

To: City Executive Board
Date: 12 March 2015
Report of: Head of Customer Services
Title of Report: Discretionary Housing Payments Policy

Summary and Recommendations

Purpose of report: To approve the revised Discretionary Housing Payments Policy

Key decision? Yes

Executive lead member: Cllr Susan Brown, Board Member for Customer Services and Social Inclusion

Policy Framework: None

Recommendations: That the City Executive Board approve the revised Discretionary Housing Payment Policy at Appendix 1

Appendices to report –

Appendix 1 – Revised Discretionary Housing Payments Policy

Appendix 2 – Risk Register

Appendix 3 – Equalities Impact Assessment

Introduction

1. On 12 June 2013 the City Executive Board (CEB) approved a new Discretionary Housing Payment (DHP) Policy. The most significant change to the new policy was to award DHP only where agreement is reached for the applicant to work on an action plan to reduce their reliance on DHP. Against a backdrop of significant welfare reform and consequent reductions in benefit entitlement, this approach was introduced to ensure that people being supported with DHP's were also taking steps to find more sustainable solutions to their situation.
2. Reductions in Housing Benefit made as part of the government's Welfare Reform programme have resulted in a significant increase in the number of applications for DHP's. The government temporarily increased DHP grants to Local Authorities in the last two years to meet this need. However, without supporting applicants to reduce their reliance on DHP's, there was a risk of

creating a dependency on this support, and creating demand which could not be met once the additional government funding was reduced.

3. The government announced a significant reduction in the national grant for DHP's on the 2nd February. From 2015/16 Oxford City Council's grant will reduce from £514,496 to £288,092, a reduction of 44%. However this is still well above the grant of £229,846 received in 2012/13 after the Local Housing Allowance reforms had been introduced.
4. The government has distributed the DHP grant on the basis of need, in relation to the impacts of the Benefit Cap, Bedroom Tax and Local Housing Allowance(LHA) changes. London Authorities and Northern LA's are more severely affected by the first two measures and receive the majority of those elements of the DHP grant. Perversely, the unaffordability of the private rented sector in Oxford means that we have seen a reduction in our LHA caseload in that sector, and consequently receive a lower allocation of DHP funding.
5. The reduction in funding requires the current policy to be reviewed. The main changes are outlined below. Appendix 1 contains the revised DHP Policy. Appendix 4 provides some information on the background and purpose of DHP's.

Expenditure

6. The policy change introduced in 2013 helped to manage the increased demand for support arising from the introduction of the Benefit Cap and the Social Sector Size Criteria (known as the Bedroom Tax). Demand for DHP's had already increased as a result of the reduction in Local Housing Allowance (LHA) rates from 2011 (LHA is the name for Housing Benefit paid to private sector tenants).
7. In 2013/14 we spent £431,244.10 on 802 awards (82% of our grant) even though the government did not introduce Universal Credit during the course of the year which was anticipated when the budget was set. In 2012/13 we spent £196,371.81 on 373 awards, which was 85% of our grant. Expenditure in the current year, up until the end of December was £327,579 on 761 awards which represents 64% of our grant for the year. The projected outturn for 2014/15 is currently £481,000
8. The following table compares the details of DHP awards and expenditure by benefit category for the year to date with 2013/14. Please note that the category of "Other" relates to circumstances where an applicant is not entitled to full Housing Benefit. This will usually be as a result of having greater income than the minimum level which attracts full Housing Benefit or, due to deductions made in respect of non-dependant adults living at the property.

Breakdown of DHP applications

Reason for Claim	2013/14			2014/15 (1st 6 months)		
	Apps	Awards	Amount of awards	Apps	Awards	Amount of awards
Benefit Cap	226	215	£213,064.96	169	155	£166,208.80
Bedroom Tax	474	379	£124,386.18	267	223	£47,767.06
Local Housing Allowance	232	180	£93,005.42	176	141	£38,812.72
Combination	7	3	£1,681.36	3	3	£4,295.22
Other	67	25	£12,549.96	39	22	£3,410.28
Totals	1006	802	£444,687.88	654	544	£260,494.08

NB: The figures quoted in paragraph 6 above, are taken from the Benefits system, and are different from those in the above table. This is because the benefits system takes account of awards for claims which end prematurely, or where there are minor adjustments to the amount of benefit claimed, but cannot easily record the reason for the claim. Hence the reason for claims is recorded manually in a spread sheet together with the original award amount (the figure shown in the table).

