

Cabinet – 3 December 2025

Council Tax Support Scheme, Council Tax Premiums, S13A Policy, Discretionary Housing Payments Policy and Crisis Resilience Fund

Purpose	For decision
Classification	Public
Executive Summary	<p>The Council has a Council Tax Reduction scheme to support those on a low income with paying their council tax. The Council has discretion to set a local scheme for working age claimants, with pension age claims being administered in accordance with government regulations. The scheme is reviewed annually and there are no proposed changes from 1 April 2026.</p> <p>From 1 April 2026 the Council introduced a Council Tax Premium of 100% for second homes and reduced the period from 2 years to 1 for applying an Empty Homes Premium of 100% to empty properties. This report provides an update on the application of these premiums.</p> <p>The S13A Policy and Discretionary Housing Payments policy are reviewed periodically to ensure relevance and to take into consideration any changes to government guidance. From 1 April 2026 the government have announced the Crisis Resilience Fund which merges the Household Support Fund and Discretionary Housing Payments to support households and organisations.</p>
Recommendation	<p>That Cabinet agree:</p> <ol style="list-style-type: none"> 1. The current Council Tax Reduction scheme continues from 1 April 2026 with no proposed changes 2. The current application of Council Tax Premiums continues from 1 April 2026 with no proposed changes

	<p>3. The S13A (1) (C) Policy be approved</p> <p>4. The Discretionary Housing Payments Policy be approved.</p>
Reasons for recommendation	To approve the continuation of the Council Tax Reduction Scheme and Council Tax Premiums from 1 April 2026 and S13A (1) (C) Policy and Discretionary Housing Payments Policy.
Wards	All
Portfolio Holder	Councillor Jeremy Heron – Finance & Corporate
Strategic Director	Alan Bethune – Strategic Director Corporate Resources (Section 151 Officer)
Officer Contact	Ryan Stevens Service Manager Revenues, Benefits and Customer Services 02380 285693 Ryan.stevens@nfdc.gov.uk

Introduction and background

1. The purpose of this report is to provide an update on the Council Tax Support scheme and council tax premiums from 1 April 2026, and to approve the Discretionary Housing Payments policy and S13A policy, and an update on the Crisis Resilience Fund.

Council Tax Reduction scheme

2. Local authorities are responsible for determining their own local Council Tax Reduction Scheme to support those of working age on low income with paying their council tax. The Government stipulated that there must be no change to the level of support that pensioners receive and there are no plans to localise the scheme for this group. There are currently no plans to include Council Tax Reduction within Universal Credit.
3. There are currently 7,790 claimants receiving Council Tax Reduction. Of these 4,171 are working age and 3,619 are of pensionable age. The current Council Tax Reduction Scheme costs approximately £10 million per annum, with this cost (foregone Council Tax) being shared between all precepting authorities.

4. The amount of Council Tax Reduction awarded affects the tax base of each organisation.
5. A Task and Finish Group conducted a thorough review of the scheme in 2024 for implementation from 1 April 2025. There have been no wider welfare reform changes to consider, and as the scheme has run effectively and efficiently during the current financial year, there are no proposed changes to the scheme from 1 April 2026.
6. The government decision on Local Government Reorganisation (LGR) for the region, expected in the spring of 2026, will give an opportunity to consider scheme alignment to our cluster authorities as we head towards the vesting day of the new council.
7. Therefore from 1 April 2026 the scheme is proposed to be the same as the existing scheme from 1 April 2025.

Council Tax Premiums

8. From 1 April 2025 the Council introduced two Council Tax Premiums, these being:
 - reducing the length of time a 100% premium can apply for long term empty properties from 2 years to 1 year
 - a 100% premium for properties which are furnished and periodically occupied, commonly referred to as "second homes"
9. Government have provided legislation and accompanying guidance that stipulate specific exceptions where a premium cannot apply, some of which are time limited, such as the property is being actively marketed for sale or let, whilst other exceptions are not, such as annexes that form part of a main dwelling, properties where year round occupation is restricted, or those living elsewhere in armed forces accommodation. The Council have not used their discretion to adopt any local exceptions.
10. There are currently 1,120 properties where the "second homes" premium is being applied, with 313 properties which are subject to an exception from the premium.
11. Following successful implementation of the premiums, in accordance with government legislation and guidance, no changes are being proposed for the period commencing 1 April 2026

S13A (1) (c) Policy

12. S13 of the Local Government Finance Act 1992 provides local authorities with discretion to reduce or remit the amount of Council Tax payable. These awards are financed through the general fund,

and are only made in exceptional circumstances, taking into consideration numerous factors. The policy has been reviewed with minor amendments, including reformatting to the corporate template.

