

Discretionary Housing Payment Policy Consultation

Why are we consulting?

All Councils receive Discretionary Housing Payment (DHP) funding from the Government. The funding is ring fenced which means the Council must use this money to provide additional financial assistance for housing costs to households that receive Housing Benefit. From April 2013 this funding can also be used to support households in receipt of Universal Credit Housing Costs (UHC).

This funding has increased substantially this year to reflect the roll out of the changes to Housing Benefits included within the welfare reforms. Harrow Council must ensure the use of the funding sits within the legal framework however it does have some discretion on where the funding is targeted and as a result is in the process of developing a Discretionary Housing Payment policy. Harrow Council will only award Discretionary Housing Payments from the Central Government funding allocation which for the year April 2013 to March 2014 is £1.2 million, and will not seek to top up this grant from other funding available to the Council.

The Council wants to ensure the policy is inclusive and reflects the views of people living in Harrow and we are therefore consulting with you on the development of this policy. For more information on the draft policy please go to www.harrow.gov.uk/DHPconsultation or phone 020 8420 9332 to request a copy.

The Legal Framework

The legal framework from Discretionary Housing Payments sits within the Discretionary Financial Assistance Regulations 2001 and provides the following framework that the Council must adhere to:

- Discretionary Housing Payment may only be awarded to people in receipt of Housing Benefit or Universal Credit Housing Costs from Harrow Council;
- Discretionary Housing Payment may only be awarded to people who the Council find are in need of additional financial assistance to enable them to meet their housing costs;
- Discretionary Housing Payment may not be awarded to cover housing costs that are specified as ineligible for Housing Benefit or Universal Credit Housing costs;
- Where Discretionary Housing Payment is awarded to assist with weekly rental liability, payments will not exceed the rental liability less any ineligible charges for Housing Benefit or Universal Credit Housing Costs;
- Discretionary Housing Payment cannot be used to:
 - o Assist with the payment of Council Tax;
 - o Cover an increase in rent to cover arrears;

- To cover sanctions, reduction in benefits due to collection of debt or due to a failure to comply with a Child Support Agency Order for recovery of a housing benefit overpayment.

Discretionary Housing Payment Funding

Harrow is committed to ensuring that to access discretionary financial support the customer journey is simple and effective and only requires a single point of contact. Therefore this funding will sit within the Harrow Help Scheme and will be aligned with other pots of discretionary funding to make best use of the resources available to support people impacted by the changes within the welfare reforms.

The Discretionary Housing Payment fund has increased by nearly 400% for the year April 2013 to March 2014 to reflect the impact of the welfare reforms. The amount of grant Harrow receives is calculated using the numbers of households receiving Housing Benefit within the area, previous spend of the fund and the forecasted impacts of the following welfare reform changes:

- Local Housing Allowance (LHA) reforms
- Social Sector Size Criteria
- Benefit Cap

You will find information about the changes within the welfare reforms on the Harrow Council website at www.harrow.gov.uk/benefits

The main features of the Discretionary Housing Payment Scheme

Principles of the Discretionary Housing Payment Scheme

The proposed principles of the Discretionary Housing Payment scheme are aligned to the Harrow Help Scheme, Emergency Relief Scheme, HRA Hardship Fund and Xcite Employment Support grant by supporting residents into long term, sustainable financially independent living. The draft policy acknowledges that for some households long term financial support with housing costs is required and addresses these circumstances within the limitations of the available funding.

The principles of Harrow's Discretionary Housing Payment scheme are:

- To provide short-term support to assist long-term, sustainable financial independence
- To provide long term support where a household's circumstance are deemed to be such that sustainable financial independence is not an option, e.g. due to disability
- To align with the Harrow Help Scheme, Emergency Relief Scheme, HRA Hardship Fund and Xcite Employment Support Grant

- To support the Homelessness Strategy and help reduce poverty in the borough
- To help support residents into work
- To reduce the risk to health and safety of households
- To support safeguarding of children and adults and promoting family

Housing Costs

- Whilst the government has prescribed that this funding must be used to support people with their housing costs, no further detail on this definition is provided. Under Harrow's Discretionary Housing Payment policy 'housing costs' are defined as: Eligible Rent as defined by the Housing Benefit Regulations 2006 or Rent Payments as defined by the Universal Credit Regulations 2013. Ineligible costs include service charges such as gas or electricity
- Rent deposit
- Rent in advance
- Removal costs
- Lump sum expenditure for household items that are essential to enable the property to be used as a home

