini statements.

Bank statements from Internet bank accounts can be accepted, as long as all the details are complete and comparable to a bank statement.
6513 Exceptionally, where the above is not available, you may accept a record, which should show all appropriate entries taken from the relevant documents. If interest has been added, then this should also be recorded, together with the date on which interest was credited. The owner of the capital should be recorded, including:
- the available evidence showing the latest addition of interest
- for National Savings Certificates, that the correct issue has been identified
- where no shares have been declared, entries showing share dividends have been investigated

6514 If the office has failed to investigate such entries, you should note the notes facility in FREDA for the purpose of raising a procedural error and give consideration to potential claimant error:
- where shares are held, share dividends have been considered and verification obtained
- entries showing regular deposit of income have been investigated
- whether dependant children or young persons included in the assessment have capital in excess of £3,000 and if so that no personal allowance or personal premium has been paid in respect of the child or young person

6515– 6519

Other Premiums

6520 Whilst undertaking the preview you will check both the casepaper and system to ascertain that there is no evidence/information that may suggest that the claimant no longer meets the qualifying conditions for receipt of the premium awarded (e.g. no longer lone parent, claimant no longer living alone, therefore no entitlement to SDP etc.).

6521 Where there is any doubt you will note notes facility in FREDA and attempt to resolve the doubt with the claimant at the review.

6522 - 6529

Tax Credits

6530 The effect of CTC on JSA(IB) benefit claims is:
- that for existing JSA(IB) claimants, where the claim started on or before 5 April 2004, who have not claimed CTC, the child applicable amounts and child premiums will continue until the claims migrate to Child Tax Credit
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• that new claims to JSA(IB) made from 6 April 2004 onwards will continue to receive child applicable amounts or premiums where the claimant does not have an award of CTC
• for new claims made on or after 8 September 2005 CTC will replace all child applicable amounts and premiums

Note: when an application for CTC is received by HMRC, any ESA/JSA (IB) interest is checked and if appropriate, an award is sent via the interface, generating a Work Activity Report for the ESA/IS/JSA (IB) section.

Child tax credit (CTC) and Working tax credit (WTC)

6531 You will access CIS to establish whether there is a CTC/WTC interest registered and if so check the “Tax Credit” view only screens to identify if there is any CTC/WTC claim registered.

6532 Where the “Tax Credit” view only screens confirm a registered claim to CTC/WTC, unless a fraud referral seems necessary, you will obtain evidence/information/verification of the date and details of the award from the claimant at the review recording their findings on FREDA as applicable.

Automated Transfer to Local Authority Systems (ATLAS)

6533 Automated Transfer to Local Authority Systems (ATLAS) sends transactions from HMRC with details of awards, changes and cessation of CTC/WTC. You should check the LA’s HB system for evidence of receipt of an ATLAS transaction.

6534 The LA should have obtained the correct amount of Tax Credit either by sight of the award notice or from information they have received via ATLAS transaction or by contacting the HMRC Helpline. If there is no evidence of this in the LA documentation, you can contact the HMRC Helpline on 0845 300 3942 for confirmation.

6535 ATLAS phase 2 provides award data for DWP benefits to LAs following the same principles as CTC/WTC transactions from HMRC.

6536 You will need to ensure that you check for ATLAS notifications and obtain a print off at the preview stage.

6537 - 6539
SPC Reviews

Treatment of other benefits

6540 Whilst undertaking the preview you will:
- ensure the payday, amount and payment cycle (where appropriate) are recorded correctly. You will need to see documentary evidence to substantiate the amount taken into account e.g. details of State Pension. A payment error arising from an incorrect rate of other benefit at uprating will be classed as official error (since uprating is not a change the claimant is required to declare).
- check details on CIS to establish whether any other benefits are being paid to the claimant, partner, any dependants and, where relevant any non-dependants
- use Common Enquiry Service (CES), where appropriate, to verify details
- check underlying entitlement to other benefits noting on FREDA so that during the technical benefit check the effect on the award of additional amounts can be established; for example that the extra amount for carer responsibilities has been removed 8 weeks after underlying entitlement to CA ceases
- check that the effect on any extra amounts has been considered when payment of the other benefit ceases.

