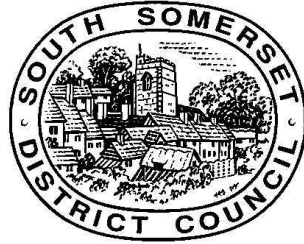


Public Document Pack



Scrutiny Committee - Tuesday 28th February 2017

Agenda No	Item
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- | | |
|----|--|
| 9. | <u>Discretionary Housing Payment Policy - Overview and Scrutiny Task and Finish Group Report (Pages 2 - 26)</u> |
|----|--|

Please find attached the application form referred to on page 30 of the Scrutiny agenda and the draft policy to be recommended to Council (as referred to on page 35 of the Scrutiny agenda..

South Somerset District Council

Application For Discretionary Housing Benefit/Council Tax Reduction Payment

If you require further information on completing this form, please telephone (01935) 462462. You can also get help at the following Council Offices (please check website for opening times):

The Council Offices Petters House Office
Brympton Way, Yeovil Petters Way, Yeovil

Churchfields Office Crewkerne Community Office
Churchfields, Wincanton Town Hall, Market Square, Crewkerne

Chard Community Office Langport Information Centre
Holyrood Lace Mill, Holyrood Street, Chard Bow Street, Langport

Ilminster Community Office
North Street, Ilminster

What happens after you submit your form?

If you have provided an email address, we will email you on submission of the form. However if you have not provided an email address we will post confirmation of receipt of your online form. If you have not received your receipt in 7 days please contact us.

Once a decision has been made using the information you have provided we will send you a letter with our decision.

These awards will remain the same for the period awarded as long as your circumstances do not change.

CHANGES IN YOUR CIRCUMSTANCES

If there is a change in the circumstances of your claim you must tell us immediately. You can report the changes online, by email, telephone or in writing and we will advise you if you need to provide us with more information or evidence. Do not rely on someone else to give us the information or to pass a message; not even the Job Centre, Pension Service or Revenues and Customs. Our contact details are above.

For Official Use Only

Title	Customer Name	Form Filename	DHP Application Form (1.0).wdf
<input type="text"/>	<input type="text"/>	Form Reference	<input type="text"/>
DOB	NINO	Notes	V1
<input type="text"/>	<input type="text"/>		
TEL	<input type="text"/>		
Email	<input type="text"/>		
Customer Address	<input type="text"/>		
Date Form Started	10/02/2017 16:42:23		
Date of E-signing	<input type="text"/>		
Date Submitted	<input type="text"/>		
Data Validation Ref	<input type="text"/>		
Occupancy type	<input type="text"/>		
Advisor Name (who started form)	<input type="text"/>		
Mr Simon Cox	Claim Num / Ref	<input type="text"/>	Page 2
Advisor Department	CTax Num / Ref	<input type="text"/>	
none			

Please read these guidance notes before completing your application form.

How to use this online form

This form uses the latest internet technology to make it quick and easy for you to complete and submit an online application. The form will help and guide you through your application and make sure it is filled in correctly. Once opened on the internet, you can fill in and save the form off-line. Reconnection to the internet is only required when submitting the completed form.

You can move between pages by using the **Next** and **Back** buttons, or directly to pages using the **Select Page** menu.

Dates: All dates on this form should be entered in the DD/MM/YYYY format, you should enter numbers using your keyboard separated by the / symbol.



Alternatively you can use the calendar tool to select dates, which appears when you are answering a question that requires a date as an answer.

If you have any difficulty entering or changing a date on the form, please delete the entry and start again

Submitting the form: When you have completed the form and it is free of errors, pressing the **Submit** button will send the data over the internet to us, so that we can begin processing your form immediately.

 Help icons built into the form will also help guide you through the application, for further help in using this form click on the **Help** button on the control panel on the left.

What are Discretionary Payments?

These are extra help for people who receive Housing Benefit and/or Council Tax Reduction and who appear to need further help to meet their payments. These are not intended to be long term ongoing payments; they are awarded on a short term basis while you take action to improve your circumstances.

How do I get Discretionary Payments?

To be considered you must complete this online form and submit this to the Councils' revenues and benefits section along with supporting documentary evidence.

What will I need to tell you?

When you complete the form we will need to know why you think you should get an additional payment towards your rent/Council Tax, what your circumstances are, any action you have taken to help yourself and anything else you think may help us make a decision. You should supply as much detail as possible so that we fully understand your situation.

You will also need to tell us about all the money you have coming into your household (income) and all the money you pay out each week (expenditure) and if possible provide your last two months bank statements.

When you have completed and submitted the form online we will consider all aspects of your circumstances before we decide if we can award you a discretionary payment. We may wish to contact you to discuss your application further.