Discretionary Housing Payments

13. Local Authorities receive funding from the Department for Work and Pensions each year to award Discretionary Housing Payments (DHPs). DHPs can be awarded to households where there is a shortfall between the rent a landlord is charging and the amount of Housing Benefit or the housing element of Universal Credit being awarded, and the shortfall is causing exceptional financial hardship. The policy has been reviewed with minor amendments, including reformatting to the corporate template.
14. DHPs are actively promoted, both internally and externally with our partners, to ensure the funding is fully allocated so that as many households as possible are supported. Support with making an application is given to vulnerable households, with phone calls to applicants to resolve any queries, to ensure a timely decision. However, this fund will merge into a new Crisis Resilience Fund in the future.

Crisis Resilience Fund

15. The government have announced that from 1 April 2026 Discretionary Housing Payment and the Household Support Fund will be merged into one scheme, the Crisis Resilience Fund. The Department for Work and Pensions have consulted with stakeholders, including Local Authorities and third-party organisation to co-design a future scheme.
16. The purpose of the new scheme is to:
 - Provide **emergency financial support** to households in crisis
 - Support **preventative measures** to build long-term financial resilience
 - Reduce reliance on **emergency food parcels** and other short-term aid
17. However, as consultation and scheme developments continue, there will be a phased approach, with the Discretionary Housing Payment element and funding remaining ringfenced until 31 March 2028 and will continue to be administered by Local Authorities.
18. Funding for the residual Crisis Resilience Fund will be allocated to Unitary/Upper Tier authorities, i.e. Hampshire County Council, and we await details of our involvement in the scheme from 1 April 2026. We will continue to work collaborate with our local partner organisations to signpost and support vulnerable households.

Corporate plan priorities

19. The Council Tax Support scheme and Discretionary Housing Payments Policy support our key priorities of our Corporate Plan by supporting low-income households.

Options appraisal

20. The Council could opt to make changes to its Council Tax Reduction Scheme or to the application of Council Tax premiums. As outlined within the report, the current schemes are considered to be appropriate and proportionate at this time and so no alternative options have been presented for consideration.
21. The Department for Work and Pensions are due to produce guidance on the new Crisis Resilience Fund, and we will be working with Hampshire County Council to provide input, support and any resulting administrative requirements of a scheme. If scheme and policy discretion is given to Local Authorities a report will be brought through to the Scrutiny Panel for discussion and recommendation.

Consultation undertaken

22. The report was considered by the Resources and Transformation Panel Overview and Scrutiny Panel on 20 November 2025. The Panel supported the recommendations to Cabinet.

Financial and resource implications

23. As there are no proposed changes to the Council Tax Reduction scheme for 2026/27 there are no subsequent financial implications.
24. As there are no proposed changes to the application of Council Tax premiums for 2026/27 there are no subsequent financial implications.
25. Any amounts granted under S13A (1) (c) are normally financed through the Council's general fund and do not form part of the collection fund. Any awards are only made in exceptional circumstances and with consideration given to the interests of local taxpayers.
26. Awards of Discretionary Housing Payments are fully funded by the Department for Work and Pensions who provide Local Authorities with an annual fund. For 2025/26 our allocated funding is £203,218, which is expected to remain for 2026/27 and 2027/28, and every effort is made to ensure the full amount is distributed. This includes active promotion and working collaboratively with our partners, both internally and externally.

27. Should the Council receive any funding from the Crisis Resilience Fund, existing resources will be used to administer and distribute funding in accordance with agreed policy.