9. 212 applications were turned down in the six months to 31.12.14. The main reason being that it was determined that the customer was able to afford their rent. In a small number of circumstances applications were turned down because the customer was not willing to undertake activities to help them find a more sustainable solution. However, often in such cases, the customer changes their mind once they start to accrue rent arrears.

Reasons for refusal:

Excess income	55
Failed to supply requested information	36
No rent shortfall	36
Unwilling to accept conditions of award	15
Failed to meet conditions of previous award	13
Means tested shortfall only	11
Other	10
Ineligible rent costs	9
DHP would not sustain tenancy	7
No longer affected by welfare reform	6
No HB entitlement	5
No long term plan to reduce DHP reliance	4
Expensive rent	3
Home Choice paying top up	2
Total:	212

10. The 761 awards made to the end of the December include 570 individual customers. 236 customers have received multiple awards during the year. Customers receiving a larger number of repeat awards tend to have complex needs. Analysis of DHP awards made over the last two years identifies 115 customers who have received multiple awards over both 2013/14 and 2014/15. Expenditure on these cases this year is £195,929, with the forecast expenditure for the year on these cases being approximately £250,000. This represents the minimum amount of DHP expenditure that the Council will need to make on an ongoing basis. The figure is likely to increase year on year as a result of rent increases exceeding the increase in housing support paid.
11. The analysis of repeat awards clearly demonstrates the importance of minimising dependency on DHP's wherever possible. Awards require action plans to be agreed so that customers are supported to manage their shortfalls themselves. Action plans have been agreed with applicants in 720 awards made this year. The top five actions are shown in the table below. An action plan would not be agreed for awards made for a short fixed period, such as supporting someone as they move into employment.

Reason	Total
Find work	329
Apply for another benefit	133
Debt Advice	132
Downsize*	105
Find cheaper accommodation	46

*Downsizing is applied to people occupying property which is larger than they need whereas "Find cheaper accommodation" is applied to people who are in the right size accommodation, but which is unaffordable.

2015/16 Grant

12. Oxford's DHP grant for 2015/16 is £288,092. Regulations put a ceiling on the amount of additional funding a local authority can spend on DHP; this is 2.5 times the central government grant. Therefore for 2015/16 the ceiling is £720,230. Any expenditure over and above the grant, up to the ceiling, is a direct cost to the Council.
13. The Housing Service is committed to providing an additional £150,000 from Homelessness Prevention funding to supplement the DHP grant. This means there is a total fund of £438,092 to spend on DHP's in 2015/16.

Policy Changes

14. The policy has been amended to give priority to applications from households with children and from people who have limited scope to change their circumstances. This helps to reduce child poverty whilst ensuring the Council supports people who are victims of circumstances, such as disabled people affected by the Bedroom Tax who have had adaptations made to their home.

For the latter group, it would not be cost effective for them to move due to the adaptations required at any new property.

15. Analysis in December of live Housing Benefit claims which have received a DHP this year shows that 52% of recipients have children and 10% have an additional premium relating to long term illness or disability, and are affected by the Bedroom Tax. Restricting the majority of DHP payments to these groups should result in the following amounts of expenditure:

Reason for DHP	2015/16 Expenditure
Benefit Cap	£250,000
Bedroom Tax	£30,000
LHA Changes	£50,000
Total	£330,000

16. A new policy aim has been added which is to support people who are transitioning into work, particularly those at the risk of homelessness. This helps to support the aim of the DHP policy which is to support people finding long term, sustainable solutions which prevents dependency on DHP's.
17. In determining awards, the policy has been changed to make the main consideration in making an award the scope which people have to reduce their reliance on DHP. With the government grant reducing it is important that DHPs are used to effect change in people's lives and enable them to become financially sustainable. Aligned to this is a requirement for repeat applicants to show the progress they are making in respect of any action plan agreed, and to be clear about what their next steps are. The policy also now says that where work is a reasonable outcome for someone, this will always form part of any action plan agreed with them.
18. Minor administrative changes have also been made to reflect the fact that the Welfare Reform Team now assesses all DHP's and to state how recipients of Universal Credit will be treated.

