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The Rt Hon Amber Rudd
Secretary of State for Work and Pensions
Caxton House
Tothill Street
London
SW1H 9NA

08 May 2019

Dear Amber,

I am writing in relation to the publication by the National Audit Office (NAO) on 26 April of its *'Investigation into overpayments of Carer's Allowance'*.

In September 2018, I wrote to your predecessor highlighting my concerns that a significant number of carers may have incurred large overpayments over a number of years through no fault of their own and asking that, when recovering overpayments from anyone in receipt of Carer's Allowance, individual circumstances would be considered and no-one be placed into hardship as a result.

In addition I asked that due consideration be given to whether a person has made a genuine mistake and not knowingly sought to defraud the benefit. Where that is the case, individuals should not be prosecuted.

I note from the NAO report that your department has now committed to make a number of improvements to the prevention and detection of earnings related overpayments. These include better communications with individuals through a review of letters and online guidance, more accurate and frequent data matching, and increased staffing resource to follow up both changes of circumstances reported directly to DWP, and those flagged by data matching more quickly.

Carers play a vital role in our communities and I welcome any measures that will prevent a recurrence of the previous issues related to the overpayment of Carer's Allowance.

The report also highlights that DWP has not evaluated the impact of its recovery policies for some time. I would like to take this opportunity to request again that financial and other circumstances are fully taken into account when recovering future overpayments. The individual's overall income should be a key factor in calculating recovery amounts and no-one should be placed into undue hardship as a result, or indeed prosecuted for making a genuine error.

Yours sincerely,

SHIRLEY-ANNE SOMERVILLE

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The Rt Hon Esther McVey
Secretary of State for Work and Pensions
Caxton House
Tothill Street
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SW1H 9NA
United Kingdom

20 September 2018

Dear Esther

I am writing with regard to an issue relating to DWP's administration of Carer's Allowance and potential fraud.

I have been informed of concerns that a significant number of carers may have incurred high levels of overpayments over a number of years, as a result of being unaware of the weekly earnings limit that applies to Carer's Allowance. I am concerned this may have been exacerbated by a decrease in compliance and data-matching activities in the DWP Carer's Allowance Unit over the last decade, which has led to many carers mistakenly breaching the earnings threshold for Carer's Allowance eligibility and doing so for much longer than necessary. The implication, therefore, is that DWP has been aware of the possibility of an accumulation of overpayments over a number of years. It is further alleged that DWP is now seeking to prosecute some of these cases for fraud.

I appreciate that you may not have been made aware of these current concerns, but I would welcome any information you can provide on current DWP activities in terms of identifying Carer's Allowance fraud and overpayments, whether this is being done on a wide scale, and the process for doing that.

I am sure you will agree that carers play a vital role in our communities and that we must value their well-being and support. Therefore, in addition to any background you can provide, I would welcome reassurance from you that, if DWP does take action, people will be treated fairly, with dignity and respect.

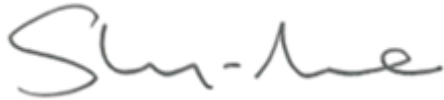
I would welcome further reassurance that, in the event of any debt recovery action, DWP officers will fully take into account the circumstances of the individual and will ensure that no-one is placed into undue hardship. It is important that those circumstances should include

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whether a person has made a genuine mistake and not knowingly sought to defraud the benefit, and where that is the case will not be prosecuted.

In particular I am concerned about people who are on fluctuating incomes who may have breached the earnings limit one week but the then substantially under another, and if this has been accounted for.

Yours sincerely



SHIRLEY-ANNE SOMERVILLE

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