

# Individual Executive Member Decision

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## Discretionary Housing Payment Policy - Amendment

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<b>Committee considering report:</b>	Individual Executive Member Decision
<b>Date ID to be signed:</b>	06 October 2020
<b>Portfolio Member:</b>	Hilary Cole
<b>Date Portfolio Member agreed report:</b>	07/08/2020
<b>Forward Plan Ref:</b>	ID3941

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### 1. Purpose of the Report

- 1.1 The purpose of this report is to request sign-off for the updated Discretionary Housing Payments (DHP) Policy. The changes made to the policy are limited to the process for assessing and approving new applications for DHPs. The changes have been made to speed up the approval process and improve decision making.

### 2. Recommendation

- 2.1 For an Individual Executive Member Decision to approve the amendments to the DHP policy so they can be adopted.

### 3. Implications

- 3.1 **Financial:** There are no financial implications brought about by these changes.
- 3.2 **Policy:** The changes to the policy are to reflect a change to the internal process for administering and processing applications for Discretionary Housing Payments within Housing Services.
- 3.3 **Personnel:** These changes will affect all officers involved in the administration of DHPs including the Housing Service Manager, and the Housing Operations Manager.
- 3.4 **Legal:** There are no legal implications for these changes and the policy remains compliant with guidance issued by central government.
- 3.5 **Risk Management:** These changes better manage risks brought about by delays in processing new DHP applications. It streamlines and improves the applications process for service users.
- 3.6 **Property:** There is no property associated with these changes

#### 4. Consultation Responses

There was no need to consult on these changes as they are minor internal process changes that do not affect the applicant's rights or ability to apply for a Discretionary Housing Payment. Relevant staff within the Housing Service contributed to the changes made to internal processes.

<b>Members:</b>	N/A
<b>Leader of Council:</b>	Lynne Doherty – any comments will be raised when the policy is signed
<b>Overview &amp; Scrutiny Management Commission Chairman:</b>	Alan Law - any comments will be raised when the policy is signed
<b>Ward Members:</b>	All - any comments will be raised when the policy is signed
<b>Opposition Spokesperson:</b>	Tony Vickers - any comments will be raised when the policy is signed
<b>Local Stakeholders:</b>	N/A
<b>Officers Consulted:</b>	All officers involved in the processing and approval of DHPs.
<b>Trade Union:</b>	N/A

#### 5. Other options considered

5.1 None required

#### 6. Introduction/Background

- 6.1 A Discretionary Housing Payment (DHP) may be awarded when a Local Authority considers that a claimant requires further financial assistance towards housing costs and is entitled to either Housing Benefit (HB) or Universal Credit (UC) with housing cost element towards rental liability.
- 6.2 DHPS are governed by the Discretionary Financial Assistance Regulations 2001 (the DFA regulations) and the Discretionary Housing Payments Guidance Manual including the Local Authority Good practice guide.
- 6.3 Applications for DHP are made by completing a form which details why additional financial assistance is required.
- 6.4 The application form and accompanying evidence is assessed in line with the DHP policy and a decision is made whether or not to award a DHP.

#### 7. Supporting Information

7.1 A copy of the updated policy accompanies this report and the changes made to it are indicated in the document control section.

#### 8. Options for Consideration

8.1 Not applicable as the changes to the policy are minor and procedural.

## 9. Proposals

9.1 It is proposed that the updated policy is authorised and sign-off by the Portfolio member as an individual member decision.

## 10. Conclusion

10.1 The updated policy will streamline and improve the speed of assessing DHPs and in so doing improve the prevention of homelessness and contribute to the council's homelessness prevention agenda.

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### Background Papers:

None

### Subject to Call-In:

Yes:  No:

The item is due to be referred to Council for final approval

Delays in implementation could have serious financial implications for the Council

Delays in implementation could compromise the Council's position

Considered or reviewed by Overview and Scrutiny Management Commission or associated Task Groups within preceding six months

Item is Urgent Key Decision

Report is to note only

### Wards affected: All

### Strategic Priorities Supported:

The proposals contained in this report will help to achieve the following Council Strategy priority:

- PC1: Ensure our vulnerable children and adults achieve better outcomes**
- PC2: Support everyone to reach their full potential**
- OFB1: Support businesses to start, develop and thrive in West Berkshire**
- GP1: Develop local infrastructure to support and grow the local economy**
- GP2: Maintain a green district**
- SIT1: Ensure sustainable services through innovation and partnerships**

### Officer details:

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Job Title: Interim Housing Operations Manager  
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**11. Executive Summary**

11.1 See above

**12. Appendices**

12.1 Appendix A – Data Protection Impact Assessment

12.2 Appendix B – Equalities Impact Assessment

12.3 Appendix C – Discretionary Housing Payment Policy

**Appendix A****Data Protection Impact Assessment – Stage One**

The General Data Protection Regulations require a Data Protection Impact Assessment (DPIA) for certain projects that have a significant impact on the rights of data subjects.