Legal implications

28. The Local Government Finance Act 1992 states that all local authorities must have a Section 13A policy and have a Council Tax Reductions scheme for working age households, so this report ensures compliance.
29. The Levelling Up and Regeneration Act 2023 updates section 11B of the Local Government Finance Act 1992 which enables Local Authorities to make a determination on applying a premium of properties that are furnished and periodically occupied.
30. The legislation covering Discretionary Housing Payments is the Discretionary Financial Assistance Regulations 2001. The policy review gives full regard to the updated Department for Work and Pensions Guidance Manual for Discretionary Housing Payments and demonstrates our proactive and collaborative approach to supporting households.

Risk assessment

31. There are no risk assessments required.

Environmental / Climate and nature implications

32. There are no environmental or climate and nature implications arising from this report.

Equalities implications

33. Our Council Tax Reduction scheme and Discretionary Housing Payments policy continues to support those on a low income and protects vulnerable households. Proactive steps are taken to promote and maximise take-up, including working with partners, as well as to provide additional advice and support where appropriate, for example the availability of local support, such as food larders and debt advice, and benefit entitlement, to ensure a holistic approach is taken. Opportunities are provided at in person drop ins, via phone or online to discuss the schemes with officers

Crime and disorder implications

34. There are no crime and disorder implications arising from this report.

Data protection / Information governance / ICT implications

35. Personal records are held on corporate databases in accordance with data management principles. There are no further data protection, information governance or ICT implications arising from this report.

Conclusion

36. The Council's Council Tax Reduction scheme and Discretionary Housing Payments policy continues to support those on a low income with their Council Tax and rent, and are proactively promoted through collaborative working relationships. The new Crisis Resilience Fund will introduce a new focus on providing support and resilience to households and we await full details before actively administering.

Appendices

Appendix 1 - S13A Policy
Appendix 2 - Discretionary Housing
Payments Policy

Background Papers:

There are none



Council Tax Discretionary Reduction in Liability Policy

(Section 13A (1) (c) Local Government Finance Act 1992)

Revenues, Benefits and Customer Services

November 2025

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1. Introduction

- 1.1 The following policy outlines the Council's approach to granting discretionary reductions in liability for Council Tax under S13A (1) (c) of the Local Government Finance Act 1992 (as amended). This legislation allows a billing authority 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.
- 1.2 This policy is divided into two main areas, namely:
- (a) **The Flood Recovery Framework** – this part of the policy covers situations outlined by Central Government where any parts of the Council's area were to be designated as a designated flood area; and
 - (b) **Reductions in Council Tax liability in all other circumstances** - this part of the policy applies to all other circumstances where an application is made to the Council for a reduction in Council Tax liability under S13A (1) (c) of the Local Government Finance Act 1992.

2. Legislation

- 2.1 The relevant legislation (S13 of the Local Government Finance Act 1992 as amended by the Local Government Finance Act 2012), states the following:

Reductions by billing authority

- 2.2 The amount of council tax which a person is liable to pay in respect of any chargeable dwelling and any day (as determined in accordance with sections 10 to 13):
- (a) in the case of a dwelling situated in the area of a billing authority in England, is to be reduced to the extent, if any, required by the authority's council tax reduction scheme.
 - (b) (not relevant to English Billing Authorities)
 - (c) in any case, may be reduced to such extent (or, if the amount has been reduced under paragraph (a) or (b), such further extent) as the billing authority for the area in which the dwelling is situated thinks fit.
- 2.3 The provisions stated in (c) above, allows the Council to reduce the Council Tax liability for any taxpayer in addition to any application for

Council Tax Reduction under the Council's scheme. This is a general power that has always been available to the Council.

3 Roles and responsibilities

- 3.1 All staff within the Revenues and Benefits Service, have a responsibility to promote the S13A policy as part of an overall holistic approach to support to vulnerable households. The Revenues Manager is responsible for maintaining procedures and administering awards, with the Service Manager responsible for authorising awards above a threshold, appeals and policy reviews.

4 Finance

- 4.1 Any amounts granted under S13A (1) (c) are normally financed through the Council's general fund and do not form part of the collection fund. In certain circumstances, Central Government provides funding directly to the Council to compensate for specific events such as severe flooding. Where this is available, the Council will look to use all funding provided.
- 4.2 Any additional assistance, outside of the funding, would fall to be paid by the Council itself.
- 4.3 The Council, in dealing with collection of council tax liability, may make decisions to 'write off' debt. Such decisions will be made through an assessment of collectability of the debt and does not constitute a reduction in liability as defined within S13A (1) (c) of the Local Government Finance Act 1992.

