

## **Revenues and Benefits**

# **Policy for the award and payment of Discretionary Housing Payments**

Revised January 2018

## Contents

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|   |   |
|---|---|
| Introduction                                    | 3 |
| What is this policy for?                        | 3 |
| Statement of objectives                         | 3 |
| Application for a Discretionary Housing Payment | 4 |
| Awarding a Discretionary Housing Payment        | 4 |
| Period of award                                 | 5 |
| Changes of Circumstances                        | 5 |
| Method of Payment                               | 5 |
| Notification                                    | 5 |
| Overpayments                                    | 6 |
| Review of the Decision                          | 7 |

## **Introduction**

Discretionary Housing Payments were introduced by the Discretionary Financial Assistance Regulations 2001 (SI 001/1167).

The main features of the scheme are:

- The scheme is purely discretionary
- There is no statutory right to a Discretionary Housing Payment
- Discretionary Housing Payments funding is provided by central government. It is a cash limited budget but operation of the scheme is the responsibility of the Council
- The administration of the scheme will be carried out by the Revenues and Benefits Service
- Discretionary Housing Payments are not payments of Housing Benefit / Universal Credit
- In order to qualify for a Discretionary Housing Payment, there must be a corresponding award of Housing Benefit / award of housing costs within Universal Credit.

## **What is this policy for?**

The purpose of this policy is to specify how the Revenues and Benefits Service will operate the scheme and to indicate some of the factors that will be considered when deciding if a discretionary housing payment can be made.

The Revenues and Benefits Service is committed to working in partnership with the local voluntary sector, social landlords and other parties in Bolton. We will refer customers to more specialist providers where appropriate.

## **Statement of objectives**

The Revenues and Benefits Service treats all customers that make an application for a Discretionary Housing Payment fairly. Each application will be considered strictly on its own merits.

Our objectives are in line with Council's priorities, in particular to reduce inequalities by protecting the most vulnerable in Bolton:-

- Safeguard people's housing/tenancies
- Sustain vulnerable households
- Prevent homelessness
- Alleviate poverty
- Encourage/sustain people in employment

- Help those trying to help themselves
- Keep families together
- Support the vulnerable in the local community
- Help people through personal crises and difficult events
- Support young people in the transition to adult life

## **Application for a Discretionary Housing Payment**

A claim for a discretionary housing payment should be made online.

- We may request evidence to support an application for a Discretionary Housing Payment
- Customers will be given one month to provide the information or the application will be closed, although this will be extended in appropriate circumstances. The decision maker has full discretion over this.
- Customers may be required to provide a financial statement in support of their application. We will consider any evidence provided on the claim for Housing Benefits, for example, evidence of income, benefits, capital and household details.
- We may verify any evidence or information provided by the applicant
- The applicant may be required to attend an interview with the Revenues and Benefits Service before a Discretionary Housing Payment is awarded
- Customers may also be asked to demonstrate how they will make improvements in their financial circumstances and be referred for budgeting advice

## **Awarding a Discretionary Housing Payment**

When assessing the amount of Discretionary Housing Payment we will consider:

- The shortfall between the award of Housing Benefit/ Housing Costs within Universal Credit and the rental liability
- Steps taken by the customer to reduce their rental liability
- The financial and medical circumstances of the customer, their partner and any dependants and other occupants in their home
- The income and expenditure of the customer, their partner and any dependants or other occupants of their home
- Any savings or capital held by the customer or their family
- Any debts of the customer and their family
- Any special circumstances of the customer and their family

## **Period of award**

The Revenues and Benefits Service will decide the length of an award by considering the facts available in each application. The start date of an award will usually be:

- The Monday following receipt of an application or
- any date or period that the decision maker feels is appropriate given the customer's personal circumstances

Where reasonable, a Discretionary Housing Payment may be awarded for a past period depending on the request or application.

Awards of Discretionary Housing Payments are not guaranteed to be renewed indefinitely. Any award made is intended to be a short term solution to alleviate current financial/personal hardship. However the applicant can re-apply at the end of any award.

## **Changes of Circumstances**

All customers receiving a Discretionary Housing Payment must report any change in their circumstances immediately.

The Revenues and Benefits Service may revise or withdraw the award following a change in circumstances, or at any other time it is practical to do so. We may need to revise an award of a DHP where the claimant's circumstances have materially changed.

## **Method of Payment**

The Revenues and Benefits Service will decide the most appropriate person to pay based upon the circumstances of each case. This could include paying:

- the customer;
- an appointee;
- the landlord (or an agent of the landlord); or
- any third party to whom it might be most appropriate to make payment.

We aim to make payment as soon as possible following the award of a Discretionary Housing Payment

## **Notification**

The Revenues and Benefits Service will inform the claimant in writing of the outcome of their application. Where the application is unsuccessful, the Revenues and Benefits Service will give reasons why this decision was made and explain the right of review.

## **Overpayments**

The Revenues and Benefits Service will seek to recover any Discretionary Housing Payments found to be overpaid. An invoice will be issued to the customer or the person to whom the award was paid.

Under no circumstances will recovery be made from any amounts of Housing Benefit due to the customer without the customer's consent.

When deciding to recover a Discretionary Housing Payment overpayment, decision makers will

- Consider the individuals circumstances,
- Negotiate realistic payment arrangements
- Be flexible and offer convenient methods of payment

## Review of the Decision

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

However, you can ask for a decision to be reviewed by another officer within the Revenues and Benefits Service. Reasons for requesting a decision is reviewed could include:

- An award or a repeat award being refused
- Method of payment
- Value of award
- To whom the payment is awarded
- Recovery of an overpayment

The Review process:

