

**Discretionary Housing Payment,
Household Support, and IAP Local
Hardship Scheme**

&

**Discretionary Council Tax
Hardship Scheme**

**Policies
2023/2024**

The Discretionary Council Tax Hardship Scheme (DCTHS) and Discretionary Housing Payment (DHP) are two of the discretionary funds operated by the Welfare service, the others being Individual Assistance Payment (IAP) (Local Hardship) and Household Support Fund.

The council recognised that many residents may be entitled to assistance under one of these schemes may also be entitled to assistance under one or more of the others. It has integrated the individual schemes and their administration, combined the application forms into a one form fits all application so applicants will only be required to make a single application to be considered for an award under any or all of the available schemes as relevant to their circumstances. All the administered schemes are discretionary, meaning that there is no statutory right to payment. The DHP and Household Support grants are funded entirely by the Government via the Department for Work and Pensions (DWP) with the Council Tax Support and IAP (Local Hardship) schemes being fully funded by the council.

Exercise of Discretion

Each case will be decided on its merits but will be subject to the limits faced by the authority in terms of expenditure, statutory and policy restrictions, and the published and agreed Council priorities.

In exceptional cases the Council may make decisions which fall outside the provisions of this policy.

The Council will, in all cases, endeavour to ensure that all members of the community are able to access assistance offered by this scheme regardless of race, gender, age, religion or belief, sexual orientation, marital or civil partnership status and/or disability.

It will ensure that the decision-making process is fair and that no person is disadvantaged by virtue of their membership of one or more of the groups listed in the above paragraph.

We want to help people who are:

- 1) On a low income or unable to work and are significantly affected by the rising cost of living and unable to afford essentials like energy bills, food and water bills.
- 2) Unemployed but actively seeking employment e.g. applying for jobs and attending interviews or moving towards work readiness e.g. gaining employment skills, such as by volunteering or actively engaging in education.
- 3) Engaged in or recently returned to employment to aid the financial changes & support back to work activities or assist with immediate needs of travel costs and/or wider expenses such as broadband or mobile phone usage bills if on a low income.
- 4) Taking positive steps to reduce their overheads/outgoings e.g. reducing household bills, attending financial management activities etc.
- 5) Able to show that you are suffering financial hardship and do not have any financial assets that you may be able to call upon.
- 6) Experiencing short term financial issues associated to illness or disability.
- 7) Had a significant change in your circumstances or life changing event that has placed you into hardship.
- 8) Have no access to claim welfare benefits or have claimed welfare benefits and there is a delay in award and/or payment being made

Purpose of the schemes

- 1) Prevent and reduce hardship and poverty caused by the rising cost of living.
- 2) Encouraging and sustaining people in secure paid employment so they can meet their cost of living without further support.
- 3) Help people through personal crises and difficult events that adversely affect their current financial situation.
- 4) Supporting the vulnerable and elderly in the local community so they have assistance to meet their current cost of living.
- 5) To support the most vulnerable residents who are least able to help themselves (eg Terminally Ill or Severely Disabled) so they have assistance to meet their current cost of living.

Am I eligible for support?

To be eligible support you must live in the London Borough of Barking & Dagenham. You must also be on a low income. This would normally mean you will be getting one of the following benefits:

- 1) Income Support.
- 2) Income based Job Seekers Allowance.
- 3) Income related Employment and Support Allowance, or
- 4) Pension Credit (Guarantee Credit only).
- 5) Has claimed, or is in receipt of, Universal Credit but is experiencing financial hardship.

(You are not required to be in receipt of any benefits to be eligible to make an application)

AND/OR

- Unemployed or on a low income
- Affected by rising living costs including food and utility price increases.
- You require support to stay in the community.
- Or you are being resettled into a new home by the council or a voluntary organisation following an unsettled period in your life.
- Or you don't have enough money to meet your (or you family's) immediate needs after an emergency or crisis.

Impact of the Cost-of-Living Crisis.

The early part of 2022 ongoing into 2023 saw significant increases in the cost of living, particularly with regard to gas and electricity prices. The Council recognises that these issues will have a significant impact on the ability of many people to meet their housing costs.

It also recognises that the funding available to aid is limited both in statutory terms and, more importantly, by the Council's own resources. It is all-but-inevitable that demand will significantly outstrip supply and the Council is determined that assistance will reach as many people as possible. To ensure this is the case:

Long-term awards and awards covering the entirety of a financial shortfall will be strictly limited to cases where there is no realistic prospect of the applicant improving their financial situation and the failure to make an award would lead to the Council incurring expenditure which is likely to significantly exceed the level of the award.

Repeat awards will only be made where the Council is satisfied that the applicant has made all reasonable efforts to improve their financial and/or housing situation. Any such award will be reduced against the level of award given immediately preceding it.