5. The Flood Recovery Framework

- 5.1 In a severe weather event with significant wide area impacts, local authorities may need central support to help their communities and businesses return to normal. Building on these principles, a core package of business and community recovery support has been developed by Central Government to serve as a framework for flood recovery funding when needed.
- 5.2 It will be for Government Ministers to determine when this support will be made available. Weather incidents with localised impacts will not usually trigger a recovery support package.
- 5.3 In relation to Council Tax, Central Government have developed a Council Tax discount package that is available under S13A (1) (c).

Who is eligible for a council tax discount?

5.4 Where the Council Tax Discount Scheme is activated following severe weather, MHCLG will refund eligible local authorities for granting discounts in the following circumstances:

(a) 100% discount for a minimum of 3 months, or while anyone is unable to return home if longer, for primary residences whereas a result of the relevant weather event:

- Flood water entered into the habitable areas; or,
- Flood water did not enter into the habitable areas, but the local authority regards that the residence was otherwise considered unliveable for any period of time. AND

(b) 100% council tax discount on temporary accommodation for anyone unable to return to their home, in parallel with the discount on their primary residence where applicable.

5.5 Second homes and empty homes will not be eligible.

5.6 Instances where households might be considered unliveable could include:

- where access to the property is severely restricted (e.g. upper floor flats with no access).
- key services such as sewerage, draining, and electricity are severely affected.
- the adverse weather has resulted in other significant damage to the property such that it would be, or would have been, advisable for residents to vacate the premises for any period of time, regardless of whether they do vacate or not.
- flooded gardens or garages will not usually render a household eligible but there may be exceptions where it could be demonstrated that such instances mean effectively that the property is unliveable.

5.7 It will be for the Council to determine eligibility under the scheme.

Properties affected by multiple instances of flooding

5.8 Residences impacted in multiple flood events will not be precluded from repeat support where this is made available by Government in respect of separate weather events.

5.9 Where the scheme is activated for two separate instances of flooding within 3 months of each other, the two discount periods will run concurrently. For example, if the second flood event occurred after 2

months, flooded properties already receiving support could be eligible for another 3 months' discount, making the total period of reimbursement 5 months.

Funding

- 5.10 In such cases, Central Government will make payment to the Council via a Section 31 grant.

The Council's Policy in respect of the Flood Recovery Framework

- 5.11 The Council shall operate the scheme strictly in accordance with Central Government guidelines.

6. Reductions in council tax liability under S13A (1) (c) in other cases

- 6.1 Reductions are at the discretion of the council and an applicant does not have a statutory right to a reduction. Where the Council receives an application for a reduction in liability in any other case (other than listed within the Central Government sponsored scheme specified above), all applications will be treated on their individual merits.

- 6.2 In such cases, the Council will require the applicant (where appropriate) to:

- Make a formal application for Council Tax Reduction in an appropriate format, clearly setting out the circumstances on which their application is based, and provide any relevant evidence or information to support their application.
- Consider potential changes in payment methods and payment arrangements.
- Assist the Council to minimise liability by ensuring that all discounts, exemptions and reductions are properly granted.
- Maximise their income through the application for other welfare benefits.
- Have taken all reasonable steps to resolve their situation prior to application.
- Provide evidence of exceptional financial hardship or exceptional personal circumstance that would merit a reduction in the Council Tax liability; and
- Not have access to assets, capital or other financial remedy that could be used to meet the Council Tax liability.

- 6.3 The Council will only make an award in exceptional circumstances, giving regard to the wider taxpayer, and circumstances affecting the ability to meet Council Tax liability must not be intentional by the applicant and must be deemed to be out of the applicant's individual control.

7. Delegated Powers

- 7.1 This S13A (1) (c) policy has been approved by the Council. However, the Service Manager – Revenues, Benefits and Customer Services is authorised to make technical scheme amendments to ensure it meets the criteria set by the Council and, for certain defined schemes, Central Government guidance.
- 7.2 The decision whether to make an award will be undertaken by either the Benefits Manager or the Revenues Manager

8. Amount of relief

- 8.1 The amount of any relief awarded will be at the council's discretion, taking into account the amount of the debt, the applicant's circumstances, and the extent to which the criteria are met. Any awards over £2,500 will be approved by the Service Manager – Revenue, Benefits and Customer Services.