How will the benefits section make a decision about Discretionary Payments?

We will consider all requests while trying to ensure that payments are made to those most in need. There is no list of circumstances that will automatically qualify you for an award. Each request will be considered on its own merits, but you will need to demonstrate that you do not have the means to pay the shortfall in your rent or Council Tax yourself and that you have not intentionally taken on a tenancy that you knew you could not afford. Wherever it is possible and reasonable to do so, you will be expected to take steps to improve the circumstances that have led to the need for a discretionary payment, for example - finding more affordable accommodation.

Can I claim Discretionary Payments to cover all my housing costs?

Discretionary Payments cannot be awarded for any of the following:

- * Ineligible service or support charges (water, fuel, meals etc)
- * Any rent you have to pay if you do not qualify for Housing Benefit
- * Increases in your rent to cover rent arrears
- * Reductions any benefit as a result of child support, non attendance at a work focused interview; employment sanctions or breach of community service orders
- * Shortfalls caused by Housing Benefit overpayment recovery
- * Shortfalls caused by recovery action taken due to non payment of Council Tax

How much money can I get?

Discretionary Payments will be paid at the discretion of the Council, but they cannot be greater than your weekly rent or Council Tax liability. For example if your eligible rent is £50.00 per week and your entitlement to Housing Benefit is £45.00, the maximum Discretionary Housing Payment you can get is £5.00 per week.

Discretionary Payments are strictly limited each year. If a payment is awarded, it will last for a specified period of time. Once the period ends you can apply for another Discretionary Payment award and this will be considered. Reported changes in circumstances can also reduce or end your award early, therefore the Local Authority must be advised of all changes as they occur.

If you are awarded a Discretionary Payment and we later find out you should not have been entitled to it, we will ask you to repay the money.

What if you turn my request down?

If your application for a Discretionary Payment is turned down and there is something you feel we have not considered or were not aware of; we will look at our decision again if you write to us within one month of the date that we inform you that your claim has been refused.

I want to apply

If you wish to proceed with an application for Discretionary Payments, please complete all sections of this application form indicating whether you wish to apply for extra help with Housing costs and/or Council Tax Reduction and submit it online to the Councils' Revenues and Benefits Service.

Changes you must tell us about straight away

You must tell the Councils' Revenues and Benefits Service immediately of any changes in circumstances affecting you, your partner or anyone else living in your home. For example:

- any of your children leave school or leave home
- anyone moves into or out of your home, including lodgers, sub-tenants and joint tenants
- your income or the income of anyone living with you, including benefits, changes
- your capital or savings change
- you or anyone living with you becomes a student, goes on a Youth Training Scheme, goes into hospital or a nursing home, goes into prison, or changes or leaves employment
- your rent changes
- you move
- you or your partner are going to be temporarily absent from your home
- you or anyone living with you starts work
- you receive any decision from the Home Office, **or**
- anything you have told us about changes
- You have a new baby

If you do not tell us about any changes, you may lose money you are entitled to or you may get too much money

You must make sure that **you** tell us about any changes. Do not rely on someone else to pass the message on.

South Somerset District Council

Please indicate whether you are asking for discretionary help towards:

Your Rent

Your Council Tax

Both

About you

Title

Surname or family name

Other names

Benefit Claim Number / Ref

Address, including room number if you have one

Postcode

Telephone

Mobile

Email address

Have you been told that your Housing Benefit award has been, or will be reduced for any of the following reasons:

- Your landlord is the council or a housing association and you have been told that you are over-accommodated (this is often referred to as a bedroom tax)
- You have been affected by the changes to the Local Housing Allowance provisions (If you are unsure the Housing Benefit service will be able to give you more information.)
- You have been told that your Housing Benefit will be reduced because the total amount of state benefits you are receiving is too high. (This is known as the overall benefit cap).
- None of the above apply to me.

About your circumstances

1 What enquiries did you make prior to occupying this address as to the level of Housing Benefit that may be awarded?

2 When did you move to this address?

3 Could you afford the rent when you first moved in? No
Yes

4 Have you tried to negotiate a lower rent with your landlord? No
If **Yes**, what was the outcome? If **No**, why not? Yes

5 How long would you need this extra help for?

6 When do you need the extra help from?

7 Do you have any rent arrears?

No

Yes How much?

