

# AGENDA

## POLICY AND RESOURCES COMMITTEE MEETING



Date: Wednesday 29 March 2017

Time: 6.30 p.m.

Venue: Town Hall, High Street,  
Maidstone

Membership:

Councillors Mrs Blackmore (Vice-Chairman),  
Boughton, Brice, Cox, Fermor,  
Garland, Mrs Gooch, Harper, Harvey,  
Harwood, McLoughlin, Pickett, Powell,  
Round and Mrs Wilson (Chairman)

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Page No.

1. Apologies for Absence
2. Notification of Substitute Members
3. Urgent Items
4. Notification of Visiting Members

**Continued Over/:**

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**Issued on Tuesday 21 March 2017**

The reports included in Part I of this agenda can be made available in **alternative formats**. For further information about this service, or to arrange for special facilities to be provided at the meeting, **please contact Sam Bailey on 01622 602263**. To find out more about the work of the Committee, please visit [www.maidstone.gov.uk](http://www.maidstone.gov.uk)

**Alison Broom, Chief Executive, Maidstone Borough Council,  
Maidstone House, King Street, Maidstone, Kent ME15 6JQ**

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|-----|--|---------|
| 5.  | Disclosures by Members and Officers  |         |
| 6.  | Disclosures of Lobbying  |         |
| 7.  | To consider whether any items should be taken in private because of the possible disclosure of exempt information. |         |
| 8.  | Minutes of the Meeting Held on 15 February 2017  | 1 - 8   |
| 9.  | Presentation of Petitions (if any)   |         |
| 10. | Questions and answer session for members of the public (if any)  |         |
| 11. | Committee Work Programme   | 9       |
| 12. | Report of the Mid Kent Services Director - Discretionary Housing Payments Policy                                   | 10 - 22 |

## **PART II**

**To move that the public be excluded for the items set out in Part II of the Agenda because of the likely disclosure of exempt information for the reasons specified having applied the Public Interest Test.**

### **Head of Schedule 12 A and Brief Description**

- |     |  |  |         |
|-----|--|--|---------|
| 13. | Report of the Director of Finance and Business Improvement - Property Investment | Paragraph 3 - Finance/business affairs | 23 - 29 |
|-----|--|--|---------|

## **PUBLIC SPEAKING**

In order to book a slot to speak at this meeting of the Policy and Resources Committee, please contact Sam Bailey on 01622 602263 or by email on [sambailey@maidstone.gov.uk](mailto:sambailey@maidstone.gov.uk) by 5 pm one clear working day before the meeting. If asking a question, you will need to provide the full text in writing. If making a statement, you will need to tell us which agenda item you wish to speak on. Please note that slots will be allocated on a first come, first served basis.

## **MAIDSTONE BOROUGH COUNCIL**

### **Policy and Resources Committee**

#### **MINUTES OF THE MEETING HELD ON WEDNESDAY 15 FEBRUARY 2017**

**Present:** Councillor Mrs Wilson (Chairman) and  
Councillors Mrs Blackmore, Brice, Cox, English,  
Fermor, Garland, Mrs Gooch, Harper, Harvey, Joy,  
McLoughlin, Powell, Mrs Ring and Round.

**Also Present:** Councillors M Burton and Naghi

#### 173. APOLOGIES FOR ABSENCE

Apologies were received from Councillors Pickett, Harwood and Boughton.

#### 174. NOTIFICATION OF SUBSTITUTE MEMBERS

The following members were present as substitutes:

- Councillor Joy for Councillor Pickett;
- Councillor English for Councillor Harwood; and
- Councillor Ring for Councillor Boughton.

#### 175. URGENT ITEMS

There were no urgent items.

#### 176. NOTIFICATION OF VISITING MEMBERS

Councillor Naghi was present as a visiting member for item 12 - Report of the Head of Policy and Communications – Councillor Referral from the Heritage, Culture and Leisure Committee.

Councillor M Burton was present as a visiting member for item 12 - Report of the Head of Policy and Communications – Councillor Referral from the Heritage, Culture and Leisure Committee.

