# DISCRETIONARY HOUSING PAYMENTS –POLICY AND PROCEDURE ( updated 2015)

1. **Objectives of the Scheme**

1.1 Discretionary Housing Payments (DHP) should not seek to undermine the purpose and nature of the Housing Benefit scheme, nor support irresponsible behaviour, nor assist in situations so common that a consistent approach to such payments would involve expenditure above the allocated funding. However through the DHP scheme the Council will aim to –

* Assist in sustaining tenancies to prevent homelessness
* Safeguard residents in their own home
* Help customers financially through difficult circumstances or events
* Support the most vulnerable households
* Provide further financial assistance to those most affected by the welfare reforms.
* Enable relevant applicants to move to affordable and sustainable accommodation.
* Protect those who we consider should not be affected by the Welfare Reforms (e.g. Bedroom Tax) taking into consideration, where appropriate, the guidance issued by central government.

2. **Criteria for DHP’s**

2.1 When considering a DHP you must be satisfied that:-

* There is a shortfall between the amount of weekly benefit awarded and the amount of weekly eligible rent the claimant is liable to pay (except in the case of help with tenancy start up or moving costs) and the shortfall must be shown to be causing hardship which would be alleviated if additional support were paid,
* The claimant requires further help with housing costs,
* Awards are made at a qualifying level which would result in the funds available not being overspent should all those meeting the criteria receive an award. A DHP **cannot** be made:
* To top up an award made under the Council Tax Reduction Scheme.
* To contribute to the cost of ineligible service charges (such as heating and lighting)
* To assist in paying for rent increases imposed as a result of incurring rent arrears
* To assist in paying for rent costs which arise from the imposition of sanctions or reductions in Housing Benefit

3. **Decision Making Process**

3.1 The decision to award/refuse a DHP lies *within the Benefits Office*.

3.2 When making the decision the *Benefits Office* *decision maker* will consider each application on its own merit having regard to the following –

* A request from an RSL based on personal knowledge of the claimants circumstances (NPT Homes being particularly active in this area)
* The shortfall between Housing Benefit and the liability
* Any steps taken by the claimant to reduce the rental liability;
* If a member of the household has a disability and has the

 accommodation been adapted to meet their needs;

* The medical circumstances (i.e. ill health and disabilities) of the claimant, their partner and any other occupants of the claimant's home;
* If the claimant moved to the address in order to assist with care;
* The income and expenditure of the claimant, their partner and any other occupants of the claimant's home. *It should be noted that benefits received for specific expenditure (e.g. Disability benefits) should not be taken to be used for other purposes such as topping up rent shortfalls*;
* Any savings or capital that might be held;
* The level of indebtedness of the claimant or their family;
* The exceptional nature of the claimant and family's circumstances;
* If the applicant provides accommodation for foster children;
* Hardship suffered by the claimant;
* If the individual is fleeing domestic abuse or violence;
* If children are near the age limits, at which they would qualify for their own room;
* The possible impact on the Council of not making such an award, e.g. the pressure on priority homeless accommodation;
* Any other special circumstances.

3.3 After considering the above it must be remembered that it is likely that a large number of claimants still fall into the defined categories. Any cases meeting the required criteria for an award must be considered to be more deserving, with greater exceptional circumstances, than the majority of applicants to warrant granting an award. When considering the merits of hardship in any particular case there should be more than purely the obvious hardship caused by a shortfall in the benefit payment.

4. **Claiming a DHP**

4.1 A request for DHP should usually be made in writing and should include reasons for the request (an application form is available). Details of the claimant’s income and expenditure will be required in order to determine financial hardship. Details of personal circumstances must be included to determine exceptional circumstances.

4.2 Additional evidence may be requested to support an application as deemed necessary, for example proof of rents arrears, multiple debts, disability etc.

5. **Length of DHP Awards**

5.1 Awards are expected to last for a fixed period depending on the individuals’ circumstances.

5.2 Awards may take into account the need to allow the claimant a short future period to adjust or take into account a family’s circumstances, such as hardship caused by increased hospital visits while undergoing treatment.

5.3 Awards may be granted for a longer period of time if appropriate.

6. **DHP Decisions**

6.1 The Council endeavours to notify the decision on the DHP request within fourteen days of the date all the information needed to support the claim is provided.

6.2 The *Benefits Office* *decision maker* will record the decision and the reasons for the decision on the appropriate proforma for each case.

6.3 The *Benefits Office* *decision maker* will notify the customer, in writing, of the decision. Where a DHP claim is successful the letter will include the weekly award, period of award, and date the next payment will be made. Where the claim is unsuccessful, the decision letter will give detailed reasons for the refusal and the right for the applicant to request a review of the decision.

6.4 Review requests must be made in writing, contain sufficient information for the decision in dispute to be identified and state the reasons for the disagreement.

6.5 Any request for review will be referred directly to the Principal Officer or alternative Senior Officer. Where the original decision is changed and an award is made the officer will provide written notification to the applicant confirming the weekly award, period of award, and date the next payment will be made. Where the decision is unchanged, the decision letter will give reasons for the refusal. There is no further right of review.