8 What period do the rent arrears cover?

From To

9 What action has your landlord taken to recover your rent? Please send us proof of any action.

Court action Notice to quit

Notice seeking possession A payment plan

A letter Other

If **other**, please specify:

10 Please tell us how your accommodation is suitable for you and your family.

11 Please tell us how the area is suitable for you and your family.

12 Do you or a member of your family have mobility problems which mean you need easy access to public transport or shops, etc? If **yes**, please provide details:

No

Yes

13 Have you or a member of your family any health problems or disabilities? If **yes** - please give details.

No

Yes

Also enclose any supporting evidence when you return this form (Doctors letter, hospital or clinic appointments, medical certificates)

14 Has there been a death in your household in the past 12 months? If **yes** - please give details.

No

Yes

15 Have you considered / tried moving to cheaper accommodation? If **yes** - what action have you taken? If **no**, why not?

No

Yes

16 Please tell us about any recent or future changes affecting you or any member of your family that we should take into account?

- 17 Any additional information? e.g. any other special circumstances or unusual spending that makes it harder for you to pay your rent

- 18 The following people are expected to share a bedroom when entitlement to Housing Benefit is calculated:

- A couple
- 2 children aged less than 10, regardless of sex
- 2 children aged 10 or over of the same sex

Is there anyone who you believe must have a bedroom of their own because of their illness or disability?

No

Yes

If **yes**, we will contact you for further details.

Use our calculator to convert amounts to weekly and monthly values for household income:

Your	Amount	and	Frequency	equals	Weekly amount	Monthly amount
	<input type="text"/>		<input type="text"/>		<input type="text"/>	<input type="text"/>

Do you have a partner who lives with you? No
 Yes

Household Income

	You		Your Partner	
	Weekly	Monthly	Weekly	Monthly
Wages / Salary - Gross	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Wages / Salary - Net	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Income Support or Jobseeker's Allowance	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Statutory Sick / Maternity Pay / Company Sick Pay	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Working Tax Credits	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Child Tax Credits	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Retirement pension	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Private / Occupational pension	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Pension Credit	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Incapacity Benefit	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Employment Support Allowance	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
DLA Care	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
DLA Mobility	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Is this used towards the cost of a car?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No
PIP Daily Living	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
PIP Mobility	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
AFIP	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Attendance Allowance	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Maintenance <i>(For yourself or your children)</i>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Housekeeping / money from people living with you	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Other income / benefits	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Child Benefit	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

Total	£	.00	.00
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Use our calculator to convert amounts to weekly and monthly values for household expenditure:

Your	Amount	and	Frequency	equals	Weekly amount	Monthly amount
	<input type="text"/>		<input type="text"/>		<input type="text"/>	<input type="text"/>

Expenditure

	Weekly	Monthly		Weekly	Monthly
Rent you pay (the amount liable to pay)	<input type="text"/>	<input type="text"/>	Childminding fees	<input type="text"/>	<input type="text"/>
Mortgage you pay	<input type="text"/>	<input type="text"/>	Child clubs / pocket money	<input type="text"/>	<input type="text"/>
Council Tax you pay	<input type="text"/>	<input type="text"/>	Sky / Cable / Digital TV	<input type="text"/>	<input type="text"/>
Household shopping	<input type="text"/>	<input type="text"/>	Internet access	<input type="text"/>	<input type="text"/>
Payments to catalogues	<input type="text"/>	<input type="text"/>	Loan repayments	<input type="text"/>	<input type="text"/>
Phone (land line)	<input type="text"/>	<input type="text"/>	Credit card payments	<input type="text"/>	<input type="text"/>
Phone (mobile)	<input type="text"/>	<input type="text"/>	HP payments	<input type="text"/>	<input type="text"/>
Personal Insurance	<input type="text"/>	<input type="text"/>	Pension contributions	<input type="text"/>	<input type="text"/>
Home insurance	<input type="text"/>	<input type="text"/>	Regular savings	<input type="text"/>	<input type="text"/>
Health / Medical	<input type="text"/>	<input type="text"/>	Subscriptions	<input type="text"/>	<input type="text"/>
Water rates	<input type="text"/>	<input type="text"/>	Please Specify	<input type="text"/>	
Gas	<input type="text"/>	<input type="text"/>			
Electricity	<input type="text"/>	<input type="text"/>	Cigarettes / tobacco	<input type="text"/>	<input type="text"/>
Other household fuel	<input type="text"/>	<input type="text"/>	Alcohol	<input type="text"/>	<input type="text"/>
TV Licence	<input type="text"/>	<input type="text"/>	Entertainment / Eating out	<input type="text"/>	<input type="text"/>
Fines	<input type="text"/>	<input type="text"/>	Social Fund repayments	<input type="text"/>	<input type="text"/>
Maintenance / Child Support	<input type="text"/>	<input type="text"/>	Other	<input type="text"/>	<input type="text"/>
Shopping club	<input type="text"/>	<input type="text"/>	<i>(Please detail these on Page 11)</i>		
TV / Video hire	<input type="text"/>	<input type="text"/>	Total	£	.00
Newspapers / magazines	<input type="text"/>	<input type="text"/>			.00
Car - Petrol	<input type="text"/>	<input type="text"/>			
Car - Insurance	<input type="text"/>	<input type="text"/>			
Car - Tax	<input type="text"/>	<input type="text"/>			
Car - Maintenance	<input type="text"/>	<input type="text"/>			
Travel expenses	<input type="text"/>	<input type="text"/>			
Clothing / School Uniform	<input type="text"/>	<input type="text"/>			
School dinners	<input type="text"/>	<input type="text"/>			
Other school expenses	<input type="text"/>	<input type="text"/>			

