DWP

District Manager

East Croydon

London

Dear District Manager

Mr Tom Hughes, 47 Blackmore Street, East Croydon

I write, on behalf of our above-named tenant, who has provided explicit consent in his UC journal, to challenge your right to pursue recovery of the alleged overpayment of £1000.

As we understand the position, the overpayment arises, solely from an error made by your department, which resulted in Mr Hughes being awarded a disability element, when this was not appropriate. Mr Hughes was unaware of your error until he received your overpayment notice. He was of the belief; his UC had been calculated correctly and was regularly being reviewed by his Work Coach and Account Manager.

Not surprisingly, he doesn’t see why he should be asked to repay the sum in question and maintains that if he’s forced to do so, this will adversely affect his ability to manage a budget on only 85% of his true entitlement. He’s already found it difficult to manage on his UC and has run up quite a bit of debts, mainly for household items, clothing and utility debts for both gas & electricity.

Mr Hughes also suffers from diabetes, which requires him to follow a strict diet to help mange this condition. His dietary needs involve extra expense, leaving him less funds to meet the cost of other personal and household items, pay his water rates, fuel, rent other foodstuffs etc.

Mr Hughes accepts DWP has the power to enforce repayment of this debt but maintains it would be unreasonable and unduly harsh of you to do so, given it was purely your mistake that caused this overpayment. Mr Hughes didn’t in any way contribute to this error, so believes you should absorb the loss yourself, rather than shift responsibility to an innocent party who would then suffer undue hardship, not to mention the ill effect this could have on his already poor health.

In view of the above, we would ask the Secretary of State to waive recovery of the sum, on the basis it would impose wholly unacceptable financial hardship and could adversely affect Mr Hughes’ failing health. In the event you’re unable to exercise discretion in his favour, please provide a statement of reasons as Mr Hughes plans to pursue this matter until he receives satisfactory solution.

Meantime, please confirm your agreement to suppress further recovery action until my request has been duly considered and concluded?

Yours

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