Legislation

The following legislation is relevant to all administered schemes.

The Universal Credit Regulations 2013

The Local Government Finance Act 2012

Welfare Reform Act 2012

Child Poverty Act 2010

Equality Act 2010

Housing Act 1996

Armed Forces Covenant

Social Security Act

1992 Fraud Act 2000

Anti-fraud statement

All discretionary schemes are subject to significant financial constraints. The making of a false declaration with a view to obtaining or increasing an award may amount to a criminal offence under the Fraud Act 2006. Where the council suspects that an offence may have been committed, the matter will be investigated, and appropriate action taken including the initiation of criminal proceedings. No award of any type will be made if an applicant knowingly makes a false statement in order to obtain or increase an award under the provisions of these schemes.

Any award made, or partially made, as the result of an intentional misrepresentation will be cancelled and recovery of the monies paid will be sought irrespective of whether criminal proceedings are initiated.

If the Council believes that any issues may impact on a person's entitlement to Housing Benefit, Council Tax Support or any other benefit or allowance the Council may either widen the scope of its investigation and/or share the information with other bodies including;

- Other departments within the Council
- Other local authorities
- The DWP
- Her Majesty's Revenues and Customs (HMRC)
- The Police

Cash in a crisis – Get help paying for daily essentials.

In conjunction with the Individual Assistance Payment Scheme, the council also has a Household Support Scheme to support people in extreme hardship due to rising living and energy costs (April 2023 to March 2024). There is no set limit to the time that an award can be made for, and the council will decide what amounts and periods are appropriate. It may be appropriate to make an award for a short period to give the customer time to sort out their financial and/or personal circumstances. Or it may be appropriate to make a longer indefinite award or a one-off payment. It is not intended that either of the funds will be a long-term solution.

They may give vouchers, direct payment to suppliers, BACS or text payments and referrals for essential items such as:

1. food
2. gas and electricity costs
3. essential household appliances (setting up home, leaving care, disaster, maternity needs)

As the funds are both discretionary and limited there are levels to the amount, we can consider giving you based on your family make up and this is in line with benchmarking using weekly data from The Joseph Rowntree Organisation, Shelter & Policy in Practice.

For example:

Single Person	Couple	First Child Supplement	Per Additional Child Supplement
Utilities £28.19 Water £6.32 Food £63.22 Clothing & Shoes £8.30 Internet £7.38 Mobile Phone £4.15 TV Packages £4.85 Streaming Services £2.30 Total £ 124.71	Utilities £37.15 Water £8.33 Food £79.76 Clothing & Shoes £16.60 Internet £7.38 Mobile Phone £8.30 TV Packages £4.85 Streaming Services £2.30 Total £ 164.67	Utilities £5.88 Water £1.32 Food £23.52 Clothing & Shoes £8.30 Mobile Phone £4.15	Utilities £3.80 Water £0.85 Food £19.73 Clothing & Shoes £8.30 Mobile Phone £4.15

Claims

A claim must be made, or a referral received for an award from any or all of the available schemes and applicable funds to be considered and made.

Any claim should in the first instance be made electronically via the authority's website. [INSERT NEW CLAIM LINK](#)

The authority or appointed third party support partner will complete a claim form on behalf of an applicant if.

- 9) the applicant is disabled and
- 10) is unable to leave the home as a result of that disability and
- 11) is unable to complete the claim as a result of that disability and
- 12) no family member, friend or other suitable person is available to assist the applicant.

This may be done face to face at the resident's home, a council office or by a telephone appointment.

Information Required in Support of a Claim

When making a claim for an award under any of these schemes a resident must provide

- 6) All of the information requested in the claim form and
- 7) Any other information or evidence requested by the authority which it considers necessary in order to determine an award.

If an application does not contain all the information required, the authority shall give the applicant 10 working days to provide any missing or additional information and/or evidence which is required to support their claim and enable the council to make an award.

No award will be made in the event that an applicant fails, without reasonable cause, to comply with the above requirements.

Financial Assessment

The authority will conduct a financial assessment when considering whether to make a discretionary award and will consider.

- 6) The applicant's income and capital by.
 - a) Calculating the income and capital available to the applicant's household as a whole.
 - b) Adding to this any resources which the authority believes the applicant, or any member of the applicant's household could reasonably obtain or have access to.
- 7) Then deducting the following
 - a) A reasonable amount for essential expenditure on basic necessities such as food, clothing, and utilities
 - b) Any capital attributable to payments made from government funds to alleviate the impact of disasters, miscarriages of justice and crises including, but not limited to, those made in consequence of the Grenfell Tower disaster and payments made under the Windrush Compensation Scheme
 - c) Unavoidable expenditure which the applicant is required to meet by law or by contract and which the applicant has taken reasonable measures to reduce or avoid.

