

A Green

e-mail: freedom-of-information-xxxxxxx@xxx.xxx.xx

request-269195-3220961c@whatdotheyknow.com

Our Ref: **Fol 2090**

Date: 4 June 2015

Dear A Green,

Thank you for your Freedom of Information (Fol) request received on 21 May.
You asked:

Please can you explain how the government has determined the "applicable amount" a human needs to live on in the United Kingdom?

I would like information on how these figures are reached and on what research these figures have been based.

I would also like to know the criteria used to reach these figures specifically what costs of living are used to reach these figures?

In 2015 "the law" says as a 41 year old single female I need £73.10 to live on. I would be happy for you to provide information using this scenario in answer to my question?

Have the costs of water, electric, food, clothing, personal hygiene, council tax and rent been included when reaching this figure? If not which living costs specifically is this figure based on and a human expected to cover with this amount?

The rates of benefit are not determined by 'living costs' and so it is not possible to provide a breakdown of these amounts by reference to separate amounts for specific items of expenditure, such as food or fuel charges.

Rather the Government firmly believe that claimants should be free to spend their benefit as they see fit, in light of their individual needs and preferences, rather than having a set pattern of expenditure imposed on them. Every claimant's requirements vary and to attempt to base rates upon the personal expenditure of individual recipients would produce an unfair and unsustainable system.

The phrase "the amount the law says you need to live on" refers to the "applicable amount" of benefit, laid down in law that can be awarded if a person satisfies the conditions of entitlement.

For example, the "applicable amount" for Jobseeker's Allowance is set out in The Jobseeker's Allowance Regulations 1996 (S.I. 1996/207), Part VII – Amounts, regulations 79 to 87A and Schedule 1 – Applicable Amounts, which can be found at: <http://lawvolumes.dwp.gov.uk/docs/a11-4001.pdf> .

The "applicable amount" for Income Support is set out in The Income Support (General) Regulations 1987 (S.I. 1987/1967), Part IV – Applicable amounts, regulations 17 to 22A and Schedule 2 – Applicable amounts, which can be found at: <http://lawvolumes.dwp.gov.uk/docs/a6-2501.pdf>

The "prescribed amount" for Employment and Support Allowance is set out in The Employment and Support Allowance Regulations 2008 (S.I. 2008/794), Part 9, Amounts of Allowance and Schedule 4 – Amounts, which can be found at: http://www.legislation.gov.uk/ukxi/2008/794/pdfs/ukxi_20080794_en.pdf

Each year the government reviews the level of benefit that a claimant may receive. This is in the public domain and set out in the following Up-rating Orders:

- The Social Security Benefits Up-rating Orders, which can be found at: <http://www.legislation.gov.uk/ukxi?title=The%20Social%20Security%20Benefits%20Up-rating%20order>
- The Welfare Benefits Up-rating Orders, which can be found at: <http://www.legislation.gov.uk/ukxi?title=The%20Welfare%20Benefits%20Up-rating%20Order>

The level of benefit that a person can be awarded depends upon their individual circumstances and can only be properly determined when a claim is made.

The different types of benefit available can be found in the 'Benefits' section of GOV.UK, which can be found at: <https://www.gov.uk/browse/benefits>. This includes a section on Benefits Calculators that indicate what benefits you may be entitled to and how to claim, this can be found at: <https://www.gov.uk/benefits-calculators>.

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

Yours sincerely,

DWP Central 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.org.uk/Global/contact_us or telephone 0303 123 1113 or 01625 545745