SPC new application cases – receipt of other DWP benefits

6541 For all applications the claimant is not required to declare receipt of other DWP benefits with the exception of the following:
- CA, where this is paid to anyone looking after the claimant or their partner
- benefits claimed but not yet decided on

6542 Pension centre staff will be required to check if a claimant is in receipt of AA, DLA, PIP or AFIP.

6543 You will check the CES to establish if AA/DLA/PIP/AFIP are in payment and record the result on the notes facility in FREDA noting any potential official error if these have been missed and this results in a failure to award an additional amount for severe disability.

6544 You will check whether a DWP benefit additional to the one under check is in payment for the selected period, and will confirm the rate on the Preview proforma so that whilst undertaking the official error check it can be confirmed that the correct rate has been taken into account in the assessment.
Where AA, DLA, PIP or AFIP cease due to the claimant being in hospital for 4 weeks, or entering a care home, any additional amount payable for severe disability will cease as the qualifying benefit has been withdrawn.

Award of a DWP benefit

A claimant must notify an award of another DWP benefit whether or not an AIP has been specified.

Note: Where an award of another DWP benefit has not been notified and changes the amount of SPC in payment, the MRO who performed the visit will recommend the error be categorised as claimant error.

Income and capital

Income Treated As Earnings

Statutory Sick Pay (SSP), Statutory Maternity Pay (SMP), Statutory Adoption Pay (SAP) and Statutory Paternity Pay (SPP) should be treated as earnings, subject to the rules of disregard.

Income from Capital

If a capital asset is deemed to yield a weekly income, any actual income generated from the capital asset is fully disregarded. PM will check that where any deemed income has been taken into account, it has been done correctly and disregarded where applicable; or taken fully into account or disregarded in part.

When assessing the amount of tariff income deemed to be generated from a claimant’s capital, DMs should have regard to receipts of income paid into any account that the claimant may hold. Where such receipts have been included in the calculation of the claimant’s income, DMs should establish the period for which they were paid and consider reducing the amount of capital on which tariff income is calculated.

You will check that the correct bank statements have been used to verify the claimant’s capital and that the verification is up to date and that all interest has been added to the appropriate accounts. It forms part of the technical
benefit check to confirm that evidence of savings and capital assets has been actioned correctly.

Capital

6554 For potential official error purposes, you will have regard to the capital rules, taking into account the difference in the excess of the appropriate level of capital for verification purposes.

Exceptions

6555 The following exceptions apply:
• in SPC cases income is taken into account at a weekly amount until the claimant notifies a change in that income

6556 The review of capital and income in SPC cases will be dependent on whether an AIP has been specified and if so, whether the changes would be beneficial to the claimant

6557 You will check and record on the notes facility in FREDA:
• the appropriate capital limit
• that capital in excess of the appropriate level has been verified
• that all necessary verification is available, i.e. original, or certified copies of relevant documents relating to the capital held, e.g. bank statements, building society pass books, national savings or money value certificates, share certificates, full proceeds of property sale, business accounts

Note: Mini bank statements are not regarded as acceptable verification of capital held; unless they are POCA mini statements (see MRO Verification Aid for further guidance). Bank statements from Internet bank accounts can be accepted, as long as all the details are complete and comparable to a bank statement.

Earnings

6558 For the purpose of SPC a claimant may work any number of hours each week without entitlement being affected. The earnings from such employment will however affect the amount of SPC to which the claimant will be entitled.

6559 You will check that all necessary verification is available for the official error check and will require sight of the original wage slip(s) or a certified copy or a signed photocopy of wage slips or form A15 etc.
6560 Exceptionally, where the above is not available you will accept form A6 which should fully document the gross earnings and any voluntary and mandatory deductions being taken from wages e.g. tax, NI, union dues, private pension contributions etc. If no deductions are being made, this must be clearly stated.

6561 Earnings are treated as income for the purpose of SPC. Income (including earnings) of the claimant, and any partner, should be calculated in the same way. The income should then be treated as the income of the claimant.

6562 You will need to check that the contract of employment, which will stipulate the periods that they do not receive payment, is available for ancillary workers and school lunchtime supervisors, so that during the technical benefit check it can be checked for any recognisable cycles to determine the correctness of the award.

6563 Whilst undertaking the preview if you identify any self-employed earnings you will be required to obtain copies of the accounts where appropriate, and clerical papers showing details of any assessment for use when completing the official error check along with the case categorisation.