No allowance shall be made for expenses such as the following.

Type of expenditure	Examples
Leisure	Holidays, eating out, socialising, cinema, theatre, concerts and sporting events
Home Entertainment	Excessively expensive cable/ fibreoptic / mobile contracts. Home entertainment subscriptions such as Netflix, Apple TV and Amazon Gaming subscriptions Magazine subscriptions
Personal Expenditure	Alcohol, tobacco, or gambling unless a person is receiving treatment for an addiction. Expensive clothing, luxury household goods, private medical insurance Excessively expensive gym membership Special dietary foods and supplements unless they are taken under formal medical advice.
Other Expenditure	Car hire purchase (unless a person is entitled to assistance under the Motability scheme) Loans to family or friends

Unless they were reasonably incurred before the need for a support payment arose and cannot be reasonably reduced or avoided.

Financial hardship.

The authority's long-term aim is to help people become self-sufficient. Discretionary funds are limited and cannot generally be relied upon as a permanent measure. If an applicant is experiencing financial hardship the authority may review their income and expenditure and recommend that the applicant take action to improve their finances.

The scheme will work in conjunction with the Homes & Money Hub (<https://www.lbbd.gov.uk/money-and-debt>) to support residents across a broad range of services. This will include referrals of applicants to services such as Job Shop, Budgeting and Debt advice, Adult Learning, and any other relevant service as applicable for further advice and ongoing support. Independent Living Agency to support emergency gas and electric key top ups and referred into from Care Leavers Team, CAB and DABD and relevant third-party support agencies within the voluntary and community sector.

In any case the authority must be satisfied that the applicant has taken reasonable steps to improve their financial situation. In the absence of such evidence the authority may decide that any further award shall be made at a reduced rate or that no award shall be made at all.

If you can't pay your bills because of living cost rises

There are things you can do if you're struggling to pay for things like food, water, energy bills, your rent, or mortgage.

It's important you don't ignore your bills. Speak to the organisation you owe money to - they might be able to help by letting you pay smaller amounts or take a break.

It's also worth checking with your bank or building society - they might be able to help you with your debts or let you delay loan or credit card repayments.

If you can't pay your energy bills

Speak to your energy supplier as soon as you can. You might be able to set up a payment plan with them to help spread the cost of your bills. Your supplier has to help you come to a solution. You should try to negotiate a deal that works for both of you. You can try to negotiate a better deal. If you don't, your supplier might make you have a prepayment meter installed.

Find out more about what to do if you're struggling to pay your energy bills.

[What to do if you're struggling to pay your energy bills - Citizens](#)

[Advice https://www.askbill.org.uk/energy/](https://www.askbill.org.uk/energy/)

If you're in debt to your energy supplier, you might be able to get a grant to help pay it off. There are several energy companies who offer grants and schemes that are open to anyone - you don't have to be a customer. When you apply for a grant, you'll have to provide detailed information about your financial situation in your application. You may need to complete a budget sheet with a Financial Conduct Authority (FCA) approved adviser.

Visit [Grants to pay off your energy debts - Citizens Advice](#) for more information.

If you have a prepayment energy meter

Your supplier will try to help you find ways to keep your energy supply connected if you can't top up your meter because of immediate hardship.

Tell your supplier as soon as possible if you can't top up. You'll find their contact details on their website or on your bill.

Check our advice on what to do if:

you can't afford to top up your prepayment meter
you can't get to a shop to top up your prepayment meter

If you can't pay your water bill

It's best to speak to your water company as soon as you can if you're having problems paying your bill. You can find out more about what to do if you're struggling to pay your water bill.

[If you don't pay your water bill - Citizens Advice](#)

Check who your water supplier is:

<https://www.water.org.uk/advice-for-customers/find-your-supplier/>

Help with your water bills:

<https://www.ccwater.org.uk/households/help-with-my-bills/>

<https://www.askbill.org.uk/water/>

You can reduce your bill by up to 50% with Essex and Suffolk Water tariffs. These would be suitable for you if:

- Your total household income is less than £16,105, and your annual water bill is more than 3% of your net household income (after housing costs, rent or mortgage payments)
- A member of your household receives Pension Credit, and your annual water bill is 3% or more of your net household income (after housing costs, rent or mortgage payments), or
- Your income is not enough to cover your essential bills – in this case, you'll need a financial assessment from an independent debt advice organisation, such as StepChange Debt Charity, along with your application.

If you are in arrears with your water bill, Essex and Suffolk Water offer an arrears support scheme to write off your water debt over a two-year period. This is a once only opportunity and you must maintain ongoing payments of your current charges to receive this support. To apply you would need to seek free independent debt advice and complete a financial budget. If your circumstances show that you are unable to pay the debt within a three-year period, you will qualify. They also offer payment breaks and direct payments from benefits.

