



Leicester
City Council

PLEASE NOTE THE START TIME

MEETING OF THE NEIGHBOURHOOD SERVICES AND COMMUNITY INVOLVEMENT SCRUTINY COMMISSION

DATE: WEDNESDAY, 28 MARCH 2018

TIME: 6:15 pm

PLACE: Meeting Room G.01, Ground Floor, City Hall, 115 Charles Street, Leicester, LE1 1FZ

Members of the Commission

Councillor Gugnani (Chair) and Councillor Thalukdar (Vice-Chair)

Councillors Bajaj, Cank, Cutkelvin, Fonseca and Khote
(1 unallocated non-grouped place)

Members of the Commission are invited to attend the above meeting to consider the items of business listed overleaf.

Elaine Baker

For Monitoring Officer

Officer contacts:

Jerry Connolly (Scrutiny Policy Officer)

Elaine Baker (Democratic Support Officer),

Tel: 0116 454 6355, e-mail: elaine.baker@leicester.gov.uk

Leicester City Council, City Hall, 115 Charles Street, Leicester, LE1 1FZ

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Further information

If you have any queries about any of the above or the business to be discussed, please contact:

Elaine Baker, Democratic Support Officer on 0116 454 6355.

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PUBLIC SESSION

AGENDA

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1. APOLOGIES FOR ABSENCE

2. DECLARATIONS OF INTEREST

Members are asked to declare any interests they may have in the business to be discussed.

3. MINUTES OF PREVIOUS MEETINGS

Appendix A

Members are asked to confirm the Minutes of the following meetings of the Neighbourhood Services and Community Involvement Scrutiny Commission:

- a) the ordinary meeting held on 24 January 2018 (**attached at Appendix A1**)
- b) the Special Meeting held on 13 March 2018 **-(to follow.)**

4. PROGRESS ON ACTIONS AGREED AT THE LAST MEETINGS

To note progress on actions agreed at the ordinary meeting held on 24 January 2018 and the Special Meeting held on 13 March 2018 and not reported elsewhere on the agenda (if any).

5. CHAIR'S ANNOUNCEMENTS

6. PETITIONS

The Monitoring Officer to report on the receipt of any petitions submitted in accordance with the Council's procedures.

7. QUESTIONS, REPRESENTATIONS AND STATEMENTS OF CASE

The Monitoring Officer to report on the receipt of any questions, representations and statements of case submitted in accordance with the Council's procedures.

8. DISCRETIONARY POLICY REVIEW 2017/18

Appendix B

The Director of Finance submits a report that outlines the Council's Discretionary Housing Payment (DHP), Council Tax Discretionary Relief (CTDR) and Community Support Grant (CSG) policies, and to present key amendments intended to further focus intervention funding towards the prevention of homelessness and managing short term financial crises. The Commission is requested to receive the report and comment as appropriate.

9. SPENDING REVIEWS

To receive an update on spending reviews affecting services within this Commission's portfolio and not considered elsewhere on the agenda. Members are recommended to receive the update and comment as appropriate.

10. WORK PROGRAMME

Appendix C

The current work programme for the Commission is attached. The Commission is asked to consider this and make comments and/or amendments as it considers necessary.

11. ANY OTHER URGENT BUSINESS



Leicester
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Appendix A1

Minutes of the Meeting of the
NEIGHBOURHOOD SERVICES AND COMMUNITY INVOLVEMENT SCRUTINY
COMMISSION

Held: WEDNESDAY, 24 JANUARY 2018 at 5:30 pm

P R E S E N T :

Councillor Gugnani (Chair)
Councillor Thalukdar (Vice Chair)

Councillor Bajaj Councillor Cutkelvin
Councillor Cank Councillor Khote

In Attendance

Councillor Clair, Deputy City Mayor with responsibility for Culture, Leisure, Sport and
Regulatory Services
Councillor Master, Assistant City Mayor - Neighbourhood Services

Also Present:

Councillor Kitterick

* * * * *

51. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Fonseca.

Members of the Economic Development, Transport and Tourism Scrutiny Commission had been invited to attend the meeting for agenda item 8, "Language and IT Training". Apologies for absence were received from Councillor Patel in relation to this.

