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A DHP may be awarded when it is considered that a claimant requires further financial assistance towards housing costs, and is in receipt of either Housing Benefit (HB) or Universal Credit (UC) with housing costs towards rental liability.

This document sets out the Council's (BCC) Discretionary Housing Payments policy for 2018/19. In response to the Government's continuing welfare reform program, the Council will offer support for those mainly affected by changes made to Local Housing Allowance rates, reductions in Housing Benefit entitlement due to the introduction of the size criteria in the social rented sector, the income limits of the Benefit Cap and the introduction of Full Service Universal Credit to the City. The policy also supports the Homelessness Reduction Act 2017 (HRA). The overall DHP policy will seek to support long term sustainable tenancies and reduce homelessness.

To help with the impact of the reforms, Discretionary Housing Payment funding nationally is £100 million for the year ending March 2023. The funding has been allocated on the basis of each council's share of total anticipated losses experienced by Housing Benefit claimants as a result of the reforms.

The amount of funding for Discretionary Housing Payments will not fully compensate for the loss of benefit income to tenants in Birmingham. It is the Government's intention that tenants take positive action to improve their financial situation through finding work, increasing the hours they work and/or move to more suitable accommodation. Discretionary Housing Payments are short term financial assistance to 'bridge the gap' whilst people improve their personal situations.

The Government has allocated a DHP single budget. The budget allocation is made up of four categories: General Hardship, Removal of the Spare Room Subsidy, Benefit Cap, and Local Housing Allowance reforms. The spending of these categories is monitored and quarterly returns are submitted. Councils are advised of the DHP funding amounts annually.

Discretionary Housing Payments (DHP) are not payments of benefit. They are freestanding payments made at the discretion of the Local Authority. They are made in addition to Housing Benefit and/or Universal Credit and do not form part of it. The legislation gives Local Authorities broad discretion in awarding DHPs but it has to be remembered that ordinary principles of decision making must be followed to ensure that we are acting fairly, reasonable and consistently.

Payments of DHP should be used to alleviate the position of people experiencing severe hardship or financial difficulties.

The eligibility criteria for DHP awards require that people must be entitled to Housing Benefit or Universal Credit. They must have a shortfall between their HB entitlement and the eligible rent and must require extra help to meet their housing costs. The amount of any weekly award cannot take the full payment (HB+DHP) above the level of the eligible rent but one-off awards can be made which can exceed the weekly eligible rent.

When deciding on the period of a backdated DHP award, each application will be considered on its own merits.

Although there is no restriction on the length of the period of backdating a DHP, it will usually be made in respect of the immediate need rather than a past period. When considering a backdate award of DHP for more than one month the applicant will need to demonstrate that there is good cause and exceptional circumstances as to why the DHP was not requested at the time.

Regulations require that the DHP award can only be considered for the relevant period that is linked to the HB or UC award payable.

Backdated awards will be considered where there is a real threat of eviction and risk of homelessness.

The amount awarded will be based on the individual merits of the case and the overall budget available. However, where the award is to meet a shortfall, the level of Discretionary Housing Payment must not exceed the weekly or monthly eligible rent for the & y • c [{ ^ ! q • Á @ [{ ^ Á Ç æ • Á •] ^ & ã - ã ^ ã Á ã } Á Ü ^ * ~ | æ c á [} Á F G Ç F D Á [- Á c @ ^ Á P [~ • ã } * Á Ö ^ } ^ - ã c Á Regulations 2006 and Schedule 4 of the Universal Credit Regulations).

For lump sum payments, such as deposits or rent in advance, this limit does not apply.

A decision will be made on the most appropriate person to pay (this could include an appointee or landlord), and the method and timing of payments, based upon the particular circumstances of each case. In most cases, payment with Housing Benefit will be the most convenient payment method.

A DHP can be awarded as a weekly ongoing basis or as a lump sum payment in respect of removal costs.

Short term and partial shortfall awards will be made to give the tenant time to organise financial circumstances or find alternative accommodation.