Monitoring

19. The consistency of decision making will be monitored by continuing to undertake a 10% check of all applications, whether successful or unsuccessful. In 2013/14 and 2014/15 regular reports have been made to Scrutiny Committee on DHP expenditure, and it is anticipated this will continue in 2015/16. Such monitoring will include detail of the amount of expenditure being made in respect of different Welfare Reform measures, and the number of cases receiving multiple awards throughout the year. Both actual and forecast DHP expenditure will be reported so that pressures can be identified as early as possible.

Risk

20. An evaluation of the risks associated with the implementation of this policy has been carried out. A detailed Risk Register is attached at Appendix 2.

Environmental Impact

21. No impact

Equalities Impact

22. An initial impact assessment has been carried out and is attached at Appendix 3. No undue, adverse impacts have been identified. However as the DHP budget is finite, and needs to be allocated within set guidelines, monitoring will be carried out to ensure there are no unintended consequences of the policy to any specific group of customers.

Financial Implications

23. By making effective use of the Discretionary Housing Payment budget, and targeting awards effectively, the Council will save the costs of placing people in temporary accommodation or dealing with people who are homeless. Typically the cost of placing someone in temporary accommodation can be 18 times that of sustaining a tenancy using DHPs. There is a risk that the £438,092 of financial resources available to the Council will be insufficient to meet the level of eligible applications for DHP. Going forward officers will be carefully monitoring the situation, looking for additional funding and targeting awards to those least able to effect a change in their circumstances.

Legal Implications

24. The recommendations of this report are within the scope of the Child Support, Pensions and Social Security Act 2000 and The Discretionary Financial Assistance Regulations 2001 (SI2001/1167), and subsequent amendments. Whilst the regulations give a very broad discretion the Council has 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.

Name and contact details of author:-

Paul Wilding
Revenues & Benefits Programme Manager
Benefits, Customer Services
Tel: 01865 252461 e-mail: pwilding@oxford.gov.uk

Background Papers: None

Oxford City Council's Discretionary Housing Payment Policy

1. Aims

- 1.1. The overarching objective of this policy is to distribute funding granted under the Discretionary Housing Payment scheme (DHP) in order to prevent homelessness. This will be achieved by providing short term relief to applicants in order to give them time to find more sustainable solutions to their financial arrangements. The policy is also intended to support people who have little scope to change their personal circumstances.
- 1.2. Demand for support through awards of DHP has increased since 2013/14 as a result of the introduction of under occupancy criteria in the social sector, and the Benefit Cap. These measures together with the reduction in the Local Housing Allowance rates are estimated to reduce the amount of Housing Benefit paid in Oxford by £5.6 million annually.
- 1.3. In addition to the overarching objective of the policy outlined in 1.1, the policy also aims to:
 - alleviate child poverty and keep families together
 - support vulnerable young people in the transition to adult life, including young people leaving care; and
 - support the vulnerable in the local community
 - support the transition into work, particularly for people at risk of homelessness

2. Determination of Applications

- 2.1. Applications for DHP awards must be made on the form shown at Appendix A. The Welfare Reform Team will consider all applications for DHP on their individual merit.
- 2.2. DHP's can not be awarded in the following circumstances:
 - To top up an award made under the Council Tax Reduction Scheme¹.
 - To contribute to the cost of ineligible service charges
 - 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. These include any reduction made as a result of not complying with work related conditionality, or in arranging maintenance as directed by the Child Support Agency, or breaching a community service order.

¹ Section 13A of the Local Government Finance Act 1992 provides for Local Authorities to make reductions in the amount of Council Tax owed by an individual.