#### 177. DISCLOSURES BY MEMBERS AND OFFICERS

There were no disclosures by Members or Officers.

#### 178. DISCLOSURES OF LOBBYING

Councillor Blackmore had been lobbied on item 15 - Report of the Director of Finance and Business Improvement – Medium Term Financial Strategy 2017/18 Onwards.

179. TO CONSIDER WHETHER ANY ITEMS SHOULD BE TAKEN IN PRIVATE BECAUSE OF THE POSSIBLE DISCLOSURE OF EXEMPT INFORMATION.

**RESOLVED:** That all items be taken in public as proposed.

180. MINUTES OF THE MEETING HELD ON 18 JANUARY 2017

**RESOLVED:** That the minutes be agreed as an accurate record of the meeting and signed.

181. PRESENTATION OF PETITIONS (IF ANY)

There were no petitions.

182. AMENDMENT TO THE ORDER OF BUSINESS

As the agenda was long, and there were important items on the agenda that needed a decision, the Chairman proposed that the items be taken in the following order to ensure the most urgent items were prioritised:

- Item 11
- Item 10
- Item 12
- Item 13
- Item 15
- Item 19
- Item 14
- Item 16
- Item 17
- Item 18

**RESOLVED:** That the items be taken in the order proposed by the Chairman.

183. COMMITTEE WORK PROGRAMME

The Director of Finance and Business Improvement updated the Committee on its Committee Work Programme. It was noted that briefings on the Homelessness Reduction Act and the Housing White Paper had been added to the work programme.

184. QUESTIONS AND ANSWER SESSION FOR MEMBERS OF THE PUBLIC (IF ANY)

Mark Smurthwaite, Chairman of the Medway River Users Association, asked the following question of the Chairman of the Committee:

*Through over 40 years of supporting the interests of the River for all of its users, we strive to work with all official bodies with an interest in our River.*

*We have worked with the Borough council in the implementation and actions of your Destination Management Plan (DMP), and are*

*proud to be associated with this plan and are encouraged by its success so far.*

*As I am sure you are all aware one of the Key points of focus for the DMP was to use the river to promote Maidstone. To this aim we have called many meetings to further improve and develop the condition and appearance of the River and we have been hugely successful in this aim.*

*However I am here today to ask for the Support of MBC in the organisation of a River Festival or Regatta for our town.*

*In its height this event has attracted over 20,000 people to central Maidstone. I concede that the event in its old guise may have had its day despite the enthusiasm of some to bring it back. But Maidstone needs and has the capability to hold a river Based event, if organised and promoted properly.*

*We ask that you support a committee to form and organize this event. There is no request for funding from MBC as sponsorship and support has been offered from a variety of very prestigious and respected organizations companies and individuals. We just ask for your commitment to fully support such an event.*

*This will in no way conflict with any existing events planned in fact quite the opposite as it will just reinforce the capability of Maidstone to fully promote its potential.*

*Anyone who does not see the potential is quite honestly blinkered and oblivious to the potential of our River and our town, as this type of event has been supported by the good will of the boating community in their 100's for over 40 years.*

*Even when there had been no official Festival there has been a gathering of boats on the river exceeding 100 boats each year. If this alone does not demonstrate the good will and intention of the Boating community then nothing does.*

*There have been NO issues of any kind from the last 3-4 years of such a gathering. Can I therefore have your backing and support and assistance to form a committee to help promote our Town?*

The Chairman suggested that the question Mr Smurthwaite was asking was similar in scope to the next item on the agenda, and with Mr Smurthwaite's agreement, the Chairman moved to the next item.

185. REPORT OF THE HEAD OF POLICY AND COMMUNICATIONS - COUNCILLOR REFERRAL FROM HERITAGE, CULTURE AND LEISURE COMMITTEE

Councillor M Burton gave a presentation to the Committee on the reason for the call in. Councillor M Burton explained that the signatories to the call in would welcome a family oriented River Festival returning to Maidstone. But they felt that the wording of the decision at the moment

could leave the council exposed to risks and costs that had not been properly considered.

The Committee considered the call in and referred to the Festival and Events Strategy, which outlined that the council would only financially support two events and these were Proms in the Park and Maidstone Mela.