52. DECLARATIONS OF INTEREST

No declarations of interest were made.

53. MINUTES OF THE PREVIOUS MEETING

AGREED:

That the minutes of the meeting of the Neighbourhood Services and Community Involvement Scrutiny Commission held on 7 December 2017 be confirmed as a correct record.

54. PROGRESS ON ACTIONS AGREED AT THE LAST MEETING

The Chair reported verbally that, where appropriate, all actions agreed at the last meeting of the Commission, (held on 7 December 2017), had been included in the Commission's work programme.

55. CHAIR'S ANNOUNCEMENTS

The Chair reminded Members that he had agreed to take an additional item at this meeting as a matter of urgency, relating to the government's consultation on the level of future stakes for Fixed Odds Betting Terminals. This consultation had ended on 23 January 2018, but the department had agreed to receive a representation from this Commission after the deadline.

The Chair also reminded the Commission that a Members' training session on scrutiny would be held at 5.30 pm on Thursday 8 February 2018.

56. PETITIONS

The Monitoring Officer reported that no petitions had been received.

57. QUESTIONS, REPRESENTATIONS AND STATEMENTS OF CASE

The Monitoring Officer reported that no questions, representations or statements of case had been received.

58. LANGUAGE AND IT TRAINING

The Interim Director of Learning Services submitted a report detailing how the Leicester Adult Skills and Learning Service (LASALS) was helping the adult population from diverse and new communities in the city to compete for employment and training opportunities and engage better in local community life, with particular regard to those adults having language difficulties and/or difficulties accessing digital services.

Members of the Economic Development, Transport and Tourism Scrutiny Commission had been invited to attend the meeting to participate in the scrutiny of this item. Councillor Kitterick was in attendance in this capacity. The Chair welcomed him to the meeting.

The Head of Adult Skills and Learning Services introduced the report, explaining that there were long-term low levels of skills in the city, particularly in English and maths, with 62% of residents being qualified at less than Level 2.

One way in which this was being addressed was through LASALS' work as a key partner in the Leicester to Work theme of the Leicester: Great City Economic Plan (2016-202), its role within this being to address low skill areas.

It was noted that:

- To make it easier to enrol on courses, weekly drop-in enrolment sessions were held at the Leicester Adult Education College every Thursday. These had been very successful;
- Basic level IT skills and IT skills for job searches courses were free, but one barrier to participation in some other courses was recognised as being the cost of course fees and eligibility for assistance with fees. For example, an English for Speakers of Other Languages (ESOL) course could cost approximately £800. Approximately 60% of ESOL learners received the course free of charge and payment instalment plans were available to those required to pay at least part of the fee;
- People with irregular working patterns could find it difficult to attend classes, so attendance requirements were as flexible as possible. For example, some people attended different classes each week;
- People started the courses with very different skill levels, so the flexibility and funding that could now be offered meant that people could take longer to learn if they needed to;
- Refugees and asylum seekers could encounter problems obtaining funding for courses, so when funding was not immediately available they attended classes that were already running but had spaces available;
- The core programme of digital inclusion courses included courses of general interest and those focussed on work-based skills and searching for work on-line;
- There had been a retention rate of 88% during the previous year on digital inclusion courses and a success rate of 80%. These figures were in line with national averages;
- People were required to apply for, and manage, Universal Credit on-line, but many did not have the IT or language skills to do this. An introduction to Universal Credit course therefore was being developed. It also was hoped that funding would be available for Universal Credit Champions, who would be based at locations where people could drop-in for advice;
- Over the last five years, LASALS had been working with all tutors to embed English, maths and IT in all courses. One pleasing result of this was that nearly 60% of people providing feedback on courses said that they had learnt how to stay safe on-line. (Not all learners completed feedback forms, but approximately 7,000 were received last year);

- The majority of LASALS' students were qualified to Level 1 or below;
- When students on ESOL courses reached a certain level they became entitled to access free English courses. Many took this option, reducing the number of students progressing to higher levels with ESOL courses;
- LASALS was not the only provider of ESOL courses in the city, so resources were directed at work that did not duplicate that being done elsewhere. This meant that LASALS focussed on learners that other providers could be unable to help and used different venues to those providers;
- LASALS also had long-term relationships with community organisations providing learning and worked with them to do outreach work, for example through festivals and events; and
- Approximately 1,800 students currently were enrolled, which was approximately the same as last year. Some of these had been referred, (for example, by health professionals), or had come via the Job Centre, (as improving English skills could be a condition of their job search), but the largest recruiter was word of mouth. A new role of Learning Recruitment and Welfare Officer was being created for specific subject areas and it was expected that these officers would play a significant role in recruiting course participants.

