

Equality Impact Assessment Form (Page 1 of 2)

Title of EIA/ DDM: Nottingham City Council Discretionary Housing Payments Policy – Refreshed September 2016

Name of Author: Anna Coltman

Department: Strategy and Commissioning

Service Area: Corporate Policy

Author (assigned to Covalent): No

Director: Colin Monckton

Strategic Budget EIA Y/N (please underline)

Brief description of proposal / policy / service being assessed:

Nottingham City Council administers Discretionary Housing Payments (DHP) on behalf of the Department for Works and Pensions. The local authority receives an annual financial DHP allocation from the Department for Works and Pensions. At present, those in receipt of housing benefit or Universal Credit are eligible to claim for a DHP.

The DHP regulations have been amended to incorporate the abolition of Council Tax Benefit (CTB), the introduction of local council tax support schemes and Universal Credit (UC) and to allow those in receipt of Housing Benefit (HB) and UC to apply. Every claimant who has an entitlement to Housing Benefit or Universal Credit and who has a shortfall between their Housing Benefit or Universal Credit Housing elements and their maximum rental liability will be entitled to make a claim for help.

The national DHP budget for 2016/17 is £150m. In 2016/17, £20m is core funding; £30m is for Local Housing Allowance (LHA) reforms, £60m is for Social Rented Sector size restrictions and up to £40m is for the overall benefit cap. The Government's allocation for Nottingham for 2016/17 is **£1,043,303**.

Nottingham City Council has an existing DHP policy which will be reviewed and updated in light of the introduction of Universal Credit and the latest central Government guidance for local authorities, published in May 2016, to ensure that the policy is compliant with the regulations and takes a sensible approach to using DHP funding.

The refreshed DHP policy will be updated to reflect the following:

1. The introduction of Universal Credit (UC) into Job Centre Plus offices across Nottingham City.
2. The introduction of the 7 waiting days measure by the Department of Work and Pensions.
3. The latest Government DHP guidance published in May 2016. This guidance references UC and states that claimants are eligible to make a claim for a DHP award where they meet the criteria. The criteria states that a claimants' housing costs towards rent liability are included within their UC award.

Qualifying Criteria:

In order to qualify for a DHP, the claimant must fulfil the following criteria:

- be in receipt of Housing Benefit or Universal Credit including the UC housing element
- have a rent liability and,
- require financial assistance with housing costs

Not every DHP claimant's circumstances will fit into all of the situations outlined above. The council will take into account all of the circumstances of the claimant or their household when determining whether they would qualify for a DHP.

The Government guidance recommends that DHPs should be targeted at the most vulnerable tenants such as disabled people living in adapted properties and those we have a statutory duty to support such as care leavers.

We are mindful that these groups have limited ability to respond to circumstances relating to welfare reforms particularly changes to Housing Benefit rules therefore from April 2013 DHP policy will take account of the following circumstances:

- Reducing the risk of homelessness
- Shortfalls in HB/UC housing element amounts
- Reductions due to under occupation restrictions (social rented sector)
- Reductions due to benefits capping
- Deposits and rent in advance for moving

Information used to analyse the effects on equality:

From April 2013, changes to Housing Benefit rules for social sector tenants has caused widespread and significant effects on Nottingham citizens. Those who are considered to be 'under occupying' their homes are subject to a reduction in their eligible rent by either 14% for one extra (empty) bedroom or 25% for two or more extra (empty) bedrooms.

Table 1 below shows the indicative cost of supporting these tenants who are 'under occupying' (as at July 2016):

Table 1

Under Occupancy – Groups affected	Indicative number of tenants affected	Indicative maximum cost for 12 months DHP support
Disabled tenants with adapted homes (NCH and RSL)	898	£0.600m
NCH and RSL tenants	3729	£2.75m

The table below shows the approximate breakdown of Nottingham's 2016/17 allocation based on the proportions of the national funding breakdown. These amounts are notional, for information only.

Government allocation for 2016/17 for Nottingham	£1,034,303
Baseline Funding	£137,907
LHA reforms	£206,860
Social Size criteria	£413,722
Benefit Cap	£275,814

Given the numbers of people in Nottingham affected by Government reforms to welfare and benefits the council needs to consider how best to target the funding in a fair way to support priority groups and those most in need.