Decisions on the level and duration of an award will take into account past awards, value and length of time for the previous awards, and what is affordable within the allocated budget. Awards will also consider any efforts tenants are making to help secure an affordable and sustainable tenancy in the future.

In deciding whether to award a Discretionary Housing Payment, officers will take into account any of the following factors which may be relevant:

- The impact of welfare reforms (Benefits Cap, Social Sector Size Criteria, and reduction in Local Housing Allowance rates).
- The shortfall between Housing Benefit/UC Housing costs and the rental liability (net of any ineligible charges).
- The steps taken by the customer to reduce their rental liability;
- Any unavoidable overlap of rental liability on two homes.
- The financial, medical or social needs and circumstances of citizens, their partner and any other persons in the household.
- Any savings or capital held by the citizen or family members.
- The level of indebtedness of the customer and family.
- Any exceptional circumstances of the customer or family members.
- The probable consequences of rent arrears for the customer or family members, especially if any of them are vulnerable by reason of age, sickness or disability.
- Action taken by the landlord to put the tenancy at risk.
- The amount available in the Discretionary Housing Payment budget or within the limits of the permitted total.
- The possible impact on the Council of not making an award, e.g. the pressure on priority homeless accommodation.
- The cost and availability of suitable alternative accommodation within the city.
- The cost of moving prohibiting the customer from moving to suitable affordable accommodation.
- Any reason why a household cannot move immediately for reasons such as health, education, child protection or domestic abuse.
- Any other special circumstances

DHPs can cover the following, but are not limited to:

- Reductions in Housing Benefit or Universal Credit where the Benefit Cap has been applied;
- Reductions in Housing Benefit or Universal Credit due to the Social Sector Size Criteria;
- Reductions in Housing Benefit or Universal Credit as a result of Local Housing Allowance restrictions;
- Rent Officer Restrictions, such as Local Reference Rent or shared accommodation rate;
- Non-dependant deductions in Housing Benefit or housing cost contributions in Universal Credit; and

The Council will consider recovery of a DHP if it is decided that the award has been overpaid as a result of:

a misrepresentation or failure to disclose a material fact by the claimant; or
an error was made when the application was determined.

A DHP cannot be recovered from ongoing HB or UC, and there are no provisions to recover from other prescribed benefits.

Discretionary Housing Payments are not payments of Housing Benefit and are not subject to the statutory appeals process.

If a citizen (or person acting on their behalf) disagrees with a decision, he or she must write to the Council, giving reasons why they disagree with the decision that has been made. A senior officer (other than the original decision maker) will look at the decision again and notify the citizen in writing of the outcome of their review and the reasons.

In exceptional circumstances (and if it appears that the interests of natural justice would not be served by the usual procedure, or if the citizen still disagrees with the outcome of an internal review), officers will consider whether to submit an appeal to the Head of Service for consideration. This decision will be final and binding and may only be challenged by a complaint to the Local Government Ombudsman if there is an allegation of maladministration.

The Benefits Service is committed to detecting and investigating any suspected fraudulent claims to benefit and DHP.

Individuals who falsely declare their circumstances to claim DHP will have committed a criminal offence, which may lead to criminal proceedings being instigated.

The Benefit service maintains reports detailing DHP applications received, decisions, spend allocation and DHP fund available.

We report on our DHP expenditure twice a year to the DWP, which is signed off by our S151 officer before submission.

We aim to review the Policy annually, or sooner if appropriate, to take account of operational adjustments and or changes to legislation.

The Benefits Service will openly publicise the scheme and will work with all interested parties to achieve this. A copy of this policy statement will be available for inspection and will be posted on the Birmingham City Council website.

<p>- Citizens who have had their property significantly adapted to meet their disability needs</p>	<p>an award the Council Tax disability relief medical evidence supporting letter from support worker/social worker</p>	<p>Social Sector Size Criteria</p>	<p>Long Tern . 52 Weeks</p>	<p>As long as the</p>
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<p>disability needs for a dependent child</p> <p>affected by the SSSC due foster children numbers changing.</p>	Foster carer registration	SSSC	Long Term	As long as foster status remains, review