- 2.3. It is not intended to award DHP in the following circumstances, unless to do so would strongly support the policy objectives outlined above:
- To support households without children, where applicants have scope to improve their situation themselves
 - Assistance with moving costs, rent in advance, and deposits (unless moving to more affordable accommodation)
 - Shortfalls caused by a non-dependent deduction.
 - Where a DHP is requested for a backdated period
 - Where Capital in excess of £6,000 is held for people of working age, or £10,000 for those of pensionable age
 - Where the tenancy was not affordable when it was taken on.
 - Where an applicant has multiple outstanding debts, and professional debt advice has not been sought, nor a plan put in place to deal with the debt
 - Where there is affordable and suitable available alternative accommodation.
 - Where applicants have not taken steps to reduce or remove their need for DHP, and/or state the period of time they require the DHP.
 - Where multiple family units or households are living in one property, and another household could be expected to make additional contributions to the rent
 - Where fraud has been admitted or proven in relation to claims for Housing Benefit, Council Tax Benefit, Council Tax Reduction Scheme or Discretionary Housing Payments.

2.4 In deciding whether to award a DHP, the consideration will be given to:

- how the award will meet the policy objectives, with priority being given to:
 - households with children
 - applicants who have limited scope to change their circumstances (e.g. a disabled applicant affected by the underoccupancy rules who has had adaptations made to their property)
- the shortfall between Housing Benefit and the rental liability (unless Universal Credit is in payment, in which case the award can be any amount up to the amount of eligible rent);
- any steps taken by the claimant to reduce their rental liability;
- any steps taken by the claimant to find work, or increase their hours of work
- the financial and medical circumstances (including ill health and disabilities) of the claimant, their partner and any dependants and any other occupants of the claimant's home;
- the income and expenses of the claimant, their partner and any dependants or other occupants of the claimant's home. (All applicants will be required to complete an Income & Expenses Form.) Where it is felt that expenditure is inappropriate or incompatible with award of a DHP, the claimant will be referred for debt advice or financial capability support.
- any savings or capital that might be held by the claimant or their family;
- the level of indebtedness of the claimant and their family;
- the exceptional nature of the claimant and his / her family's circumstances;
- the amount available in the DHP budget at the time of the application;
- the possible impact on the Council of not making such an award, e.g. the pressure on priority homeless accommodation;

- any other special circumstances brought to the attention of the Welfare Reform Team.

3 Amount and condition of awards

3.1 The Welfare Reform Team will decide how much to award based on all the circumstances. However, the main determining factor will be a consideration of the applicant's scope for reducing their reliance on DHP's in the future. Where this is possible, awards will usually be made for a maximum of three months. If an applicant has limited options for making changes in their circumstances awards will be made for longer periods, of up to 12 months. An award of a DHP does not guarantee a further award at a later date even if the claimant's circumstances have not changed.

3.2 . The start date of the award will normally be:

- the Monday after the Welfare Reform Team receives the written claim for a DHP; or
- the date on which entitlement to Housing Benefit starts; or
- another date, where this fulfils the objectives of this policy better than the dates above.

3.3 An award of DHP will have conditionality attached to it in the majority of circumstances. Any conditionality will be linked to increasing the applicant's income, reducing their rental liability or reducing other outgoings. Examples of types of conditionality could include:

- Attending work related coaching with one of the Council's partners
- Actively looking for work, with or without the support of the Council, or one of our partners
- Registering for housing and bidding for suitable properties in each cycle
- Seeking assistance to manage debts
- Paying rent arrears
- Engaging with specialist support services

The intention of any conditionality is to assist the customer in improving their circumstances, it is not a punitive measure. However an award of DHP can be cancelled if a customer has not undertaken the agreed activity. Where employment is a reasonable outcome for someone, a condition related to moving into work will always be applied.

3.4 Where an application for DHP is made by a recipient of Universal Credit, the DHP award will be calculated in one of two ways. If an Alternative Payment Arrangement (APA) is in place to the applicant's landlord, the award will be the shortfall between the payment to the landlord and the applicant's rent (taking into account paragraph 2.2 above). This amount will be converted from a monthly to a weekly amount. Where an APA is not in place, the shortfall will be determined with reference to the applicant's income and expenditure details.