Other welfare changes such as the introduction of a Benefits Cap (a cap on the total amount of benefit that working-age people can receive, intended to be delivered by restricting Housing Benefit payments). The cap is currently set at £500 per week for couple and lone parent households, and £350 per week for single-person households (where no children are present). The Cap currently does not have such a widespread affect as the ‘under occupancy’ rules and therefore has a limited impact on citizens. However, from 7 November 2016, the amount at which benefits are capped is being changed. Total entitlement to benefit payments will be capped at:

- £23,000 in London and **£20,000** in the rest of the country for couples; and lone parents.
- £15,410 and **£13,400** respectively for single childless households.

The government have published equality impact assessments relating to the Benefit Cap and Universal Credit.

Benefit Cap: <http://www.parliament.uk/documents/impact-assessments/IA15-006.pdf>

Universal Credit: <http://www.dwp.gov.uk/docs/eia-universal-credit-wr2011.pdf>

Ultimately the Benefit Cap is intended to be administered as part of the Universal Credit system. Claimants in receipt of Universal Credit will see their total monthly payment fall to the level of the Cap, but this will be administered by the Department for Work and Pensions (DWP).

Government Guidance:

DWP Discretionary Housing Payments – Draft Good Practice Guide for local authorities (May 2016)

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/524321/discretionary-housing-payments-guide.pdf

	Could particularly benefit X	May adversely impact X	How different groups could be affected (Summary of impacts)	Details of actions to reduce negative or increase positive impact (or why action isn't possible)
People from different ethnic groups.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Every claimant who has an entitlement to Housing Benefit or Universal Credit which includes the Universal Credit housing element, and who has a shortfall will be entitled to make a claim for help regardless of whether they have a	The refreshed Discretionary Housing Payments policy is intended to make support available to eligible vulnerable citizens who are in receipt of Universal Credit which includes the UC housing element.
Men	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
Women	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
Trans	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
Disabled people or carers.	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
Pregnancy/ Maternity	<input checked="" type="checkbox"/>	<input type="checkbox"/>		

People of different faiths/ beliefs and those with none.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Lesbian, gay or bisexual people.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Older	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Younger	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other (e.g. marriage/ civil partnership, looked after children, cohesion/ good relations, vulnerable children/ adults). <i>Please underline the group(s) /issue more adversely affected or which benefits.</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

protected characteristic listed opposite.

This is a discretionary scheme therefore all applications for a DHP will be considered on an individual basis taking account of household type and circumstances leading to the need for a DHP. The council will consider the way in which DHP funding can be allocated fairly and in a way that supports those most in need of assistance.

The Council intend to operate DHPs within the Government's funding allocation for 2016/17.

The Council intends to monitor on a quarterly basis all DHP applications received, decisions made and DHP fund available so that DHPs can be awarded as fairly as possible.

Actions will need to be uploaded on Covalent.

Outcome(s) of equality impact assessment:

- No major change needed
- Adjust the policy/proposal
- Adverse impact but continue
- Stop and remove the policy/proposal

Arrangements for future monitoring of equality impact of this proposal / policy / service:

The Council intends to monitor on a quarterly basis all DHP applications received, decisions made and DHP fund available so that DHPs can be awarded as fairly as possible.

Approved by (manager signature):

Approved by (manager signature):
Ian Roper – Business Support Manager – Revenues and Benefits
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Date sent to equality team for publishing:

26th August 2016

Before you send your EIA to the Equality and Community Relations Team for scrutiny, have you:

1. Read the guidance and good practice EIA's

<http://www.nottinghamcity.gov.uk/article/25573/Equality-Impact-Assessment>

2. Clearly summarised your proposal/ policy/ service to be assessed.
3. Hyperlinked to the appropriate documents.
4. Written in clear user friendly language, free from all jargon (spelling out acronyms).
5. Included appropriate data.
6. Consulted the relevant groups or citizens or stated clearly when this is going to happen.
7. Clearly cross referenced your impacts with SMART actions.