

*Appendix A to the Executive Resident Support Scheme report  
7/2/13  
Updated April 2018*

# **Resident Support Scheme for the London Borough of Islington**



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## **Summary**

- Islington's Resident Support Scheme offers temporary financial support to residents facing severe difficulties as a result of government cuts and changes to welfare benefits. It will help them to improve their situation, for example by moving into employment or moving home.
- The Council work in partnership with Cripplegate Foundation to integrate their grant making resources and experience into the scheme.

The Resident Support Scheme will bring together a number of different funding streams to try to ensure effective targeting of spend, reduce duplication of support and ensure that the appropriate funds are used. This will include elements of the Department for Work and Pensions' Social Fund which are being devolved to local authorities in April 2013

- The Resident Support Scheme targets those at *risk* rather than those simply in need. It will have universal eligibility criteria that will determine whether a resident qualifies for support.
- The Resident Support Scheme will not replicate the existing Crisis Loan provision and does not provide loans. Crisis support will be provided in certain circumstances only to vulnerable or at risk residents who do not have sufficient funds to pay for fuel or food costs.
- In order to respond to the expected high demand for support there is a referral-only access into the Resident Support Scheme. However, there are a number of access points, including through the council's Statutory Services, through 'Trusted Partners' and through identified referral agencies including other council services.
- The council's statutory services - Housing, Adult Social Services and Children's Services and some key partner organisations such as Housing Associations will be able to recommend Islington residents for financial support from the Residents Support Scheme if they identify a need through their existing assessment processes. Each of the statutory services and partner organisations will be allocated a notional budget which they manage and make recommendations of spend on behalf of service users.
- The Council also enables designated local referral organisations, such as the Citizens Advice Bureau to make applications on behalf of a resident. These organisations do not have notional budgets in order to prevent conflicts of interests with their role as advocates for individuals who ask for their assistance.

- The Resident Support Scheme is administered by a team based in Financial Operations and Customer Service division. The team will verify and process recommendations and referrals, and make award decisions.
- The Resident Support Scheme will use a number of payment methods including a payment card, payment direct to suppliers, payment direct to landlords/housing associations, reducing council tax liability, grocery vouchers and fuel payments.
- The Resident Support Scheme will offer residents additional support that will attempt to improve their long-term circumstances and help build their financial resilience; which include Income Maximisation Team and Help on Your doorstep.

# **Islington's Resident Support Scheme**

## **1 Introduction**

- 1.1 Islington's Resident Support Scheme supports the Council's vision of a fairer Islington by offering temporary financial support to residents facing severe difficulties as a result of government cuts and changes to welfare benefits. It will help them to improve their situation, for example by moving into employment or moving home.
- 1.2 The Resident Support Scheme involves a partnership with Cripplegate Foundation to integrate their grant making resources and experience into the scheme.

## **2 Principles**

- 2.1 The Resident Support Scheme has been designed to incorporate the following principles detailed below:
- 2.2 Outcomes: The outcomes of the Resident Support Scheme should support the objective of making Islington a fairer place. In particular, it will:
  - Reduce overcrowding / under-occupancy
  - Protect the vulnerable
  - Reduce disruption to families
  - Reduce costs to the council and our partners in the longer term
  - Enable a person / family to move towards a more sustainable future
- 2.3 Effective targeting of spend: The funds available will not meet the need and hardship caused by welfare reform changes; the majority of which took effect from April 2013. The use of these funds will require targeting the support as effectively as possible. In order to take a strategic approach to the use of the funds the scheme provides a notional budget for the council's Statutory Services - Adult Social Services, Housing and Children's Services - to control and use in order to approve and recommend payment to service users. In addition, the Resident Support Scheme will have some partnership provision through designated 'Trusted Partners' who also hold notional budgets and universal provision through identified referral organisations (including other council services) who will be able to assist residents with an application to the Resident Support Scheme.
- 2.4 Referral only access to the Resident Support Scheme: In order to respond to an expected high demand for support, access is through a referral only route using the council's own statutory services, trusted partners and other referral organisations. There is no provision for telephone applications as is the case with current Crisis Loan applications.
- 2.5 Assessments to be made by front line staff: The Resident Support Scheme is designed to enable professionals involved in assessing a person's need to

make recommendations for Resident Support Scheme assistance. Where this links in with Statutory Services and their trusted partners it provides a dovetailing with current assessment processes to avoid duplication.

- 2.6 Long term improvement: The Resident Support Scheme will also offer residents additional support that attempts to improve their long-term circumstances and help build their financial resilience. There is an opportunity to link residents to financial capability advice, the, advice agencies, employment services, the Income Maximisation Team and other support services. (See Section 14).
- 2.7 Linking with other financial assistance funds: The Resident Support Scheme brings together funding from the Social Fund Localisation Settlement figure with Discretionary Housing Payment funding, the Council Tax welfare provision and Cripplegate Foundation funding. This assists with reducing duplication of support and ensure that the appropriate funds are used and made available. In addition, the Resident Support Scheme fund is not be used to supplement expenditure where existing Statutory Service funding is provided.
- 2.8 The Resident Support Scheme is not used to make-up budget shortfalls: The funding streams that make up the Resident Support Scheme will not and cannot be used to make-up budget shortfalls and funding gaps in existing council service support. Where other financial assistance is already provided it is expected that this assistance will continue and will not be replaced by Resident Support Scheme monies. An example of this would be payments made under Section 17 of the Childrens Act by Children's Services.
- 2.9 While recognising the obvious financial constraints and the need to ration available resources, the Resident Support Scheme aims to maximise both the impact of material support and the opportunity to offer additional services to the resident. Where possible, residents should be able to exercise a degree of choice, particularly in respect of household items and whether or not to take up the offer of additional services. The eligibility criteria is designed to meet the needs of the most vulnerable Islington residents. Extra conditionality will be avoided.

### **3 Funding Streams**

- 3.1 Government funding to replace the old social fund is no longer separately identified. However, the government has indicated that £129m per year, is allocated to funding local welfare from 2014/15 to 2017/18. This equates to £1.08m in Islington.

### **4 Target Areas**

- 4.1 Support from the Resident Support Scheme will target those *at risk* rather than those simply in need. This includes residents at the edge of statutory intervention and those already in contact with Statutory Services. The Statutory Services will use their existing service user assessment process to identify the risk and need.

The scheme will offer support where individuals or families are at risk of:

- Homelessness including tenancy at risk
- Breakdown of family cohesion / stability (including domestic violence)
- Health deterioration
- Loss of independence
- Unemployment

4.2 Underlying vulnerability In order to target support effectively the Resident Support Scheme also focuses on residents with the following underlying vulnerabilities to assist in establishing that support may be appropriate:

- Old age
- Physical disability
- Long term limiting health condition
- Mental health
- Learning Disability
- Responsibility for dependent children or pregnant
- Domestic violence
- Substance/Alcohol Misuse
- Single young people establishing themselves, including care leavers
- Homeless or at risk of being homeless

4.3 It is possible that a resident who does not have underlying vulnerability will be supported if this enables support to be given to a person with underlying vulnerability. For example, if by moving a single person to a smaller home we are able to free this up for a vulnerable person, it may be appropriate to support the single person in their move or with their Housing Benefit prior to their move with a Discretionary Housing Payment to enable the exchange to happen effectively. It is also possible that a person facing exceptional hardship and is in receipt of Council Tax Support can receive an award under the Council Tax Welfare Provision (Appendix 4) even if they do not have underlying vulnerability under section 5.2 above.

## **5 Support provided by the Resident Support Scheme**

5.1 The Resident Support Scheme will be expected to make payments to residents with respect to the following:

- Household items
- Housing Costs
- Removal Expenses
- Employment costs where these are linked to a Discretionary Housing Payments award (Appendix 3)
- Living Expenses e.g. food and heating
- Outstanding council tax

5.2 Excluded items – The Resident Support Scheme will not be used to support the following:

**Clothing** (except where someone is fleeing their home rapidly or in case of disaster e.g. flood or fire or is needed to help someone start work)

**Minor structural repairs:** These are the responsibility of the landlord or the owner.

**Issues that are the responsibility of landlords:** such as structural issues that pose a danger to residents eg. damaged / uneven floors.

**Furniture & household items:** For those living in private rented furnished accommodation or those placed in furnished temporary accommodation where these are the responsibility of the landlord

**Specialist disability equipment or adaptations, recliner chairs:** The Resident Support Scheme cannot assess the need for these items and all applications should be referred to occupational therapy.

**Wheelchairs and mobility scooters:** Refer to National Health Service provision for wheelchairs.

**Debts:** Refer to appropriate advice agencies for support; although help can be provided to support with outstanding council tax in exceptional circumstances.

**Items already awarded by the Resident Support Scheme:** Except in exceptional cases, further awards will not be made for items previously awarded by the Resident support scheme. Warranties should be used for goods found to be faulty.

**Flooring:** Flooring is not generally available within the RSS. It may be awarded in exceptional cases where the applicant (or a member of the applicant's household) has a significant medical condition or disability.

- Eligible conditions might include the following:
  - Significant physical impairment likely to be exacerbated by the absence of suitable flooring including problems with mobility
  - Significant learning disability leading to poor awareness of danger
  - Significant sensory impairment likely to increase the risk of harm
  - Significant infirmity in old age increasing the risk of a fall or ill health due to poor insulation
- Evidence of a condition and its impact would usually need to be supported by a recognised medical professional including by an occupational Therapist.

### **Funeral expenses**

5.3 Household Items – Support from the Resident Support Scheme to residents, particularly with respect to Community Care Support (although it may apply to Discretionary Housing Payments - Housing Support, covered in Section 11),



will be to provide essential household items. All referrals to the Resident Support Scheme from the council's own statutory services, trusted partners and other referral organisations will be required to specify the items required. There is a list of essential household items in Appendix 5 together with their cost and additional services e.g. delivery and installation. The list will be reviewed and updated at reasonable intervals by the Resident Support Team.

- 5.4 Packages – To assist the completion of a request for household items a number of packages have been compiled, which reflect the expected situations of residents setting up home in unfurnished accommodation. Items are available at agreed prices and listed in the award letters. If more than one supplier is used residents cannot transfer the elements of their awards between the two providers.

These include:

Package 1 - For single residents or couples setting up in unfurnished shared accommodation

Package 2 - For single residents or couples setting up in unfurnished one-bedroom accommodation

Package 3 - For family/parent and children setting up in unfurnished two-bedroom accommodation or larger

Packages 1 and 2 have a potential supplement for disability

Details of the contents of these packages and their value are given in Appendix.5. It is expected that any referral will contain the necessary justification if it is requested that a whole package of goods is necessary for the resident. The Resident Support team reserves the right to visit cases where packages are requested so it is expected that a package award will not be made within 15 working days of the referral. The value of the packages is an absolute limit on the level of support that is provided to a resident in the situations covered. If there is a request for a lower value than a package i.e. for single items or for a small number of items, these types of referrals will still require the necessary justification for the supply of these goods. In these cases, visits will only be made if the goods requested cost more than £400. The use of packages can be reviewed and possibly expanded by the Strategic Management Board.

- 5.5 Re-used Household items – Packages include new and reused goods from Bright Sparks and if required goods from Argos.

- 5.6 Release of grant when setting up a new home - Where a Resident Support Scheme grant is to assist a person setting up residence in a new dwelling an award will not be released until the Resident Support Team is satisfied that the new dwelling is occupied or available for occupation by the person.