An application for Discretionary Housing Payment will be considered for the following situations where it is demonstrated that the claimant is unable to meet these costs by other means:

- Housing Benefit/Universal Credit Housing Cost shortfall in rent due to welfare reform including Benefit Cap, Social Sector Size Criteria and reductions in Local Housing Allowance (LHA)
- Housing Benefit/Universal Credit shortfall in rent due to Local Housing Allowance/rent officer restriction
- Housing Benefit/Universal Credit shortfall in rent due to level of household income
- Housing Benefit/Universal Credit shortfall in rent due to non-dependant deductions
- Rent deposit/rent in advance
- Removal costs
- Household items that are required to enable the property to be used as a home.

The following are costs for which Discretionary Housing Payment cannot be paid:

- Ineligible service charges as defined by the Housing Benefit Regulations 2006 or Universal Credit Regulations 2013
- Rent arrears, including where these have been added to ongoing rent payments
- Council tax
- Costs resulting from a suspension in Housing Benefit or Universal Credit
- Shortfall resulting from recovery of Housing Benefit or Universal Credit overpayment from ongoing benefits
- Shortfall resulting from a sanction or reduction in Housing Benefit or Universal Credit imposed by the Department of Work and Pensions

Access to the scheme

People will be able to access the scheme through the completion of a form or by telephoning the Council. The Council will, where possible, get information on the applicant's circumstances internally or through the Department of Work and Pensions. However where appropriate the applicant will be required to provide information to support their application within one month. If this is not provided then the claim will be considered defective.

Qualifying criteria

As well as meeting the legal criteria applicants must also meet the following qualifying criteria before any decision is made:

- Not have received funds elsewhere for the rent/household item they are applying for;
- Not have received a Discretionary Housing Payment for a rent deposit, rent in advance or removal costs within the last two years with exception of people fleeing domestic violence, suffering from mental health illness (known to mental health partners, Central and North West London NHS Foundation Trust (CNWL), and in receipt of mental health care package) or intentionally homeless; and
- Be willing to adhere to opportunities for support to assist in becoming financially independent, e.g. work programmes as identified under the Harrow Help Scheme

Furthermore applicants or household members must, in most instances, fall into one of the groups listed below. Meeting any of the criteria will not in itself result in an award being made. The following are a guide to the types of scenarios when Discretionary Housing Payment may be awarded, but each case will be considered on its own merits.

- Disabled. Defined as in receipt of Disability Living Allowance, Personal Independence Payment, Employment and Support Allowance (support component), Armed Forces Personal Independence Payment, Attendance Allowance or registered blind;
- Suffering with severe medical complaint that results in additional needs;
- Pensioner. As per DWP definition;
- An expectant mother within 3 months of child birth requiring an additional room following the birth of the child;
- A child in the household will turn 10 years of age within 6 months and due to them being of the opposite sex to their sibling(s) are entitled to an additional room under Housing Benefit/Universal Credit rules;
- A single applicant who within 6 months will turn 35 years and their rent is restricted under the Shared Accommodation Rate rules;
- A move would result be seriously detrimental to a child's education, eg within a year of GCSE exams.
- Household member is leaving institutional care;
- Household member is at risk of entering institutional care;
- Fleeing domestic violence;
- Entering into work or in long term genuine and effective employment;
- Ex-prisoner leaving prison;
- Suffering with mental health issues (known to mental health partners, CNWL, and in receipt of mental health care package) and known to Social Services;
- Family open in the last three months or open now to specified Children's Services (Statemented Educational Needs, Children with Disability, Youth Offending Team, Children in Need, Children Looked After, Early Interventions Service, under Child Protection Plan);
- Household requirement to remain in locality of specialist support needed by household members, e.g. health care provision
- Requirement of household to remain in accommodation due to lack of suitable alternative, cheaper accommodation, e.g if property adapted for disability
- Households needing to move on advice of Police e.g witness protection.

