

DWP Central Freedom of Information Team

e-mail: freedom-of-information-request@dwp.gsi.gov.uk

Our Ref: Fol 2564

DATE: 20 July 2017

Dear Glenys Harriman,

Thank you for your Freedom of Information request of 25th June 2107. You asked:

"I understand that under Schedule 6 of the Universal Credit etc (Claims and Payments) Regs 2013 there is an overall limit (extendable in certain situations) of an amount equal to 40% of the relevant standard allowance, that can be taken from a claimant's Universal Credit award in respect of a list of particular third party deductions (TPDs).

And that if a claimant is having a TPD in respect of rent arrears, at 20%, taken from their award, that they can, at the discretion of DWP, have this reduced, but never lower than 10%.

Could you send me the regulations or guidance that stipulate that where this TPD is reduced, another deduction cannot be taken (or increased) such that the overall limit then goes back up, possibly to 40%, leaving the claimant in no better position than they were before this particular TPD was reduced?

Alternatively, tell me if this is not the case and that therefore this can happen."

DWP response:

You have identified the relevant legislation and a copy is available on the legislation.gov website <http://www.legislation.gov.uk/> . As it is already available in the public domain there is no obligation on the Secretary of State to provide a further copy. There is nothing in the Regulations beyond what you have specified in your query.

We do have DWP guidance that deals with the issue of Universal Credit deductions and this Full Service Guidance is available publicly in the House of Commons library, however, we attach a copy for ease of reference. This confirms that if the decision is to reduce deductions (as a result of a Financial Hardship Decision), the new reduced overall maximum deduction rate will be applied to the case.

If you wish to view the guidance around overpayments (as referred to at the end of the Deductions guidance), this is also available in the House of Commons library.

If you have any queries about this letter please contact me quoting the reference number above.

Yours sincerely,

DWP Strategy Fol Team

Your right to complain under the Freedom of Information Act

If you are not happy with this response you may request an internal review by e-mailing freedom-of-information-request@dwpgsi.gov.uk or by writing to DWP, Central Fol Team, Caxton House, Tothill Street, SW1H 9NA. Any review request should be submitted within two months of the date of this letter.

If you are not content with the outcome of the internal review you may apply directly to the Information Commissioner's Office for a decision. Generally the Commissioner cannot make a decision unless you have exhausted our own complaints procedure. The Information Commissioner can be contacted at: The Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow Cheshire SK9 5AF www.ico.gov.uk