



City of Westminster Cabinet Member Report

Decision Maker:	Cabinet Member for Finance and Council Reform
Date:	18 April 2024
Classification:	Part Exempt: Appendix A is exempt from public disclosure by virtue of paragraphs 1, 2 and 3 of Part 1 of Schedule 12A of the Local Government Act 1972 in that the applications involve the likely disclosure of exempt information relating to an individual, information which is likely to reveal the identity of an individual, and information relating to the financial or business affairs of any particular person
Title:	Discretionary Housing Payment Review Advisory Panel: (19.03.24) Determination of Discretionary Housing Payment Review Application
Wards Affected:	All
Policy Context:	Fairer Council
Financial Summary:	See paragraph 5
Report of:	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 19 March 2024 relating to the review of decisions made in respect of claims for a Discretionary Housing Payment.

2. Recommendations

- 2.1 That the Cabinet Member approves the recommendations of the Discretionary Housing Payment Review Advisory Panel meeting of 19 March 2024

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 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 The DWP contribution to City of Westminster for the year 1 April 2023 to 31 March 2024 is £867,782. Cabinet Member approval was given in principle to "top-up" the Discretionary Housing Payment fund if required and evidenced through quarterly reports to the Cabinet Member outlining spend to date and a likely full year spend forecast. A forecast using a straight-line projection assuming spend for quarters 1, 2, and 3 of 2023/24 is mirrored for the remainder of the year predicts the Council will exceed the government contribution. The amount of top-up likely to be required is £305,000.
- 5.3 The proposed recommendations in this report will result in a Discretionary Housing Payment award of £627.99. If agreed, the award will be made from the Discretionary Housing Payment fund for 2024/25. The DWP contribution to City of Westminster for the year 1 April 2024 to 31 March 2025 is unchanged at £867,782.

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 either the housing allowance of Universal Credit or Housing Benefit, but:

- i) the claimant receives less than the maximum amount of Universal Credit or Housing Benefit because their income is too high; or
- ii) the amount of rent used in the Universal Credit assessment (the housing allowance), or Housing Benefit assessment 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.

7. Climate Impact

- 7.1 The decision will have no carbon impact.

8. Equalities Implications

- 8.1 The Panel recommendations are in accordance with the Discretionary Financial Assistance Regulations 2001 and the Council's published policy on how DHP claims are decided. The policy has undergone an Equality Impact Assessment

If you have any queries about this Report or wish to inspect any of the Background Papers please contact: Katherine Stagg on 07966 201373 or e-mail: kstagg@westminster.gov.uk

APPENDICES

Appendix A: Minutes of the Meeting of the Discretionary Housing Payments Review Advisory Panel on Tuesday 19 March 2024

BACKGROUND PAPERS

Report and supporting papers from DHP meeting of Tuesday 19 March 2024 which are exempt from public disclosure

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: _____ Date: 18 April 2024

NAME: Councillor David Boothroyd

State nature of interest if any

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(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: (19.03.24) Determination of Discretionary Housing Payment Review Application** and reject any alternative options which are referred to but not recommended.

Signed

Cabinet Member for Finance and Council Reform

Date ...18 April 2024.....

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:

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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.