Financial Criteria

Once identified as meeting one or more of the above, the applicant's circumstance will be considered to find out whether they have the ability to manage all or some of the cost themselves. Each case will be dealt with on a case by case basis. The financial criteria against which this decision will be made are:

- Discretionary Housing Payment funding is still available
- Household is experiencing severe financial hardship
- Income and expenditure available to the household compared to the amount of the housing cost applied for
- The ability of all household members to financially contribute including any assets held
- Whether payment of Discretionary Housing Payment will resolve financial difficulties
- Whether payment of Discretionary Housing Payment promotes financial independence, including to take up work
- Reasonableness of rent charged
- Other steps taken by applicant to resolve financial difficulties, such as negotiating rent level with landlord
- No alternative financial assistance available to household
- Additional household expenditure due to illness/disability

Any case falling outside of the discretionary criteria will be considered on its own merits and in exceptional circumstances may result in an award of Discretionary Housing Payment. The exception to this rule is where funds are not available.

Underpinning this decision making process will be whether the payment of a Discretionary Housing Payment will resolve, either temporarily or long term, the financial predicament for the household, and whether moving the household would prevent them from accessing the support/employment/education they receive in their current property.

We want your views

Harrow Council is committed to making sure its residents get the opportunity to influence the development of the Discretionary Housing Payment Policy. We are consulting with you from 20th May 2013 to 16th June 2013.

You can give your views by:

Questionnaires - You can complete the questionnaire that came with this booklet and return to the following freepost address:

London Borough of Harrow
Freepost
PO Box 730
Civic Centre
Harrow, Middlesex HA1 2DU

Workshops/Meetings – We will be working with Voluntary Groups in the area to make sure users of the service get an opportunity to have their say. A workshop will be held on Monday 10th June 2013, 14:00 – 16:00 in the Members Lounge at Harrow Civic Centre. If you are interested in attending please call us on 020 8420 9332 or email benefits@harrow.gov.uk

Online – Visit www.harrow.gov.uk/dhpconsultation to find information about this consultation and to view the draft policy. You can also complete the questionnaire on line.

Telephone - 020 8420 9332 (Please note that after working hours there is an answer phone on this telephone. Please leave your contact number and we will call you back.)

Email – you can email your comments or queries to benefits@harrow.gov.uk

How the decisions will be made

Once the consultation is complete the feedback will be collated, anonymised and will be used to shape the Discretionary Housing Payment policy. A report will be written and presented at the Council's Cabinet meeting in July 2013 where the final decision on what the pilot scheme is going to look like will be made.

Questionnaire

We want you to give your views and help us to shape the new scheme. Please complete the following questionnaire and return it to us by Freepost to London Borough of Harrow, Freepost, P.O. Box 730, Civic Centre, Harrow, Middlesex HA1 2DU.

Questionnaires must be returned no later than 14th June 2013.

-
1. Do you agree with the principles of the Discretionary Housing Payment policy? (The principles are at the beginning of this booklet at page 2)

Yes No

If you have answered no please let us know what you think they should be

-
2. Bearing in mind that the policy has to sit within the statutory framework and within the framework for housing costs do you think any groups of people have been missed within the qualifying criteria? (The statutory and housing costs framework are explained on pages 1 & 3 of this document)

Yes No

If you have answered yes, please let us know the groups that you feel have been missed and why.

3. To help us to support as many households as possible we will be looking at the financial circumstances of the person applying for Discretionary Housing Payment on a case by case basis. Each applicant will be considered so the Council can understand their financial need and whether the person could contribute to their housing costs themselves. Are there any issues that we need to consider when taking forward this approach? Please state below.

-
4. Are there any circumstances that haven't been taken into account within the financial criteria? (The financial criteria is explained on page 5 of this document)

-
5. Do you have any further comments on the policy?

Information about you

6. Are you completing this form on behalf of an organisation that supports people to make applications to the Discretionary Housing Payment funding?

Yes No

If you have answered yes please let us know the name of the organisation and if you are happy for us to contact you please leave your contact details below

7. It would be helpful for us to know if you have experience of applying for a Discretionary Housing Payment before?

Yes No Don't know

My application was successful.....

My application was not successful.....

I prefer not to say.....

Monitoring Information

Harrow Council is required by law, Equality Act 2010, to collate equality information. The collated information will not only help the council demonstrate compliance with the law but also assist the Council to assess the impact of the policies, services and decisions on all the Protected Characteristics covered by the Act and ensure our policies and services are fair and accessible. The information will also enable us to monitor our progress with regards to addressing inequality and allow our employees and service users see how we are performing on equality.