## 6 Eligibility Criteria

- 6.1 Universal Eligibility Criteria The basic principle is that a person must **need** the support requested and it would represent a **risk** to them (in line with 5.1 above)

if assistance is not provided. The following are the basic universal eligibility criteria that a resident must meet in order to be considered to receive support:

**Department for Work and Pensions support** – the applicant is not eligible for a ‘Budgeting Loan’, ‘Budgeting Advance’ or a ‘Short Term Advance’ to meet their need in most cases. For the avoidance of doubt a person could be eligible for a loan or advance but the need and associated risk is such that a Resident Support Scheme grant should be considered. The Resident Support Team reserves the right to refuse an application based on the circumstances of the case, but it will not be treated as an excluding factor in all cases. To be clear, if a person is eligible for support from the Department for Work and Pensions’ it is expected that this route will be taken in the majority of cases. In any case a resident who clearly needs to establish themselves in the community e.g. after leaving care, prison or young person establishing themselves for the first time or where a resident is under exceptional pressure from a family breakdown - such as fleeing domestic violence, or household disaster - such as a major fire or flood then direct support from the Resident Support Scheme will be considered.

and

**Residency** – Applicant must be resident in the borough, placed in housing outside the borough by the London Borough of Islington or be providing a function that is supported by the London Borough of Islington - such as a foster carer.

Residency implies some degree of permanence within the borough through having a main residence or place of abode (e.g. supported housing, hostel, refuge, homeless – but resides in Islington, or the last known address is in Islington). Exceptions to this would be where a person is fleeing a residence in another borough as a result of Domestic Violence, but is being supported in Islington e.g. through a local agency; or where a person is about to reside in Islington following leaving prison or on probation.

and

**Responsibility of another Local Authority** – Where it is considered that the support requested is the responsibility of another Local Authority we reserve the right to signpost the person to that Local Authority before considering them for support from the Resident Support Scheme.

and

**Income** – Apart from cases of Council Tax welfare provision (see Appendix 4 for criteria), a person must be on low income without the means to meet the need requested. This would be shown by being in receipt of a specified range of means tested benefits or equivalents plus in-work benefits. Income in the form of Working Tax Credit, Universal Credit, Disability Living Allowance or Personal Independence Payment will not

disqualify an applicant. Income from other sources, such as co-habiting non-dependents may do so. For Discretionary Housing Payments a person must be eligible for Housing Benefit or its equivalent in Universal Credit

Benefits taken into consideration are:

- Job Seekers' Allowance (income or contribution based)
  - Income Support
  - Pension Credit (guarantee or savings)
  - Incapacity Benefit or Employment Support Allowance (income or contribution based)
  - Housing Benefit
  - Council Tax Support
  - Working Tax Credit
  - Universal Credit (once commenced)
- and

**Immigration Status**– Open to residents who have recourse to public funds only.

and

**Previous Award** – Other than for crisis and council tax welfare provision where different conditions apply, a person and/or their partner must not have already received an award from the Islington Resident Support Scheme within the past 12 months. For the avoidance of doubt where an award is inherently linked or seen as an extension to a previous award, that will be classed as one award. For example, if a Discretionary Housing Payment award is made to help a person to move and then it is deemed that money could be needed to help a person establish themselves in a new property, that may be classed as one award even if the follow up assistance is agreed at a later stage. By the same token if a Discretionary Housing Payment is extended by an additional month while a person is looking for alternative accommodation that can still be classed as one award. These examples are illustrative; others may be agreed on a case by case basis.

See also section 6.2 above; further awards will not be made for items already awarded by the Resident support team.

**Underlying Vulnerability** – A resident must fall within one of the underlying vulnerability groups as listed in Section 5.2 apart from the exceptions given in Section 5.3.

**City of London tenants: RSS access requirements**

**CCS & Crisis applications:** These awards can be paid based on the residence criteria of the scheme

**DHP's:** Will be met by the City itself through their scheme administered by Lambeth Council.

- 6.2 Meeting the universal eligibility requirements only determines whether the resident *qualifies* for support, it will remain to be decided whether a discretionary award should be made.
- 6.3 All other criteria for Assessment – Appendix 1 provides details on the objectives, circumstances and risks that will be taken into account when a decision is made on the Resident Support Scheme. This should be read in conjunction with section 10 (Crisis), Appendix 3 (Discretionary Housing Payments policy) and Appendix 4 (Council Tax welfare provision),

## **7 Access to the Resident Support Scheme**

- 7.1 Access to the Resident Support Scheme is via a number of routes as detailed below. See Schematic attached in Appendix 2.
- 7.2 Statutory Services – Adult Social Services, Housing and Children’s Services will identify service users through their existing assessment processes. They must meet the universal eligibility criteria for Resident Support Scheme support and there must be no existing provision from other funds that they qualify for.

Each of the Statutory Services will be allocated a notional budget which they manage and from which they will make recommendations of spend on behalf of a service user to the Resident Support Team. The team will then verify and process the recommendation and make a payment.

The following services will link in with the Resident Support Scheme:

- **Housing Needs:**
  - Housing Advice Team
  - Mobility Team
- **Housing Operations:**
  - Area Housing Offices
  - Income Recovery Teams
- **Adult Social Services - Community Services:**
  - Access Service
  - Ongoing Support and Review Teams
  - Learning Disability Partnership
  - Hospital Social Work Team
  - Mental Health Foundation Trust
- **Children’s Services – Targeted and Specialist Children and Families Services:**
  - Children in Need
  - Early Help for Families (Families First)
  - Children Looked After
  - YOS and Targeted Youth
  - Early Years’ Service

## Emergency Duty Team

- 7.3 Trusted Partners – The council and Cripplegate Foundation have established partnership arrangements with a number of key organisations. Notional budgets will be provided to these ‘Trusted Partner’ organisations and they are able to make recommendations into the Resident Support Scheme.

The Statutory Services have established partnership arrangements with the Single Homeless Project and Age UK. These organisations make recommendations on the same basis as the Statutory Services and this arrangement will form part of their existing partnership arrangements.

In addition, the following Social Housing Providers have agreed to act as trusted partners.

- Clarion
- Hyde
- Partners
- Peabody

Cripplegate Foundation has existing trusted partnership arrangements with a number of local organisations that already administer a small budget. It is proposed that this arrangement will continue within the Resident Support Scheme -subject to agreement. The organisations are:

- Single Homeless Project (already covered above)
- Solace Woman’s Aid
- Centre 404

- 7.4 Referral Organisations: The Resident Support Scheme enables designated local referral organisations to make applications on behalf of residents. Applications are through an online application form which the referral organisation have controlled access to.

Guidelines are provided to the referral agencies that will enable them to assist residents whose needs fall within the target areas of the Resident Support Scheme and that meet the eligibility criteria. Referrers may advise an applicant of their likelihood of success in gaining an award from the Resident Support Scheme but they will not act as a filter for claims.

### **What the Resident Support Team will do to assist referral organisations:**

- Provide clear guidelines on the aims of the Resident Support Scheme and the eligibility criteria.
- Provide an online application form
- Provide training and support to front line staff

7.5 Council Services as referrers – Access to the Resident Support Scheme is also provided by the frontline staff of other council services including the Customer Care Team in Contact Islington. Frontline staff have access to the online application form and will be able to guide and assist a resident to make an application to the Resident Support Scheme. Council referrers may advise an applicant of their likelihood of success in gaining an award from the Resident Support Scheme but they will not act as a filter for claims. In addition, Financial Operations processing staff will be able to support a resident to make an application to the Resident Support Scheme, particularly for situations where it is appropriate to access the Council Tax welfare provision and Discretionary Housing Payments.

7.6 Access for Residents who are housebound – Residents who are housebound and unable to get out to one of the access points listed above (e.g. due to a disability) will be able to have a home visit. A home visit will be able to be arranged through the Processing service visiting team.

## **8 Resident Support Scheme Payment Method**

8.1 The Resident Support Scheme will use a number of payment methods in response to requests for support as detailed below.

8.2 Payment card – The Resident Support Scheme uses a company called Family fund trading to purchase Argos gift cards at a discount of 4%. The cards are issued to residents who can then purchase the essential items they have been awarded directly at an Argos shop.

8.3 Payment in the form of BACS transfer direct to supplier - Cripplegate Foundation currently either order the goods on the client's behalf or the client is given a budget and chooses a supplier and a product and then a BACS payment is made direct to the supplier. They have links with a number of local suppliers. Housing has said this may be particularly appropriate for elderly under-occupiers who need support in buying new goods for smaller properties. The Resident Support Team could pay Housing directly who could buy products on the client's behalf.

8.4 Payment direct to landlords'/housing association - Discretionary Housing Payments can be paid directly to landlords for rent and other housing costs. For private sector tenants Discretionary Housing Payments can be paid direct to the landlord or to directly to the client.

8.5 Payment into client's Adult Social Care direct payment/prepaid account - For Adult Social Services clients who are paid by Direct Payments and/or use pre-paid cards as part of their care package, a Resident Support Scheme payment can be paid via this established route rather than through an alternative.

8.6 Refurbished goods –Residents may be able to get more for their money by buying refurbished goods which could be particularly useful for clients who need to furnish a new property.

- 8.7 Reducing Council Tax liability – Awards made from the Council Tax welfare provision will result in a reduction of Council Tax liability.
- 8.8 Grocery Vouchers – Grocery vouchers are issued by the Resident support team for successful Crisis applications. The award amounts are based on family size and are met by vouchers purchased from Sainsbury's by the RSS team and posted to the resident. The vouchers can be used to buy food and essential grocery items such as hygiene products. They cannot be used to buy alcohol and cigarettes.
- 8.9 Fuel payments – Successful crisis fuel applications are referred to Islington's energy support team; SHINE an e- vouchers is issued or SHINE will top up pre-payment fuel cards for the resident.

## **9 Crisis Provision**

- 9.1 The Resident Support Scheme does - not replicate the existing Crisis Loan payments for living expenses and will not provide loans.
- 9.2 The Resident Support Scheme provides support to residents to cope with an exceptional event that, without assistance, would represent a potential risk to a person's (or persons in a household) health. The crisis provision will be through the giving of grocery vouchers or help to re-connect a gas or electricity supply or in exceptional cases to provide vouchers for clothing (e.g. when fleeing their home rapidly or in case of disaster e.g. flood or fire). It may be deemed appropriate in exceptional circumstances for the award to be made through the council tax provision element of the scheme.
- 9.3 An exceptional event is something that is unlikely to occur more than once in a 12 month period. In addition to the specific crisis support given the Resident Support Scheme will seek to review the residents overall situation in order to identify further assistance or support as detailed in Section 14 in order to improve their longer term financial sustainability.
- 9.4 Crisis provision can be provided if a previous non-crisis Resident Support Scheme payment has been made within the last 12 months. It is extremely unlikely that the council will make more than one crisis provision to a household in a year. However a case that receives the endorsement of a professional from the caring profession or in the public sector which is clearly extraordinary and in need of support can attract more than one crisis award a year. A review will be included in the decision making process to ensure that high risk residents with underlying vulnerabilities are supported.
- 9.5 The normal universal eligibility criteria apply, as will the need to explore whether other sources of support should be first applied for e.g. budgeting loans, short term advances, national voluntary assistance, local voluntary assistance, other statutory assistance that the council can provide. Crisis provision is to be seen as assistance of last resort.