Full details of these schemes and how to apply can be found at:

<https://www.eswater.co.uk/services/extra-support/financial-support/>

Similar schemes are also run by Thames Water which can be found at:

<https://www.thameswater.co.uk/help/account-and-billing/financial-support>

WaterSure is a scheme which helps some people with their water bills. To apply for the scheme, you must be on benefits and need to use a lot of water either for medical reasons or because your household has a certain number of school-age children. You also need to be on a water meter or be waiting to have one installed.

Details of the scheme can be found at:

[Watersure Scheme](#)

If you are struggling to manage or repay your debts

If you are struggling with long term debt repayments, there is help available to you. From bereavement to illness, and from relationship breakdown to unemployment, these life events can plunge people into financial hardship, particularly those who are already struggling to make ends meet. For many, the result can be a financial crisis.

Visit our [Barking and Dagenham Money](#) website for help and advice on a range of solutions including:

- 1) Debt advice
- 2) Emergency Support
- 3) Benefits
- 4) Getting into Work
- 5) Money Tools
- 6) Gambling Support
- 7) Divorce and separation
- 8) Scams
- 9) Mental Health Support
- 10) Dealing with mis-selling, including advice on how to claim compensation and make a complaint
- 11) Family and care
- 12) Budget, Benefits, Car costs, Credit Card, Baby budget, Loan, Mortgage and Divorce calculators
- 13) Immigration support



Stepchange debt charity offer the widest range of debt solutions to help, no matter what you're dealing with.

Solutions they can support you with include:

- 1 Debt Management Plan (DMP)
- 2 Debt Relief Order (DRO)
- 3 Individual Voluntary Arrangement (IVA)
- 4 Breathing Space Scheme
- 5 Bankruptcy Advice
- 6 Equity Release
- 7 Token Payment Plan
- 8 Mortgage Advice

Their advice is free, and they will support you for as long as you need. You can complete the process entirely online or switch between their online and phone service as you choose.

Take the 60 second debt test to help find out in just one minute if you need help with your debts [Debt Test. Assess & Tackle Your Debts Today.](#)

Contact Stepchange at <https://www.stepchange.org/contact-us.aspx> or by calling 0800 138 1111 Monday to Friday 8am to 8pm and Saturday 8am to 4pm.

Alternative help is available through Citizens Advice at [CAB debt and money](#) or Debt advice line UK at [Helping people in debt | Debt Advice Line](#)

If you've got less money because of a change in your circumstances

If you've had a change in circumstances that has resulted in a loss of income you might be able to claim benefits or get more money on your current benefits if:

you've lost your job
or you're self-employed and can't get work
or your income has reduced
or you are on reduced working hours

Check what benefits you can get if you're affected by any of the above. There are a number of online benefit and budgeting calculators that will help you to see what you may be entitled to with information on income-related benefits, tax credits, contribution-based benefits, Council Tax Reduction, Carer's Allowance, Universal Credit, how these are calculated and how your benefits will be affected if you start work or change your working hours:

- 2) [Benefit and budgeting calculator | Policy In Practice \(betteroffcalculator.co.uk\)](https://www.betteroffcalculator.co.uk/)
- 3) [Turn2us Benefits Calculator](#)
- 4) [Benefits Calculator - entitledto - independent | accurate | reliable](#)
- 5) [Money Manager for Universal Credit claimants | MoneyHelper](#)

You may be able to claim Universal Credit <https://www.gov.uk/apply-universal-credit> and/or Personal Independence Payments <https://www.gov.uk/pip/how-to-claim> if you are unable to work due to a health condition.

You may be able to claim Council Tax Support if your income has reduced. You can claim online at <https://www.lbbd.gov.uk/claim-council-tax-support>

Maternity Allowance, Child Benefit, Milk Vouchers & additional support are available at <https://www.healthystart.nhs.uk/>

If you've had a change in circumstances or have run out of money and can't afford essentials like food or heating, there are emergency funds to help you. Our Homes and Money Hubs are open for a drop in at Barking Learning Centre and Dagenham Library from 9am to 4pm, Monday to Friday or via homesandmoneyhub@lbbd.gov.uk.

Reducing your household bills

Join the Community Food Club and you could reduce your food shopping bill by having access to £20 worth of shopping each week. Membership is available for one person per household, to visit once a week and is valid for 3 months. Your membership will give you access to support from a wide range of services, providing advice on finances, health, employment, training and skills.

Visit <https://www.lbbd.gov.uk/community-food-clubs>

Social tariffs

Can provide a safety net for eligible households who might be struggling to afford their broadband or mobile services. The broadband market offers customers a wide range of choice, with different deals available to suit different needs. Some providers offer social tariffs which are only available to customers who receive certain government benefits.