Use our calculator to convert amounts to weekly and monthly values:

Your

Amount

 and

Frequency

 equals

Weekly amount

Monthly amount

How much you pay towards this

Priority debts / in arrears

	Amount	Weekly	Monthly
Mortgage Arrears	<input type="text"/>	<input type="text"/>	<input type="text"/>
Rent arrears	<input type="text"/>	<input type="text"/>	<input type="text"/>
Council Tax arrears	<input type="text"/>	<input type="text"/>	<input type="text"/>
Water Rate arrears	<input type="text"/>	<input type="text"/>	<input type="text"/>
Gas / Electricity arrears	<input type="text"/>	<input type="text"/>	<input type="text"/>
Other fuel arrears	<input type="text"/>	<input type="text"/>	<input type="text"/>
Fines	<input type="text"/>	<input type="text"/>	<input type="text"/>
Maintenance arrears	<input type="text"/>	<input type="text"/>	<input type="text"/>
Total	£	£.00	£.00

Other Debts

Creditor Name	Owed	Weekly	Monthly
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Total	£	£.00	£.00

Debt Repayment

Do any of your declared expenses include debt repayment? No
 Yes

If **Yes**, what steps have you taken to reduce the level of the repayments?

Capital

Do you or your partner have any Bank or Building Society accounts?

No

Yes How many accounts?

	Amount	Whose?	Account Name and number
1	<input type="text"/>	<input type="text"/>	<input type="text"/>
2	<input type="text"/>	<input type="text"/>	<input type="text"/>
3	<input type="text"/>	<input type="text"/>	<input type="text"/>
4	<input type="text"/>	<input type="text"/>	<input type="text"/>
5	<input type="text"/>	<input type="text"/>	<input type="text"/>

Do you or your partner have any assets & investments - shares / bonds etc?

No

Yes How many accounts?

	Amount	Whose?	Account Name and number
1	<input type="text"/>	<input type="text"/>	<input type="text"/>
2	<input type="text"/>	<input type="text"/>	<input type="text"/>
3	<input type="text"/>	<input type="text"/>	<input type="text"/>
4	<input type="text"/>	<input type="text"/>	<input type="text"/>
5	<input type="text"/>	<input type="text"/>	<input type="text"/>

Do you or your partner have any property or land?

No

Yes Provide the approximate value of the property / land:

Address of the property / land

Postcode - UK only

Please use the box below to tell us any further information regarding income, capital or expenditure.

For example:

- If you have taken steps relating to the management of your debts please explain your action - contacted CAB etc
- If you have more than 5 bank / building society accounts.

A large empty rectangular box with a thin blue border, intended for providing further information regarding income, capital, or expenditure.

Name of applicant

Name of second applicant

Address for which claim is being made

Postcode

Type of occupancy

Our Submission Reference:

Even if someone else has filled in this form for you, as the claimant you must check and complete each of the declaration boxes. You must also enter the date you completed the declarations.

I declare the information I have given on this form is correct and complete. I have checked the information myself or have had it read back to me.

I understand that

- If I give information that is incorrect or incomplete, it is a criminal offence and you may take action against me.
- You will use the information I have provided to process my claim for Discretionary Housing Benefit or Council Tax Reduction Payment, or both. You may check some of the information with other sources within the Council, rent offices and other councils.
- You may use any information I have provided in connection with this and any other claim for Social Security benefits that I have made or may make. You may give some information to other government organisations, if the law allows this.
- Housing Benefit and Council Tax Reduction data may be supplied, through the Department for Work and Pensions, to Experian, a Credit Reference Agency, to prevent and detect benefit fraud. This could possibly include checks on undeclared cohabiters.

I authorise the council to make any necessary enquiries to verify the information on this form.

I know I must let the council know promptly about any changes in the circumstances I have given which might affect my claim and, that if I fail to let the council know about any change in the circumstances I have given I understand that I may be prosecuted and/or lose benefit for up to 13 weeks

I note that when I tell you of a change in circumstances resulting in an increase in my Housing Benefit or Council Tax Reduction entitlement, it will normally be effective from the Monday following the date I report the change to you. Delays in reporting these changes could result in me losing out on some benefit I could be entitled to. A change resulting in a reduction in my Housing Benefit or Council Tax Reduction entitlement is effective from the Monday following the date the change occurred. If I delay in reporting these changes, it could mean my benefits are overpaid to me and in most cases I will be responsible to repay these overpayments.

