

DWP Central Freedom of Information Team

e-mail: [freedom-of-information-request@dwp.gsi.gov.uk](mailto:freedom-of-information-request@dwp.gsi.gov.uk)

Our Ref: FOI2019/00906

23 January 2019

Dear Nigel Manley,

Thank you for your Freedom of Information (Fol) request received on 9 January. You asked:

*According to the Universal Credit Regulations 2013 in Schedule 10 headed Capital to be disregarded Paragraph 10 refers to a Funeral plan Contract. What is the equivalent regulation relating to Jobseeker's Allowance so that a claimant entering into a Funeral plan Contract does not have the value of said contract regarded as potential notional income?*

**DWP Response:**

Within the Jobseeker's Allowance Regulations 1996, there is no equivalent to paragraph 11 of Schedule 10 to the Universal Credit Regulations 2013, under which the value of a funeral plan contract (as defined) is disregarded as capital.

Capital held in a funeral plan contract which can be obtained upon request is treated as capital in an award of Jobseekers Allowance from the date a person could be expected to receive it once applied for. Guidance is provided in the Decision Maker's Guide, Volume 5, Chapter 29, paragraphs 29855 and 29857 and the relevant legislation is regulation 113(2) of the Jobseeker's Allowance Regulations 1996.

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

Yours sincerely,

DWP Central Fol Team

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**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@dwp.gsi.gov.uk](mailto:freedom-of-information-request@dwp.gsi.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  
[https://ico.org.uk/Global/contact\\_us](https://ico.org.uk/Global/contact_us) or telephone 0303 123 1113 or 01625 545745