- 9.6 At risk or vulnerable residents who do not have sufficient funds to pay for fuel costs will be referred to SHINE for crisis provision. SHINE will hold a notional budget and will be able to provide assistance to reconnect the electricity or gas supply. In addition SHINE will be able to review the resident's fuel needs and provide support to make their situation more sustainable if relevant.
- 9.7 Other crisis provision are provided in the form of grocery vouchers that will enable the purchase of food and hygiene products. The following amounts will be given:
- Single person – grocery voucher of £20
  - For a couple - grocery voucher £40.
  - For a family with dependent children in the household - grocery voucher £60.
  - For a family with 4 or more dependent children in the household – grocery voucher £80
- 9.8 In exceptional cases crisis support will be provided in the form of vouchers that will enable the purchase of clothing e.g. when fleeing a home rapidly in domestic violence cases or in case of disaster e.g. flood or fire. In these circumstances, for each person affected in the household, a voucher of up to £100 will be awarded in accordance with the need identified.
- 9.9 In exceptional circumstances, if it is deemed to be appropriate, the award can be made in the form of council tax provision (see Appendix 4)
- 9.10 There is no telephone provision. Recommendations and referral applications however will be flagged for crisis provision and fast tracked accordingly. The applications will need to show how the provision of grocery vouchers or fuel cost assistance will support the resident in their crisis meaning that this form of assistance should connect to the required resolution of their crisis situation.
- 9.11 The Resident Support Scheme does not have a separate out of hours service to provide crisis provision.

## **10 Community Care Support (Social Fund CCG Legacy)**

- 10.1 Family cohesion/stability at risk – The Resident Support Scheme will provide support to ease exceptional pressure on people and families in order to assist maintaining family cohesion and to provide stability when they are at risk. The aim is to provide support to in assist preventing a situation escalating such that it requires the intervention of statutory services. Situations where support is considered include:
- People at risk fleeing domestic violence
  - People transferring into unfurnished accommodation as a result of relationship breakdown, harassment or violence etc.



- Families at risk and in need due to exceptional pressure as a result of:
  - Sudden deterioration in health
  - Bereavement in family

10.2 Health/independent living at risk – The Resident Support Scheme provides support to help people to establish themselves in the community following a stay in an institution, short stay/ long stay hospital, crisis centre, care home, or prison. In addition, the Resident Support Scheme will provide support to assist residents to remain in the community rather than enter an institution or care home. Situations where support will be considered include:

- People at risk moving for the first time into unfurnished accommodation e.g. young people or prisoners or those at risk moving from residential, institutional care into unfurnished accommodation.
- People at risk who need to replace essential household equipment in order to maintain their independence within the community.

10.3 The detail for this is contained in Appendix 1.

## **11 Discretionary Housing Payments (Housing Cost Support)**

11.1 Discretionary Housing Payments can provide *further assistance* to claimants who are entitled to Housing Benefit or Council Tax Support, when a local authority considers that additional help with *housing* costs is required.

Following the abolition of council tax benefit from April 2013, Discretionary Housing Payments can no longer be made towards council tax liability.

11.2 There are no prescribed tests that define or determine housing costs. Housing costs are generally defined as accommodation related liability costs such as rent. However for the purposes of the Resident Support Scheme housing costs are assumed to include:

- Rental charges
- Rent in advance
- Rent deposits
- Other lump sum costs associated with a housing need e.g. removal costs, housing or emergency housing related expenses
- Items that could be needed to enable a person to be set up appropriately in their housing, or remain in their housing. For example it may be that a person cannot take up new housing unless the accommodation is equipped adequately

11.3 Housing Costs are different to a Discretionary Housing Payment that is used to supplement a weekly Housing Benefit award, as they do not need to be provided in the form of an award to increase current Housing Benefit (or its

equivalent under Universal Credit) to the level of the weekly rent liability. They can be provided as a one off in a lump sum and this value is not restricted in law.

- 11.4 The Department for Work and Pensions' guidance manual on Discretionary Housing Payments identifies that Discretionary Housing Payments can be used to provide support to customers affected by some of the key welfare reforms including:
- Introduction of the benefit cap.
  - Introduction of size criteria in social rented sector (under-occupancy).
  - Reductions in local housing allowance.
- 11.5 Prevent homelessness (including Tenancy at risk) - The Resident Support Scheme will provide support to people who are homeless or are at risk of losing their accommodation including as a result of:
- Welfare reform changes
  - Overcrowding
  - A disaster e.g. flood or fire

The various types of shortfalls that a Discretionary Housing Payment can cover will include:

- Reductions in Housing Benefit or Universal Credit where the benefit cap has been applied.
- Reductions in Housing Benefit or Universal Credit for under-occupation in the social rented sector.
- Reductions in Housing Benefit or Universal Credit as a result of Local Housing Allowance restrictions.
- Rent shortfall to prevent a household becoming homeless whilst the housing authority explores alternative options.
- The effect of rent officer restrictions such as local reference rent or shared room rate.
- The effect of non-dependant deductions.
- The effect of income tapers.

A key element of the support provided through the Resident Support Scheme in relation to housing costs is the willingness and ability to support and work with the resident in order to provide long-term sustainability.

The majority of support provided by the Resident Support Scheme will be through Housing Services.

- 11.6 Assisting people in employment - As long as a person is still in receipt of Housing Benefit their weekly entitlement could, in appropriate circumstances, be increased if they have started employment or they are about to start employment and they will retain their Housing Benefit. This could be a way to encourage them to retain their employment if there are potential barriers that might mean that work doesn't appear to pay. The Resident Support Scheme will not commit to providing support on a permanent basis, but a Discretionary Housing Payment award can be made to cover the period that any barriers to

work (or continuing in work) are being addressed. This will also apply to the equivalent to Housing Benefit under Universal Credit.

- 11.7 The current Discretionary Housing Payment Policy document is given in Appendix 3.

## **12 Council Tax Welfare Provision**

- 12.1 Under section 13A(1)(C) of the Local Government Finance Act 1992 the council has a general discretionary power to reduce liability for council tax in relation to individual cases or class(es) of cases that it may determine where national discounts and exemptions cannot be applied.

- 12.2 As a response to the Council's Council Tax Support Scheme a sum has been set aside to provide welfare provision for council tax. The purpose of this will be predominantly to support those who have had a reduction in their council tax benefit as a result of Council Tax Support and are on a low income. The intention is that it will be provided to residents at risk who are prepared to work with the council to find a way forward.

- 12.3 The Council Tax Section 13A(1)(C) policy document is given in Appendix 4

## **13 Additional Support**

- 13.1 The Resident Support Scheme offers an opportunity to develop a system for low income residents that gives them access to services that can improve their long-term circumstances and help to build their financial resilience.

- 13.2 Each resident who applies to the Resident Support Scheme will be reviewed to see whether they would benefit from further assistance such as being put in contact with another service or agency.

- 13.3 Where possible this additional support will be considered at the face-to-face contact point with the resident through the Statutory Service, Trusted Partner or referral agency. However the Resident Support Team will carry out a check based on information received and will provide or instigate additional support with the resident's permission if identified.

- 13.4 Types of Additional Support – The following areas of support will be considered:

**Income and benefits** – includes checking for:

- Additional benefit entitlement/benefit check – Income Maximisation Team
- Money advice - Islington Advice Alliance and the Credit Union
- Financial capability programmes – Quaker Social Action
- Fuel poverty - SHINE

**Education, training and employment opportunities** – includes identifying support for applicants who need to improve their educational or vocational qualifications and for those who need help with employment opportunities. Referrals would be made to agencies such as:

- Help on Your Doorstep
- Islington Working for Parents
- Adult and Community Learning
- MIND Employment Project
- City and Islington College

**Social well-being and reducing isolation** – includes directing people who need access to community and social activities, volunteering, arts and sports to help them to get re-connected to their communities.

13.5 Residents who do not qualify for an award – Where residents are not eligible for an award the Resident Support Scheme will direct them to other services, if appropriate, who may be able to provide assistance. This will include:

- Department for Work and Pensions – Budgeting loans and advances
- Bright Sparks – for refurbished furniture and electrical/white goods
- No Recourse to Public Funds Team
- Other trust funds; including Richard Cloudsley Trust

## 14 Notional Budgets

14.1 The Resident Support Scheme will provide notional budgets to the following services:

<b>Service Provider</b>	<b>Amount</b>
Housing Services*	£1,035,000
Adult Social Services*	£180,000
Children's Services*	£180,000
Trusted Partners (miscellaneous)	£290,900
Referral Application (incl. Universal Access)	£597,432
Council Tax Welfare provision (Reduction to council tax not a cash sum)	£25,000
<b>Total</b>	<b>£2,308,332</b>

Do we need figures in this document are they all current?

- Includes budget for associated Trusted Partners

14.2 The Trusted Partner allocation (miscellaneous) covers all agreed trusted partners including those currently linked with Cripplegate. The Council Tax Welfare provision is identified separately as that is an available allocation to reduce existing council tax bills rather than a sum of money to be paid out. Council staff responsible for administering Housing

Benefit, the Council Tax or for helping council tax payers or benefit claimants with their problems can recommend that:

- a reduction is made to Council Tax using the council tax welfare provision under the Resident Support Scheme
- a Discretionary Housing Payment award is made to supplement an existing Housing Benefit award (or its equivalent under Universal Credit) under the Resident Support Scheme

This would be made on the same basis as notional budget holders can make a recommendation in the scheme under section 8.2 above.

14.3 Responsibility for notional budgets – Within each Statutory Service and Trusted Partner a designated manager will be identified who will have overall responsibility for authorising and monitoring expenditure from the notional budget. The Resident Support Team will be responsible for managing the notional budget for the universal referral element of the scheme.

14.4 Review of notional budgets – Allocated notional budgets will be reviewed on a quarterly basis (or more often if they so choose) by the Resident Support Scheme Strategic Management Board (See Section 19). The aim of the review is to monitor use of budgets and make necessary adjustments to ensure that the overall fund is used effectively.

## **15 Resident Support Scheme Administration**

15.1 Resident Support Team – The administration of the Resident Support Scheme will be the responsibility of the Financial Operations service in the Council. Within the Settlement figure from the Department for Work and Pensions, £12k was provided for set up costs, £255k for year one administration costs and £234k for year two administration costs. Still needed?

The Resident Support Team is made up of:

- Team Manager
- Three Resident Support Team Officers
- One Development/Technical Support Officer (Cripplegate Foundation post)

The team will verify and process recommendations from the Statutory Services and Trusted Partners and make payments. The Director of Financial Operations and Customer Services can decide to change the composition or size of this team at any time.

The team process the online applications from the referral organisations and other council services and make award decisions in order to make payments or otherwise inform the resident of non-award. The team members are known as the “decision makers” for the Resident Support Scheme and this scheme delegates this decision making role to the team. The Resident Support Team Manager can in turn delegate any decision under the Resident Support Scheme to any other officer of the Council.

In addition the team will review each recommendation or application and decide whether the appropriate additional support is being recommended for the resident. As the decision-maker the Team still has the right to turn down an award recommendation made by one of the notional budget holding Statutory Services or Trusted Partners.

- 15.2 Information Technology Platform – Online applications are processed through a grant making platform developed by RB Performance. This link with the required back office system functions to administer the Resident Support Scheme and provide the necessary management information.
- 15.3 Exceptional Situations - The Director of Financial Operations and Customer Services has the authority to agree an award from the Resident Support Scheme to meet the needs of a resident(s) in exceptional situations, which though they fall outside or are not explicitly included within the schemes eligibility criteria would be seen to comply with the Resident Support Scheme's overall aims and are within the law. Details of any such awards will be drawn to the attention of the Strategic Management Board when they next meet.

