

Discretionary Housing Payments

Final Decision-Maker	Policy & Resources
Lead Head of Service	Stephen McGinnes, Director Mid Kent Services
Lead Officer and Report Author	Sheila Coburn, Head of Revenues and Benefits Partnership
Classification	Public
Wards affected	All

Executive Summary

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.

Whilst the Council already has a Discretionary Housing Payment Policy in place, Appendix 1 to this report sets out an updated Policy to be approved.

Purpose of Report

The purpose of this report is to update Policy and Resources Committee on the reasons for Discretionary Housing Payments and for Policy & Resources Committee to recommend to Full Council the approval of the updated Discretionary Housing Payment policy in Appendix 1.

This report makes the following recommendations to this Committee:

1. That Policy & Resources Committee recommends to Full Council to adopt the Discretionary Housing Payment (DHP) Policy as detailed in the report and Appendix 1.

Timetable

Meeting	Date
Policy & Resources Committee	25 November 2020
Council	9 December 2020

Discretionary Housing Payments

1. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
Impact on Corporate Priorities	Homes and Communities - We do not expect the recommendations will by themselves materially affect achievement of corporate priorities. However, they will support the Council's overall achievement of its aims as set out in section 3 by ensuring those in need are protected.	Sheila Coburn, Head of Revenues and Benefits Partnership
Cross Cutting Objectives	The report recommendations support the achievement of the Deprivation and Social Mobility by providing support to households in need.	Sheila Coburn, Head of Revenues and Benefits Partnership
Risk Management	The risks associated with implementing and operating the scheme are low and endorsement of a scheme helps reduce the risk.	Sheila Coburn, Head of Revenues and Benefits Partnership
Financial	A grant of £406,051 is provided by the Department for 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 grant has been increased for 2020-21 in anticipation of COVID.	[Section 151 Officer Finance Team
Staffing	We will deliver the recommendations with our current staffing.	Sheila Coburn, Head of Revenues and Benefits Partnership
Legal	The administration of DHP is provided through the Discretionary Financial Assistance Regulations 2001. The proposed policy complies with the requirements of the Regulations and with government guidance that states that decisions must be made in accordance with ordinary principles of good decision making, i.e. administrative law. 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.	Keith Trowell, Team Leader (Corporate Governance) MKLS
Privacy and Data	Data will be collected for the purposes of processing the Discretionary Housing Payment	Policy and Information

Protection	application. The data will be held and processed in accordance with the data protection principles contained in Schedule 1 to the Data Protection Act 1998.	Team
Equalities	The Policy has not fundamentally changed, but been updated for clarity. As the Policy is being revised, a EqIA is required and is contained in Appendix 3.	Equalities and Corporate Policy Officer
Public Health	We recognise the recommendations will not negatively impact on population health or that of individuals.	Sheila Coburn, Head of Revenues and Benefits Partnership
Crime and Disorder	No impact	Sheila Coburn, Head of Revenues and Benefits Partnership
Procurement	No impact	Sheila Coburn, Head of Revenues and Benefits Partnership

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 the main benefit system but for ease of administration are normally paid alongside Housing Benefit.
- 2.3 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.
- 2.4 The budget available to Maidstone Borough Council in 2020-21 is £406,051, which includes additional funding because of the expected take up of

Discretionary Housing Payments due to COVID19. Last year 2019-20 the budget was £302,510.

- 2.5 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.
- 2.6 Last year (2019-20), 354 residents benefitted from a DHP award which was given for reasons such as
- shortfall in rent whilst moving to a more affordable property
 - removal costs as downsizing
 - partner died, shortfall in rent whilst applying benefits
 - possession order - paid to prevent eviction
 - assist move from temporary accommodation
- 2.7 The Council already has a Discretionary Payment Policy in place which was approved by the Council in 2017. The Policy has been updated to provide clarity that:
- a DHP payment is a short term emergency fund
 - applications will only be accepted from a person within the Council's area
 - provides a framework for officers to be guided in decision making whilst ensuring consistent treatment but allowing for sufficient discretion
 - applications can be made by someone acting on behalf of someone else who is vulnerable or needs support
 - the customer is expected to take responsibility such as taking tenancies at reasonable rents, seeks/receives appropriate housing advice, provides sufficient proof of debts/expenditure, shows evidence of job seeking activities (where not vulnerable)
- 2.8 On recommendation of Internal Audit, the Policy will be updated and approved on an annual basis in future.
- 2.9 The policy sets out the Council's aims in operating the DHP scheme and the types of situations that it will prioritise such as to:
- help alleviate poverty
 - encourage employment
 - prevent homelessness
 - support vulnerable households
 - provide support at a time of crisis
- 2.10 Claims for DHP are used as an opportunity to review and promote other benefits e.g. unclaimed tax credits. We work closely with other agencies e.g. CAB for debt advice and social landlords to identify and pro actively support vulnerable people.

3. AVAILABLE OPTIONS

- 3.1 Option 1 - The Council could operate a scheme without adopting a policy but this does not make clear the Council's approach for awards. The funding given by the Government is on the basis the Council has a Discretionary Housing Payment Policy in place.
 - 3.2 Option 2 - Retain the current policy. Retaining the current policy is a consideration, but it has not been revised since 2017 and this would go against Audit recommendations.
 - 3.3 Option 3 - Adopting the updated policy so it is clear the Council's approach and priorities for awards are revised regularly.
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4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

- 4.1 Option 3 is the preferred option - that the Council adopts the updated policy in order to provide a transparent process which sets out the prioritisation of awards. The impact of not adopting this revised policy means the council is working to an out of date policy.
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5. RISK

- 5.1 The risks associated with this proposal, including the risks if the Council does not act as recommended, have been considered in line with the Council's Risk Management Framework. We are satisfied that the risks associated are within the Council's risk appetite and will be managed as per the Policy.

6. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK

- 6.1 The policy has been produced in consultation with representation from the voluntary sector, social landlords, Job Centre Plus, Kent County Council and the housing team.
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7. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

- 7.1 The availability of DHP is promoted through the Revenues and Benefits team, customer services team, housing team, registered social landlords, private sector landlords and local advice agencies and social media.
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8. REPORT APPENDICES

- Appendix 1: Discretionary Housing Payment Policy
 - Appendix 2: Audit Report Discretionary Housing Payments
 - Appendix 3: EqIA
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9. BACKGROUND PAPERS

None