

# **Discretionary Housing Payments Policy**



## **1. Introduction**

This policy sets out how the Borough Council will operate its Discretionary Housing Payment (DHP) scheme.

DHP awards play an important part in helping people adjust to changes in the welfare system as well as for those who are struggling to meet a rent shortfall or need help with costs associated with moving to more affordable accommodation. DHP funding is limited and is seen as a short term emergency fund. Support will be considered through the DHP scheme whilst any underlying issues are addressed, such as:

- Taking up employment
- Moving to affordable or suitably sized accommodation
- Seeking help to address money and debt issues
- Avoiding an immediate threat of eviction

In administering the scheme and considering any application, the Council will expect those who are able to help themselves to do so. DHP should not be seen as a long term solution to mitigate the impact of Welfare Reform or as a way around benefit legislation.

A DHP payment will only be made for a person within the authority's area.

## **2. Objectives of the Scheme**

The Council will consider making a DHP to households who meet the criteria outlined in this policy. We look at all claims on their individual merits, along with other associated policies.

We will work with other departments (such as housing departments) and other organisations (such as advice agencies, landlords and social services), for the purpose of signposting and giving assistance to :

- Help alleviate poverty
- Encourage employment
- Prevent homelessness
- Support vulnerable households
- Provide support at a time of crisis

Discretionary Housing payments can only be made to help with housing related costs. DHP's are means tested, taking account of the applicants full income and essential expenditure. Each application will be looked at on an individual basis taking into account all relevant circumstances. A DHP cannot be paid to cover other costs such as service charges or Council Tax.

## **3. The DHP scheme**

The DHP scheme is intended to be flexible and can cover a range of different housing related costs or scenarios.

This list is not exhaustive, but gives some examples of how the scheme can help:

- Where a rent would be deemed as unaffordable but the property has been especially adapted to meet the needs of a disability and it would be impractical for the applicant to move
- Where the customer has planned to move to more affordable accommodation and needs some short term financial help until they move into their new home
- Where the property is currently classed as too big for the household but the circumstances are expected to change e.g. expecting a baby, awaiting placement of a foster child or taking in a lodger
- Where the customer is struggling to pay their rent because of other debts but can show that they are seeking help or have made lifestyle changes to enable them to pay the shortfall in the future
- Where the applicant is in arrears and is at immediate risk of eviction
- Where the customer needs help with the cost of removals to move to suitable accommodation
- Where the customer wants to move to a more suitable property for their needs and requires some help to pay the rent in advance and/or deposit
- Where the customer has to pay rent on two properties for a short period and it cannot be met by Housing Benefit e.g a person fleeing domestic violence

DHP's are made at the discretion of the Council and are not governed by the same rules as Housing Benefit.

To qualify the person making a claim must be receiving or have an entitlement to Housing Benefit or the housing costs element of Universal Credit.

This policy provides a framework by which officers are guided in their decision making, ensuring consistent treatment of customers but allowing for sufficient discretion on the merits of each case.

The starting point of any application will also be to consider whether there is a need for a DHP or if the amount can be met through the other income and savings within the household.

The Council will also look where appropriate to see what action the applicant is taking to help themselves.

#### **4. Claiming a DHP**

A claim for a DHP will generally be made using the form provided by the Council on-line (or paper format). An application in most cases will be from the person who is receiving Housing Benefit or Universal Credit.

However, an application can be made by someone acting on their behalf e.g appointee or advocate, if the person is vulnerable and requires support.

The form asks for details of all income and expenses, as well as details of any other circumstances, which the Council needs to be aware of to make an informed decision.

In considering an application the Council may request evidence to support the application or take steps to check the information provided to ensure it is accurate.

## **5. Customer responsibilities**

A core element of this policy is that customers are expected to act responsibly by taking tenancies at reasonable rents and ensuring they seek and receive appropriate housing advice before taking on or renewing tenancies.

Customers seeking to demonstrate vulnerability or hardship to support their claim will need to provide sufficient proof of any medical factors and / or breakdown of all relevant debt and expenditures.

Customers who are not considered vulnerable will need to provide evidence of job seeking activities and specifically liaison with partner agencies including job centre plus and other employment support bodies.

## **6. Period of Award**

The period of award will depend on the individual circumstances and whether the award is to help to meet a one off cost, a temporary shortfall or a longer term need.

At the point of making a decision the Council will set the period of award which will be notified along with the decision. Awards may be backdated if there is a good reason why the claim could not have been made sooner and the circumstances continued throughout that period.

## **7. Changes of Circumstances**

In receiving a DHP the customer agrees to notify the Council of any change in the circumstances that might affect their award. The Council may review and recover any DHP that is overpaid where the applicant's circumstances have changed.

## **8. Payment**

The Council will decide the most suitable person or organisation to pay based on the circumstances of each case. This could include paying:

- the claimant
- their partner
- an appointee
- their landlord (or an agent of the landlord); or
- any third party to whom it might be most appropriate to make payment.

Payments will either be made by bank transfer or with on-going benefit.

## **9. Notification**

The Council will aim to advise claimants of the outcome of their claim within 14 days of receipt of their claim as long as all evidence requested has been received. The decision letter will include;

- the weekly amount of DHP awarded
- the lump sum being paid for arrears, rent advances / deposits or other one off payments
- the income and expenditure used in the calculation
- the period of award
- to whom it will be paid and
- the requirement to report a change of circumstances.

## **10. Review of Decisions**

The Council will operate the following process, in dealing with a request for a decision to be reviewed about a refusal to award a DHP, the amount or period of award.

- A request for a review should be in writing/by email within one month of the date of the decision, stating why the decision is believed to be wrong and providing any additional evidence.
- The decision, along with any new evidence from the claimant, will be reviewed by a different officer, who will aim to either make a new decision or confirm the earlier decision within 14 days.
- The claimant will be notified of the outcome in writing/by email. If the claimant is not happy with the decision they can ask for it to be looked at again by the Head of Revenues and Benefits.
- The Head of Revenues and Benefits will review the decision and write/email to confirm the outcome within 14 days. That decision will be final with no further right of review.

## **11. Publicity**

The Council will promote the availability of DHPs when notifying individuals of their Housing Benefit entitlement, when communicating any change or restriction in Housing Benefit awards and through the information made available online and at customer access points.

There will also be targeted take up for households in crisis where they have been identified in analysis of the impact on Welfare Reform.

## **12. Information Sharing**

The Council will use the information provided within the application and any supporting evidence for the purpose of verifying benefit entitlement and making a decision on the claim. In addition it may share information with other departments within the Council and partner organisations for the purpose of planning and delivery of services or fraud prevention in accordance with the requirements of the Data Protection Act and the General Data Protection regulations.

## **13. Review of DHP Policy**

The Policy will be reviewed annually.