Visit [Cheaper broadband and phone packages - Ofcom Social Tariffs](#) for more information.

In addition to these tariffs, other support might be available to customers who might not be able to get online because they struggle to afford internet services. If you're struggling to pay your mobile phone or broadband bill, you should speak to your provider as soon as possible to see how they can help.

Budget Planner tools

There are a number of available online to help you manage your finances:

- [Budget Planner | Free online budget planning tool | MoneyHelper](#)
- [Budget Planner: how to manage your money - MoneySavingExpert](#)
- [Work out your budget - Citizens Advice](#)

If you can't pay your rent

You should explain the situation to your landlord straight away - they might give you more time to pay or agree to reduce your rent.

You still need to pay your rent. If you've fallen behind with your rent you should start dealing with rent arrears. You can also check if you can get extra financial help.

If your landlord doesn't offer to be flexible with your rent payments, it's a good idea to pay as much as you can afford and keep a record of what you discussed.

You should also contact your nearest Citizens Advice - an adviser can help you explain things to your landlord.

Barking & Dagenham Citizens Advice Bureau - <https://bdcab.org.uk/>

You may be entitled to benefits to help with housing costs if your income has reduced, even if you're still working.

Housing advice and homelessness prevention

As a council we aim to support residents who are facing housing issues or homelessness.

Visit <https://www.lbbd.gov.uk/housing-advice-and-homelessness-prevention> where you will find information about how to avoid homelessness or what to do if you are homeless.

Alternatively, please call 020 8724 8323, Monday to Friday 9am to 5pm, or email housingadvice@lbbd.gov.uk and we will make every effort to respond to you as soon as possible.

If your landlord has started court action to evict you

You can find out more about what to do if you're being evicted for rent arrears. (link below)

[Eviction notices from private landlords - Shelter England](#)

You can also find out more about support for renters on GOV.UK.

[Private renting for tenants: evictions - GOV.UK \(www.gov.uk\)](#)

If you can't pay your mortgage

Get in touch with your mortgage provider immediately to find out more about how they can assist you.

You can also find out more about dealing with mortgage problems.

[How to deal with mortgage debts - Citizens Advice](#)

If you're a homeowner, you might be able to get help towards interest payments on:

- 1) your mortgage
- 2) loans you've taken out for certain repairs and improvements to your home

This help is called Support for Mortgage Interest (SMI).but you will need to be in receipt of a qualifying benefit – Income Support, Income Based JSA, Income Related ESA, Universal Credit or Pension Credit.

You can start getting the loan:

- from the date you start getting Pension Credit
- after you've claimed Income Support, income-based JSA or income-based ESA for 39 weeks in a row
- after you've received Universal Credit for 9 months in a row, as long as you're not getting certain income

Please visit <https://www.gov.uk/support-for-mortgage-interest> for more information.

Emergency funds from your local council

Local councils are now responsible for helping you if you've been hit by a disaster like a fire or flood, or had a significant change in circumstances and you're suddenly homeless or can't afford food or necessities.

The type of help varies from council to council, there are no set rules about what they have to provide. Some will direct you to food banks and churches, some will give you a card loaded with cash that lets you buy food (but not alcohol or cigarettes), and some will give you a short-term loan. You don't have to be on benefits to get this help.

Part 2 Provisions Specific to DHP

A DHP is a payment made from a cash-limited discretionary fund to help applicants who require 'further financial assistance' towards housing costs. To be eligible a person must be in receipt of either.

- Housing Benefit (HB) or
- Universal Credit (UC) including a housing costs element.

The phrase 'further financial assistance' is not defined in law and is left for the authority to determine. For the purpose of this policy it means a need for a payment where there is a shortfall between HB or UC (housing costs) and the contractual rent and the person is either unable to meet their housing costs from their available resources or needs a 1-off payment to either secure an existing tenancy or enter into another, more appropriate, affordable tenancy.

Purpose of the scheme

The primary purpose of this scheme is to prevent homelessness by helping residents who cannot afford to meet their housing costs by reducing the impact of certain changes to the housing benefit and universal credit regulations on those who have been affected by:

- a) The overall benefit cap.
- b) The limitation on the number of bedrooms occupied by tenants housed in both the social and private sectors.
- c) The introduction of the 2-child limit
OR
- d) Assisting people with the costs of moving to more affordable accommodation or, where such a move is not viable, assisting them in retaining their current accommodation.
- e) Providing short term assistance to people who are unable to meet their housing costs as a result of financial hardship or exceptional circumstances such as fire, flood or health deterioration.
- f) Assisting people in retaining their tenancies when they are in a situation where it is unreasonable to expect them to move.