The Committee expressed their desire for the festival to return to Maidstone, but confirmed that any new festival proposed for Maidstone needed to be properly planned and cost neutral to the council – including in officer time.

**RESOLVED:** That the Council welcomes boat owners to Maidstone to enjoy the town and all it provides. It will be pleased to consider a proposal for a river festival or regatta when the organisers provide a fully prepared and costed events plan which must be cost neutral to the Council and comply with the Council's Festival and Events Policy. Our policy can be found on the council's website and the Maidstone Culture and Leisure Team will be pleased to answer any questions in relation to it.

186. REPORT OF THE HEAD OF REVENUES AND BENEFITS - COUNCIL TAX - EXCEPTIONAL HARDSHIP SCHEME

The Interim Head of Revenues and Benefits presented the report and outlined the key features of the Council Tax Exception Hardship Policy, which included:

- There would be a sum of £25,000 per year available for Exceptional Hardship payments;
- The policy set the definition of who would be considered as eligible for an Exceptional Hardship payment;
- The administration of the Exceptional Hardship Award was at the total discretion of the council, however there was an appeals process set out in legislation and detailed in the policy.

**RESOLVED:** That the Committee approves the Council Tax Exceptional Hardship Policy attached at Appendix I.

187. REPORT OF THE DIRECTOR OF FINANCE AND BUSINESS IMPROVEMENT - MEDIUM TERM FINANCIAL STRATEGY 2017/18 ONWARDS

The Director of Finance and Business Improvement updated the Committee on the Medium Term Financial Strategy 2017/18 onwards. He made a presentation that covered the following key issues:

- The Heritage, Culture and Leisure Committee had been asked to reconsider the £100,000 growth commitment to the Museum, but they had chosen to keep this item in their budget;
- The Strategic Planning, Sustainability and Transport Committee had requested that the £45,000 saving in their budget for Planning

Policy be removed, however it was recommended that this saving remained in the budget;

- The Communities, Housing and Environment Committee had chosen not to remove Voluntary and Community Sector Grants altogether and had instead reduced them to 25% of the previous total;
- The Local Plan Inspector had required the council to conduct a review of the local plan in 2021 so this needed to be budgeted for;
- The Council Tax Collection fund had been adjusted upwards since the previous estimate, and these extra funds had been added to the budget;
- The Mote Park Café had been overspent, therefore required a contingency fund;
- Due to all of this the savings required had increased by £300,000 from £1.5 million to £1.8 million.

The Committee considered the report and discussed the budget consultation that was carried out to inform the Medium Term Financial Strategy. Members of the committee were concerned that the council was allocating money to the museum when it had been relatively low on residents' priorities when they were consulted on the budget.

An amendment was moved to recommendation 3, to add the following wording to the end of the recommendation:

*'except deletes the revenue growth item for the museum for 2017/18 and 2018/19. The committee agrees that a planning enforcement fund, of £50,000 for 2017/18 and a further £50,000 2018/19, is established to allow direct action should a case require escalated enforcement.'*

However this amendment was lost and the committee instead added the additional resolution number 11.

**RESOLVED:** That the Committee

1. Notes the outcomes of consideration of budget proposals by the Service
2. Committees;
3. Agrees an updated Strategic Revenue Projection as set out in Appendix A;
4. Agrees updated budget proposals as set out in Appendix B;
5. Agrees the Revised Estimate for 2016/17 as set out in Appendix C for recommendation to Council;
6. Agrees the Budget Estimate for 2017/18 as set out in Appendix C for recommendation to Council;
7. Agrees the Capital Programme set out in Appendix D for recommendation to Council;
8. Agrees a £4.95 increase in Council Tax for 2017/18 for recommendation to Council;
9. Agrees the updated Medium Term Financial Strategy/ Efficiency Plan as set out in Appendix F;
10. Recommends to Council the appropriate matters for decision to set a balanced budget for 2017/18 and the necessary level of Council

Tax in accordance with the Local Government Finance Act 1992 and the Localism Act 2011 including the decisions made above.