3.5 When making a repeat application for an award, the customer must have met the conditions applied to their previous award, be able to set out what actions they have undertaken as a result of that support, and explain their next steps in order to reduce their reliance on DHP awards. Such applications will require an interview with a Council officer before an award can be made.

4 Administration of Payments

4.1 Where the applicant appears to be entitled to another state benefit that they are not receiving, they will be advised to make a claim, and provided with details of other

agencies in the city who may be able to help with such a claim. Any DHP will be reviewed in light of the result of this claim.

- 4.2 The Welfare Reform Team may need to revise an award of a DHP where the claimant's circumstances have materially changed. Any revision to the award will take effect from the same day as any change to the Housing Benefit award. If a revision of an award leads to an overpayment then steps will be taken to recover this money if it is reasonable in the circumstances to do so.
- 4.3 A DHP will normally be made payable to the person receiving the Housing Benefit payment. Where Housing Benefit is paid to the landlord, and a DHP award is made for more than three months, the Welfare Reform team will review the claim to ensure that payment should continue to be made to the landlord.
- 4.4 DHP will be paid by the most appropriate means available. This will normally be by BACS transfer. The payment frequency will normally be made in line with payments of Housing Benefit.
- 4.5 Decisions regarding DHPs will be notified to the claimant within 10 working days of receiving the last piece of information required to determine the application, and will include:
 - Reasons for the decision
 - The start and end date of the award
 - The amount of the award
 - Conditions attached to the award
 - The claimants right of review
 - Advice that future awards may not be made
- 4.6 A more senior officer will review any DHP decision that is disputed by the claimant. If the decision is still upheld, any further dispute must be dealt with through the Councils complaints procedures and ultimately by judicial review.
- 4.7 Where a customer has a complaint in the way we have applied our policy, they may ask the Local Government Ombudsman to look at their case, after exhausting the Council's own complaints procedure.

5 Fraud

- 5.1 Oxford City Council is committed to the fight against fraud in all its forms. A claimant who tries to fraudulently claim a DHP by falsely declaring their circumstances, or providing a false statement or evidence in support of their application, may have committed an offence under section 2 of the Fraud Act 2006. Where the Welfare Reform Team suspects such a fraud may have occurred, the matter will be investigated and this may lead to the instigation of criminal proceedings.

6 Monitoring

- 6.1 Reports will be extracted from the DHP software on a monthly basis to ensure that expenditure is within budget and is correctly profiled to ensure no overspend at the end of the financial year. Overpayments will be reconciled on a monthly basis. A 10% check will be made of all DHP applications, whether successful or not, to ensure that decision making is consistent.
- 6.2 The reasons for making a DHP award will be monitored and reported based on the following list:

Benefit Cap
LHA Reductions
Housing Benefit reductions due to under-occupation
Combination of reforms
Other

This will be reported back to DWP in accordance with their requirements.

7 Communication of Policy

7.1 The Welfare Reform Team will publicise the scheme and will work with all interested parties to achieve this. A copy of this policy statement will be made available for inspection and will be posted on Oxford City Council's website.

8 Review

8.1 This policy is effective from 12 March 2015. It will be reviewed no later than 1 April 2017.

Application for Discretionary Housing Payment (DHP)

Section 1: About you

We may need to contact you to discuss your claim further. To help us to process your claim quicker, please give us your current contact details.

Full Name:

.....

Address:

.....

.....

..... Post Code:

Claim reference number: 80-

Home number: Mobile:

Email address:

Tick this box if you do not want us to contact you by text or email.

Section 2: About your circumstances

1. Why are you applying for DHP e.g. bedroom tax, local housing allowance (LHA) shortfall, benefit cap, personal circumstances?

2. What is your tenancy type?

Council Tenant

Housing Association (please specify):
.....

Private Rented

Other (please specify):
.....

3. Are you getting help from anyone at the moment e.g. Tenancy Sustainment, Connection, Crisis, Aspire, Mind, Advice Centre, Citizens Advice Bureau, Job Clubs, Social Services, etc?

4. Are you at risk of eviction? Please tell us what action your landlord is taking against you.

5. Have you applied for DHP before?

- Yes- please answer question 6A No- Please answer question 6B

6A. Please tell us what are you doing to meet the conditions of your last award?

