

2.0 **RECOMMENDATIONS**

- 2.1 That approval for the adoption of a refreshed DHP policy and procedures document be granted.
- 2.2 That a review be undertaken after 6 months of operation, and a progress report presented.
- 2.3 That monthly reports be presented to Appeals and Regulatory Committee, starting immediately, detailing DHP applications and details of decisions, for information.
- 2.4 A further review will be required once Universal Credit is implemented.

3.0 **BACKGROUND**

- 3.1 The scheme was originally introduced on 2 July 2001, and a policy and procedure document was drawn up and adopted at that time.
- 3.2 Funding and expenditure for recent years in shown in the table below:

Year	Government funding £	Amount awarded £
2013/14	169,828	
2012/13*	79,978	79,881
2011/12	36,300	20,768
2010/11	26,600	24,304
2009/10	25,392	23,074

*2012/13 government funding includes the balance of unspent grant from 2011/12

- 3.3 With the advent of Welfare Reforms in the last few years, the Government has increased the funding available for DHPs and has advocated the use of the funding to alleviate specific issues and circumstances. Unspent funds from 2011/12 were carried forward, at our request, as a one off provision. A Council is allowed to spend up to 2.5 times the government amount (the permitted total), using its own funds.

- 3.4 The replacement of Council Tax Benefit with a local Council Tax Reduction Scheme means that DHP can no longer be used to top up Council Tax Benefit to assist with Council Tax liabilities.
- 3.5 Changes are needed to allow for a DHP award when Universal Credit, including a Housing Allowance, is in payment, once that scheme starts to affect Chesterfield residents.
- 3.6 The refreshed document incorporates amendments to recognise these changes and is attached along with an appendix 1, specifically intended to cover the under-occupation charge, also known as 'bedroom tax'.
- 3.7 The original policy allowed appeals against officer decisions to Members of the Appeals and Regulatory Committee. Since its adoption there has been one appeal heard.

4.0 **PROPOSAL**

- 4.1 The document includes provisions for alleviating hardship arising from the implementation of the Welfare Reform changes, including the withdrawal of Housing Benefit for tenants of social landlords who have spare bedrooms.
- 4.2 The refreshed policy also allows for a customer to request the review of a DHP decision to be considered by a panel of senior managers of Customer Services and Community Housing, instead of the Appeals and Regulatory Committee. This change is suggested because of the significant increase in available funds and the uplift in applications.
- 4.3 Initially, monthly monitoring reports will be prepared and submitted to Appeals and Regulatory for information.

5.0 **CONSIDERATIONS**

- 5.1 There have been significant changes and the policy and procedure document is no longer fit for purpose.
- 5.2 More detailed guidance is needed for customers, their advisers and the staff involved in administering the scheme.

5.3 More requests for decisions to be reviewed are anticipated due to there being more applications and the increased likelihood of hardship as Welfare Reforms start to bite. 299 awards were made in 2012/13. The following table shows the position in financial year 2013/14, 1st April to 31st July:

5.4

No. of awards	No. refused	No. yet to be decided	Gov't. Funding £	Committed to date £
232	78	78	169,828	60,000

Senior managers of Customer Services and Community Housing are working closely together to give residents, including tenants of social landlords, the best possible advice to resolve their Housing difficulties. A DHP may be an appropriate temporary solution whilst alternative Housing provision is sought.

5.5 It is imperative that these decisions, reviews and appeals are processed speedily to enable customers to make life choices, such as where they can afford to live, in full knowledge of all of the facts. Managers are committed to facilitating this for our residents.

5.6 Consistent decision making is critical if customers are to receive an equitable and fair service. This can only be achieved in full knowledge of decisions made, to award or not, whether challenged or not. This evidence is readily available to officers.

6.0 EQUALITIES

6.1 A preliminary Equalities Impact Assessment has been undertaken and no negative impacts have been identified. The policy is anticipated to have a positive impact on a number of groups, including vulnerable people, people who may be at risk of homelessness, families with dependents where the hardship is having particular effects on individuals within the family, for instance young children, and people with disabilities or health conditions that make it essential for them to remain in their current accommodation. In addition, the 'Wednesbury' test of unreasonableness will apply when considering an applicant's non-essential expenditure.

7.0 RISK MANAGEMENT

7.1 Risks have been considered and mitigated as follows:

Risk	Likelihood (H/M/L)	Impact (H/M/L)	Mitigating action
Failure to spend the budget allocation	H	M	Regular monitoring by officers. Intervention to proactively identify potential cases.
Overspend against the budget allocation	M	H	Regular monitoring by officers. Short term awards with regular reviews if circumstances allow.
Consistency of decision making which may be challenged externally (Ombudsman or Judicial Review)	H	M	One officer responsible for decision making. Experienced officer panel to consider review requests.
Legislative changes may impact, for instance, Universal Credit	M	M	Undertake review once Universal Credit introduced properly.

8.0 RECOMMENDATIONS

8.1 That approval for the adoption of a refreshed DHP policy and procedures document be granted.

8.2 That a review be undertaken after 6 months of operation, and a progress report be presented.

- 8.3 That monthly reports be presented to Appeals and Regulatory Committee, starting immediately, detailing DHP applications and details of decisions, for consideration.
- 8.4 A further review will be required once Universal Credit is implemented.

9 REASON FOR RECOMMENDATIONS

- 9.1 The existing document is no longer fit for purpose.
- 9.2 Reviews will be more quickly and equitably decided by a panel of senior managers of Customer Services and Community Housing.
- 9.3 Further appeals to Members would require that they be apprised of all DHP awards made and refused so that consistency of decision making could be guaranteed.
- 9.4 A review of the operation of the policy after 6 months is appropriate in the circumstances, as the impacts of Welfare Reform come to be fully understood, including the Benefits Cap which came into operation in July 2013.

You can get more information about this report from Fran Rodway, Customer Centric Services Manager, 345475.

Officer recommendation supported/not supported/modified as below or Executive Members' recommendation/comments if no Officer recommendation.

Signed

Executive Member

Date

Assistant Executive Member

Consultee Executive Member/Support Member comments (if applicable)