## **16 Review and Appeals**

- 16.1 There is no right of appeal to the Resident Support Scheme (Resident Support Scheme). This mirrors the existing arrangements with the current discretionary Social Fund scheme. It is the council's responsibility to ensure that decisions are fair and impartial and to decide on appropriate arrangements for reconsideration or review.
- 16.2 The Resident Support Scheme will provide support to residents either through Recommendations from Statutory Services and Trusted Partners or through applications made by residents with the assistance of referral organisations or other council services.
- 16.3 Recommendations from Statutory Services and Trusted Partners do not have to undergo a review unless the recommendation does not result in an award as a result of a decision made by the Resident Support Team. Complaints relating to support that would have been expected from the Resident Support Scheme but has not been recommended, will need to be handled as part of the Statutory Services and Trusted Partners own normal complaints procedures.
- 16.4 Residents receiving an award decision from the Resident Support Team have access to two levels of review. There is no right to review against the use of supplier for the purchase of essential household items.

**Level One Review:** If a resident does not agree with the Resident Support Scheme decision they can request a review. A Resident Support Officer will review the application and decide if any changes are made to the decision. This will be a different person to the original decision maker.

**Level Two Review:** If a resident feels that they have not received a satisfactory response to the Level One Review they can ask for their concerns to be looked at by the Team Manager or a Senior Manager of Financial Operations. The Manager will consider the request and, if necessary, carry out an investigation and decide if any changes should be made to the decision.

The Level Two decision is final. However, if the resident remains dissatisfied with the way their request for a review was dealt with (not the decision itself) they may utilise the Council's Complaints Process.

- 16.5 Finally residents who remain dissatisfied after using the Council's Complaints Process will be able to make a complaint to the Local Government and Social Care Ombudsman (the Commission for Local Administration in England). Details can be found at <http://www.lgo.org.uk>

## **17 Communications with the Resident**

- 17.1 The Resident Support Scheme provides an holistic support for residents, linking them with Statutory Services and other organisations in Islington that have face to face contact with residents. The Resident Support Scheme is not seen simply as a provider of financial support. The financial support is seen as a means through which contact and communication with the resident can be used to assist them and their families with their longer term wellbeing. Though the Resident Support Team is not open to public access it does link in with the services and organisations that provide Recommendations and Referral Applications as well as contact the resident themselves through correspondence, telephone and home visits where appropriate.
- 17.2 The Resident Support Team has a working relationship with the services and organisations involved to ensure that there is a joined up service for residents.
- 17.3 Following the Resident Support Team making a decision on a Recommendation or Referral Application, the outcome may be communicated to the service or organisation. Where the eligibility criteria are not met this will provide an opportunity to check details and re-consider.
- 17.4 A letter will be sent to the resident informing them of the outcome of the Recommendation or Referral Application. The letter details any award and method(s) of payment or if not awarded the reasons for non-award and details on what actions should be taken (e.g. contact the person who assisted them) and the review process.
- 17.5 In addition, when a Recommendation or Referral Application is received it will be checked for the need for additional support. Where further support is seen to be required the resident will be contacted either by the Resident Support Team or through the organisation that made the recommendation or referral.

## **18 Governance**

- 18.1 Strategic Management Board – A Strategic Management Board (The Board) has been established to oversee the strategic objectives of the Resident Support Scheme as administered by the Resident Support Team partnership.

The Board comprises of:

- Executive Member for Finance & Performance (Chair)
- Director of Financial Operations and Customer Services (LBI)
- Cripplegate Foundation
- Statutory Service Representative
- Trusted Partner Representative
- Voluntary Sector representative covering universal referrers x2

The Board meets at least twice a year. Preparation and distribution of agendas, room booking, taking notes at meetings and distribution, is provided by the Director of Financial Operations and Customer Services and minutes of all meetings distributed to all Board members and any other attendees. The Chair will agree how to fill the parts of The Board that do not yet have named representation and will have the right to approach potential participants directly to seek their engagement either at the commencement of the Resident Support Scheme or later if any vacancies arise. The Chair and at least 3 other members of The Board will need to be present for the meeting to be valid. The Chair, or the Leader of the Council, can appoint an alternative chair of their choosing at any time, either temporarily or permanently, as long as the replacement is a Member of the Council (a Councillor).

- 18.2 Activity of the Board – The Board ensures that the operational arrangements meet the requirements of the Resident Support Scheme. This includes overseeing the use of notional budgets, making sure that all organisations are working within the scope of the scheme, agreeing the inclusion of new trusted partners or referral organisations. The Board can at any point have the ability to modify the principles and design of the Resident Support Scheme as laid out in this document to ensure that it is able to respond to the needs of Islington residents. Details of any modifications and the amended scheme will be posted on the council's website within five working days of them being made.

18.3

## **19 Fraud, error and overpayments**

- 19.1 A Resident Support Scheme award of any kind can be recovered if an award has been made as a result of a misrepresentation or failure to disclose a material fact, whether it is made fraudulently or otherwise or where it is deemed that the award has been made in error and the person could have reasonably been expected to realise that an error had occurred. This is known as an overpayment.
- 19.2 If the award leading to an overpayment was not a payment of money we may seek to recover the cash equivalent. If it is a reduction in council tax as a



result of an award under the council tax welfare provision, the relevant reduction may be removed and the council tax charged.

- 19.3 Where it is considered appropriate, an overpayment will be recovered through the raising of an invoice. Non-payment may lead to recovery activity using the full scope that the law provides for this.
- 19.4 Where we suspect that an award may have been claimed fraudulently the Council may seek to prosecute the person who has made this claim. Unless proven otherwise it will not be assumed that the statutory service, trusted partner or universal referrer who worked with the person to access the Resident Support Scheme is a party to or responsible for any fraudulent claim that leads to an award.

*Appendix A to the Executive Resident Support Scheme report  
7/2/13*

Date	Updates
April 18	Yearly review

## Appendix 1

### Criteria and Assessment Resident Support Team – Referral Organisations

This document covers the criteria and assessment process for the Resident Support Team. Section A covers the universal criteria. Section B covers the detail to be assessed in making individual decisions as to whether a person meets the Resident Support Scheme outcome and objective criteria

#### SECTION A

Eligibility Criteria	Verification by Resident Support Team
<ul style="list-style-type: none"> <li>Applicant is not eligible for a 'short term advance' a 'budgeting advance' or a Budgeting Loan – other than those who need to establish themselves in the community or where it shown that the need and associated risk demands this (see 7.1 of the Resident Support Scheme)</li> </ul>	<ul style="list-style-type: none"> <li>Details on eligibility from Department for Work and Pensions' information</li> <li>Supporting detail provided to show that a person needs to establish themselves in the community</li> </ul>
<ul style="list-style-type: none"> <li>Resident in the Borough, linked to the Borough through Temporary Accommodation or provides a function on behalf of the Council (such as a foster carer)</li> </ul>	<ul style="list-style-type: none"> <li>Links to Statutory Services systems for verification and potential "hand off" if not known</li> </ul>
<ul style="list-style-type: none"> <li>Immigration status - must have recourse to public funds</li> </ul>	<ul style="list-style-type: none"> <li>Housing Benefit /Council Tax Support systems, Information @ Work, Department for Work and Pensions' Customer Information System: (Eligibility for Benefits is based on recourse to public funds) Documents on information @ work</li> </ul>
<ul style="list-style-type: none"> <li>Identity is Established</li> </ul>	<ul style="list-style-type: none"> <li>Documentation on information @ work: Eligibility for Benefits is based on recourse to public funds and Section19 checks) Documents on information @ work</li> </ul>

<ul style="list-style-type: none"> <li>• In receipt of any of a specified range of means tested benefits Income Support /Employment Support Allowance /Incapacity Benefit /Job Seekers Allowance / Pension Credit (Guaranteed or Savings) or equivalents plus in-work benefits: Housing Benefit , Council Tax Support, Working Tax Credit</li> </ul>	<ul style="list-style-type: none"> <li>• Housing Benefit /Council Tax Support systems, Information @ Work, Department for Work and Pensions' Customer Information System</li> </ul>
<ul style="list-style-type: none"> <li>• No more than one award per year for Resident Support Scheme non crisis (other than if it is linked to a previous award)</li> <li>• No more than one crisis payment (unless exceptional circumstances supported by a relevant professional)</li> <li>• No more than one Council Tax welfare provision over 2 council tax years</li> </ul>	<ul style="list-style-type: none"> <li>• Supporting detail to show that there is a link to a previous award if appropriate</li> <li>• Resident Support Scheme crisis (exceptional Circumstances to be developed based on cases received once the Resident Support Scheme commences but support from a professional in a caring profession or public service will be needed to make more than one award for crisis)</li> <li>• Council Tax system checked</li> </ul>
<ul style="list-style-type: none"> <li>• Not for excluded items such as clothing or needs which can be met elsewhere.</li> </ul>	<ul style="list-style-type: none"> <li>• <u>Clothing:</u> (except where someone is fleeing their home rapidly or in case of disaster e.g. flood or fire)</li> <li>• <u>Minor structural repairs</u> these are the responsibility of the landlord. Full stop. As Social Housing Providers provide tenants with less and less, the Resident Support Scheme cannot reasonably be expected to meet these needs.</li> <li>• <u>Furniture &amp; household items</u> for those living in private rented furnished accommodation or those placed in furnished temporary accommodation – these are the responsibility of the landlord</li> </ul>

	<ul style="list-style-type: none"> <li>• <u>Specialist disability equipment or adaptations, recliner chairs etc.</u> The Resident Support Scheme cannot assess the need for these items and all applications should be referred to occupational therapy.</li> <li>• <u>Wheelchairs and mobility scooters.</u> Refer to NHS provision for wheelchairs.</li> <li>• <u>Debts – apart from outstanding council tax in exceptional circumstances</u></li> <li>• <u>Funeral expenses</u></li> </ul>
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<b>Additional Checks</b>	
<ul style="list-style-type: none"> <li>• Check whether resident is currently being actively supported by a statutory service.</li> </ul>	<ul style="list-style-type: none"> <li>• Referrer assisting to check and to provide details on application form. The Administration team to liaise with nominated link officer in Statutory Services to provide details about the support they are already receiving and to provide additional support for their application or provide a recommendation where appropriate.</li> </ul>
<ul style="list-style-type: none"> <li>• Additional support</li> </ul>	<ul style="list-style-type: none"> <li>• Check whether the resident could benefit from any additional support. Record an online referral application (tick list to be provided) as to what additional support has been provided. e.g. referred to the Income Maximisation Team for benefit check or benefit check carried out.</li> </ul>

## **SECTION B**

### **Practical Operation of the Scheme**

- 1) The following section identifies the outcomes that the Resident Support Scheme is intended to support. The decision maker will expect to see evidence that a listed outcome exists in practice by exploring the evidence in the application to support the scenario/circumstances that are also listed below. It is possible that due to the limited funds in the Resident Support Scheme, that not all scenario/circumstances will be able to be supported. The Strategic Management Board will profile the overall sum for each month by taking 95% of the Resident Support Scheme fund (excluding council tax welfare provision) and dividing this by 12. Any underspend from previous months will be added to the latest month to provide an overall assessment of available

funds. If, on this basis, the available funds are considered to be exhausted or in danger of being exhausted in any given month, the decision maker will prioritise the scenario/circumstances in the following order when deciding if an award should be made : 1) more than one outcome objective applies and the case is established as high risk with underlying vulnerability; 2) only one outcome objective applies but the case is still established as high risk with underlying vulnerability 3) all other cases where other risks and underlying vulnerability have been identified 4) all other cases that meet the eligibility for the Resident Support Scheme.