6B. Please tell us what have you tried to do to improve your current situation?

7. Is there anything else you would like us to know about when we are considering your claim e.g. health, pregnancy, addiction issues.

Section 3: About your new DHP award

8. DHPs provide short term financial help for people who are working towards improving their situation so they can afford to pay their rent without this support in the future. Which of the following options are you taking or are you prepared to take to improve your situation?

- Employment/training towards work
 Downsizing (moving to a smaller home)
 Increasing working hours
 Debt/money advice
 Moving to cheaper accommodation
 Lodger
 Other (please specify below):

Section 4: About your financial situation

Please give us details of your Income and Expenditure as accurately and completely as you can. This information is needed to make a decision about your Discretionary Housing Payment. You may be asked to provide proof of the amounts declared.

Please state period as Y = yearly or Q = quarterly or M = monthly or W = weekly

Income					
Income Type	Period	Amount	Income Type	Period	Amount
Wages			Rent from lodger		
Wages (partner)			Industrial Injuries Benefit		
Jobseeker's Allowance			Pension Credit		
Income Support			State Retirement Pension		
ESA – Work Group			Occupational Pension		
ESA- Assessment Phase			Sick Pay		
ESA- Support Group			Maternity Pay		
Child Tax Credit			Carer's Allowance		
Child Benefit			Attendance Allowance		

Disability Living Allowance			Student Income/ Loans		
Personal Independence Payment (PIP)			Savings/ Investments		
Maintenance			Armed Forces Independence Payment		
Working Tax Credit			Universal Credit		
Money from Non-Dependant			Other (please specify)		

Bills					
Expenses	Period	Amount	Expense	Period	Amount
Rent (after HB*)			Pay TV/ Internet/ Phone Package		
Council Tax (after CTRS*)			Maintenance Payments		
Water Rates-metered			Service Charges		
Water Rates-not metered			Repairs		
Gas			Private Pension payments		
Electricity			Insurance e.g. contents, life, pets		
Coal/Wood/Other Heating			Other (please specify)		
TV Licence					
Mobile Phone 1					
Mobile Phone 2					

Travel					
Expenses	Period	Amount	Expense	Period	Amount
Public Transport			Disability Related Mobility Expenditure		
Petrol			Breakdown Cover		
Car/Van Insurance			MOT		
Road Tax			Other (please specify)		
Taxi					
Motorbike Insurance					

*HB- Housing Benefit

*CTRS- Council Tax Reductions Scheme

Please state period as Y = yearly or Q = quarterly or M = monthly or W = weekly

Housekeeping					
Expenses	Period	Amount	Expense	Period	Amount
Food			Childcare		
Takeaway			Healthcare Prescriptions		
Meals on Wheels			Health & Beauty (please		

Baby Food/ Milk			specify)		
Toiletries			Clothing		
Nappies			Disability Related Care		
Laundry/ Dry Cleaning			Expenditure		
Cleaning Materials			Haircuts		
School Uniform			Gym Membership		
School Meals			Other		
School Trips			(please specify)		

Other costs					
Expenses	Period	Amount	Expense	Period	Amount
Going Out/ Entertainment			Gambling		
			Holidays		
Savings			Investments		
Pets e.g. food, vets			Bank Costs		
Pocket money			Meals at work		
Afterschool Activities Clubs			Newspapers/ Magazines		
			Memberships/ Subscriptions		
Birthdays			Online Subscriptions		
Religious Holidays e.g. Christmas, Eid			Charities		
			Other (please specify)		
Cigarettes					
Alcohol					

Debt			
Expenses	Period	Amount	Total amount of debt
Personal Loans e.g. family, friends			
Pay Day Loans			
Credit Cards			
Rent Arrears			
Utility Arrears e.g. gas, water, electrics			
Council Tax Arrears			
Student Loans			
Hire Purchase			
Court Fines			
Maintenance Payments			
White Goods/ Furniture Loans			
Catalogue Payments			
Other (please specify)			

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Section 5: About a backdate

If you want to request a backdated DHP, please answer the questions below. You may be asked to provide evidence.