Essential criteria for a DHP

Before making a payment, the authority must be satisfied that there is.

- A valid claim or referral for DHP and
- The applicant is in receipt of Housing Benefit (HB) or Universal Credit (Housing Costs element) (UC/HC) and
- There is a shortfall between the HB/UC award and housing costs

In general, 'housing costs' usually refers to rental liability, although the term can be interpreted more widely to include:

- rent in advance.
- Rent deposits: and other lump sum costs associated with a housing need such as removal costs.
- the shortfall between HB/UC and contractual rental liability

What a DHP can cover

On-going shortfall including but not limited to;

- reductions in HB or UC where the benefit cap has been applied; reductions in HB or UC due to the maximum rent (social sector) size criteria; reductions in HB or UC as a result of LHA restrictions.
- rent officer restrictions such as local reference rent or shared accommodation rate.
- non-dependant deductions in HB, or housing cost contributions in UC;
- rent shortfalls to prevent a household becoming homeless.
- income taper reduction; and
- any other legislative change that limits the amount of HB/UC housing costs payable, for example the removal of the family premium.

Rent deposits and rent in advance

A DHP can be awarded for a rent deposit or rent in advance for a property in or outside the borough if the applicant is already entitled to HB or UC at their present home. When awarding a DHP for a rent deposit or rent in advance, the authority must be satisfied that:

4. the property is affordable for the tenant,
5. the tenant has a valid reason to move,
6. the deposit or rent in advance is reasonable and not more than 4 weeks equivalent rent ongoing
7. neither the tenant nor the tenant's partner has received prior assistance for these purposes from the Council unless it is reasonable that a further award be made.

The authority will also consider whether the applicant.

1. is due to have a deposit or rent in advance in respect of their existing tenancy returned to them, and whether that deposit can be secured against the new tenancy in time or,
2. has received assistance towards a rent deposit, for example, a rent deposit guarantee scheme or similar.

Before agreeing to make such an award the authority requires.

1. Proof of the offer of tenancy, signed dated and contracted between the tenant and managing agent or landlord. and
2. The landlord protects any deposit paid in a government approved tenancy deposit protection scheme in the name of the tenant. Further information can be found at: <https://www.gov.uk/tenancy-deposit-protection/overview>

DHPs on multiple homes

The authority may consider a DHP in respect of two homes if.

1. The applicant is fleeing domestic violence or
2. An applicant is temporarily absent from their main home, and it considers there is good reason for that absence e.g. to stay near a child receiving treatment in hospital or
3. The applicant has an unavoidable rental liability on more than one property and HB on two homes cannot be awarded. An award of DHP may be backdated subject to the following restrictions.

- No award can be made in respect of a period when neither HB nor a relevant award of UC was in payment.
- No award can be made if there is no shortfall between the HB/UC amount and contractual rent for the period of backdating.

An award may be backdated if it is reasonable to do so and.

- The applicant is facing action for rent arrears which may lead to eviction or
- The existence of rent arrears is preventing the applicant from taking some form of action to reduce their rental liability such as bidding for more affordable accommodation
- There has been a change in the applicant's circumstances which prevents them from being able to maintain an existing arrangement to clear rent arrears or
- There are some other exceptional circumstances in existence which warrant a retrospective award being made.

In the event of any backdated award being made any HB already paid towards 'housing costs' must be deducted when calculating the amount of a DHP to avoid duplicate provision.

Circumstances where a DHP may be refused

A DHP may be refused in the following circumstances.

- The amount an applicant has been paying towards their housing costs has ceased or reduced substantially and there are no good reasons for such a reduction.
- The applicant has entered into an unaffordable tenancy recklessly.
- The applicant has received a recoverable overpayment of DHP and has failed to take reasonable measures to repay it. For the avoidance of doubt, reasonable measures may include making no repayment if it is unaffordable.
- The applicant has failed to comply with a DHP information/evidence request within the permitted timescale.
- An award would be so high that the authority believes it would unreasonably impact on its ability to make awards to other applicants unless a lower amount can be awarded which will make the tenancy sustainable for the applicant.
- The applicant has failed, without good cause, to comply with a recommendation attached to a previous award with regard to improving their financial situation or finding cheaper accommodation.
- The applicant has rent arrears which the authority is satisfied were accrued with an intention to obtain social housing or an award under this scheme.

Subject to a disregard of £500, the applicant has capital in excess of the DHP award being made

DHP cannot be considered

There are certain elements of an applicant's rent that the HB and UC regulations exclude so they cannot be included as 'housing costs' for the purposes of a DHP.