- 11.Requires that the planning service review currently in progress pays particular attention to the volume of planning enforcement activity required, the associated policy, and the consequent resourcing of the planning enforcement service in the round – including staffing, legal support and direct action.

188. REPORT OF THE DIRECTOR OF FINANCE AND BUSINESS IMPROVEMENT - MEDIUM TERM FINANCIAL STRATEGY - FEES & CHARGES UPDATE (LEGAL SERVICES)

The Director of Finance and Business Improvement explained that the proposals in the fees and charges update contained in the report moved Mid Kent Legal Services to a flat rate fee of £210 per hour, rather than a range of different fees for different types of work. This reflected the market rate, and applied mainly to Section 106 agreements where the Council recovered its costs from developers once the work had been completed.

**RESOLVED:** That the Committee approves the proposed revisions to fees and charges for legal services for 2017/18 as set out in detail in Appendix A.

189. REPORT OF THE HEAD OF POLICY AND COMMUNICATIONS - STRATEGIC PLAN 2015-20, 2017-18 REFRESH

The Chief Executive introduced the Strategic Plan refresh for 2017-18, and explained that the changes in the document reflected the changes suggested by each Service Committee. The Council's Communications and Policy teams had worked on bringing this information together, ensuring the information was kept at a strategic level and that the language used was accessible to the public, members and staff.

The Committee thanked officers for their work on the plan.

**RESOLVED:** That subject to the following changes:

Removing reference to the following from the 'We will commit to' from the 'A home for everyone' section of the draft strategic plan:

- Implementing the Housing Assistance Strategy
- Delivering the Homelessness Action Plan
- Delivering the Affordable Housing Programme

this committee recommends the refreshed Strategic Plan (Appendix B) for approval to full council.

190. REPORT OF THE HEAD OF POLICY AND COMMUNICATIONS - RESIDENT SURVEY 2017



The Policy and Information Manager gave a presentation on this item which covered the following:

- The residents survey was an important way to consider the views of our residents, and to compare how the views of our residents had changed since the last survey was undertaken;
- Conducting a residents survey was no longer mandatory, although most other councils still conduct one;
- However carrying out a consultation on the councils budget was still mandatory;
- Therefore the preferred option within the report was that a residents survey was carried out at the same time as the budget consultation in order to reduce costs.

In response to a question from the Committee, The Policy and Information Manager explained that since July the council had run 6 large consultations, the response rate to these surveys had been an average of 983 per survey and the response rate had not declined.

**RESOLVED:** That

1. A Resident Survey be undertaken in 2017.
2. Note the timetable for consultation set out at section 3.
3. The committee agrees the consultation methodology.

191. **REPORT OF THE HEAD OF POLICY AND COMMUNICATIONS - STRATEGIC PLAN PERFORMANCE UPDATE Q3**

The Policy and Information Manager presented the report to the Committee and explained that the Council's KPIs had shown an overall increase in performance, with all but one of the strategies on target.

The Committee raised a concern that footfall at the museum had decreased compared to the same period in the previous year. The Policy and Information Manager explained the reason for the decrease in performance was partly as this quarter was a quiet time of the year. But it was also because during the previous year the museum had held some very popular exhibitions, for example the Lego exhibition. It had proved difficult to maintain this level of performance with similarly popular exhibitions.

**RESOLVED:** That the Committee:

1. Notes the summary of performance for Quarter 3 of 2016/17 for Key Performance Indicators (KPIs) and corporate strategies and plans.
2. Notes where complete data is not currently available.
3. Notes the performance of Key Performance Indicators from Quarter 2 of 2016/17 for which data was not available at Policy & Resources Committee on 23 November 2016.
4. Makes a reference to the Heritage, Culture and Leisure Committee to review the long term visitor numbers at the Museum due to the decline in visitor numbers.

192. REPORT OF THE DIRECTOR OF FINANCE AND BUSINESS IMPROVEMENT - THIRD QUARTER BUDGET MONITORING

The Director of Finance and Business Improvement addressed the Committee on this item, and outlined the key areas in the report which included:

- A drop in the projected overspend in Temporary Accommodation for the Housing Service.
- An increase in the projected overspend for Mote Park Café.
- Treasury management had performed poorly due to low interest rates.
- Street Naming and numbering income had increased due to an increase in development in the borough.
- Members allowances had decreased as many members are past the statutory retirement age and therefore the council is not liable to pay National Insurance Contributions.