9. Notification

- 9.1 The Council will issue a written decision by letter or email to the applicant within one month of the request or as soon as practicable thereafter. This will include:
- the level and period of the award, if relevant
 - full reasons of the decision
 - how it will be paid; and
 - information about how to ask for a review of the decision

10. Review of decisions

- 10.1 Notwithstanding any reductions applied automatically to the Council Tax account, where any application is refused, the applicant will be notified that they can ask for the decision to be reviewed. Any request for a review must be made, in writing or by email, within one month of the decision letter.
- 10.2 The Service Manager – Revenues, Benefits and Customer Services shall undertake the review and shall respond within two months and will have regard to any further evidence supplied.
- 10.3 If the applicant is dissatisfied with the outcome of the review, they can, within two months of the Council's reply, appeal to the independent Valuation Tribunal Service to consider their case.

11. Duration of Reduction

- 11.1 The duration of any award will depend on the circumstances of each case. However, in all cases the following principles will apply:
- (a) Where the reduction is applied under a Central Government Scheme, the reduction shall be applied to the Council Tax account for the period specified in Government guidance.
 - (b) In all other cases,
 - (i) the application for the reduction can only relate to the current Council Tax financial year in which the application is made unless the delay was due to an exceptional circumstance; and
 - (ii) If an application is successful, the award period will be specific to the applicant's circumstances, but it cannot exceed a period greater than the financial year it has been awarded in or exceed the total Council Tax charge for that period.

12. Changes in circumstances and misrepresentation

- 12.1 Any taxpayer claiming a discretionary reduction in liability must notify the council of any changes in circumstances that may be relevant to their claim. A reduction in liability under S13A (1) (c) can be recovered if it has been made as a result of misrepresentation or failure to disclose a material fact, either fraudulently or otherwise. It can also be recovered as a result of the subsequent application of a national discount or adjustment in banding by the Valuation Office Agency.
- 12.2 Changes of circumstances that subsequently negate the need for a reduction in liability under this policy will be recovered by the Council. Where this occurs, the Council shall notify the taxpayer accordingly.
- 12.3 Reductions in liability are not transferable following a change in address.
- 12.4 The Council reserves the right to recover any reductions in liability as a result of a change in legislation or regulation.
- 12.5 The Council is mindful that it is important to protect public funds and, as such, will take action to prosecute any case where the applicant acts fraudulently in applying for a reduction in Council Tax liability.

13. Fraud

- 13.1 The Council is committed to protect public funds and ensure funds are awarded to the people who are rightfully eligible to them.
- 13.2 An applicant who tries to fraudulently claim a Discretionary Housing Payment by falsely declaring their circumstances, providing a false

statement or evidence in support of their application, may have committed an offence under The Fraud Act 2006.

- 13.3 Where the Council suspects that such an offence may have been committed, this matter will be investigated as appropriate and may lead to criminal proceedings being instigated.

15. Policy Review

- 14.1 This policy will be reviewed on a regular basis and updated as appropriate to ensure it remains fit for purpose. However, a review may take place sooner should there be any significant changes in legislation. In consultation with the Portfolio Holder, Finance and Corporate, the Service Manager, Revenue, Benefits and Customer Services, is delegated to make minor changes to the policy.



Discretionary Housing Payments (DHP) Policy

Revenues, Benefits and Customer Services

November 2025

Version	Author	Date	Changes made
1.0	Ryan Stevens	November 2025	

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1. What are Discretionary Housing Payments?

1.1 Local Authorities can award Discretionary Housing Payments (DHPs) where there is a shortfall between the rent a landlord is charging and the amount of Housing Benefit or the Housing Element of Universal Credit being awarded, or to help with housing costs. Where Universal Credit is awarded and housing costs refer to support for mortgage interest payments, owner-occupiers are not eligible to receive DHPs.