1. What period do you want the payment to cover?

2. Why did you not make your claim earlier? Please give any other information you would like us to take into consideration when assessing your request for a backdate.

Section 6: Your declaration

I declare that the information I have given on this form is correct and complete.

I understand the following:

- If I give incorrect or incomplete information, the council may take action (including court action) against me;
- The council will use the information that I provide on this form in accordance with the Data Protection Act 1998;
- The council will use the information I have given to assess my claim for Discretionary Housing Payment, and I agree that the council can verify this if needed;
- I will tell the council about any changes in my circumstance that may affect my claim.

You can view the council's data protection policy and privacy notice at www.oxford.gov.uk/privacy

Your signature:

Date:

If you had help filling in this form or someone filled it in for you, please ask them to complete the next section.

I can confirm that I have completed this form on behalf of the claimant. The information contained within the form has been given to me by the claimant. The claimant confirms that this information is correct.

Name and relationship to you of the person who filled in the form:

Signature of the person who filled in the form:

Date:

**Appendix 2
Risk Register**

Nos.	Raised by	Date Raised	Probability	Impact	Gross Risk Score	Proximity	Description	Mitigation	Owner	Target Date	Revised Probability	Revised Impact	Residual Risk Score
25 DHP001	PW	22/1/15	3	4	12	Short term	Those most in need of support don't receive it due to budget being spent before EOY	Monitor expenditure monthly. Consider changing length and amount of awards during year to target those most in need	PW	31/3/16	3	3	9
DHP002	PW	22/1/15	4	3	12	Short term	Council challenged on application of policy by unsuccessful applicants.	10% check of applications carried out to ensure decision making is consistent	PW	31/3/16	2	3	6
DHP003	PW	22/1/15	2	4	8	Short term	Unintended negative impact on specific customer groups	Monitor successful and unsuccessful applications against the criteria established in the policy	PW	31/3/16	1	4	4

Appendix 3

Initial Equalities Impact Assessment

1. Within the aims and objectives of the policy or strategy which group (s) of people has been identified as being potentially disadvantaged by your proposals? What are the equality impacts?

The changes proposed in the new DHP policy give priority to households with children and people with limited scope to change their circumstances. This latter group tends to comprise mainly people aged 45 to pension age, without children. A new policy aim has been added which is to support people who are transitioning into work, particularly those at risk of homelessness. This group tends to comprise mainly of single males. As such the groups who may be potentially disadvantaged by the changes in policy will be couples without children (both in work and out of work), and singles without children who are in work.

The Discretionary Housing Payment policy is intended to support those who are disadvantaged by changes to Housing Benefit rules, specifically the under occupation rules in the social sector, the Benefit Cap and the changes to Local Housing Allowance rates. The under occupation rules disproportionately impact older customers (from 45 to pension age) and people with a disability. The Benefit Cap affects mainly households where there are lots of children (and in most cases a single parent). The Local Housing Allowance changes impact mainly on households with children. As such, if the DHP policy is not applied correctly, these groups could be disadvantaged.

The CAB have expressed concern at the treatment of income related to disability benefits (Disability Living Allowance, Personal Independence Payment and Attendance Allowance). They believe that taking such income into account when determining DHP applications could be discriminatory as such income is intended to meet costs related to the illness or disability concerned. The Council's view is that it is reasonable to take such income into account provided that any expenditure related to such income is also taken into account. The presence of such income prompts officers to ask specific questions related to expenditure on care costs and related items.

2. In brief, what changes are you planning to make to your current or proposed new or changed policy, strategy, procedure, project or service to minimise or eliminate the adverse equality impacts?

Please provide further details of the proposed actions, timetable for making the changes and the person(s) responsible for making the changes on the resultant action plan

The aim of amending the DHP policy is to maximise the number of families and individuals who are able to retain their tenancies in light of a reduction in the DHP grant provided by the government. In addition to the financial support that we can provide, our Welfare Reform team will assist customers in negotiating new rents with landlords, and in trying to find alternative accommodation if the rent is unaffordable. For people affected by the under occupancy rules in the social sector we will explore whether taking a lodger is an appropriate solution. Where this can not be found, we will continue to support them in their existing accommodation as far as the DHP budget allows.