- 2) The Director of Financial Operations and Customer Services can adjust the budget profiling at any stage but this must be reported to the next meeting of the Strategic Management Board which will have the scope to change or reverse this decision.
- 3) Although Council Tax welfare provision is included as a possible outcome in certain circumstances in the table below, this aspect of the Resident Support Scheme has some unique elements that are covered in the Section 13A policy in appendix 4. Therefore Appendix 4 is the document that will govern whether an award will be made under this provision, albeit that attention will be given to the limit of £25,000 allocated for each financial year when making individual awards meaning that it is not our intention to exceed this limit.
- 4) The law prescribes an absolute limit for the making of Discretionary Housing Payments in a financial year and this will not be exceeded in any circumstances

**Table identifying outcome objectives, detailed applicable, risks and vulnerability – this will enable a decision to be made**

<b>Outcome objectives</b>	<b>Scenario/Circumstances</b>	<b>Other Risks</b>	<b>Underlying Vulnerability</b>	<b>High Risk</b>
<b>Prevent homelessness (including Tenancy at risk)</b>	<p><b>Homelessness/Applicants at risk of losing their accommodation including as a result of:</b></p> <ul style="list-style-type: none"> <li>• <i>Applicant has a shortfall in rental liability – pay to support customer affected by: benefit cap, social size criteria, Local Housing Allowance reforms, prevention of a household becoming homeless whilst the housing authority explores</i></li> </ul>	<ul style="list-style-type: none"> <li>• Significant risk to Tenancy</li> <li>• Significant risk to independent living</li> </ul>	<ul style="list-style-type: none"> <li>• Old age</li> <li>• Physical disability</li> <li>• Long term limiting health condition</li> <li>• Responsibility for dependent</li> </ul>	<ul style="list-style-type: none"> <li>• Imminent loss of tenancy (Children under and of school age or pregnant)</li> <li>• Documented mental health condition</li> </ul>

	<p><i>alternative options, rent officer restrictions e.g. Local Reference Rent (LRR) or Shared Room Rate (SRR), non-dependant deductions and income tapers (Discretionary Housing Payment specific)</i></p> <ul style="list-style-type: none"> <li>• <i>Deposit/rent in advance for property applicant is moving into if they are entitled to Housing Benefit for their present home (Discretionary Housing Payment specific)</i></li> <li>• <b>Statutory homeless or at risk of homelessness</b></li> <li>• <i>Client is homeless or threatened with homelessness under the Housing Act 1996.</i></li> <li>• <i>Start-up packages for newly housed homeless people</i></li> <li>• <i>Use of Resident Support Scheme funds will prevent or delay homelessness for at least 6 months, or</i></li> <li>• <i>Client is homeless or threatened with homeless under the Housing Act 1996 but not the responsibility of Islington council and has agreed to repatriation.</i></li> <li>• <i>Client is a verified rough sleeper but not the responsibility of Islington council and has agreed to repatriation</i></li> <li>• <b>Overcrowding</b></li> </ul>	<ul style="list-style-type: none"> <li>• Significant risk to Safety</li> <li>• Significant risk to Health</li> </ul>	<p>children or pregnant</p> <ul style="list-style-type: none"> <li>• Domestic violence</li> <li>• Mental Health</li> <li>• Substance /Alcohol misuse</li> <li>• Learning Disability</li> <li>• Single young people establishing themselves including care leavers</li> </ul>	<ul style="list-style-type: none"> <li>• Documented medical condition or exacerbation of an existing medical condition</li> <li>• Physical disability</li> <li>• Documented learning disability</li> <li>• Domestic violence</li> </ul>
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	<ul style="list-style-type: none"> <li>• <i>Where Islington Council's definitions of overcrowding contained in the Tackling Overcrowding Strategy 2012 are met.</i></li>   <li>• <b>Disaster as a result of flooding fire, gas explosion, chemical leak that causes substantial damage loss or destruction.</b></li> <li>• <i>Discretionary Housing Payment specific if the occupant has to move and cannot meet the new rent liability.</i></li> <li>• <i>Consideration also for replacement items that have been destroyed due to disaster.</i></li> <li>• <i>Where household items and food have been destroyed and need replacing.</i></li> <li>• <i>Consideration for Crisis for food if money or access to money has been destroyed</i></li>   <li>• <b>Under Occupancy</b></li> <li>• <i>Funds are targeted at under occupiers (council and housing association) where;</i> <ol style="list-style-type: none"> <li>1. <i>It is not appropriate for them to move</i></li> <li>2. <i>They are unable to move,</i></li> <li>3. <i>Are <b>actively</b> seeking work or a move to a smaller property.</i></li> </ol> </li> <li>• <i>Tenants in category 1 above will include people living in adapted accommodation and Islington foster carers. For disabled</i></li> </ul>			
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	<p><i>people living in significantly adapted accommodation – including any adaptations made for disabled children, cost-effectiveness of remaining in the current property must be considered in terms of cost for adaptations in the new property.</i></p> <ul style="list-style-type: none"> <li>• <i>Tenants in category 2 and 3 above being considered for a Resident Support Scheme payment must be registered for a transfer and a mutual exchange.</i></li> <li>• <i>For residents in category 2 and 3 above the applications can only be made for up to three months at a time i.e. a maximum of six months. (Discretionary Housing Payment specific)</i></li> </ul> <p><i>The following will be agreed for Resident Support Scheme;</i></p> <ul style="list-style-type: none"> <li>• <i>Tenants under occupying by only one bedroom where they are within 6 months of being no longer affected by the benefit reduction (for example 6 months to retirement age).</i></li> <li>• <i>Tenants under occupying who are living in significantly adapted accommodation.</i></li> <li>• <i>Tenants who are Islington council foster carers, as confirmed by Child Services.</i></li> <li>• <i>Tenants under occupying who are actively job seeking.</i></li> </ul>			
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	<ul style="list-style-type: none"> <li>• <i>Tenants under occupying who are actively looking to move to smaller accommodation.</i></li> </ul>			
<b>Family cohesion /stability at risk</b>	<p><b>Applicants fleeing domestic violence.</b></p> <ul style="list-style-type: none"> <li>• <i>For Discretionary Housing Payments - helping to pay rent on a property they have moved into when treated as temporarily absent from their home. Removal expenses essential items of furniture.</i></li> </ul>	<ul style="list-style-type: none"> <li>• Significant risk of loss of family stability and cohesion</li> <li>• Significant risk to health</li> <li>• Significant risk to Safety</li> </ul>	<ul style="list-style-type: none"> <li>• Old age</li> <li>• Physical disability</li> <li>• Long term limiting health condition</li> <li>• Responsibility for dependent children or pregnant</li> <li>• Domestic violence</li> <li>• Mental Health</li> <li>• Substance/ Alcohol misuse</li> <li>• Learning Disability</li> <li>• Single young people establishing themselves including care leavers</li> </ul>	<ul style="list-style-type: none"> <li>• Imminent loss of tenancy (Children under and of school age or pregnant)</li> </ul>

	<p><b>Applicants transferring into unfurnished accommodation as a result of relationship breakdown, harassment or violence</b></p> <ul style="list-style-type: none"> <li>• <i>Where a relationship has irretrievably broken down and the applicant has had to move out of the joint home and into accommodation that is unfurnished or furnished.</i></li> <li>• <i>Pay for removal expenses, storage charges furniture household equipment, connection charges, clothing, and footwear.</i></li> </ul>	<ul style="list-style-type: none"> <li>• Significant risk of loss of family stability and cohesion</li> <li>• Significant risk to Tenancy</li> <li>• Significant risk to independent living</li> <li>• Significant risk to Safety</li> </ul>	<ul style="list-style-type: none"> <li>• Old age</li> <li>• Physical disability</li> <li>• Long term limiting health condition</li> <li>• Learning Disability</li> <li>• Responsibility for dependent children or pregnant</li> <li>• Domestic violence</li> <li>• Mental Health</li> <li>• Substance/ Alcohol misuse</li> <li>• Learning Disability</li> <li>• Single young people establishing themselves</li> </ul>	<ul style="list-style-type: none"> <li>• Documented mental health condition</li> <li>• Documented medical condition or exacerbation of an existing medical condition</li> <li>• Physical disability</li> <li>• Documented learning disability</li> </ul>

			including care leavers	
	<p><b>Families in need due to exceptional pressure as a result of:</b></p> <ul style="list-style-type: none"> <li>• <i>Sudden deterioration in health</i></li> <li>• <i>Sudden deterioration in a disabled child</i></li> <li>• <i>Bereavement in family</i></li> <li>• <i>Disaster as a result of flooding fire, gas explosion, chemical leak that causes substantial damage loss or destruction</i></li> <li>• <i>Reconciliation of a relationship – pay removal expenses</i></li> <li>• <i>High washing costs because of a disabled child – pay new washing machine, tumble drier and connection charges.</i></li> <li>• <i>High clothing costs for disabled children and adults, where condition of child causes either excessive wear and tear on clothing to such an extent that it</i></li> </ul>	<ul style="list-style-type: none"> <li>• Significant risk of loss of family stability and cohesion</li> <li>• Significant risk to health</li> <li>• Significant risk to Safety</li> </ul>	<ul style="list-style-type: none"> <li>• Old age</li> <li>• Physical disability</li> <li>• Long term limiting health condition</li> <li>• Responsibility for dependent children or pregnant</li> <li>• Domestic violence</li> <li>• Mental Health</li> <li>• Substance/ Alcohol misuse</li> <li>• Learning Disability</li> </ul>	<ul style="list-style-type: none"> <li>• Documented mental health condition</li> <li>• Documented medical condition or exacerbation of an existing medical condition</li> <li>• Physical disability</li> <li>• Documented learning disability</li> </ul>