1.2 The main features of DHPs are:

- the scheme is purely discretionary,
- there is no right to a payment,
- there must be an entitlement to Housing Benefit, or the Housing Element of Universal Credit
- they cannot be awarded to pay for ineligible service charges,
- the total amount of DHPs that can be awarded in any financial year is limited by the Secretary of State. Once this budget is spent the Council cannot make any more awards.
- The council is allowed to spend up to 2½ times the funding allocations. However, the extra money must be sourced from the council's own finances.
- Any unspent Discretionary Housing Payment funding will have to be returned to the Department for Work and Pensions.

1.3 The Council will assist potential beneficiaries to claim a DHPs.

2. Purpose of this policy

2.1 The Council will operate the DHP scheme and consider making a DHP to applicants who meet the qualifying criteria as detailed below. Every application will be treated on its merits and all applicants will be treated equally and fairly. The Council is committed to work closely with the Council's Homelessness Team, Social Landlords, the local voluntary sector, and other organisations where appropriate, and seek, through the operation of this policy, to:

- to safeguard tenancies and prevent homelessness
- minimise hardship
- reduce the need for temporary accommodation for homeless households
- encourage and sustain New Forest residents in employment
- support the vulnerable in the local community
- help applicants through personal crisis and difficult events
- keep families together
- help applicants with their rent whilst they seek cheaper/smaller accommodation

2.2 The DHP scheme should be seen as a short-term emergency fund to help New Forest residents. However, in some cases long term awards may be appropriate.

3. Legislation

3.1 The legislation covering Discretionary Housing Payments is the Discretionary Financial Assistance Regulations 2001. This policy gives full regard to the Department for Work and Pensions Guidance manual for Discretionary Housing Payments.

4. Roles and responsibilities

4.1 All staff within the Revenues and Benefits Service, along with staff in Housing and Customer Services, have a responsibility to promote DHP's as part of an overall holistic approach to welfare support to vulnerable households. The Benefits Manager is responsible for maintaining procedures and administering awards, with the Service Manager responsible for appeals, returns to the Department for Work and Pensions, policy reviews, and promoting.

5. What are "Housing costs"?

5.1 Housing costs are not defined in the regulations and this approach purposely allows broad discretion and interpretation. In general, "housing costs" usually refers to rental liability, although the term can be interpreted to include:

- Rent in advance
- Other lump sum costs associated with a housing need such as removal costs.

5.2 Council Tax liability cannot be met by DHP, even where an applicant is receiving Council Tax Support. To support those in receipt of Council Tax Support with any shortfall, there is an Exceptional Hardship Payments policy and scheme.

5.3 A DHP can be awarded in exceptional circumstances and where other financial support is not available, for a rent in advance for a property that the applicant is moving to. When awarding a DHP, The Benefits Service will ensure that:

- The rent is affordable for the tenant, and
- The tenant has a valid reason to move, and
- The deposit or rent in advance is reasonable and
- The applicant's circumstances are exceptional

5.4 The Council will establish if the applicant is due to have a rent deposit returned to them in respect of their existing tenancy, and other assistance available to them, for example the Council's Rent Deposit Scheme.

6. Welfare Reform

6.1 The Government has implemented a number of welfare reforms. This includes:

- Size criteria in the social rented sector
- Local Housing Allowance
- Benefits Cap
- Universal Credit
- 2 Child limit for new claims

6.2 The Benefits Service will work with applicants affected by welfare reforms. This may include awarding a DHP. Where an application is received, we will look to signpost to other support where appropriate and work in partnership with relevant agencies and internal departments to ensure applicants are offered the appropriate support, advice, and information.

7. What a DHP cannot help with

7.1 A DHP cannot help with the following:

- Ineligible service charges which are included in the rent for example gas, electricity, or water
- Mortgage payments
- Shortfalls in HB due to overpayment recovery or certain sanctions
- Rent arrears where the applicant was in receipt of maximum Housing Benefit or Universal Credit
- Short fall in rent due to Housing Benefit or Housing Element within Universal Credit that have been suspended
- Household goods such as furniture or white goods
- Payments towards a council tax bill

8. Claiming a DHP

8.1 Before an award is made, the Council must be satisfied that the applicant is entitled to:

- Housing Benefit (HB) or the Housing Element of Universal Credit; and
- Requires further assistance with their housing costs.

