



DISCRETIONARY HOUSING PAYMENTS POLICY

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WYRE FOREST DISTRICT COUNCIL

DISCRETIONARY HOUSING PAYMENTS POLICY

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Introduction

Discretionary Housing Payments are funded by the Government. They are payments intended to help claimants with their rental liability who are in need of further financial assistance towards their housing costs, who have been affected by the following:

- 1 **Local Housing Allowance (LHA) reforms** This funding is allocated by Department for Work and Pensions (DWP) on the basis of each Councils share of total anticipated losses experienced by housing benefit claimants as a result of the reforms to LHA.
- 2 **Social Sector Size Criteria** This funding is allocated by DWP and is aimed specifically at two groups; disabled people who live in significantly adapted accommodation; and foster carers, including those who need to keep an extra room when they are in between fostering.
- 3 **Benefit Cap** This funding is allocated by DWP to provide short term support to those affected by the benefit cap.
- 4 **Non welfare reform matters** This funding is allocated by DWP aimed to provide financial assistance for issues such as non dependants and helping people transition into work.

Aims

The aim of the policy is to set out a clear framework with regards to Discretionary Housing Payments (DHP) which are not payments of benefit. They are stand-alone payments made at the discretion of the local authority, subject to an annual cash limit (Permitted Total) in cases where the local authority considers that extra help with rental payments is needed.

Background

The regulations governing DHP are The Discretionary Financial Assistance Regulations 2001 which allows authorities to make payments of DHP to customers in receipt of Housing Benefit and the Housing Element of Universal Credit. The Government sets an annual cash limit and Government contribution, which is specified in annual finance orders.

This policy has been developed to ensure that Discretionary Housing Payments are administered fairly and within the annual cash limit (Permitted Total).

Scope

This policy applies to all applications for Discretionary Housing Payments.

Purpose

For the purpose of this policy, the claimant must be entitled to Housing Benefit or the housing element of Universal Credit.

The claimant must complete the DHP application form giving full details of income and expenditure to show that they require further help with their rental liability.

DHP cannot help pay for the following:- ineligible service charges, water charges, increases in rent due to rent arrears, shortfalls in entitlement due to sanctions, suspensions or overpayment recovery.

Objectives

Through the operation of this policy the Council will seek to:

- alleviate poverty
- encourage and sustain people in employment
- help those who are trying to help themselves
- prevent homelessness
- safeguard residents in their own homes
- keeping families together
- support domestic abuse victims who are trying to move to a place of safety
- support the vulnerable in the local community
- help claimants through personal and difficult events
- support the work of foster carers
- support disabled people to remain in adapted properties

Roles & Responsibilities

Applications for DHP must be made on the Council's Discretionary Housing Payments application form. These are available on our website www.wyreforestdc.gov.uk/dhp or from our Customer Service Centre in Kidderminster.

The level and duration of the DHP will be determined individually for each claim. Decisions will be made on each individual claim by a board consisting of at least two members of staff who have the responsibility for the award of DHP. The board (known as the DHP decision making board) will sit once a week and this will usually be on a Thursday.

DHP is intended to help in cases of exceptional financial hardship and should be seen as a short term solution. Any payment made will be at the total discretion of the Council giving due regard to the regulations and guidance issued by the Department for Work and Pensions. Exceptional circumstances will be considered as 'hardship beyond that which would normally be suffered'. Whilst payments will be discretionary, the scheme will ensure a level of consistency is achieved when making decisions.

When the DHP has expired the claimant will need to apply again if their circumstances have remained the same or worsened since their previous application, and their claim will be reviewed by the DHP decision making board.

There are no appeal rights against the decision made on a DHP. However a claimant can submit a written dispute and the decision will be reviewed internally by a different designated Officer to the one who determined the original DHP claim.

It remains the duty of the claimant to notify the Council of any change in circumstance that may be relevant to the continuation of their DHP.

All claims will be considered fairly and equally on their own merit where the claimant is in receipt of Housing Benefit or the housing element of Universal Credit and is in need of further financial assistance towards their rental liability and will take into account the following criteria:

- The financial circumstances of the claimant and their household including all income and expenditure. All household income will be taken into account in the assessment with the exception of Disability Living Allowance, Personal Independence Payments and Attendance Allowance
- The impact of welfare reforms (benefit cap, social sector size criteria, local housing allowance rate reductions)
- The health of the claimant and their household as to whether it is reasonable to expect the household to move to smaller/cheaper accommodation
- Whilst the claimant looks for other accommodation where there are proven attempts to actively seek alternative accommodation, for example the claimant is on the housing waiting list and has been bidding for properties
- To allow a claimant to take on a tenancy or remain in their tenancy where the claimant will in the near future be allowed a further bedroom in regulation due to a child being born. And when that baby is born the need for DHP is extinguished
- To allow a claimant to take on a tenancy or remain in their tenancy where in the near future a further bedroom will be allowed by regulation due to one of the children reaching either 11 years of age, in the case where children of opposite sex are sharing, or 16 years of age in the case where children of the same sex are sharing
- Where the claimant needs an extra bedroom due to medical reasons
- Where a disabled person is living in a significantly adapted home for their needs and it is unreasonable to expect him to move
- Where due to personal difficulties the claimant cannot reasonably be expected to find work immediately
- Where the claimant is fleeing violence
- Any other special circumstance brought to the attention of the decision making board

We aim to tell the claimant in writing of the outcome of their application within 14 days of receiving it. Where the application is successful, the letter will explain:

- the amount and frequency of DHP awarded
- whether it is paid in arrears or advance
- how long the DHP will be paid for
- how, when and to whom the DHP will be paid

Where the application is unsuccessful, the notification letter will set out the reasons why.

Normally awards of DHP will be payable for 13 weeks however in some instances this period may be either greater or less than this.