**RESOLVED:** That the Committee:

1. Notes the revenue position at the end of the third quarter and the actions being taken or proposed to improve the position where significant variances have been identified, as set out in table 1, paragraph 2.8;
2. Approves the proposed slippage in the capital programme of £1,802,449 into 2017/18 as detailed in paragraph 2.13;
3. Notes the performance of the collection fund and the estimated level of balances at the year-end; and
4. Notes the performance in relation to the treasury management strategy for the third quarter of 2016/17.

193. LONG MEETING

During consideration of the Report of the Director of Finance and Business Improvement – Third Quarter Budget Monitoring, the committee

**RESOLVED:** That the meeting should continue until 11.00 p.m. if necessary.

194. DURATION OF MEETING

6.30 pm to 10.27pm

POLICY AND RESOURCES COMMITTEE - WORK PROGRAMME

Committee	Theme	Report Title	Date
Policy and Resources Committee	Income Generation	Property Acquisition	29 March 2017
Policy and Resources Committee	New/ Updates to Strategies and Plans	Discretionary Housing Payments Policy	29 March 2017
Policy and Resources Committee	Other	Review of the Fraud Investigation Team	26 April 2017
Policy and Resources Committee	Other	Bi-annual risk register	26 April 2017
Policy and Resources Committee	Monitoring Reports	Housing and Regeneration Strategy Report	26 April 2017
Policy and Resources Committee	Town Centre Regeneration	Phase 3 Public Realm - approval of outline designs	26 April 2017
Policy and Resources Committee	Monitoring Reports	Equality Objectives Annual Report	26 April 2017
Policy and Resources Committee	New/ Updates to Strategies and Plans	Workforce Strategy	01 June 2017
Policy and Resources Committee	New/ Updates to Strategies and Plans	Health and Safety Strategy	01 June 2017
Policy and Resources Committee	Medium Term Financial Strategy	Council Tax Tax Base 2017/18	23 November 2017
Policy and Resources Committee	Medium Term Financial Strategy	Council Tax 2017/18 - collection fund adjustments	23 November 2017
Policy and Resources Committee	Medium Term Financial Strategy	Projected Collection Fund Adjustment Account	14 December 2017
Policy and Resources Committee	Monitoring Reports	Business Terrace - operation and financial update	14 December 2017
Policy and Resources Committee	Other	Flood Risk Alleviation in the Medway Confluence	TBC
Policy and Resources Committee	Income Generation	Property Acquisition - Commercial	TBC
Policy and Resources Committee	Monitoring Reports	Fourth Quarter Budget Monitoring	TBC
Policy and Resources Committee	Monitoring Reports	Strategic Plan Performance Update Quarter 4	TBC
Policy and Resources Committee	New/ Updates to Strategies and Plans	Economic Development Strategy Update	TBC
Policy and Resources Committee	Town Centre Regeneration	Brunswick Street Redevelopment	TBC
			TBC
Policy and Resources Committee	Town Centre Regeneration	Union Street Redevelopment	
Policy and Resources Committee	Town Centre Regeneration	Maidstone East Redevelopment	TBC
Policy and Resources Committee	Town Centre Regeneration	Development of the Mall including Bus station	TBC
NA	Member Development and Training (not report specific)	Masterplans for Lenham and Invicta Barracks workshop	TBC
NA	Member Development and Training (not report specific)	Masterplan for Maidstone East Redevelopment	TBC
NA	Member Development and Training (not report specific)	Housing and Planning Act - changes to National Policy in relation to Plan making	TBC (2017)

Key
Completing the Local Plan
Housing
Income Generation
Medium Term Financial Strategy
Member Development and Training (not report specific)
Monitoring Reports
Museums and Heritage
New/Updates to Strategies and Plans
Other
Other Finance Issues
Parks and Open Spaces
Town Centre Regeneration

# Agenda Item 12

## Policy and Resources Committee

29th March 2017

Is the final decision on the recommendations in this report to be made at this meeting?