Should you wish to supply the information it will be kept confidential and separate from your consultation response and only be used for statistical analysis

Your age

- 0-15 16-24 25-34 35-44 45-54 55-64
 65+ Prefer not to say

Do you consider yourself to have a disability according to the terms given in the Equality Act 2010?

Under the Equality Act 2010 a person is disabled if they have a physical or mental impairment which has a substantial and long term effect on their ability to carry out normal day-to-day activities which would include things like using a telephone, reading a book or using public transport.

- Yes No Prefer not to say

If "yes" please specify:

- | | |
|---|--|
| <input type="checkbox"/> Communication | <input type="checkbox"/> Learning |
| <input type="checkbox"/> Mobility | <input type="checkbox"/> Visual |
| <input type="checkbox"/> Hearing | <input type="checkbox"/> Mental Health |
| <input type="checkbox"/> Physical | |
| <input type="checkbox"/> Other (please specify) _____ | |

Your sex

- Male Female Prefer not to say

Is your gender identity the same as the gender you were assigned at birth?

- Yes No Prefer not to say
-

Your religion and belief (please tick appropriate box)

- | | | | |
|---|--|--------------------------------------|-----------------------------------|
| <input type="checkbox"/> No religion | <input type="checkbox"/> Agnostic | <input type="checkbox"/> Baha'i | <input type="checkbox"/> Buddhism |
| <input type="checkbox"/> Christianity | <input type="checkbox"/> Hinduism | <input type="checkbox"/> Humanist | <input type="checkbox"/> Islam |
| <input type="checkbox"/> Jainism | <input type="checkbox"/> Judaism | <input type="checkbox"/> Rastafarian | <input type="checkbox"/> Sikhism |
| <input type="checkbox"/> Zoroastrian | <input type="checkbox"/> Prefer not to say | | |
| <input type="checkbox"/> Other (please specify) _____ | | | |

Your sexual orientation

- | | | |
|---------------------------------------|--|---|
| <input type="checkbox"/> Bisexual | <input type="checkbox"/> Gay man | <input type="checkbox"/> Gay woman/Lesbian |
| <input type="checkbox"/> Heterosexual | <input type="checkbox"/> Prefer not to say | <input type="checkbox"/> Other (please specify) |

Your ethnic group

These are based on the 2011 Census categories but include categories to reflect the communities of Harrow and are listed alphabetically below. Please choose ONE section from A to E then tick or write in appropriate box to indicate your ethnic background

A. Asian or Asian British

- | | | | |
|---|---|---------------------------------|------------------------------------|
| <input type="checkbox"/> Afghan | <input type="checkbox"/> Bangladeshi | <input type="checkbox"/> Indian | <input type="checkbox"/> Pakistani |
| <input type="checkbox"/> Sinhalese | <input type="checkbox"/> Sri Lankan Tamil | | |
| <input type="checkbox"/> Any other Asian background (please write in) _____ | | | |

B. Black, Black British

- | | | |
|---|------------------------------------|---------------------------------|
| <input type="checkbox"/> African | <input type="checkbox"/> Caribbean | <input type="checkbox"/> Somali |
| <input type="checkbox"/> Any other ethnic group (please write in) _____ | | |

C. Other Ethnic Group

- Arab Chinese Iranian Iraqi Kurdish
 Lebanese
 Any other ethnic group (please write in) _____

D. Mixed

- White & Black African White & Black Caribbean White and Asian
 Any other Mixed background (please write in) _____

E. White

- Albanian British English Gypsy/Roma Traveller
 Irish Irish Traveller Polish Romanian Scottish
 Serbian Welsh Prefer not to say
 Any other White background (please write in) _____

Your marital status:

- Single Civil partnership Married
 Prefer not to say

Pregnancy and Maternity: Have you been pregnant and/or on maternity leave in the past two years?

- Yes No Prefer not to say

Caring Responsibilities

A Carer is someone who spends a significant proportion of their time providing unpaid support to a family member, partner or friend, who is ill, disabled or has mental health or substance misuse problems.

Do you regularly provide unpaid support caring for someone?

Yes No
