

Housing and Social Security Group Meeting 3

Paper 2: DHP Guidance (Item 3)

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Key Points

- From April 2017 DHPs are the responsibility of the Scottish Government
- The DWP guidance will remain in force, with the addition of an SG guidance note, attached, which has been drafted in consultation with colleagues from local government and third sector.
- In the long term SG will produce a single guidance document to replace the DWP guidance completely.

The Guidance note

Colleagues are invited to consider and offer any feedback on the guidance note as drafted, subject to any such revisions it will be published and sent to local authorities. The note accompanies the DWP guidance, which remains extant.

Guidance is only that, LAs are responsible for administering DHPs within the existing legal framework. However we expect LAs to have regard to any guidance and the guidance as published will of course set the tone for both SG and public / stakeholder expectations.

In the future the Scottish Government will produce its own guidance. We propose that a small group of colleagues with representatives from local authorities, housing associations and the third sector co-produces the final guidance, taking as a starting point those colleagues who helped support, or expressed an interest in the production of this note. Anyone who wishes to become involved in this process should contact Owen D. Griffiths.

Scottish Government Guidance Note – 2017/18

1. The Scottish Government will take over responsibility for Discretionary Housing Payments (DHPs) from the Department for Work and Pensions (DWP) on 1 April 2017. For 2017/18, local authorities should continue to have regard for the guidance issued by the DWP, but should note some differences for Scotland.
2. DHPs remain a discretionary fund and local authorities should make decisions on a case by case basis.
3. This is an interim guidance note for 2017/18. The Scottish Government will work with stakeholders to develop further guidance.
4. Local authorities have been informed of their funding allocations for the year in the letter of **date**. While the Scottish Government has provided a breakdown of the funding allocation streams for transparency, this is a notional split and local authorities should exercise their discretion around how they use their funding.
5. Local authorities will wish to ensure that their practice and policy is suited to local priorities. Local authorities may also wish to consider especially the impact of ongoing welfare reform, including the roll out of the Universal Credit full service and the emerging impact of the lower benefit cap in their areas, both in terms of the demand for DHPs, and also the impact on administration.

Bedroom Tax

6. The Scottish Government is committed to fully mitigating the bedroom tax and expects that anyone affected who applies for a DHP to cover their shortfall should receive one. Each authority may wish to consider how best to administer this type of DHP to ensure efficiency.
7. Local authorities may disregard Section 2 of the Good Practice Guide 'Support for claimants affected by removal of the spare room subsidy'. However, local authorities should continue to provide support to those affected by the bedroom tax who wish to downsize and identify anyone who may be eligible for an additional room (e.g. foster carers/children with a disability which prevents them from sharing) through the appropriate DWP routes.

Monitoring

8. Different arrangements are in place for 2017/18 to those set out in the DWP guidance (Chapter 7 'Assurance and Reporting Measures' and Appendix B: DHP Monitoring). LAs will no longer be expected to provide returns to the DWP and will instead need to provide information to the Scottish Government.
9. Details of the information required by the Scottish Government are set out at **Annex A**.

Advice services

10. Regardless of whether a DHP is awarded, local authorities should consider whether applicants would benefit from support from welfare rights or income maximisation services.

Scottish Welfare Fund

11. Where DHPs cannot be awarded, local authorities should consider whether other funds might be available to provide support, such as the Scottish Welfare Fund.

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Monitoring Returns to the Scottish Government

Monthly Reporting

The current arrangements for monthly reporting to the Scottish Government on DHPs will remain in place. Local authorities will continue to be required to provide monthly returns to the Scottish Government through ScotXed which answer the following questions:

- What is the number of DHP applications you have received in the year to date? (If a claimant re-applies for DHPs, this should be recorded as a new application).
- What is the number of DHP determinations you have made in the year to date? (This is the number of DHP applications where a decision has been made).
- What is the number of DHP awards you have made in the year to date? (This is the number of DHP applications where a decision to make an award has been made).
- What is the total value of DHP awards (in GBP) spent or committed in the year to date? (You should add up the total amount paid to each claimant. For example, if the award is £10.00 per week for 20 weeks, the total award value for the claimant should be recorded as £200.00. If the payment is a one-off payment, then the award amount for the claimant is simply the amount paid).

This data should be collected continuously through case management systems and sent to the Scottish Government in the prescribed format as requested.

Bi-annual Reporting

Additionally, local authorities will be asked to complete a bi-annual monitoring return showing the breakdown of DHP spend by funding stream (Core, LHA, Benefit Cap, Bedroom Tax).

The template follows a similar approach to the DWP's monitoring return and will be used to allocate the tranche 2 end-year funding for bedroom tax, based on actual spend.

Publication of Statistics

The Scottish Government will publish statistics about DHP spending using the data provided by local authorities. Previous publications are available at:

<http://www.gov.scot/Topics/Statistics/Browse/Social-Welfare/dhp>