Yes

## Discretionary Housing Payments

<b>Final Decision-Maker</b>	Policy and Resources Committee
<b>Lead Director or Head of Service</b>	Stephen McGinnes, Director of Mid Kent Services
<b>Lead Officer and Report Author</b>	Liz Norris, Business Support Manager
<b>Classification</b>	Non-exempt
<b>Wards affected</b>	All

### This report makes the following recommendations to the final decision-maker:

1. That the Committee approve the Discretionary Housing Payment Policy held as appendix A.

### This report relates to the following corporate priorities:

- Keeping Maidstone Borough an attractive place for all
- Securing a successful economy for Maidstone Borough

### Timetable

<b>Meeting</b>	<b>Date</b>
Policy and Resources Committee	29th March 2017

# Discretionary Housing Payments

## 1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1 The Council receives an annual grant from the Department for Work and Pensions to provide additional financial help in the form of a discretionary housing payment (DHP) to households in receipt of housing benefit.
  - 1.2 The purpose of the report is to formalise the policy for making such awards.
- 

## 2. INTRODUCTION AND BACKGROUND

- 2.1 The Council is provided with an annual discretionary housing payment grant by the Department for Work and Pensions in order to provide additional financial support to that awarded through the housing benefit scheme.
- 2.2 Discretionary Housing Payments operate outside of the main benefit system but for ease of administration are normally paid alongside housing benefit. The payments are limited to providing support with housing related costs for residents in receipt of housing benefit or the housing element of universal credit. Support is restricted to those within the rental sector and cannot support home owners.
- 2.3 The budget available to Maidstone BC in 2017/2018 is £325,633.
- 2.4 Whilst this represents a significant budget, demand for DHP is high, with support targeted to help those households affected by welfare reform or who are homeless or at risk of homelessness.
- 2.5 The policy sets out the council's aims in operating the DHP scheme and types of situations that it will prioritise:
  - Help alleviate poverty
  - Encourage employment
  - Prevent homelessness
  - Support vulnerable households
  - Provide support at a time of crisis

### 3. AVAILABLE OPTIONS

- 3.1 The council could operate a scheme without adopting a policy. However, given the demand and value of awards it is considered important that the council makes clear its approach and priorities for awards.

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### 4. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK

- 4.1 The policy was produced in consultation with the multi agency welfare reform group that it hosts, with representation from voluntary sector, social landlords, Job Centre Plus, Kent County Council and MBC housing team.

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### 5. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

- 5.1 The availability of DHP is promoted through the customer services team, housing team, registered social landlords, private sector landlords and local advice agencies.

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### 6. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
<b>Impact on Corporate Priorities</b>	Administration of DHP supports low income households to reduce the number of households at risk of becoming homeless.	S McGinnes MKS Director
<b>Risk Management</b>	No impact	S McGinnes MKS Director
<b>Financial</b>	A grant of £325,633 is provided by the Department of Work and Pensions for the award of DHP. The grant is ring-fenced with any unspent funds returned at the end of the year.  The council receives an annual grant for the administration of housing benefit and DHP.	Section 151 Officer & Finance Team
<b>Staffing</b>	The Revenues and Benefits Team are staffed to administer the DHP scheme.	S McGinnes, MKS Director
<b>Legal</b>	The administration of DHP is provided through the Discretionary Financial Assistance Regulations 2001. Government Guidance states that decisions must be made in accordance	Interim Deputy Head of Legal

	with ordinary principles of good decision making, i.e. administrative law. In particular, councils have a duty to act fairly, reasonably and consistently. Each case must be decided on its own merits, and decision making should be consistent throughout the year.	
<b>Equality Impact Needs Assessment</b>	Equality impact assessment provided as appendix B.	[Policy & Information Manager]
<b>Environmental/Sustainable Development</b>	No impact	S McGinnes MKS Director
<b>Community Safety</b>	No impact	S McGinnes MKS Director
<b>Human Rights Act</b>	No impact	S McGinnes MKS Director
<b>Procurement</b>	No impact	S McGinnes MKS Director
<b>Asset Management</b>	No impact	S McGinnes MKS Director