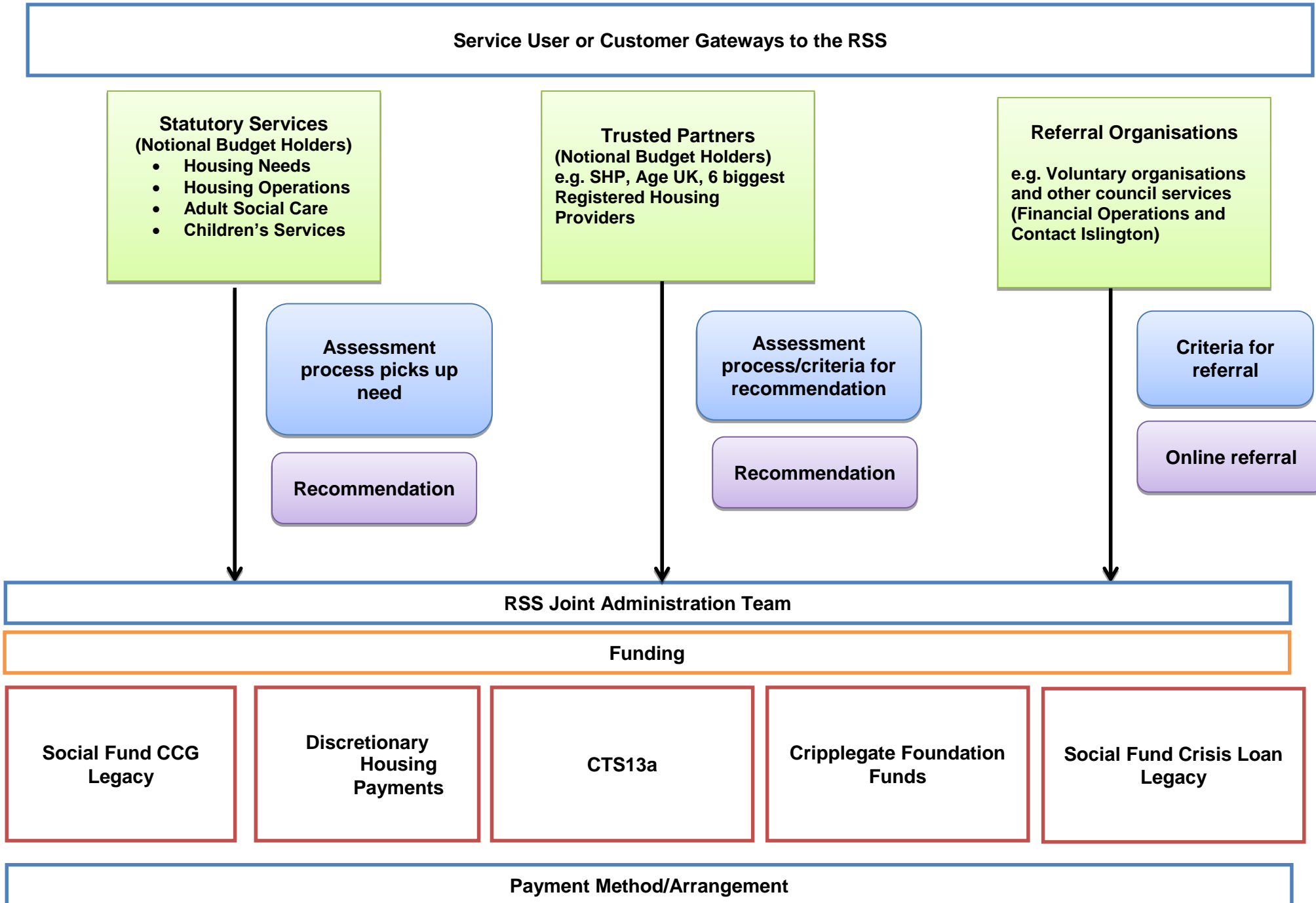
	<p><i>would be unreasonable for the applicant to meet the cost from weekly Income Support etc. Or where there is rapid weight gain or loss.</i></p> <ul style="list-style-type: none"> <li><i>• Behavioural problems within the family – pay for the repair/replacement of items damaged essential household items, clothing, redecoration (materials and exceptionally labour), security items (barriers on stairs for disabled child)</i></li> </ul>		<ul style="list-style-type: none"> <li>• Single young people establishing themselves including care leavers</li> </ul>	
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<p><b>Health /independent living at risk</b></p>	<p><b>Applicants moving for the first time into unfurnished accommodation or those moving from residential/ institutional care into unfurnished accommodation (Following a stay in an institution, short stay/ long stay hospital, crisis centre, care home, or prison) –</b></p> <ul style="list-style-type: none"> <li>• <i>A resident of supported housing, where the housing support service is funded by the council, needs to move on to independent living to free up spaces</i></li> <li>• <i>A resident of supported housing, where the housing support service is funded by the council, is being resettled into a new home following a planned programme of resettlement following a period of unsettled housing.</i></li> <li>• <i>Client is homeless under the Housing Act 1996 after leaving Prison or institutional care.</i></li> <li>• <i>Pay for furniture, household equipment, connection charges, clothing and footwear, removal expenses, storage charges. Additional support in meeting some short term living expenses e.g. food and heating under Crisis</i></li> <li>• <i>Where there are known risks to self and to others within the house hold</i></li> <li>• <i>Provision of essential household furniture, fittings or equipment significantly reduce the risks identified</i></li> </ul>	<ul style="list-style-type: none"> <li>• Significant risk to Tenancy</li> <li>• Significant risk to independent living</li> <li>• Significant risk to Safety</li> </ul>	<ul style="list-style-type: none"> <li>• Old age</li> <li>• Physical disability</li> <li>• Long term limiting health condition</li> <li>• Responsibility for dependent children or pregnant</li> <li>• Domestic violence</li> <li>• Mental Health</li> <li>• Substance/ Alcohol misuse</li> <li>• Learning Disability</li> <li>• Single young people establishing themselves including care leavers</li> </ul>	<ul style="list-style-type: none"> <li>• Documented mental health condition</li> <li>• Documented medical condition or exacerbation of an existing medical condition</li> <li>• Physical disability</li> <li>• Documented learning disability</li> <li>• Prevention of entry into institutional care</li> </ul>
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	<p><b>Applicants who need to replace essential household equipment e.g. independent living at risk –</b></p> <ul style="list-style-type: none"> <li>• <i>Applicants who need to move to accommodation, which is more suitable to enable them to remain in the community – pay removal expenses, furniture, household equipment and connection charges.</i></li> <li>• <i>Applicants moving nearer to someone who can offer them support in order to remain in the community. Help applicant move nearer to close relatives/close friends who will provide support – pay removal expenses, furniture, household equipment and installation.</i></li> <li>• <i>Applicants set up home in the community, as part of a planned resettlement programme, following an unsettled way of life – pay furniture, household equipment connection charges, clothing and footwear, removal expenses.</i></li> <li>• <i>Applicant is caring for a prisoner or young offender on release on temporary licence. Crisis for food and heating. Consideration for a Discretionary Housing Payment.</i></li> <li>• <i>Where there are known risks to self and to others within the house hold</i></li> </ul>	<ul style="list-style-type: none"> <li>• Significant risk to health</li> <li>• Significant risk to Safety</li> <li>• Immediate risk to independent living</li> </ul>	<ul style="list-style-type: none"> <li>• Old age</li> <li>• Physical disability</li> <li>• Long term limiting health condition</li> <li>• Responsibility for dependent children or pregnant</li> <li>• Domestic violence</li> <li>• Mental Health</li> <li>• Substance/ Alcohol misuse</li> <li>• Learning Disability</li> <li>• Single young people establishing themselves including care leavers</li> </ul>	<ul style="list-style-type: none"> <li>• Documented mental health condition</li> <li>• Documented medical condition or exacerbation of an existing medical condition</li> <li>• Physical disability</li> <li>• Documented learning disability</li> </ul>
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	<ul style="list-style-type: none"> <li>• <i>Provision of essential household furniture, fittings or equipment significantly reduce the risks identified</i></li> </ul>			
<b>Employment risk</b>	<p><b>Employment at risk or employment may not be taken as a consequence of the Welfare Reforms including:</b></p> <ul style="list-style-type: none"> <li>• <i>Increase in essential work related expenditure such as increased fares.</i></li> <li>• <i>To prevent having to leave the borough and not being able to continue in employment</i></li> <li>• <i>Pay shortfalls with housing costs (All of the above - consideration of a Discretionary Housing Payment to release an increase in personal income dealing with the barriers to work)</i></li> </ul>	-	<ul style="list-style-type: none"> <li>• Old age</li> <li>• Physical disability</li> <li>• Long term limiting health condition</li> <li>• Responsibility for dependent children or pregnant</li> <li>• Domestic violence</li> <li>• Mental Health</li> <li>• Substance/ Alcohol misuse</li> <li>• Learning Disability</li> <li>• Single young people establishing themselves including care leavers</li> <li>• Previously been homeless</li> </ul>	<ul style="list-style-type: none"> <li>• Documented evidence to show work related situation</li> <li>• Documented mental health condition</li> <li>• Documented medical condition or exacerbation of an existing medical condition</li> <li>• Physical disability</li> <li>• Documented learning disability</li> </ul>

Appendix 2





# **Resident Support Scheme Appendix 3 – Discretionary Housing Payment Policy**



## **1. Background**

- 1.1 Discretionary Housing Payments were introduced in July 2001. The scheme originally granted Local Authorities discretionary powers to pay a top up to housing benefit and Council Tax Benefit statutory schemes.
- 1.2 This policy replaces the March 2011 policy and has been updated in order to take into consideration the new Department for Works and Pensions revised Discretionary Housing Payment's guidance effective from April 2013.
- 1.3 The policy has been updated to reflect amendments to the Discretionary Financial Assistance Regulations designed to incorporate the introduction of Universal Credit and the abolition of Council Tax Benefit.
- 1.4 Effective from April 2013 Discretionary Housing Payments can be awarded to support deficits in rent related housing costs but cannot be used to supplement Council Tax Benefit (known as Council Tax Support). The Council Tax Support scheme is not considered to be a welfare benefit.
- 1.5 Discretionary Housing Payments is claimed through the Resident Support Scheme, aligning awards in accordance with the aims of the scheme which are:
  - Reducing overcrowding/under occupancy
  - Protecting the vulnerable
  - Reducing disruption to families
  - Reducing costs to the council and our partners in the longer term
  - Moving a person/family towards a more sustainable future
- 1.6 The Resident Support Team lead in the administration of Discretionary Housing Payments. Granting awards based on recommendations made by Statutory Service and Trusted Partners; and referrals made by Voluntary Organisations and other Council Services including Financial Operations and Customer Services under the provisions of the Resident Support Scheme.
- 1.7
- 1.8 The amount that can be paid out in Discretionary Housing Payments in total by the Council in any financial year is cash-limited by the Secretary of State under Article 7 of the Discretionary Housing Payment (Grants) Order 2001.

## **2. Purpose**

- 2.1 The purpose of this policy document is to outline how Discretionary Housing Payments can be accessed through the Resident Support

Scheme. Also to indicate the factors that will be considered when deciding if a Discretionary Housing Payment can be awarded. Each case will be decided strictly on its merits and all customers will receive fair and equal treatment.

- 2.2 Discretionary Housing Payments provide customers with further financial assistance with housing costs, and they are awarded in addition to Housing Benefit or its equivalent in Universal Credit. The Discretionary Housing Payment legislation gives broad discretion; however, decisions must be made in accordance with principles that are based on good decision making and in compliance with administrative law where a duty exists to act fairly and to demonstrate good reasoning and consistency.
- 2.3 The balance of funds in the Discretionary Housing Payment budget from government contribution should not be an overriding factor in the decision making process, although they can be a factor when considered in tandem with other criteria. Having said that there is an absolute payment limit per annum that cannot be exceeded by law so the overall budget will be profiled over 12 months and regard is given as to whether there is likely overspend on a month by month basis for each decision made. This may then be a factor in providing a negative decision.

### **3. What types of shortfalls can Discretionary Housing Payments Cover?**

- 3.1 Examples of the types of housing cost shortfalls that the fund is expected to support are:
  - reductions in Housing Benefit or Universal Credit where the benefit cap has been applied
  - reductions in Housing Benefit or Universal Credit for under-occupation in the social rented sector;
  - reductions in Housing Benefit or Universal Credit as a result of local housing allowance restrictions
  - rent shortfall to prevent a household becoming homeless whilst the housing authority explores alternative options
  - Payments to deal with the barriers to work for claimants starting work or attempting to remain in their employment as long as they remain on Housing Benefit (or the equivalent under Universal Credit)
  - rent officer restrictions such as local reference rent or shared room rate
  - Income tapers
  - Non-dependent deductions
- 3.2 In these cases Discretionary Housing Payments can be used to increase the current Housing Benefit to the level of the eligible rent liability. It is expected that there will be an equivalent provision for this in Universal Credit.

