

REPORT TO: Corporate Policy and Performance Board

DATE: 22nd January 2014

REPORTING OFFICER: Strategic Director – Policy and Resources

PORTFOLIO: Resources

SUBJECT: Discretionary Housing Benefit Scheme

WARD(S): Borough-wide

1. PURPOSE OF REPORT

- 1.1. To consider the attached Discretionary Housing Benefit Guidance, designed to assist staff when considering applications to the Fund.

RECOMMENDATION: To recommend to Executive Board the adoption of the attached Discretionary Housing Benefit Guidance.

2. BACKGROUND TO SCHEME

3.1 Discretionary Housing Payments (DHP) provides claimants with financial assistance, in addition to any welfare benefits, when the Council considers that help with housing costs is required.

3.2 Discretionary Housing Payments are available to claimants who are entitled to:

- Housing Benefit (HB), or
- Universal Credit (UC), and
- Have a rental liability, and
- Require further financial assistance with housing costs

3.3 The level of award may cover all or part of a shortfall in rent or assist with the cost of taking up a tenancy.

3.4 The various types of shortfalls that a DHP can cover include:

- under-occupation in the social rented sector
- benefit cap has been applied
- Local Housing Allowance restrictions

- rent shortfall (in part or in full) between eligible rent and HB award
- non-dependant deductions
- income tapers
- reductions in HB or UC

3.5 In general, 'housing costs' means rental liability and include:

- rent
- rent deposits, or
- rent in advance, or
- other lump sum costs associated with a housing need such as removal costs

3.6 Discretionary Housing Payments cannot be awarded towards:

- Ineligible service charges (example – gardening charges, water charges, meals)
- Support charges (example – charges which relate to care or supervision)
- Increases in rent to cover rent arrears which are not liable for HB
- Sanctions and reductions in benefit (including HB overpayment recovery action)
- Amounts of HB/CTB that have been suspended
- Rent where a person is getting support through a Council Tax Reduction Scheme (CTRS) but not HB or UC

3. Discretion Housing Payment Guidance

4.1 Given the significant changes in welfare provision that is taking place it is considered helpful to provide further guidance to staff who administer DHPs.

The attached draft DHP Guidance document attached is intended to do just that. The views of this Board are sought. If the Board is happy with this guidance then members are asked to recommend its adoption to Executive Board. This guidance is intended to give Officers a framework to work to when assessing claims to the Fund. This will help in ensuring an equitable treatment of applications for what is a cash limited sum of money.

4.2 Notwithstanding this each case will still be looked at on its individual merits to ensure that the guidance does not fetter cases of exceptional hardship not covered in this document.

4.3 In addition there is an Appeal Process to Members which is already in existence which provides a further test to the fairness of the application of the policy.

7. IMPLICATIONS FOR THE COUNCIL'S PRIORITIES

7.1 It has the potential to affect all Council priorities.

8. RISK ANALYSIS

8.1 Payments will be monitored from the scheme to ensure that these remain within budget.

9. EQUALITY AND DIVERSITY ISSUES

9.1 The guidance will ensure a consistent and equitable consideration of applications.

10. LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972

Document	Place of Inspection	Contact Officer
Various letters from the Department of Works and Pensions	Revenues & Benefits & Customer Services Division Kingsway House Widnes	Peter McCann