## 7. REPORT APPENDICES

The following documents are to be published with this report and form part of the report:

- Appendix I: Discretionary Housing Payment Policy
- Appendix II: Equality Impact Assessment

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## 8. BACKGROUND PAPERS

None

# **Discretionary Housing Payments Policy**

## **Revenues & Benefits Service**

MAIDSTONE BOROUGH COUNCIL



## **1. Introduction**

This policy sets out how Maidstone 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 therefore in most cases only short to medium term 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 that are able to help themselves to do so. DHP should not be seen as an alternative to welfare reform or as a way around benefit legislation.

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

The Council will consider making a Discretionary Housing Payment (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 assistance to help address underlying issues such as:

- 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 costs. DHPs are means tested and only essential expenditure is taken into account. Each application will be looked at on an individual basis taking into account all relevant circumstances. DHP's 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 costs or scenarios.

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

- Where a property has been especially adapted to meet the needs of a disability and it would be impractical 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, a birthday that affects entitlement to housing benefit/housing costs element or 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.
- Provide short term support to help with the move back into work
- Consider payments towards rent arrears to avoid the risk of eviction
- Where the customer needs help with the cost of removals
- 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.

DHPs are made at the discretion of the Council and are not governed by the same rules as housing benefit, although, to qualify, the person making a claim must also be receiving housing benefit or the housing costs element of Universal Credit.

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 person is taking to help themselves.

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

A claim for a DHP will generally be made in writing using the form provided by the Council. 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.

Where the customer would rather discuss their circumstances in person, or where there is a reason they are unable to complete a form, a private interview will be arranged and if the customer cannot attend the office, a home visit will be made.

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

#### **5. 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. Decisions will normally start from the Monday after receipt of the claim. However, 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.

## **6. 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 claimant's circumstances have changed.

## **7. Payment**

The Council will decide the most suitable person 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 be made by BACS and at the same time as any housing benefit, subject to any special requirements.

## **8. Notification**

The Council will aim to advise claimants of the outcome of their claim within 14 days of receipt of their claim and any evidence requested. The decision letter will include;

- the weekly amount of DHP awarded
- the income and expenditure used in the calculation
- the period of award
- whom it will be paid to
- the reason for award or refusal
- the requirement to report a change of circumstances.

## **9. 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 within one month 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 Business Support 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. If the claimant is not happy with the decision they can ask for it to be reviewed by the Head of Revenues and Benefits.
- The Head of Revenues and Benefits will review the decision and write to confirm the outcome within 14 days. That decision will be final with no further right of review

## **10. 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. The Council's Housing Team and relevant partners are also encouraged to ensure that customers are made aware of the scheme where appropriate.

## **11. 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.

## **Stage 1: Equality Impact Assessment**

### **1. What are the main aims purpose and outcomes of the policy change and how do these fit with the wider aims of the organization?**

The council receives an annual grant from the Department of Work and Pensions to provide additional financial help to households in receipt of Housing Benefit or receiving the housing costs element of Universal Credit.

Additional short to medium term financial help is then made available via the council's Discretionary Housing Payments (DHP) scheme which is targeted at households affected by welfare reform or are homeless or at risk of homelessness.

The council has decided to adopt a policy to make clear its approach and priorities for DHP awards. It was developed in collaboration with the multi-agency welfare reform group that it hosts, with representation from voluntary sector, social landlords, Job Centre Plus, Kent County Council and MBC housing team. The policy seeks to help address underlying issues which includes the following:

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

The Policy reflects the council's strategic vision and will also help achieve the strategic action 'a home for everyone' as set out in the Strategic Plan 2015 - 2020 (2017/18 update).

### **2. How do these aims affect our duty to:**

- **Eliminate unlawful discrimination, harassment and victimization and other conduct prohibited by the act.**
- **Advance equality of opportunity between people who share a protected characteristic and those who do not.**
- **Foster good relations between people who share a protected characteristic and those who do not.**

The revisions to Housing Benefit under the Welfare Reform Act 2012 offered a number of protections to those with protected characteristics including those with a disability and the elderly, to prevent inequality.