#### **4. The position with Housing Costs**

4.1 There are no prescribed tests that define or determine housing costs. Housing costs are generally defined as accommodation related liability costs such as rent. However, for the purposes of the Resident Support Scheme housing costs are assumed to include:

- Rental charges
- Rent in advance
- Rent deposits
- Other lump sum costs associated with a housing need E.g. removal costs, housing or emergency housing related expenses
- Items that could be needed to enable a person to be set up appropriately in their housing, or remain in their housing. For example, it may be that a person cannot take up new housing unless the accommodation is equipped adequately

4.2 Housing Costs are different because they do not need to be provided in the form of a Discretionary Housing Payment to increase the current Housing Benefit (or its equivalent under Universal Credit) to the level of the weekly rent liability. This can be provided as a one off in a lump sum and this value is not restricted in law.

#### **5. Payments in advance**

5.1 Discretionary Housing Payments for a rent deposit, rent in advance, housing related expenses or housing costs can be awarded for a property that the customer is yet to move into if they are entitled to Housing Benefit or Universal Credit. Using Discretionary Housing Payments for this purpose may be particularly appropriate to help existing customers move to alternative accommodation where their award of Housing Benefit has been restricted following one of the welfare reforms.

#### **6. Claiming a Discretionary Housing Payment**

6.1 Discretionary Housing Payments is applied for through the Resident Support Scheme application process through Statutory Services (Notional Budget Holders), Trusted Partners and agreed Referral Organisations. This will constitute a Discretionary Housing Payment claim.

6.2 Applications for Discretionary Housing Payments is also accepted by Financial Operations and Customer Services service user access points as part of the referral organisation route or via a Housing Benefit application form.

## **7. Criteria and circumstances that will need to be evidenced for deciding on whether to make a Discretionary Housing Payment award**

7.1 In determining if an award should be made and the level of award factors that will be established and taken into consideration include:

- Whether the universal criteria in section 7 of the Resident Support Scheme applies
- Whether there is a shortfall between Housing Benefit and the rental liability and if the Discretionary Housing Payment is needed to supplement weekly Housing Benefit (or its equivalent in Universal Credit)
- Whether there are other members of the household who could cover this shortfall or cover the one off payment that is being requested
- Whether the financial circumstances of the claimant and or partner will allow them to cover the shortfall or one off payment now or within the next 3 months if their circumstances are due to change. An income and expenditure declaration may be required and it is possible that a negative Discretionary Housing Payment decision will be made if expenditure cannot be explained or if non-essential expenditure could be used to cover the sum requested in Discretionary Housing Payments
- What action has been taken by the customer or representative in order to reduce the rental charge; we will expect to see evidence of negotiation for private tenancies (the Council's Housing Needs Team can assist with this)
- Whether the customer knew or could be expected to know what their Local Housing Allowance would be before moving into the property. If yes and they knew that there was going to be a shortfall, strong consideration would need to be given as to why they still decided to move into the property and that may be a factor in giving a negative decision
- The medical circumstances (including ill health and disabilities) of the customer, their partner and any other members of their household including dependants. Whether it is reasonable to expect a person to move in their circumstances and bearing in mind the support mechanisms that could be in place
- The position with any dependent children; whether moving is reasonable in the circumstances bearing in mind the availability of schooling and other support mechanisms.
- Whether the person is vulnerable due to them leaving care or as a result of them previously being homeless
- Whether the person needs support due to them having just been in prison or due to them being on probation
- Whether the person faces a realistic and imminent threat of eviction

- The position with a person's employment, whether the taking up of employment, or its retention is threatened.
- Any special reasons which make it necessary or desirable for the claimant to occupy the dwelling in respect of which the liability arises
- The possible impact on the Council of not making such an award e.g. the pressure on priority temporary accommodation
- Whether a payment is in the interests of the Council as well as the claimant. It is likely that a very high rent level (more than twice the benefit cap) is not going to be in the interests of the council with regard to its reputation; desire for community cohesion – very high rents can cause concern to the majority of our residents and; as a result of the disproportionate impact on the Discretionary Housing Payment funds

7.2 Where the Resident Support Scheme team considers that the circumstances are such to merit an award they will determine the final award amount and the most appropriate financial source of funding based on the referral source request and individual unique circumstances.

7.3 The award of a Discretionary Housing Payment does not guarantee that a further award will be made at a later date even if the claimant's circumstances have not changed. Consideration needs to be given as to whether the situation is likely to change and what the customer has done to try and alleviate their situation.

## **8. Amount and duration of Award**

8.1 For supplementing Housing Benefit (or its equivalent in Universal Credit), depending on the circumstances of the claimant, it may not be necessary in every case to cover the total shortfall. It could be decided to award a partial payment. Consideration will be given as to whether the claimant can afford to contribute to the shortfall, including for example, if they have a non-dependant who can afford to contribute.

8.2 An award of a Discretionary Housing Payment does not guarantee that a further award will be made at a later date even if the claimant's circumstances have not changed. It is expected that in normal circumstances an award of a Discretionary Housing Payment to supplement Housing Benefit (or its equivalent) will meet the period that is needed to enable the person to have a successful future outcome. The award will be a minimum of one week.

8.3 The period needed to have a successful outcome is likely to be for:

- Local Housing Allowance restriction where the person is working with the Council's Housing Needs Team it is normally expected that 3 months would be suitable to enable a person to find an alternative way forward. This is likely to include an attempt to find a new property and the 3 months could be extended if action is being

taken but the position is not finalised i.e. the move is delayed (more detail on this award in section 9 below)

- the benefit cap it may be appropriate to award a Discretionary Housing Payment for the period that they are seeking to take action to remove themselves from the cap either through an active and supported attempt to find work, an attempt to claim an appropriate exempting benefit or as a result of an imminent change in circumstances that will change the position with the cap
- the bedroom tax it may be appropriate to award a Discretionary Housing Payment during the period that the person is working with the Housing Provider to reduce or limit the impact of this either through attempting to move or by seeking more occupants in the home. There may also be an imminent change of circumstances or the circumstances leading to the restriction may be deemed to be short term in which case a Discretionary Housing Payment may be considered appropriate
- foster carers to make up reductions in Housing Benefit/Universal Credit caused by the bedroom tax in cases where the supposedly unoccupied rooms are needed for foster children, it may be appropriate to award this for the full duration of their care responsibilities. Where this is agreed, this will be subject to review after 12 months of any award and the Resident Support Team can decide how that review will be conducted. Any agreement to continue after 12 months will be considered as a further claim for a Discretionary Housing Payment check?
- people entering employment or in employment where there are barriers to taking or retaining this, it may be appropriate to award a Discretionary Housing Payment for the period that they are seeking to remove or mitigate for these barriers. In any case it is not expected that this award will be for longer than 9 months

8.4 It may be appropriate, where supported by a caring or public sector professional, to award a Discretionary Housing Payment to supplement Housing Benefit (or its equivalent in Universal Credit) on a longer term basis in other specific circumstances such as disabled people with property adaptations, children or adults at risk and subject to statutory intervention. Where this happens this will be subject to review after 12 months of any award and the Resident Support Team can decide how that review will be conducted. Any agreement to continue after 12 months will be considered as a further claim for a Discretionary Housing Payment

8.5 For one off requirements such as rent deposits and removal costs the Discretionary Housing Payments will not exceed a) £1600 for deposits or b) the reasonable cost of removal or £900 (whichever is the lower

amount) for removal costs. For payments of rent in advance the sum will be limited to £500 and payable only when moving out of the borough. These sums are limits not entitlements. A rent deposit or rent in advance payment will not be repeated if a person moves to another property. It is expected that the deposit or advance made in respect of previous award will be used by the person again should they move in the future.

- 8.6 For Housing Costs the payments will not exceed the values of packages 1 to 3 given in Appendix 5 of the Resident Support Scheme. The rationale in deciding the packages that are needed or the items if a full package is not needed will be the same as that set out in section 6.4 to 6.7 of the Resident Support Scheme

**9. An award to deal with a restriction in Housing Benefit for a private tenant Local Housing Allowance case**

- 9.1 Assessing the need for an award in Local Housing Allowance cases can be difficult because the private rented sector in Islington is expensive and finding alternative accommodation can be problematical. The following section is intended to help establish the priority for awarding Discretionary Housing Payments in these circumstances bearing in mind the limited funds and the limited options available. This is designed to complement and give weight to the points identified in 7.1; not to conflict with them.
- 9.2 Priority for Discretionary Housing Payments for Local Housing Allowance cases will be based on a point scoring system, which has been designed to give priority to, workers, families with children, pensioners, people with severe disabilities and serious health problems, people who face eviction and people who are vulnerable.
- 9.3 The points system takes into account all circumstances of an individual case, and where a customer's circumstance meets a set number of points, priority will be given to that group of individuals. Where a customer's circumstances do not meet the criteria under the points scoring priorities consideration will be given to that individual under the Discretionary Points awards (see Discretionary Points)
- A score of 5 points and over would place the claimant into Group 1
  - A score of 3 or 4 points would place the claimant into Group 2
  - A score of 1 or 2 points or less would place the claimant into Group 3
- 9.4 We will pay Discretionary Housing Payments for all those who have a shortfall of £60 or less per week, that fall into Group 1 unless there are any circumstances identified as set out in section 7 that would, in the view of the decision maker, cause this award to be inappropriate.
- 9.5 If there is money available in the profiled Discretionary Housing Payment budget those who have a shortfall that fall into Group 2 will be paid a Discretionary Housing Payment unless there are any



circumstances as set out in section 7 that would, in the view of the decision maker, cause this award to be inappropriate.

- 9.6 At the end of each month the budget will be reviewed and where a forecast of the spending over the year shows that the budget has (or appears to have) sufficient funds then we will consider paying Discretionary Housing Payments to those that fall into Group 3 unless there are any circumstances as set out in section 7 that would, in the view of the decision maker, cause this award to be inappropriate.
- 9.7 Any other private tenant case not covered in Group 1 to 3 above may receive an award if it is deemed to be in the interests of the claimant and in the Council's interest.
- 9.8 If the shortfall is greater than £60 per week then we will refuse a Discretionary Housing Payment unless it is recommended by the Council's Housing Needs Team as a way of enabling the Council to work with the tenant to find a positive way forward.

<b>Circumstance</b>	<b>Points allocated</b>
Claimant or partner is a person who has reached the qualifying age for state pension credit	3
Claimant and partner are both aged under 18 years of age	3
A child or young person is part of the household	0.5 per child
Person faces a realistic and imminent threat of eviction	1
Locality of Education. If at least one of the children is aged under 12 and they attend an education establishment within 2 miles (exact measurement not required for this and all distances given hereafter)	1
A family member is part of the household for the benefit claim has a disability and the claimant cares for them	2 per family member
Locality of work. If the claimant or partner is in remunerative work and their work is within 2 miles	1 point if one, 2 points if both
Claimant or partner have a severe disability or health problem and either they are being treated within 5 miles of where they live or their carer lives within 5 miles.	2 points if one, 3 points if both
Claimant, partner or a dependent child have a benefit that attracts a disability premium	1 for each member
Claimant, partner or dependent child have a terminal illness	5
Discretionary case – where it would be extremely detrimental to the wellbeing of the person or their family if a person has to move home or where the Housing Needs Team consider that a payment should be awarded to enable them to work with the claimant to achieve a better outcome going forward	5

## **10. Backdating**

Discretionary Housing Payment backdating must be requested as part of the initial Resident Support Scheme claim and any award will usually be limited to the current financial year. The Backdating provisions that exist within the current Housing Benefit Regulations also apply to Discretionary Housing Payments, including the limit to which a case can be backdated. If DHP is requested as a result of a backdated reduction in housing benefit any DHP award will normally be limited to 6 months for the current financial year only.

