

# **North East Lincolnshire Council**

## **Housing Discretionary Support Scheme**

## **1. BACKGROUND**

The Housing Discretionary Support Fund has been set up by North East Lincolnshire Council in cases of exceptional hardship to cover:

- the shortfall between Council Tax liability and payments of Council Tax Support,
- the shortfall between rental liability and housing benefit or universal credit housing costs

Every customer who is entitled to Council Tax Support and / or Housing Benefit or Universal Credit Housing Costs can make a claim for help from the Housing Discretionary Support Fund.

The main features of the Fund are that:

- Fund awards are discretionary.
- Customers do not have a statutory right to an award.
- Only those in receipt of Council Tax Support and / or Housing Benefit or Universal Credit Housing Costs can make an application.
- North East Lincolnshire Council may decide that a backdated award is appropriate

## **2. HOUSING DISCRETIONARY SUPPORT FUND AND EQUALITIES**

The creation of a Housing Discretionary Support Fund facility meets North East Lincolnshire Council's obligations under the Equalities Act.

The Government has been clear that, in developing a local Council Tax Support scheme, vulnerable groups should be protected. Other than statutory protection for pensioners, the Government has not prescribed the other groups that local Council should support. North East Lincolnshire Council have designed their Council Tax Support scheme to take account of the various statutes that currently protect vulnerable people.

We recognise the importance of protecting our most vulnerable customers and also the impact these changes have. We have created the Housing Discretionary Support Fund to ensure that we protect and support those most in need. This Fund is intended to help in cases of extreme financial hardship rather than support a lifestyle.

## **3. PURPOSE OF THIS POLICY**

The purpose of this policy is to specify how North East Lincolnshire Council will operate the scheme, and to indicate some of the factors which will be considered when deciding if a Housing Discretionary Support Fund payment can be made.

Each case will be treated on its own merits and all customers will be treated fairly and equally in the accessibility to the Fund and also the decisions made with applications.

Where a customer is not claiming a Council Tax discount to which they may be entitled or a welfare benefit or additional financial assistance, they will be advised,

and assisted in making a claim to maximise their income, before their claim for Housing Discretionary Support Funds will be decided.

#### **4. STATEMENT OF OBJECTIVES**

North East Lincolnshire Council will, through the operation of this policy, aim to:

- Allow a short period of time for someone to adjust to unforeseen short-term circumstances and to enable them to “bridge the gap” during this time.
- Support people in managing their finances.
- Help customers through personal crisis and difficult events that affect their finances.
- Aim to help prevent exceptional hardship.
- Support vulnerable young people in the transition to adult life.
- Help those who are trying to help themselves financially.
- Alleviate poverty.
- Sustain tenancies and prevention of homelessness.
- Keep families together.
- Encourage and support people to obtain and sustain employment.
- Give support to those who are financially vulnerable.

The Housing Discretionary Support Fund is a short-term emergency fund, awarded whilst the customer seeks alternative solutions.

It cannot be awarded for the following circumstances:

- Where full Council Tax liability is being met by Council Tax Support.
- Where full housing costs are being met by Housing Benefit or Universal Credit Housing Costs
- Where the Council considers that there are unnecessary expenses or/debts which the customer has not taken reasonable steps to reduce.
- Where there is a shortfall caused by a Department for Work and Pensions sanction or suspension being applied because the customer has turned down work/interview/training opportunities.

#### **5. AWARDING A HOUSING DISCRETIONARY SUPPORT FUND PAYMENT**

North East Lincolnshire Council will decide whether or not to make a Housing Discretionary Support Fund award, and how much any award might be.

When making this decision the following will be considered:

- The shortfall between Council Tax Support and Council Tax Liability.
- The shortfall between rental liability and housing benefit or Universal Credit Housing Support
- Changing payment methods, re-profiling Council Tax instalments or setting alternative payment arrangements in order to make them affordable.
- To ensure that all discounts are granted.
- Steps taken by the customer to establish whether they are entitled to other welfare benefits.
- The personal circumstances, age and medical circumstances (including ill health and disabilities) of the customer, their partner and any dependants and any other occupants of the customer’s home.