The DHP scheme is open to all Housing Benefit claimants, making no distinction between those with protected characteristics and those without. It is therefore non-discriminative in its aims.

DHP advances equality of opportunity for both claimants who share a

protected characteristic and those who do not.

The policy should contribute to fostering good relations with people with protected characteristics and those who do not, who access our services.

### **3. What aspects of the service change including how it is delivered or accessed could contribute to inequality?**

The DHP policy will provide clarity on the approach the council takes with DHP awards.

The scheme itself is flexible and can cover a range of housing costs or scenarios. The scenarios listed in the policy are not exhaustive but demonstrate numerous changes in housing circumstances which could affect those with protected characteristics and those without .

The policy is intended for departments and external agencies providing financial/housing advice.

The availability of DHP is promoted through customer service, housing staff, registered social landlords, private sector landlords and local advice agencies. It will also be promoted when the council notifies individuals on their Housing Benefit entitlement or when communicating any change or restriction in Housing Benefit awards and through the information made available online and at customer access points.

Claims for DHP are generally made in writing. If the customer would rather discuss their circumstances in person or they are unable to complete a form a private interview will be arranged; if the customer cannot attend the office, a home visit will be made.

### **4. Will the policy have an impact (positive or negative) upon the lives of people, including particular communities and groups who have protected characteristics ? What evidence do you have for this?**

The policy makes the council's approach clear for DHP awards.

Census 2011 population data and DHP claimant data for 2016/17 has been used as an evidence base for this equalities assessment.

#### **Race**

This information is not collected from claimants as it is not relevant to the assessment. The census (2011) shows that people from minority ethnic backgrounds are more likely to be economically active and less likely to be

self-employed than people from a white background. We have no evidence to indicate that working age people with different ethnic backgrounds would be less likely to access DHP.

## Age

The table below shows the percentage of applicants who were awarded DHP in 2016/17 by age group.

Age Groups	Maidstone Population data – working age (Census 2011)	DHP claims (2016/17)
18-24	13%	11.85%
25-34	20%	30.43%
35-44	23%	19.76%
45-54	23%	24.11%
55 +	20%	13.04%

There is a difference of 10.43% between the percentage of DHP claimants in the age group 25-34 and the population average.

There is a difference of 6.96 % between the percentage of DHP claimants in the 55+ age group and the population average.

## Disability

The table below shows the percentage of applicants with a disability who were awarded DHP in 2016/17.

Disability	Maidstone Population data – working age (Census 2011)	DHP claims (2016/17)
Yes	16%	11.46%

There is a difference of 4.54% in claimants with a disability and the population average.

## Sex

Equalities information is not collected as it is not relevant to the DHP award.

Equalities information is not collected on the following characteristics as it is not relevant to calculation of housing benefit or DHP:

- Religion of belief
- Sexual orientation
- Gender reassignment
- Marital or civil partnership status
- Pregnancy or maternity

## **Conclusion**

There is a significant, increased difference, in the percentage of claimants from the 25-34 age group compared with the population average and significantly less claimants in the 55+ age group.

In terms of the percentage of claimants with a disability there is not a significant difference; however it is lower than the population average.

The elderly and those with a disability have been less affected by welfare reform changes in relation to Housing Benefit provisions.

The under 35 age group have been negatively impacted by welfare reforms. The shared accommodation rate of Housing Benefit was raised from under 25 to under 35 which meant that single people aged 25 and over (and under 35), living in a one bedroom property would no longer be able to afford a property of this size. This may account for the higher number of DHP claimants within this age group.

Whilst there is a slightly lower number of DHP claimants with a disability than the population average, 11.46% of claims are from claimants with a disability supporting the fact that DHP continues to be accessed by those in financial need.

DHP is available to all residents in receipt of Housing Benefit. It is widely accessed by those protected by welfare reform and those that were not.

The policy is already delivering its objectives by protecting the most vulnerable. It does not create or contribute to inequality.



By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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