## **11. Costs not covered by Discretionary Housing Payments**

11.1 A Discretionary Housing Payment should not be awarded in respect of the following when considering a shortfall in rent in respect of:

- Any ineligible service charges
- charges for water, sewerage and environmental services
- any increase in rent due to outstanding rent arrears

11.2 No Discretionary Housing Payment award for Sanctions

- Any reduction in Income Support or Job Seekers Allowance (Income Based) due to reduced benefit direction
- Any reduction in benefit as a result of non-attendance at work-focused interview.
- Any reduction or loss of benefit due to employment sanction
- Any reduction in benefit due to sanction for 16/17 year olds
- Any restriction in benefit due to breach of a community service order

11.3 No Discretionary Housing Payment award for Suspensions

- Any amount of benefit suspended both in relation to Housing Benefit and the former Council Tax Benefit and any other state benefit.

11.4 No Discretionary Housing Payment award for shortfalls caused by Housing Benefit /Council Tax Benefit overpayment recovery

- When recovery of a Housing Benefit or former Council Tax Benefit overpayment is taking place, such shortfalls should not be considered for a Discretionary Housing Payment.

## **12. Method of Payment**

12.1 Referring partners are expected to recommend the most appropriate person to pay based upon the circumstances of each case. This could include paying:

- The claimant;
- Their partner;
- An appointee;
- Their landlord (or an agent of the landlord); or
- Any third party to whom it might be most appropriate to make payment.

12.2 The Resident Support Team will pay an award of Discretionary Housing Payment by the most appropriate means available in each case. This could include payment by:

- By electronic transfer (e.g. BACS)
- By crediting the claimant's rent accounts.

12.3 Payment frequency will normally be made in line with how Housing Benefit UC? is paid, or paid as a lump sum.

### **13. Letter of Notification**

13.1 The Housing Benefit notification letter includes the claimant's rights to review and also tells the claimant that they must inform us of any change in their circumstances that might affect their Discretionary Housing Payment award. The Resident Support Team will also issue a letter in line with section 18 of the Resident Support Scheme

### **14. Changes in circumstances**

14.1 When a claimant has a change of circumstances and an award of Discretionary Housing Payment is in payment, a check will be carried out to determine whether it affects the award of Discretionary Housing Payment.

14.2 Where the change affects the amount of Discretionary Housing Payment awarded or where the change in circumstances means that the shortfall in Housing Benefit is more manageable, the amount of Discretionary Housing Payment awarded may be reconsidered.

14.3 For example if the claimant has returned to work after being in receipt of a statutory benefit, their new circumstances may mean that they may now be able to manage the shortfall in their rent and may mean that they no longer require a Discretionary Housing Payment award.

### **15. Request for review**

15.1 This will be in line with section 17 of the Resident Support Scheme.

### **16. Overpayments**

- 16.1 A Discretionary Housing Payment award can be recovered if an award has been made as a result of a misrepresentation or failure to disclose a material fact, whether it is made fraudulently or otherwise or where it is deemed that the award has been made in error.
- 16.2 A Discretionary Housing Payment overpayment cannot be recovered from ongoing Housing Benefit/UC. Recovery will be sought by the raising of an invoice.

**17. Monitoring the Discretionary Housing Payments policy**

- 17.1 The Strategic Management Board monitors the operation of this policy and they can agree to change this at any time. Minor operational changes can be made by the Director of Financial Operations but these will be reported to the next meeting of the Board.

# **Resident Support Scheme Appendix 4 - Council Tax Welfare Provision**

## **Policy for determining applications for council tax reduction under Section 13A(1)(C) of the Local Government Finance Act 1992**

## 1.0 Background

- 1.1 Under Section 13A(1)(C) of the Local Government Finance Act 1992 (as amended), the Council has the power to reduce liability for Council Tax in relation to individual cases or class(es) of cases that it may determine. It says:
1. *Where a person is liable to pay council tax in respect of any chargeable dwelling and day, the billing authority for the area in which the dwelling is situated may reduce the amount which he is liable to pay as respects the dwelling and the day to such extent as it thinks fit. This allows for a further reduction where a reduction under council tax support has been applied*
  2. *The power under subsection 1) above includes the power to reduce an amount to nil*
  3. *The power under subsection 1) may be exercised in relation to particular cases or by determining a class of case in which liability is to be reduced to an extent provided by the determination.*
- 1.2 There are financial implications to awarding any discounts other than those currently available under the statutory legislation and the financial burden of Section 13A discounts has to be met through an increase in the general level of Council Tax for other payers or from the general fund.
- 1.3 In addition to this:
- The granting of Section 13A discounts would reduce income from Council Tax;
  - A wider entitlement to reduced liability would require additional administrative resources to assess requests;
  - The Council Tax Support scheme exists to ensure that those on low incomes receive financial assistance with their Council Tax
- 1.4 As a consequence of this, the policy adopts a principle that the power to reduce under this section should only be applied in cases of exceptional personal circumstances or, if a person is in receipt of Council Tax Support only, in cases of exceptional hardship.
- 1.5 This policy only covers the process of making a decision for individual cases. Only the Council Members can agree to reduce council tax for a class or classes. Should a group submit an application for reduction and it is not treated as a class, the decision will set out why it has been treated as an individual case or a group application consisting of individual cases.
- 1.6 Reducing Council Tax in these circumstances will hereafter be known as an award of council tax welfare provision.

## **2.0 Scheme application process**

- 2.1 This can be accessed through the Resident Support Scheme. The Resident Support Scheme sets out how the council tax welfare provision can be applied for and the universal criteria that will need to be in place for an award to be made.
- 2.2 The application should relate to the current council tax year, unless the liable person has just received an account following late valuation for a previous year(s).
- 2.3 Any award given to an individual case will finish at the end of the council tax year that the application relates to. A further application will be needed for future years.

## **3.0 Policy Details**

The following will be considered when making a decision:

- 3.1 Whether an award has been made under this provision previously. Only one award of council tax welfare provision can be made in a 2-year council tax period unless an award is made under section 3.3 to 3.5 below. This overrides the “previous award” criteria under section 7.1 of the Resident Support Scheme which, for the avoidance of doubt, does not apply for this policy.
- 3.2 The effect on other taxpayers, financial or otherwise, will be taken into account such that:
  - It will be likely that the majority of local residents will, on the balance of probabilities, agree with the decision.
  - The Council’s finances will allow for the reduction to be made (we have allocated £25,000 per annum for this)
- 3.3 For general cases there should be exceptional personal circumstances that justify making an award that reduces council tax liability. For these cases the income criteria under section 7.1 of the Resident Support Scheme does not apply.
- 3.4 This means that the situation or circumstance will be something that does not normally occur. This is not likely to include inconvenience caused by re-development in the area, anti-social behaviour in the area, difficulties caused by personal loss that could have been insured, failure in service provision either public or private, or (for general cases) issues caused by financial difficulty. This list is not intended to be exhaustive.
- 3.5 From April 2013 we decided to have no council tax discount for what were formerly known as Class A exemptions (empty for major repair).

Where a liable person is forced to decant their accommodation because major repair work is needed to make the property habitable and they have no choice in the matter, this may be considered for an award on the basis that an exceptional personal circumstance applies.

- 3.6 Additionally, an award can be made if a person faces exceptional hardship as a result of welfare benefits cuts including the Council Tax Support Scheme providing less support than Council Tax Benefit. These are known as Council Tax Support cases; not general cases.
- 3.7 In these circumstances an award can be made if the person's exceptional hardship is as a result of:
  - 3.7.1 Losing (or having a total reduction of at least £5 per week as a result of losing) 2 or more types of income related Department for Work and Pensions benefits and/or tax credits in the current council tax year. This is on the basis that they are not entitled to receive any additional Council Tax Support as a result of this loss;
  - 3.7.2 Losing a disability related benefit (after appeal);
  - 3.7.3 A pensioner receiving a reduction in council tax support because they are in a category where they are not automatically protected from the impact of the council tax support scheme
  - 3.7.4 Facing an unpredicted life event. This could include marital/partner breakdown, bereavement, coping with a new disability in the family (this list is not exhaustive). For this provision consideration will be given as to whether extra Council Tax Support or other welfare benefits have been (or will be) provided as a result of this change and whether these are adequate to meet the need;
  - 3.7.5 Being forced to move as a result of welfare reform changes and further financial assistance is needed to enable them to settle effectively in their new property;
  - 3.7.6 Attempting to stay in their accommodation in agreement with their housing provider. Evidence would be needed by the housing provider to support this and to show that staying in the accommodation would be the best way forward for all involved;
  - 3.7.7 Facing any other exceptional circumstance causing hardship where it is considered to be in the best of interests of the person and the Council to make an award under the council tax welfare provision;
  - 3.7.8 Facing a crisis situation and requiring assistance under section 10 of the Resident Support Scheme. An award will be made if it is deemed to be the most effective way to support the person in their crisis.
- 3.8 Any award under 3.7 (apart from 3.7.8) will not exceed £150 and will not normally be made in the first 3 months of the bill. As a general



principle we will expect to see a person seeking an award under this provision to have made a payment or to be prepared to reach an agreement for future payments. We will normally require that a person has paid at least 25% of the council tax outstanding, is prepared to reach agreement for a further 25% and therefore receives support and a council tax reduction for no more than 50% of the charge for the current year.

- 3.9 Any award under 3.7.8 will normally match the value of the payment vouchers that can be made for crisis under section 10 of the Resident Support Scheme as an alternative to making these payments. In any case the award will not exceed 150% of the payment vouchers that can be made for crisis under section 10 of the Resident Support Scheme. The requirements of 3.8 above will not apply in these circumstances.
- 3.10 In addition to the council tax welfare provision awarded, the Resident Support Team will seek to review the resident's overall situation in order to identify further assistance or support as detailed in Section 14 of the Resident Support Scheme in order to improve their longer term financial sustainability.
- 3.11 In all cases the amount of council tax outstanding must not be the result of wilful refusal to pay or culpable neglect.

#### **4.0 Policy Review**

- 4.1 This policy can be reviewed at any stage by the Resident Support Scheme Strategic Management Board.

## **Appendix 5**

### **Essential Household Items and Packages**

#### **1 Essential Household Items**

##### **Essential Household Items and Packages Information**

- It's important to note that the figures for the packages are the absolute limit on the level of support that will be provided to the resident in the situations covered. It is strongly recommended that if single or just a few items are required that only these are requested at a maximum of 6 individual items instead of opting for a package. The Resident Support Team will arrange visits where packages are over £400.
- The costings of packages are worked out based on the items being provided. Residents cannot therefore transfer the items in their awards between Bright Sparks /Argos.
- Severe Disability is defined as the customer being in receipt of high rate Disability Living Allowance care, high rate Disability Living Allowance mobility, high rate Attendance Allowance and high rate Personal Independence Payments.