8.2 Where there is no entitlement to Housing Benefit or Universal Credit a DHP cannot be awarded.

- 8.3 A DHP can be claimed for two properties in exceptional circumstances, such as where someone is temporarily absent from their main home because they are a victim of domestic abuse.
- 8.4 To claim DHP's the applicant, or someone acting on their behalf, must fill in and sign an application form, or complete an e-form, detailing all their income and expenditure. The Council may accept details of income and expenditure not on its own application form and will assist those that are vulnerable to complete an application form, for example a home visit.
- 8.5 The Benefits Service will usually request bank statements for the previous two months, showing all transactions, an applicant's Universal Credit award and tenancy agreement, and may request further information or evidence to assist in making a decision. The applicant will be asked to provide the evidence within one month of the date of request, although this may be extended in appropriate circumstances. If the applicant fails to provide the requested evidence, the council will make a decision on the information available. The Council will contact the applicant by telephone, email, or arrange an interview or home visit if necessary.
- 8.6 Before a decision is made, the Benefits Service will seek to ensure the applicant maximizes their income by checking entitlement to other state benefits or financial support that may be available to them, for example Council Tax Reduction and Personal Independence Payments. The Benefits Service will also give budgeting advice and refer for debt advice through Citizens Advice or other agencies if appropriate

9. Awarding a DHP

- 9.1 In making a decision the following factors will be considered:
- what steps the applicant is taking to move to smaller or more affordable accommodation
 - the amount of the shortfall between the Housing Benefit or the Housing Element of Universal Credit awarded and the amount of rent
 - how long the shortfall is likely to be for
 - the household of the applicant and their circumstances and whether they are likely to change
 - the financial circumstances of the household, including all income, the types, amounts and reasonableness of expenditure
 - what steps the applicant is taking to reduce expenditure and engage in budgeting support if appropriate
 - the amount of household savings and debts
 - any social or medical issues in the household or adaptation's due to a disability which may make moving to a suitable alternative accommodation difficult
 - the impact on the applicant and the council if the application is refused
 - whether the applicant contributed to the shortfall

- if tied to an existing tenancy
- if a rent deposit is needed to assist in moving to affordable accommodation
- if there has been a previous award of DHP
- if the applicant is engaging with their work coach if receiving Universal Credit
- any other special circumstances

9.2 The Benefits Service will consider the above factors, which is not exhaustive, and decide on the level of DHP to award. Any award will not exceed the total eligible rent.

9.3 An award of DHP does not guarantee that a further award will be made at a later date where a subsequent application is made, even if the applicant's circumstances have not changed.

10. Amount and duration of award

10.1 The duration and the amount of the award are determined at the discretion of the Council and will be based on the evidence supplied and the circumstances of the claim. The start date of the award will normally be:

- the Monday following receipt of the application form, or
- the date HB or Universal Credit entitlement starts, providing the application is received within one month of this date, or
- an earlier date if the Benefits Service considers reasonable

10.2 The DHP award will:

- normally award DHPs for a three-month period when on expiry the award can be reviewed, or a new application made. A DHP may be made for a shorter period of time where appropriate.
- not normally award a DHP for more than a year. Awards may be extended if the applicant's circumstances are exceptional or unlikely to change.
- consider any reasonable requests for backdating an award of DHP, usually limited to the current financial year, so long as there is an award of Housing Benefit or Universal Credit.

10.3 A DHP shall not be awarded for any period where the applicant has no entitlement to either Housing Benefit or the Housing Element of Universal Credit.

11. Paying a DHP

11.1 The Benefits Service will decide who the most appropriate person to receive the DHP award. This will normally be to whoever is receiving the Housing Benefit or the Housing element of Universal Credit. However, the Benefits

Service may decide to pay the landlord if appropriate. Payments will be by electronic transfer (BACS) or by crediting the applicants rent account.

11.2 Payment frequency will normally be in line with Housing Benefit payments, either 2 weekly or 4 weekly if paid to a landlord. Where an applicant is receiving Universal Credit, payments will be monthly.

11.3 Where payments of Housing Benefit are suspended or where there is a sanction on Universal Credit, payments of DHP will be suspended. This is to ensure that the applicant takes the necessary steps to provide the relevant information to the Council or the Department for Work and Pensions.