I give the council permission to share information about the progress of my claim with my landlord or their representative.

Date declarations completed:

If this form has been filled in by someone other than the person claiming, please tell us why you are filling in this form for the person claiming.

I declare that as far as possible, I have confirmed with the claimant that the answers I have written on this form are correct.

Name of the person who filled in the form

Confirmation **Date**

Relationship to the person claiming

Telephone number
If possible (this helps us if we have a query)

You are now at the end of the form please go back through the form and check your answers - click on the Show Errors button to highlight any omissions or mistakes.

Once the form has been checked and is free of errors please make sure that before submitting you understand the declaration page and have provided us with any further details you think we should know about on the extra page (page 11).

Once you are happy that you have filled in and completed the form you should then click the submit button on the left hand column.



Discretionary Housing Payment Scheme Policy

Effective from 1 April 2017

SECTION 1

POLICY

BACKGROUND

From 2 July 2001, exceptional circumstances and hardship payments were abolished and replaced by the Discretionary Housing Payment (DHP) scheme. This gave Local Authorities new powers to top up Housing Benefit.

The legislation governing DHPs can be found in the Discretionary Financial Assistance Regulations 2001 (SI 2001/1167).

The DHP scheme provides discretionary support for shortfalls between eligible rental liability and Housing Benefit/Universal Credit and help towards housing costs. Housing costs can be interpreted more widely to include rent in advance, deposits or other lump sum costs associated with a housing need such as removal costs.

The overall spending on DHPs is cash-limited by the Secretary of State under a Permitted Totals Order.

The main features of the DHP scheme are:

- The scheme is discretionary - a claimant does not have a statutory right to a payment;
- The Revenues & Benefits Service decides how the scheme is administered;
- The overall outlay on DHPs is cash-limited by the Secretary of State;
- DHPs are not a payment of Housing Benefit.

However, the claimant must be entitled to at least the minimum payment of Housing Benefit/Universal Credit in the benefit week for which it awards a DHP;

- DHPs should be seen as an emergency fund. They are not and should not be considered as a way round any current or future entitlement restrictions set out under Housing Benefit/Universal Credit legislation;
- DHPs cannot be used to offset overpayment recovery or to cover ineligible service charges.

The Department for Work and Pensions provides us with a specified Discretionary Housing Payments allocation that can vary each year as it is partly based upon our previous Discretionary Housing Payments spending.

We must return any unspent funding to the Department for Work and Pensions. During the year in question, we can only award Discretionary Housing Payments up to a cash limit of two and a half times this annual allocation. Any spending we make above the allocation and up to the legal limit has to be funded by us from our budget (and so in turn from our Council Tax payers).

PURPOSE

This policy has been designed to ensure all people making an application for a DHP are treated in a consistent and equitable manner. This policy has been written to:

- Set guidelines for the factors to be considered in determining an application
- Set out the delegated authority to award a DHP in appropriate circumstances
- Establish an appeals procedure for applicants dissatisfied with a decision
- Safeguard the interests of the local taxpayers to ensure DHP awards are used effectively and economically
- Specify how the Revenues & Benefits Service will manage the DHP scheme and to suggest some of the factors we will consider when deciding to award additional help.

We will treat each case strictly on its merits and all eligible customers will receive equal and fair treatment. Principles of reasonableness will apply in all cases with the Council deciding each case on relevant merits.

The Revenues & Benefits Service is committed to working with the local voluntary sector, social landlords and other interested parties in the Borough to maximise claims for all available state benefits and will reflect this in running the DHP scheme.

The Revenues & Benefits Service is committed to the equitable operation of the DHP scheme. Where the evidence provided shows the customer is not claiming another state benefit they may be entitled to, we will advise them to make such a claim and provide details of other agencies in the District who may be able to help. Similarly, if a customer is not claiming a Council Tax Discount to which they may be entitled we will advise them to firstly make such a claim.

STATEMENT OF OBJECTIVES

The Revenues & Benefits Service will consider awarding a DHP to all customers who meet the qualifying criteria set out in this policy. We will treat all applications on their individual merits, and will seek through this policy to:

- Alleviate poverty;
- Allow a short period of time for someone to adjust to unforeseen short-term circumstances and by providing a DHP to enable them to “bridge the gap” during this time;
- Support domestic violence victims who are trying to move to a place of safety
- Help people who live near their jobs because they work unsocial hours/split shifts or where there is inadequate public transport;
- Help people who as a consequence of a move have extra travel to work costs;
- Sustain tenancies to prevent homelessness;
- Support vulnerable young people in the transition to adult life;
- Encourage residents to get and keep employment;
- Safeguard residents in their homes;

- Help those who are trying to help themselves;
- Keep families together;
- Assist those with medical or health problems where they need access to medical services or support that would not be available elsewhere
- Act as a tool in supporting vulnerable people in the local community;
- Help customers through personal crises and difficult events.