- The difficulty experienced by the customer which prohibits them from being able to meet their Council Tax or rental Liability , and the length of time this difficulty will exist.
- Shortfalls due to non-dependant deductions.
- The income and expenditure of the customer, their partner and any dependants or other occupants of the customer's home.
- How deemed reasonable expenditure exceeds income.
- That all income may be taken into account, including those which are disregarded when awarding Council Tax Support, housing benefit or Universal Credit Housing costs
- Any savings or capital that might be held by the customer or their partner.
- Other debts outstanding for the customer and their partner.
- Whether the customer has already accessed or is engaging for assistance with budgeting and financial/debt management advice
- The exceptional nature of the customer and/or their family's circumstances that impact on finances.
- The length of time they have lived in the property.
- The amount available in the Housing Support Fund at the time of the application.
- The list is not exhaustive and other relevant factors and special circumstances will be considered.

An award from the Housing Discretionary Support Fund does not guarantee that a further award will be made at a later date, even if the customer's circumstances have not changed.

In order to decide on the level of support which is provided the following criteria will be applied;

<b>Stage 1</b>	Essential expenditure is more than 80% of available weekly resources	Full support will be provided for 6 months or until circumstances change
<b>Stage 2</b>	Essential expenditure is between 60% - 80% of available weekly resources	Full support will be provided for up to 6 months or until circumstances change

Essential expenditure is classed as;

- i) Rent
- ii) Council Tax
- iii) Utilities (gas / electric / water / TV licence)
- iv) Food / housekeeping
- v) Reasonable telephone and internet costs
- vi) General living expenses such as travel, debt

## 6. PUBLICITY

North East Lincolnshire Council will publicise the Fund and will work with interested parties to achieve this. A copy of this policy will be made available for inspection and will be published on the Council's website.

## 7. MAKING A CLAIM

A customer must make a claim for a Housing Discretionary Support Fund award by submitting an online application to North East Lincolnshire Council.

The application form must be fully completed and supporting information or evidence provided, as reasonably requested by the Council.

In most cases the person who claims the Housing Discretionary Support Fund award will be the person entitled to Council Tax Support, housing benefit or Universal Credit Housing costs. However, a claim can be accepted from someone acting on another's behalf, such as an appointee, if it is considered reasonable.

## **8. CHANGE IN CIRCUMSTANCES**

North East Lincolnshire Council may revise an award from the Housing Discretionary Support Fund where the customer's circumstances have changed.

## **9. DUTIES OF CUSTOMER**

A person claiming a Housing Discretionary Support Fund Payment is required to:

- Give the Council such information as it may require making a decision.
- Tell the Council of any changes in circumstances that may be relevant to their on-going claim.

## **10. AMOUNT AND DURATION OF AWARD**

Both the amount and the duration of the award are determined at the discretion of the Council and will be done on the basis of the evidence supplied and the circumstances of the claim.

- The start date will be determined on individual circumstances of each case.
- The Housing Discretionary Support Fund will normally be awarded for a minimum of twelve weeks, depending on the time of year the application is made.
- The maximum length of the award will not exceed the end of the financial year in which the award is given.

Awards can also be given for;

- Rent in advance payments to secure accommodation
- Assistance towards moving costs in order to support moves

## **11. PAYMENT OF AWARD**

A Housing Discretionary Support Fund award will be made directly into the customer's Council Tax account, landlord or to the customer directly depending upon individual circumstances.

## **12. OVERPAYMENTS**

Overpaid Housing Discretionary Support Fund awards will generally be recovered directly from the customer's Council Tax account, thus increasing the amount of

Council Tax due and payable. Overpayments towards rental costs will be recovered through invoice to the customer.

### **13. NOTIFICATION OF AN AWARD**

When an application is approved the applicant will be issued with a revised Council Tax Bill and a covering letter to confirm the period and amount of award

### **14. RECONSIDERING DECISIONS**

If the customer disagrees with a decision in respect of an application for a Housing Discretionary Support Fund they will be given one calendar month to ask us to reconsider.

When we are asked to reconsider a decision the case will be passed to an officer unconnected to the original decision, who will review the reasons for the original decision and take into account any new information supplied. The customer will be informed in writing of the reviewed decision, and associated reasons for that decision.

In the event of a further appeal this will be passed to the manager with responsibility for delivering the Council tax Support Scheme as a final stage of appeal. There are no further appeal rights against a decision made on a Housing Discretionary Support Fund application.

### **15. FRAUD**

North East Lincolnshire Council are committed to protecting public funds and ensure funds are awarded to the people who are rightfully eligible to them.

A customer who tries to fraudulently claim a Housing Support Fund award 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.

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

### **16. LEGISLATION**

The Local Government Finance Act 2012 amends Section 13A of the Local Government Finance Act 1992 and sets out the requirement for Council to develop and adopt a localised Council Tax Support Scheme. This Discretionary Support Fund Policy forms part of this Scheme.