

Discretionary Housing Payments (DHP) Equalities Impact Assessment

This Equality Impact Analysis (EIA) is considering the potential impact of changes to the DHP policy in the groups or with the characteristics protected in the Equalities Act 2010. These are:

1. Age
2. Disability
3. Gender Reassignment
4. Pregnancy and maternity
5. Race
6. Religion or belief
7. Sex (gender)
8. Sexual orientation
9. Marriage or civil partnership

Background

Housing benefit is paid to approximately 6,500 households in Watford. Welfare reform over the last few years has reduced the amount of housing benefit that claimants might receive, through changes resulting in not paying benefit to people who are over-accommodated (bedroom tax), or to those who are not actively seeking work or education.

Discretionary Housing Payments are designed to assist claimants in the short term to meet any shortfall between their benefit and rent liability. The DHP allocate a budget to each council every year and the amount of this budget has reduced in 2014/15 by 4% and a further 31% in 2015/16.

The revised DHP policy will put greater emphasis on customers to demonstrate their financial status and also to prove that they are actively seeking cheaper accommodation in the private rented sector, or are registered to downsize from an RSL, or actively seeking employment.

Facts and Figures - Watford

Below is an analysis of the claims for DHPs that were made during 2014/15. Each customer's circumstances are reviewed individually and the needs are determined accordingly.

Total applications made	272
Total awards	202
% success rate	74.26%
Total refusals	70*
Number of disabled getting a DHP	6

**of these, 4 were awarded additional benefit and did not a DHP*

Refusal reasons - Watford

The reasons why DHP applications were refused are listed below :

Shortfall due to ineligible service charges	3	4.29%
No shortfall in benefit and rent	10	14.23%
Sufficient income to cover shortfall	19	24.17%
Council Tax support case only – not eligible	1	1.43%
Benefit was increased so DHP not required	4	5.71%
Shortfall in rent in excess of £100 per week	4	5.71%
No response to request for more information	24	34.26%
Not in receipt of Housing benefit	1	1.43%
Non dependant not contributing to rent	1	1.43%
Has savings over £7,000	3	4.29%
TOTAL	70	

Explanation

Of the 70 refusals, 4 were not actual refusals as they were awarded additional Housing Benefit which then reduced the shortfall. Of the 66 remaining cases, it was found that in

- 5 cases the claimant was not entitled to claim a DHP
- 22 cases the claimant had the ability to pay for the shortfall from savings or other income/benefits

The largest group of people who did not get awarded a DHP comprises those who did not return their financial statement forms or other information (34%) we requested to determine if they were entitled to a DHP. Each of these people were contacted on at least two separate occasions before their formal decision to refuse a DHP was given.

Customers are asked to complete an ethnic monitoring form, however this is rarely completed or returned. We therefore have very little information available about the ethnic origins of those customers who have applied for a DHP, however, from the information we have it does not appear that any particular group or ethnic group are less likely to complete their DHP form and provide all the relevant information.

Impact of the Revised Policy

The vast majority of those applying receive a DHP. The new policy is simply clarifying what factors we take into account when calculating or awarding a DHP. There are no restrictions on how many times a person can apply for a DHP. Although there is a budget, the decision to award a DHP is based on need and any overspend in budget would be met from local council budgets.

However the greatest concern may arise from those who do not see the process through as we have no information as to why this is the case. It may simply be that they can afford the shortfall, have reviewed their finances accordingly or are no longer reliant on benefit.

Whilst we can be as proactive as we can to encourage a person to provide us with information we need, we cannot compel customers to return their information.

However under the revised policy, we are proposing to introduce an appeals process for those who are refused on whatever grounds and that review will be undertaken by a different officer than made the original decision.

In addition, all refusals, for whatever reason will be notified to the relevant Housing Team who will also be able to make further enquiries if they so wish. It is not anticipated that there will be any % increase or decrease in the overall refusal rate, though there is expectation that the demand for a DHP may increase as a result of further welfare reform which has been indicated – eg further reduction in the benefit cap by £3,000 a year.

Involvement of Partners

As before the benefits service will continue to work closely with Watford Community Housing Trust, Thrive, Housing and the CAB to identify residents who should be claiming benefits and aren't; to identify those on benefits who may have arrears and could be entitled to a DHP and to work with tenants to find suitable alternative accommodation.

Form A – Relevance Test

Function/Service Being Assessed: Revised DHP Policy effective 1/4/15

1. Populations served/affected:

- Universal (service covering all residents)?
- Targeted (service aimed at a section of the community –please indicate which)?

All customers who are in receipt of housing benefit, whose benefit does not cover their rental liability..

2. Is it relevant to the general equality duty? (see Q and A for definition of ‘general duty’)

Which of these three aspects does the function relate to (if any)?

- 1 – Eliminating discrimination, harassment and victimisation
- 2 – Advancing equality of opportunity
- 3 – Fostering good relations

Is there any evidence or reason to believe that some groups could be differently affected?

- Yes
- No

Housing Benefit can be claimed by the population at large and is means tested. The eligibility criteria for a DHP considers all applications equally and is based solely on “ability to pay”.

Which equality categories are affected?

- Race
- Age
- Sexual Orientation
- Disability
- Gender
- Religion
- Gender reassignment
- Marriage / civil partnership
- Maternity / Pregnancy

3. What is the degree of relevance?

In your view, is the information you have on each category adequate to make a decision about relevance?

Yes (specify which categories)

No (specify which categories)

About 4% of benefit applicants have applied for a DHP. Less than 1% of this group were declined a DHP and of this a third was because they did not provide the information that was asked for. We have insufficient data that suggests that those customers (24) came from a specific group.

Are there any triggers for this review (for example is there any public concern that functions/services are being operated in a discriminatory manner)? If yes, please indicate which:

Yes – increase in advertising income

No

4. Conclusion

On the basis of the relevance test would you say that there is evidence that a medium or high detrimental impact is likely? (See below for definition)

Yes

No – the payment of a DHP is based on need. Measures have been introduced to try and establish the reasons why a small percentage of customers are not returning their forms. There is no evidence from housing that any of these people have subsequently been evicted or presented themselves as homeless as a result of not receiving a DHP.

Note: if a medium or high detrimental impact has been identified then a full impact assessment must be undertaken using Form B.

Completed forms should be attached as an appendix to the relevant report and a copy sent to the Community Partnerships Unit in Leisure and Community Services

Definition of Low, Medium or High detrimental impact.

For any one (or more) equality group the following evidence is found:

	<p>Evidence may come from one or more of the following sources:</p> <ul style="list-style-type: none"> • Local service data • Data from a similar authority (including their EIA) • Customer feedback • Stakeholder feedback • National or regional research
High Relevance	<p>The evidence shows a clear disparity (of more than 80% probability) between different sections of the community in one or more of:</p> <ul style="list-style-type: none"> • levels of service access; • quality of service received; or • outcomes of service.
Medium Relevance	<p>The evidence is unclear (or there is no evidence) if there is any disparity in terms of:</p> <ul style="list-style-type: none"> • levels of service access; • quality of service received; or • outcomes of service.
Low Relevance	<p>The evidence shows clearly (at least 80% certainty) there is no disparity in terms of:</p> <ul style="list-style-type: none"> • levels of service access; • quality of service received; or • outcomes of service.