12. Authorisation

12.1 Any one-off awards over £2,500 will be approved by the Service Manager – Revenue, Benefits and Customer Services.

13. Notifying an award of DHP

13.1 On receipt of an application for a DHP the Benefits Service will aim to inform the applicant of its decision within two weeks of receiving all the evidence and information, or as soon as reasonably practicable thereafter.

13.2 Where the application is successful the notification will advise the applicant:

- the weekly amount of DHP awarded,
- if the award is a one-off award,
- the start and end date of the award and the need to re-apply on expiry if appropriate
- how, when and to whom the DHP will be paid
- the requirement to report any changes in circumstances
- any actions that need to be undertaken by the applicant and/or partner

13.3 Where the application is not successful, the notification will state this, along with an explanation for the decision and the right for a review.

13.4 The Benefits Service will keep a record of all decisions in accordance with its retention policy.

14. Appeals

14.1 DHPs are not payments of Housing Benefit and are therefore not subject to an appeal. However, the Council will operate the following approach following a refusal to award a DHP, the amount of DHP, a decision not to backdate an award of DHP, or that there has been an overpayment of DHP:

14.2 An applicant (or appointee) who disagrees with a DHP decision can request an explanation of the decision. This must be done by e-mail, letter, or phone

within one month of the date of the decision. The Benefits Service will explain its decision to the applicant and aim to resolve the matter.

- 14.3 Where the applicant disagrees with the reasons for the decision this must be done by e-mail, letter, or phone within one month of the date of the decision. This decision will be made by the Service Manager Revenues, Benefits and Customer Services. This decision is final and may only be challenged via judicial review or by complaint to the Local Government Ombudsman.
- 14.4 In exceptional circumstances the one-month time limit to appeal a decision can be extended.

15. Changes in circumstances

- 15.1 On awarding a DHP the applicant must notify the council of any changes in circumstances to the Benefits Service straight away. The Benefits Service may revise the award of DHP or decide to end the award, for example where the applicant has misrepresented or failed to disclose a material fact, or where they no longer need financial assistance towards their housing costs
- 15.2 The decision will be notified to the applicant within 14 days, or as soon as reasonably practical.

16. Overpayments

- 16.1 Where a DHP is overpaid, officers will consider whether it is appropriate to recover in full, or in part, or not at all. The Council will seek to recover any DHP which has been overpaid as a result of misrepresentation or failure to disclose a material fact, fraudulently or otherwise.
- 16.2 Overpaid DHPs will be recovered from the applicant or payee. This is normally done by sending an invoice. Under no circumstances will recovery be made from Housing Benefit payments due to the applicant.
- 16.3 The Council does have discretion not to recover an overpayment of DHP.
- 16.4 The Benefits Service will notify the applicant of a decision to recover an overpayment of DHP, along with details on how to request the offer of a review of the decision.

17. Fraud

- 17.1 The Council is committed to protect public funds and ensure funds are awarded to the people who are rightfully eligible to them.
- 17.2 An applicant who tries to fraudulently claim a Discretionary Housing Payment by falsely declaring their circumstances, providing a false statement or

evidence in support of their application, may have committed an offence under The Fraud Act 2006.

- 17.3 Where the Council suspects that such an offence may have been committed, this matter will be investigated as appropriate and may lead to criminal proceedings being instigated.

18. Complaints

- 18.1 The Council's "Feedback, comments and complaints" procedure is available on the Council's website and will be applied if a complaint is received about this policy or administration of the scheme.

19. Publicity

- 19.1 The Council will publicise the scheme and proactively work with applicants to identify and assist with applications, in particular vulnerable applicants. Information will be included in decision notices, on the council's website and the Benefits Service will actively work with partner organisations, including the Council's Housing and Homelessness Teams, Social Services, Citizens Advice, voluntary organisations, and Housing Associations.

20. Reporting

- 20.1 The Council is required to submit returns to the Department of Work and Pensions by specified dates on the estimated expenditure in a forthcoming year and actual expenditure.

21. Policy Review

- 21.1 This policy will be reviewed every 3 years, or sooner in the event of a relevant change in legislation or guidance, for example when DHP's are merged with the Crisis Resilience Fund.