- 1) Ineligible charges: service charges which are ineligible for HB or UC cannot be covered by a DHP. These are;
 - a) as specified in Schedule 1 to the Housing Benefit Regulations and Schedule 1 to the Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations. not included in paragraph 7 of Schedule 1 to the Universal Credit Regulations
 - b) Increases in rent due to outstanding rent arrears: under Regulation 11(3) of the Housing Benefit Regulations and Regulation 11(2) of the Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations, where an applicant's rent is increased on account of outstanding arrears owed by the applicant in respect of their current or former property, the shortfall cannot be covered by a DHP.
- 2) Sanctions and reductions in benefit including any:
 - a) reduction in Income Support (IS) or income-based Jobseeker's Allowance (JSA(IB)) due to a Reduced Benefit Direction (RBD) for failure to comply with the Child Support Agency in arranging maintenance.
 - b) reduction in benefit as a result of non-attendance at a work-focused
 - c) interview. This applies both where the person's HB is reduced and when any other benefit that the person is receiving (such as IS) is subject to a sanction.
 - d) reduction or loss of benefit due to a JSA employment sanction.
 - e) reduction in benefit due to a JSA sanction for 16/17-year-olds – for young people who receive JSA under a Severe Hardship Direction
 - f) restriction in benefit due to a breach of a community service order, or reduction in UC due to a sanction as specified under regulations 100 to 114 of the UC Regulations 2013
 - g) Shortfalls caused by HB or UC overpayment recovery:
 - h) Benefit suspensions: Where HB or UC is suspended either because there is a general doubt about entitlement or because an applicant has failed to supply information pertinent to their claim.

Calculation of Award

If the purpose of the DHP is to meet an on-going rental liability, the level of DHP shall not exceed.

- 1) the weekly HB eligible rent, or
- 2) The monthly amount calculated in accordance with Schedule 4 of the UC regulations (i.e. the value stated for housing costs on a UC award notice).

Any HB or UC already paid towards 'housing costs' shall be deducted when calculating the amount of a DHP to avoid duplicate provision.

After carrying out a financial assessment any amount by which income exceeds expenditure shall be deducted from the shortfall between the HB/UC. The result shall be the basic DHP award.

The basic DHP award may be adjusted depending on the personal circumstances of the applicant.

The authority may exercise its discretion to vary the length of a maximum award at any time if the applicant's circumstances warrant such an extension, subject to a maximum period of 52 weeks from the date on which the claim was made.

Recommendations to improve financial situation

In addition to any recommendations arising from a finding that an applicant is suffering from financial hardship the Council may make recommendations with regard to an award of DHP in the following circumstances:

Persons subject to the social size criteria.

- The applicant contacts the landlord with a view to moving to smaller accommodation or
- By registering with a council exchange or a similar web-based organisation which helps people swap homes.

Persons subject to the benefit cap.

- In the case of a lone parent they start or increase their hours to a minimum of 16 week or earnings of £520 a calendar month
- In the case of a couple with children, working hours increase to a total of at least 24 a week with one member working at least 16 of those hours.
- Those without children start or increase work to a minimum of 30 hours a week or demonstrate that they have been looking for work by providing the responses from employers as evidence of rejection, or
- they have taken concrete steps to improve their employment prospects by undertaking training or enrolling in relevant courses.

Payments

Payments to meet a weekly or monthly rental liability will be made at the same frequency as any HB payment and will otherwise be paid in the same way that HB, if it were awarded, would be paid.

Payments will be made to the landlord, managing agent or removal company but the authority may consider making payment to the applicant in exceptional cases.

Notification of the decision

The authority will notify the applicant or appointee and the persons to whom payment is to be made as soon as possible after the decision is made. The notification to the applicant will contain the following.

If an award is not made, the reason for the refusal and details of any action the applicant may be advised to take to increase their chances of a future claim being successful.

If an award is made, the amount, the start and end dates, the manner in which payment will be made, a brief explanation of the way in which the award has been calculated, details of any recommendations made associated with the making of the award, duty to notify any changes in circumstances and all notifications will contain details of how the decision may be challenged.

Part 3 Provisions Specific to DCTHS

The purpose of DCTHS is to relieve people in particular need of the requirement to meet all, or part of, their liability to pay the Council Tax.

Council Tax is a priority debt; taxpayers are therefore obliged to treat their liability as taking precedence over expenditure such as.

- credit card debts
- hire purchase agreements (HP)
- unsecured bank and payday loans (loans that are not secured against property) water bills.
- Sky/Broadband subscriptions
- car insurance
- loans from friends and family

Therefore when deciding eligibility for an award of DCTHS, the test will be more stringent than for DHP.

An applicant will only be entitled to an award under this scheme if the applicant has an outstanding amount of council tax liability.

- The council is satisfied that the applicant is suffering from severe financial hardship.
- The applicant has exhausted all other options with regard to improving his or her current financial circumstances.
- The authority has sufficient funds available and making an award would not unreasonably impact on its ability to make awards to other applicants.
- The application does not relate to an empty property normally let on a commercial basis.