This list is not exhaustive and we will consider any other relevant factors or special circumstances that may apply.

A DHP can help meet shortfalls in areas such as:

- Restrictions in Housing Benefit entitlement because the rent payable is more than the rent used to work out Housing Benefit/Universal Credit;
- Non dependant deductions;
- Income tapers;
- Increases in essential work related expenditure such as increased fares to work if a customer has had to move because they could not afford to live in proximity to their work following a reduction in their Housing Benefit.

The DHP scheme allows for payments to be made for rent deposits and rent in advance if the claimant receives Housing Benefit for their present home, however, budget limitations and increasing demand in the face of recent and on-going welfare reforms mean that SSDC is not able to make awards in these circumstances.

A DHP cannot help with the following:

(a) Certain elements of the rent:

- Ineligible service charges as specified in Schedule 1 of the Housing Benefit Regulations 2006 and Schedule 1 of the Housing Benefit (Persons who have attained the qualifying age for pension credit) Regulations 2006
- Increases in rent due to outstanding rent arrears;

(b) Suspensions

- Where a person's Housing Benefit or any other benefit has been suspended, it is not appropriate to pay a DHP. The aim of the suspension provision is to act as a lever to ensure the customer provides necessary information or evidence – paying a DHP could reduce the effectiveness of this lever.

(c) Sanctions

- Where a reduction has been applied to Income Support or income-based Jobseeker's Allowance due to a Reduced Benefit Direction for failing to comply with the Child Support Agency, the claim for a DHP should assume such a sanction has not been applied;

- Where a reduction has been applied because of absence at a work-focussed interview, the claim for a DHP should assume such a sanction has not been applied;
- Any restriction in benefit due to a breach of a Community Service Order Priority Groups.

We will prioritise DHPs for customers who are in our opinion, the most vulnerable. This will particularly include, although not be limited to:

- Claimants who have someone who is pregnant within their household
- Young adults who have recently left the care system
- Households containing adults or children with disabilities
- Households with children under 5 years of age
- Claimants who are carers
- People who are fleeing domestic violence
- The elderly who would find it particularly difficult to move house
- People accepted as homeless under homelessness legislation of the Housing Act 1996 and placed in temporary accommodation by the Council as described in regulation A13(3), because they are homeless or to prevent homelessness
- Customer classified as vulnerable in line with our Vulnerability Policy
- Being in one or more of the above groups does not guarantee a DHP award.
- For those applying for a DHP on the grounds of exceptional hardship we would expect the customer to demonstrate they have taken steps to try to address their financial difficulties by seeking money / debt advice from the CAB, National Money Advice Helpline or similar organisations.

FRAUD

The Council is committed to the fight against fraud in all its forms. A claimant who tries to fraudulently claim a DHP or DCTA by falsely declaring their circumstances, providing a false statement or evidence in support of their application, may have committed an offence under the Theft Act 1968. Where we suspect such a fraud may have occurred, the matter will be investigated and this may lead to the instigation of criminal proceedings.

PUBLICITY

The Revenues & Benefits Service will publicise the DHP scheme and will work with all interested parties to achieve this. A copy of this policy will be made available for inspection and will be posted on the South Somerset District Council web site.

Information about the amount spent will not normally be made available except at the end of the financial year.

MONITORING DHP EXPENDITURE

The Revenues & Benefits Service will extract reports from the DHP software on a monthly basis to ensure expenditure is within budget and is correctly profiled to ensure no overspend at the end of the financial year.

SECTION 2

ADMINISTRATION

CONDITIONS THAT MUST BE MET

A claim for a DHP must be in writing and signed by the customer. A letter or signed statement received by the Council's Revenues and Benefits Service will be sufficient if the following conditions are met:

- On request the customer supplies any relevant supporting evidence.
- The Revenues & Benefits Service may ask for any (reasonable) evidence in
 - support of an application for a DHP. The Revenues & Benefits Service will make such requests in writing. The customer will provide the evidence within one month of our letter, although we will extend this in appropriate circumstances.
- If the customer is unable to or does not provide the evidence, we will still consider the application and take into account any other available evidence including that which we already hold.
- The Revenues & Benefits Service reserves the right to verify any information or evidence provided by the customer in appropriate circumstances.