**Final Payments of income**

6564 There is no exclusion period for SPC in the case of final earnings. If the employment ended before SPC entitlement then the final payments are ignored as earnings but may need to be treated as capital.

6565 You will check that all necessary verification is available e.g. wage slips, forms A15 etc

6566 - 6569

**Other Income**

6570 At the preview stage you will record on FREDA the payday and frequency of payment, and the amount that has been taken into account. In addition, you will check that all the required evidence/information/verification is available for the official error check and case categorisation. The following gives further guidance in respect of common types of other income.
Spousal/Civil Partnership Maintenance

6571 You will check that where spousal/Civil Partnership maintenance payments and payments in kind have been made all relevant evidence/information/verification is available for the MRO performing the technical benefit check to ascertain that they have been treated correctly.

Assessed income period (AIP)

6580 You will not be required to undertake a full check of AIPs prior to the visit as this will be undertaken during the technical benefit check. However, you will need to know details of what they are and the implications of failure to set an AIP when one should have been set.

6581 An AIP is a period specified by a DM during which the amount of a claimant’s retirement provision is fixed subject to deemed increases in accordance with regulations.

Mortgages and home loans (ESA/JSA/SPC Reviews)

6582 The MRO conducting the claimant interview will not be required to undertake a check of mortgage and home loan cases as this will be completed during the official error check. However, the MRO will need to identify certain aspects of evidence gathering for this type of case in order to obtain information/verification that will be required to enable completion of the official error check and case categorisation.

6583 Therefore, you will check and record the mortgage/home loan details in the assessment with regard to the selected period on FREDA based on the information provided on form MI12, latest form MI12R and any other available documentation on the notes facility in FREDA.

6584 This will include checking:

- that the balance on the system matches that on the MI12/latest MI12R. If not, record details on the FREDA notes facility of the discrepancy unless there is an A6/LT54 DM decision restricting the allowable balance
- whether the MI12R shows an increase in the balance outstanding. Where form MI12R confirms that the increase in capital balance outstanding is not due to arrears, capitalised interest, insurance premiums or a further
mortgage/loan, that there is evidence that the office has contacted the claimant to establish the reason for the increase.

- whether there is any capital from the sale of a previous home
- that second loans secured on the property are eligible housing costs

6585 In addition, you will check that:
- there is evidence to support the amount of non-dependant deductions that have been applied
- details of mortgage protection policies (MPP) are held in the casepaper/mortgage sub-file (not relevant for SPC)
- details of joint-ownership is available in the casepaper/mortgage sub-file to alert the IO(T) to establish that the correct share has been apportioned

Missing mortgage sub-file

6586 Where the mortgage sub-file is not provided you will raise a request that this be provided by the ECO/PCP no later than the deadline for incomplete cases.

Other housing costs

6587 You will seek evidence of service charges in the selected period, including the DM's decision on form A6/LT54, providing sufficient breakdown of services provided, and the cost of each, and whether any amount is covered by Housing Benefit, in order to confirm the amount allowable, along with the periodicity of payment.

6588 For ground rent, you will not seek evidence other than that contained on the claim form, provided that this evidence is clear.

6589 This includes the amount of ground rent or the length of the lease unless there is a 'reason to doubt' i.e. the amount of ground rent appears to be an excessive amount.

6590 - 6599

Civil Partnerships

Therefore, you will apply this meaning of couple and conduct the preview on all aspects of the case to ensure that a change resulting from the introduction of the Civil Partnership legislation has been correctly actioned and all required evidence/information/verification obtained. For example, capital, income, benefits paid to a member of a “couple”, evidence of identity etc.

HB Reviews

Treatment of other benefits and Income

For full details of how other benefits and income should affect HB, please see Part 15 which covers the technical check of HB in detail.

Local Housing Allowance (LHA) Cases

The Local Housing Allowance scheme is now used to calculate HB for tenants in the deregulated private sector. It is based on the household size and location rather than individual rents and is payable to claimants making new claims for assistance with their rent. It was initially piloted across a number of ‘Pathfinder’ LAs and from 7th April 2008, LHA was fully rolled out nationally.

The definition of a new claim for LHA is
- A claim from a person who has never claimed before
- A change of address
- A re-application where there is a break in the claim of one week or more
- A re-application on an income-based basis where a claimant has previously been on Income Support or Jobseeker's Allowance (Income-Based) and there has been an extended payment. Where no extended payment has been awarded, then this is not a new claim.

