



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 changes in the Housing Benefit regulations:

- 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.

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 Child support, Pensions and Social Security Act 2000 allows authorities to make payments of DHP to customers in receipt of Housing Benefit. The regulations governing DHP are The Discretionary Financial Assistance Regulations 2001. The Government set 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.

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 or suspensions.

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 Tuesday.

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 on their own merit where the claimant is in receipt of Housing Benefit 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 the mobility component of Disability Living Allowance and its like in Personal Independence Payments
- 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 and it is unreasonable to expect them to move home
- Where a disabled person is living in a significantly adapted home for their needs and it is unreasonable to expect him to move
- Where a claimant has an empty bedroom in between caring for a foster child
- Where due to personal difficulties the claimant cannot reasonably be expected to find work immediately
- Where the claimant is fleeing violence

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.