In considering an award for a DHP, the following criteria must be met:

1. The claimant is entitled to Housing Benefit/Universal Credit
2. The payment is for costs that are potentially eligible for Housing Benefit/Universal Credit
3. The sum of a DHP and the benefit does not exceed the overall liability (except for lump sum awards)

4. A DHP is not used to plug an income gap caused by sanction or suspension to Social Security Benefits

CUSTOMER RESPONSIBILITIES

A person claiming a DHP must be willing to undertake all of the following:

- (a) Provide the Council with such information as it may require to make a decision;
- (b) Tell the Council of any changes in circumstances that may be relevant to their on-going claim; and
- (c) Satisfy the Council they are not able to meet their eligible housing costs;
- (d) Accept assistance from either the Council or third parties such as the Citizens Advice Bureau (CAB) or similar organisation to enable them to manage their finances more effectively including the termination of non-essential expenditure; renegotiate priority and non-priority debts, provide an income and expenditure statement or Financial Statement and if needed allow the Authority to seek for the claimant by completing a Common Referral Statement
- (e) Work with the Council in identifying potential changes in payment methods and arrangements to assist in alleviating their current circumstances;
- (f) Demonstrate they have taken all reasonable steps to meet their rental liability including applications for employment or additional employment, or alternative lines of credit;
- (g) Have no access to assets that could be realised and used to pay housing costs;
- (h) Maximise their income through applying for other welfare benefits, cancellation of non-essential contract and outgoings and identifying the most economical tariffs for the supply of utilities and services generally.

AWARDING A DHP

The Council will be responsible for assessing applications against this policy and an officer will consider the following factors in applying this policy:

1. Current household composition and specific circumstances including disability or caring responsibilities;
2. Current financial circumstances and customers living in remote and isolated communities

3. Determine what action(s) the applicant has taken to alleviate the situation;
4. Consider alternative means of support may be available to the applicant by:
 - Re-profiling debts;
 - Applying for Discretionary Reduction in Council Tax Liability (where applicable);
 - Maximising other benefits
 - Determining whether in the opinion of the decision maker, the spending priorities of the applicant should be re-arranged
 - Determining what steps the customer plans to take in preparation for when the discretionary award ends.

In deciding whether to award a DHP, the Revenues & Benefits Service will consider:

- The shortfall between Housing Benefit/Universal Credit and the housing costs;
- If there is a real risk of eviction because of the shortfall, or will the landlord accept a reduced payment?
- The age of the customer
- The locality of the property and the demographic nature for rural communities
- Any steps taken by the customer to reduce their housing costs;
- The financial and medical circumstances of the customer, their partner and any dependants and any other occupants of the customer's home;
- The income and expenses of the customer, their partner and any dependants or other occupants of the customer's home (ignoring any income from Disability Living Allowance (DLA) or Personal Independence Payments (PIP));
- Any savings or capital that might be held by the customer or their family;
- If the customer or anyone in the household has any unusual or unusually large expenses, that make it harder than normal for them to meet the shortfall?
- The indebtedness of the customer and their family;
- The exceptional nature of the customer and their family's circumstances;
- The amount available in the DHP budget at the time of the application (in accordance with the Permitted Totals Order);
- If this is a repeat request for a DHP? If so what action has the customer taken to alleviate the problem since the last application?
- The possible impact on the Council of not making such an award, for example the pressure on priority homeless accommodation;
- Any other special circumstances brought to the attention of the Revenues & Benefits Service.

The Revenues & Benefits Service will decide how much to award based on all the circumstances. This may be an amount below the difference between the housing costs and the Housing Benefit/Universal Credit award.

Granting a DHP does not guarantee or imply a further award even if the customer's circumstances do not change.

To ensure a consistent approach when determining a discretionary award the Authority will also follow guidelines as advised by "**The Office of National Statistics**". We have also consulted with a range of local partners to identify agreed levels of notional household spending that are as follows:

The Authority will allow expenditure as follows:

Fuel, power, insurances	To include electricity, gas, oil, building and contents cover	£12.50
Food and Household	To include food, toiletries, laundry, clothing, footwear, pet food, nappies	£30.00
Health	Dentist, glasses and prescriptions	£1.00
Transport	Car Tax, MOT, fuel, insurance, bus fares, taxis	£12.00
Communications	Mobile phone, internet, landline, TV Licence	£10.00
Miscellaneous	Repairs, hairdressing, hobbies, leisure	£8.00
	Total weekly expenditure:	£73.50

The Authority will also allow the following expenditure in full:

Maintenance paid for a child or former partner	Actual expenditure
Rent liability	Actual expenditure
Council Tax liability	Actual expenditure
Water Rates	Actual expenditure
Court Fines and negotiated financial repayments	Actual expenditure

The trigger point level will be multiplied by the household factor by The Office of National Statistics. These are:

Type of Household member	Equivalence Value
First Adult	1.0
Additional adult	0.5
Child aged: 14 and over	0.5
Child aged:0-13	0.3
Adult aged under 25 (not set by ONS)	0.8

Taking account of DWP and allowances for adults under 25 we will include a household factor multiplier of 0.80.