The Welfare Reform team have developed strong partnerships with a wide range of support organisations. Where financial support cannot be provided, customers will be referred to appropriate organisations for support..

As the policy is discretionary people who are in groups at risk of being disadvantaged can still receive DHP awards if to do so meets the policy's broader objectives.

3. Please provide details of whom you will consult on the proposed changes and if you do not plan to consult, please provide the rationale behind that decision.

Please note that you are required to involve disabled people in decisions that impact on them

We are not consulting externally on the change to the DHP policy. There is no fundamental change being proposed to the DHP policy. As such the process of consultation may raise unrealistic expectations and would be an unproductive exercise at this point, as it would not generate any information that the Council hasn't already anticipated or did not know.

4. Can the adverse impacts you identified during the initial screening be justified without making any adjustments to the existing or new policy, strategy, procedure, project or service?

Please set out the basis on which you justify making no adjustments

As this policy is discretionary, all applications will be considered on their merit. Where an application meets the aims of the policy, it is intended to provide support.

The policy is a fairly straightforward one to apply. CEB should note that, as it is a discretionary payment the Council are not intending to set out any circumstances in which we definitely wouldn't support someone. If an application meets various policy aims, it will be successful.

5. You are legally required to monitor and review the proposed changes after implementation to check they work as planned and to screen for unexpected equality impacts.

Please provide details of how you will monitor/evaluate or review your proposals and when the review will take place

A 10% check of applications will be carried out to ensure consistency of decision making. This will be done for both successful and unsuccessful applications. Monitoring will be carried out on a monthly basis, and this will also include the reason for the application being made. Regular reports have also been provided to Scrutiny Committee in the last two years. It is expected that this will continue.

Appendix 4

Discretionary Housing Payment – Background Document

Discretionary Housing Payments (DHP's) are monies allocated by local authorities under legislation set out in the Child Support, Pensions and Social Security Act 2000 and The Discretionary Financial Assistance Regulations 2001 (SI2001/1167). In summary, the funds can be used to meet eligible rent for people already in receipt of housing benefit. The customer must make an application for the payment, and the council must consider the applicants financial need if an award is to be made. In effect, the fund allows some local discretion to meet the needs that are not covered by the national Housing Benefit scheme.

In the interests of administering the fund fairly and consistently, it is recommended that the Council has a clear policy and criteria on which to base these decisions. This should take into account the local housing situation and other significant factors. The amended policy is set out in Appendix 1 to this document.

Guidance from the Department of Communities & Local Government (DCLG) and the Department for Work and Pensions (DWP) recommends using the DHP fund as one way of preventing and tackling homelessness. On occasions a small increase to Housing Benefit payments via the DHP fund can secure adequate housing at a much lower cost to the Council than dealing with the same customers as homeless. The guidance also advises that support from the DHP fund, should generally be temporary in nature.

Oxford City Council pays out around £67 million per annum in Housing Benefit to around 12,500 households. The majority of this is claimed back in subsidy from central government. Many of these households receive sufficient Housing Benefit to cover their rent in full. Those who do not, fall into the following categories:

1. Those that are working or have other income above the basic minimum levels. Their benefit is reduced in proportion to their income and capital.
2. Private sector tenants in properties considered too large by the national scheme for the household or more expensive than the average for Oxford.
3. Social sector tenants in properties considered too large by the national scheme.
4. People impacted by the Benefit Cap Families will be restricted to a total of £500 per week in benefits. This will be £350 for individuals. The following benefits are included in the Cap:
 - i. Bereavement Allowance
 - ii. Carer's Allowance
 - iii. Child Benefit
 - iv. Child Tax Credit
 - v. Employment and Support Allowance
 - vi. Guardian's Allowance
 - vii. Housing benefit

- viii. Incapacity benefit
- ix. Income Support
- x. Jobseeker's Allowance
- xi. Maternity Allowance
- xii. Severe Disablement Allowance
- xiii. Widowed Parent's Allowance (or Widowed Mother's Allowance or Widows Pension you started getting before 9 April 2001)