Should you require additional guidance in completing this assessment, please refer to the Information Management Officer via [dp@westberks.gov.uk](mailto:dp@westberks.gov.uk)

Directorate:	Place
Service:	Development and Planning
Team:	Housing services
Lead Officer:	Fidelis Ukwenu
Title of Project/System:	Discretionary Housing Policy
Date of Assessment:	07/08/2020

## Do you need to do a Data Protection Impact Assessment (DPIA)?

	Yes	No
<p><b>Will you be processing SENSITIVE or “special category” personal data?</b></p> <p>Note – sensitive personal data is described as “data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person’s sex life or sexual orientation”</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p><b>Will you be processing data on a large scale?</b></p> <p>Note – Large scale might apply to the number of individuals affected OR the volume of data you are processing OR both</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p><b>Will your project or system have a “social media” dimension?</b></p> <p>Note – will it have an interactive element which allows users to communicate directly with one another?</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p><b>Will any decisions be automated?</b></p> <p>Note – does your system or process involve circumstances where an individual’s input is “scored” or assessed without intervention/review/checking by a human being? Will there be any “profiling” of data subjects?</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p><b>Will your project/system involve CCTV or monitoring of an area accessible to the public?</b></p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p><b>Will you be using the data you collect to match or cross-reference against another existing set of data?</b></p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p><b>Will you be using any novel, or technologically advanced systems or processes?</b></p> <p>Note – this could include biometrics, “internet of things” connectivity or anything that is currently not widely utilised</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

If you answer “Yes” to any of the above, you will probably need to complete [Data Protection Impact Assessment - Stage Two](#). If you are unsure, please consult with the Information Management Officer before proceeding.

## Equality Impact Assessment - Stage One

We need to ensure that our strategies, policies, functions and services, current and proposed have given due regard to equality and diversity as set out in the Public Sector Equality Duty (Section 149 of the Equality Act), which states:

- “(1) A public authority must, in the exercise of its functions, have due regard to the need to:**
- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;**
  - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; This includes the need to:**
    - (i) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;**
    - (ii) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;**
  - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it, with due regard, in particular, to the need to be aware that compliance with the duties in this section may involve treating some persons more favourably than others.**
- (2) The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.**
- (3) Compliance with the duties in this section may involve treating some persons more favourably than others.”**

The following list of questions may help to establish whether the decision is relevant to equality:

- Does the decision affect service users, employees or the wider community?
- (The relevance of a decision to equality depends not just on the number of those affected but on the significance of the impact on them)
- Is it likely to affect people with particular protected characteristics differently?
- Is it a major policy, or a major change to an existing policy, significantly affecting how functions are delivered?
- Will the decision have a significant impact on how other organisations operate in terms of equality?
- Does the decision relate to functions that engagement has identified as being important to people with particular protected characteristics?
- Does the decision relate to an area with known inequalities?
- Does the decision relate to any equality objectives that have been set by the council?

Please complete the following questions to determine whether a full Stage Two, Equality Impact Assessment is required.

<b>What is the proposed decision that you are asking the Executive to make:</b>	Individual Executive Member Decision for amendment to the Discretionary Housing Payment (DHP) Policy
<b>Summary of relevant legislation:</b>	The Discretionary Financial Assistance Regulations 2001 (the DFA regulations) Discretionary Housing Payments Guidance Manual
<b>Does the proposed decision conflict with any of the Council's key strategy priorities?</b>	No
<b>Name of assessor:</b>	Fidelis Ukwenu
<b>Date of assessment:</b>	07/08/2020

Is this a:		Is this:	
<b>Policy</b>	<b>Yes</b>	<b>New or proposed</b>	<b>No</b>
<b>Strategy</b>	<b>No</b>	<b>Already exists and is being reviewed</b>	<b>Yes</b>
<b>Function</b>	<b>No</b>	<b>Is changing</b>	<b>Yes</b>
<b>Service</b>	<b>No</b>		

<b>1 What are the main aims, objectives and intended outcomes of the proposed decision and who is likely to benefit from it?</b>	
<b>Aims:</b>	To implement minor procedural amendments to the DHP policy.
<b>Objectives:</b>	To improve the decision making process for DHPs.
<b>Outcomes:</b>	To contribute to the prevention of homelessness for residents.
<b>Benefits:</b>	To streamline decisions and cut down on processing time of payments.

<b>2 Note which groups may be affected by the proposed decision. Consider how they may be affected, whether it is positively or negatively and what sources of information have been used to determine this.</b>  (Please demonstrate consideration of all strands – Age, Disability, Gender Reassignment, Marriage and Civil Partnership, Pregnancy and Maternity, Race, Religion or Belief, Sex and Sexual Orientation.)		
<b>Group Affected</b>	<b>What might be the effect?</b>	<b>Information to support this</b>



Age	None	Changes are internal processing only
Disability	None	Changes are internal processing only
Gender Reassignment	None	Changes are internal processing only
Marriage and Civil Partnership	None	Changes are internal processing only
Pregnancy and Maternity	None	Changes are internal processing only
Race	None	Changes are internal processing only
Religion or Belief	None	Changes are internal processing only
Sex	None	Changes are internal processing only
Sexual Orientation	None	Changes are internal processing only
<b>Further Comments relating to the item:</b>		

<b>3 Result</b>	
<b>Are there any aspects of the proposed decision, including how it is delivered or accessed, that could contribute to inequality?</b>	<b>No</b>
<b>Please provide an explanation for your answer:</b> Changes are to the internal processing of DHPs only	
<b>Will the proposed decision have an adverse impact upon the lives of people, including employees and service users?</b>	<b>No</b>
<b>Please provide an explanation for your answer:</b> Changes are to the internal processing of DHPs only	

If your answers to question 2 have identified potential adverse impacts and you have answered ‘yes’ to either of the sections at question 3, or you are unsure about the impact, then you should carry out a Stage Two Equality Impact Assessment.

If a Stage Two Equality Impact Assessment is required, before proceeding you should discuss the scope of the Assessment with service managers in your area. You will also need to refer to the [Equality Impact Assessment guidance and Stage Two template](#).

<b>4 Identify next steps as appropriate:</b>
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Stage Two required	No
Owner of Stage Two assessment:	
Timescale for Stage Two assessment:	

Name: Fidelis Ukwenu

Date: 07/08/2020

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Please now forward this completed form to Rachel Craggs, Principal Policy Officer (Equality and Diversity) ([rachel.craggs@westberks.gov.uk](mailto:rachel.craggs@westberks.gov.uk)), for publication on the WBC website.