As part of the preview a check should be made on all cases that are eligible for LHA to ensure that cases have been correctly converted to LHA and that the rate of LHA is correct as applicable.

Discrepancies should be noted and recorded on the FREDA notes facility. It is necessary to check all sample cases to ensure that LHA has not been incorrectly applied, e.g. to a LA tenant.
Known change of address in HB rent allowance/LHA cases

6616 From April 2010, a legislative change enables LAs to recover an overpayment of HB/LHA at the old address from the award of HB/LHA at the new address subject to certain circumstances.

6617 At the preview stage, where you discover a claimant has moved address within the same LA or the same unitary LA boundary and HB/LHA remains in payment at the old address, the claimant will be visited at the new address.

In to Work process – IWK4 forms

6618 The In and Out of Work (IOW) process was introduced to streamline the claims process when people leave or start work and reduce the number of contacts they need with JCP, the Tax Credit Office and LAs. As a result of the IOW process, subject to certain conditions, the claimant’s duty to notify starting work to the LA has been discharged.

6619 Under this process, JCP provide claimants with a telephone number which they should use to report that they or their partner have started work. When the claimant telephones the Jobcentre to notify a move into work, the Jobcentre will conduct an interview and simultaneously complete an into work statement, form IWK4.

6620 The Jobcentre will ask the claimant to send all relevant evidence to the LA and confirm this has been done on the IWK4. After the telephone call, the IWK4 is sent immediately to the LA by secure e-mail.

6621 The LA will apply their normal pending procedures to chase up evidence i.e. allow one month from the date the claimant reports the change to the JCP and the IWK4 is completed.

6622 You will identify cases where an IWK4 has been received by the LA to categorise HB errors correctly. Most LAs scan the IWK4 into their DIP system immediately on receipt of the form. Therefore, unless there is reasonable doubt, MROs should use the date that the IWK4 has been scanned into DIP/DMS.

6623 It is anticipated that in most cases, the LAs will suspend HB/LHA on receipt of the IWK4 where evidence is outstanding to avoid potential overpayment. In order to identify the numbers of cases abandoned for this
reason, abandon reason ‘IWK4 – HB suspended pending verification’ should be used.

6624 – 6639

Appeals

6640 For all common sample benefits, you are required to verify the status of any appeal that you know to be outstanding for 30 weeks or over (before the date of release of the payment for Selected Period).

6641 If the system checks do not show an appeal as outstanding, you are not required to pursue this any further.

6642 If an appeal has been lodged more than 30 weeks before the Selected Period you must ask the ECO/PCP to verify the appeal status. The ECO/PCP must contact the dedicated appeals team to confirm the status of the appeal. You will require sight of correspondence from HMCTS confirming whether the appeal is still outstanding. This information must be provided within the designated timescales in order to prevent a deemed error occurring.

6643 Where you identify that payment in the selected period is incorrect because:

• a decision has been made on the appeal (prior to the date of release of e payment for the Selected Period) but
• the DWP did not receive the appeal outcome notification until after the date of release of the selected period payment record, you should record official error as follows:
  
  o Error type: Payment
  o What went wrong: control activities not carried out appropriately
  o Error area: Appeals
  o When in system: After claim was already in payment
  o “How did error first get into system”: Office did not carry out appropriate control activities to retain control of the case
  o Who caused the error: HMCTS

6644 Where you identify that the DWP office received the Appeal outcome notification but did not implement it, any resulting error would be categorised as Official Error.
Evidence not available at preview

6645 For all cases where evidence is not available at preview, the MRO will need to note the Preview proforma to ensure that where possible the evidence is obtained from the claimant at the review.

6646 Full details of how this will need to be done and what information needs to be obtained so that all the required evidence is available for measurement purposes are in Part 7 Review.

End of Preview

6647 You must complete the data entry box at the end of Preview screen. “Possible Official Error identified” – Yes/No. Completion of this field is mandatory.

6648 This field is linked to an acknowledgement checkbox which appears on the Categorisation Summary screen. This checkbox will only display when “Possible Official Error Identified” is completed as ‘Yes’. This will alert you to any potential official error identified at preview. You must ensure that you complete this checkbox to acknowledge that you have considered its presence.

6649 - 6999