

# Cabinet Member Report

|                           |   |
|---------------------------|---|
| <b>Decision Maker:</b>    | Cabinet Member for Finance and Council Reform   |
| <b>Date:</b>              | 02 March 2023   |
| <b>Classification:</b>    | For General Release (Exempt from disclosure – Appendix A)   |
| <b>Title:</b>             | Discretionary Housing Payment Review Advisory Panel: (07.02.23) Determination of Discretionary Housing Payment Review Application |
| <b>Wards Affected:</b>    | All   |
| <b>Policy Context:</b>    | Discretionary Housing Payment Scheme  |
| <b>Financial Summary:</b> | The proposed recommendations will result in DHP awards totalling £2,600.  |
| <b>Report of:</b>         | Gwyn Thomas, Senior Benefits Policy Officer (Revenues & Benefits)   |

## 1. Executive Summary

- 1.1 This report contains recommendations from the Discretionary Housing Payment Review Advisory Panel meeting on 7 February 2023 relating to the review of decisions made in respect of claims for a Discretionary Housing Payment.

## 2. Recommendations

- 2.1 That Appendix A to this report be exempt from public disclosure by virtue of paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972 because the applications involve the likely disclosure of exempt information relating to an individual.
- 2.2 That the Cabinet Member approves the recommendations of the Discretionary Housing Payment Review Advisory Panel meeting of 7 February 2023

## 3. Reasons for Decision

- 3.1 The Discretionary Housing Payment Review Advisory Panel has set out the reasons for the recommendations in each case considered by the Panel in the recommendations in Appendix A, which are more fully set out in the case papers submitted to the Panel.

#### **4. Background**

- 4.1 The Discretionary Housing Payment Review Advisory Panel is an advisory body of elected Members, which has been established to make recommendations to the Cabinet Member for Finance and Council Reform.
- 4.2 The Discretionary Housing Payment Review Advisory Panel reviews decisions made in respect of a claim for a Discretionary Housing Payment and makes recommendations to the Cabinet Member for Finance and Council Reform . The Cabinet Member is then asked to determine the applications for a Discretionary Housing Payment having regard to the recommendations of the Discretionary Housing Payment Review Advisory Panel.

#### **5. Financial Implications**

- 5.1 The Discretionary Housing Payment Scheme is cash limited and is provided for in part by a contribution from the Department for Work and Pensions (DWP). The limit and the DWP's contribution are set out in annual financial orders by way of a Permitted Total. If, or when, the DWP contribution is spent an authority has the discretion to call on its own funds in order to make payments. The maximum amount that an authority has the discretion to spend is the difference between the DWP contribution and the Permitted Total for that year. If any DWP contribution is unspent at the end of the financial year it is returned to the DWP.
- 5.2 For the year 2022/23, the contribution from government for DHP is £867,782. Cabinet Member approval was given in principle to "top-up" the DHP fund if required and evidenced through quarterly reports to the Cabinet Member outlining spend to date and a likely full year spend forecast. Instead of setting funds aside at the start of the financial year, Cabinet Member approval was given in principle to "top-up" the DHP fund if required and evidenced through quarterly reports to the Cabinet Member outlining spend to date and a likely full year spend forecast.
- 5.3 As of 31 January 2023, the Council had spent £876,480 which exceeds the government contribution. A straight-line projection made based on DHP spend at the end of quarter 3 (31 December 2022) estimates an end of year DHP spend of £1,228,050, which would mean a top-up of £360,268 from Council funds. The Council will seek to manage the DHP overspend in 2022/23 from within the existing housing revenue budget or, if necessary, from within the ear-marked housing benefit reserve.
- 5.4 The proposed recommendations will result in DHP awards totalling £2,600.

#### **6. Legal Implications**

- 6.1 Discretionary Housing Payments were introduced by the Discretionary Financial Assistance Regulations 2001 and started from 2 July 2001.
- 6.2 The Discretionary Housing Payment Scheme allows an authority to grant an award to someone where the authority considers that that person requires further help in addition to the Housing Benefit or Council Tax Benefit that they receive.
- 6.3 A Discretionary Housing Payment can be paid where:

There is some entitlement to Universal Credit, but:

- i) the claimant receives less than the maximum amount of Universal Credit because their income is too high; or
- ii) the amount of rent used in the Universal Credit assessment (the housing allowance) is less than the rent charged because of rent restriction; non-dependant deduction, or spare room deduction; or
- iii) where UC is awarded and neither i) or ii) applies, The Council considers it reasonable to make an award, which can be no higher than the Universal Credit housing allowance per month, or
- iv) a combination of the above.

**If you have any queries about this Report or wish to inspect any of the Background Papers please contact: Georgina Wills on 07870548348 or e-mail: [gwillis@westminster.gov.uk](mailto:gwillis@westminster.gov.uk)**

## **BACKGROUND PAPERS**

Report and supporting papers from DHP meeting of Tuesday 7 February 2023 - exempt from public disclosure under paragraph 1 of Schedule 12A of the Local Government Act 1972

## **APPENDICES**

Appendix A: Recommendations from the DHP meeting of Tuesday 7 February 2023 (Exempt from publication)

**For completion by the Cabinet Member for Finance and Council Reform**

**Declaration of Interest**

I have no interest to declare in respect of this report

Signed: David Boothroyd Date: 02 March 2023

Councillor David Boothroyd, Cabinet Member for Finance and Council Reform

NAME: \_\_\_\_\_

State nature of interest if any

.....  
.....

*(N.B: If you have an interest you should seek advice as to whether it is appropriate to make a decision in relation to this matter)*

For the reasons set out above, I agree the recommendation(s) in the report entitled **Discretionary Housing Payment Review Advisory Panel (07.02.2023) Determination of Discretionary Housing Payment Review Application** and reject any alternative options which are referred to but not recommended.

Signed David Boothroyd.....

Councillor David Boothroyd, Cabinet Member for Finance and Council Reform

Date ...02 March 2023.....

If you have any additional comment which you would want actioned in connection with your decision you should discuss this with the report author and then set out your comment below before the report and this pro-forma is returned to the Secretariat for processing.

Additional comment:

.....  
.....

If you do not wish to approve the recommendations, or wish to make an alternative decision, it is important that you consult the report author, the Director of Law, City Treasurer and, if there are resources implications, the Director of People Services (or their representatives) so that (1) you can be made aware of any further relevant considerations that you should take into account before making the decision and (2) your reasons for the decision can be properly identified and recorded, as required by law.

Note to Cabinet Member: Your decision will now be published and copied to the Members of the relevant Policy & Scrutiny Committee. If the decision falls within the criteria for call-in, it will not be implemented until five working days have elapsed from publication to allow the Policy & Scrutiny Committee to decide whether it wishes to call the matter in.