For example, if a household is made up of a Couple and the allowable notional expenditure for an item such as food is £30 the household factor would be 1.5 (1.0 plus 0.5) allowing £45 a week for food.

Any expenditure at or below the trigger point for allowable expenditure will be permitted. Any expenditure in excess of the trigger point will not automatically be considered. The applicant will need to prove their level of spending is essential, reasonable and unavoidable. We may also request to see medical letters and supporting bank statements.

The decision maker has the discretion to exceed the trigger point or actual expenditure where it is reasonable to do so.

PERIOD OF AWARD

The Revenues & Benefits Service will decide the length of time to award a DHP from the evidence supplied and the facts known.

The start date of an award will normally be:

- The Monday after we get the written claim for a DHP; or
- The date Housing Benefit (HB) or Universal Credit starts (providing we get the application for the DHP within one month of the decision on the claim for HB whichever is the earlier, or the most appropriate).
- We cannot award a DHP for any period outside an existing Housing Benefit period granted under the Housing Benefit statutory scheme. The minimum award of a DHP is one week.
- We will not normally award a DHP for a period over 6 months and will review all awards on a 6 monthly basis.
- We will consider any reasonable request for backdating an award of a DHP but will usually limit such consideration to the current financial year

CHANGES OF CIRCUMSTANCES

The Revenues & Benefits Service may need to revise an award of a DHP where the customer's circumstances have materially changed. Any revision to the award will take effect from the Monday following the date of change in circumstances.

METHOD OF PAYMENT

The Revenues & Benefits Service will decide the most suitable person to pay based on the circumstances of each case. This could include paying:

- The customer;
- Their partner;
- An appointee;

- Their landlord (or an agent of the landlord); or
- Any third party to whom it might be most suitable to pay.

The Revenues & Benefits Service will pay a DHP by the most suitable means available in each case. This could include payment by direct credit to a bank or building society account or by crediting the customer's rent account.

The payment frequency will be advised at the time of the award.

NOTIFICATION

The Revenues & Benefits Service will aim to write to the customer to tell them the outcome of their claim within 14 days of receipt. Where the claim is unsuccessful, we will set out the reasons and explain their appeal rights. Where the claim is successful, the Revenues & Benefits Service will advise:

- The weekly amount of DHP;
- If it is paid in advance or in arrears;
- The period of the award;
- How, when and to whom (for DHP only) it will pay the award;
- The need to report a change in circumstances;

OVERPAYMENTS

The Revenues and Benefits Service can recover a DHP if we decide the payment has been made as a result of misrepresentation or failure to disclose a material fact, either fraudulently or otherwise. We may also recover DHPs if we decide the customer received the DHP as a result of an error made when the application was determined.

We will not recover DHPs from ongoing HB or UC. This is unlike HB overpayments where there is a regulatory provision to allow recovery from ongoing HB.

There is also no provision for recovery of overpaid DHPs from other prescribed benefits. The only method of recovery if a DHP is overpaid is to request repayment of the debt from the customer. This may be in the form of an invoice or using debt collection agencies or via the courts.

SECTION 3

REVIEWS OF DHP DECISIONS

THE RIGHT TO SEEK A REVIEW

DHPs are not payments of Housing Benefit. Therefore they are not subject to the statutory appeals mechanism. The Revenues & Benefits Service will use the following policy for dealing with appeals about a:

- Refusal to award a DHP; or
- Decision to award a reduced amount of DHP; or
- Decision not to backdate a DHP; or
- Decision there has been an overpayment of a DHP.

A customer (or their appointee or agent) who disagrees with a DHP decision may dispute the decision. The Revenues & Benefits Service must receive a request for a review within one month of the issue of the written decision about the DHP to the customer. Where this has not already been done, officers from the Revenues & Benefits Service will explain the DHP decision to the customer by telephone, at interview or in writing and will seek to resolve the matter.

Where agreement cannot be reached, the Revenues & Benefits Appeals Officer will consider the case in consultation with the Revenues & Benefits Manager. A review will be conducted on all the evidence held and a decision made within 14 days of referral or as soon as practicable.

Where the Appeals Officer decides not to revise the original decision, they will tell the customer in writing, setting out the reasons for their decision.

The decision is final and binding and may only be challenged through judicial review or by complaint to the Local Government Ombudsman.