The expenditure for the scheme is limited to £500,000.

In most cases, the person who applies for a DCTHS is the person liable for Council Tax. However, an application may be accepted from another person appointed to act on behalf of the applicant at the authority's discretion.

Unlike DHP there is no statutory requirement that a claim be made for an award. The authority will consider making an award in the absence of a claim if;

- There are arrears of Council Tax and the council has obtained a liability order in respect of those arrears, and
- The council is satisfied that, on the basis of information either already in its possession or provided to it by another agency, the person against whom any liability order has been obtained would receive an award were an application made, and
- Those arrears have not been accrued as a result of reckless spending and
- It is appropriate to make such an award having regard to the principals of this policy.

The maximum level of a DCTHS award

The maximum level of a DCTHS is the amount of Council Tax debt outstanding excluding costs of recovery such as summons costs and bailiff fees although these may be considered for waiver in exceptional circumstances.

Assessments of Award

Assistance may be claimed for historic liability, the liability for the current year or both.

Backdated awards

In respect of an award for a past period the authority will satisfy itself as to the amount the applicant can afford to pay towards the debt over the period of the award.

That the applicant was not able to pay part or all of the amount of Council Tax outstanding at the time it fell due and that this inability was not due to financial mismanagement on the part of the applicant

On-going awards

In respect of an award for a current period the authority will satisfy itself

As to the amount that the applicant can afford to pay towards the liability on a weekly basis.

That the inability of the applicant to meet the liability was not caused by financial mismanagement/reckless spending.

In cases where an applicant is jointly and severally liable with one or more persons who are not his partner the council may, in lieu of the making of an award under this scheme, provide the applicant with an undertaking not to pursue the applicant for part or all of the Council Tax liability.

Determination of Awards

A person will only be considered to be suffering from financial hardship and consequently entitled to a reduction under this scheme if after taking all reasonable measures, they are unable to meet their essential needs relating to heating, food and hygiene having regard to their age, health and family make up together with any expenditure which the person is required to meet by law and which he has taken reasonable steps to avoid or reduce.

The Council is satisfied that the financial hardship has not been caused by the Applicant's reckless or extravagant expenditure.

Payments

Every award will be made by reducing the applicant's liability for council tax by way of a credit to the Council Tax account.

Notification of Decisions

A decision will be made within 1 month or as soon afterwards as is practicable of the council receiving a properly completed application and the satisfaction of any requests for information or evidence made as a result of that claim. The notification of this decision shall contain.

- The amount of any award
- The period of any award
- If no award is made a brief explanation of the reason for the decision
- Details of how to challenge the decision
- If an award is made, the duty to notify any circumstances,
- Any recommendations made to improve current finances.

Changes in circumstances

The authority will review the award when it becomes aware of a change in circumstances. This may lead to the award being increased, decreased or left unaltered.

Overpayments

The authority may review an award at any time, and as a result of that review may decide that DCTHS has been overpaid. An overpayment will be recoverable if the authority is satisfied.

- 1) That the award was made, at least in part, as the result of a misrepresentation whether intentional or otherwise or.
- 2) An error was made by the council when the award was made and, as a result of that error, the award was higher than it otherwise would have been. Any overpayment is recoverable if.
 - a) It arose as a result of a change in circumstances.
 - b) It arose as a result of a change in the amount of Council Tax for which an applicant is liable.

Any recoverable DCTHS overpayment will be debited from the council tax account.

In any case where:

- 1) An award has been made under the provisions of this scheme and a reduction in liability is allowed in respect of the year in which the reduction under this scheme was awarded and,
- 2) the effect of the application of that reduction is to reduce the amount remaining payable in respect of that year to an amount that is less than zero.

The award made under the provisions of this scheme in respect of that year shall be reduced to the lesser of zero or the amount necessary to reduce the amount remaining payable to zero.

Disputes

An applicant may require that the authority review any decision by writing to the authority and stating the grounds on which it is believed that the decision is wrong.

On receipt of an application for a review, the authority shall, within 2 months, consider the decision afresh in light of the representations and any new evidence available to it and advise the applicant; whether or not the decision has been changed and the reasons for that decision.

Appeals

If after a review the person is still aggrieved, or the authority has failed to reply within 2 months, the person may lodge an appeal directly to;

Valuation Tribunal Service

Hepworth House

2 Trafford Court

Doncaster, DN1 1PN

Telephone: 0300 123 1033 <http://www.valuationtribunal.gov.uk/Home.aspx> Any appeal must be lodged within 2 months of the date of decision made by the authority or if the authority has failed to provide a response, within four months of the date on which the request for review was served.