In discussing the report, Members suggested that a further barrier to people accessing courses could be lack of confidence. If they struggled to speak English they could stay away from situations they found challenging, which could impact on take-up of the courses being offered.

Some concern as expressed that people could be deterred from visiting certain places if no specialist support or advice was available there, such as language support. It was noted that dedicated telephone lines were available in the Council's Customer Services area, which connected people to the Community Languages service. It also was hoped that the new Universal Credit Champions also could help overcome this problem, although it was recognised that government funding for this role was directed at getting people in to work. Members were asked to report incidents of people being told that language support was not available at Council offices to the Director of Finance for investigation.

Members questioned why there had been a drop in 2014 in the percentage of the city's population with no qualifications. The Head of Adult Skills and Learning Services explained that there was no clear reason for this, although there was concern that it could be associated with a reduction in funding for adult education in the city, as this had reduced nationally by approximately 40% since 2010. The introduction of the Apprenticeship Levy provided opportunities to upskill the adult working population which needed to be maximised.

It was noted that people could arrive in the city with qualifications that were not recognised in this country, so although they were qualified it could appear in the statistics that they were not.

Some courses were run on a full-cost recovery basis, particularly when providing them for other employers. It was difficult to identify opportunities to obtain a profit from such courses, as they were being offered in a market in which there were a lot of commercial providers. The government provided funding for qualification courses and non-accredited courses in different ways and the funding for one sort could not be used to offset the costs of the other.

AGREED:

- 1) That the Director of Learning Services be asked to provide the following information to Commission members:
 - a) data on who the courses discussed above are targeted at, including which countries they are from;
 - b) the number of enrolments to date on IT and Digital Inclusion courses provided by Leicester Adult Education and Learning Services; and
 - c) the actual numbers of the city's population with no qualifications;
- 2) That the Economic Development, Transport and Tourism Scrutiny Commission be asked to consider a more detailed report on language and IT training, the Chair of that Commission to agree the content of that report with the Chair of this Commission, subject to 3) below; and
- 3) That the Chair of the Economic Development, Transport and Tourism Scrutiny Commission and the Chair of this Commission be asked to include information on help available at all levels for people with limited English language skills in the report referred to under 2) above.

59. GENERAL FUND REVENUE BUDGET 2018/19 TO 2020/21

The Director of Finance submitted a report setting out the City Mayor's proposed budget for 2018/19 to 2020/21, noting that a balanced budget was proposed for the next financial year. This had been achieved by drawing on the last of the Council's reserves.

The Director of Finance advised the Commission that:

- Unison trades union had rejected the employers' offer of a 2% increase on employees' pay for 2018/19. This could have a significant impact on the budget, as allowance for a 1% award had been built in to budget ceilings;

- A significant pressure on the budget was the continuing reduction in housing benefit administration grant, received from the Department for Work and Pensions. The number of housing benefit claimants had not fallen, but by 2019/20 the grant received would be less than half that received in 2010/11;
- Under the government's welfare reforms, if elderly people were already in receipt of Housing Benefit they would continue to receive it. However, non-payment of rent was recognised as a risk for the Council, as reduced income to the Housing Revenue Account would affect the Council's ability to pay for repairs to the housing stock;
- Government funding for discretionary housing payments continued to be ring-fenced and would reduce over the next few years. The Council would be advised in March what funding it would receive for these payments over the coming year, but indications were that it would be approximately the same level as the current year;
- The Supporting Tenants and Residents (STAR) service initially had been included in the recent review of welfare advice services. However, it was felt that including it in the new social welfare advice contract would not have made that contract attractive to the market, so it was removed. Instead, an internal review was being undertaken to determine the way forward for this service; and
- This Commission's remit included discretionary services and regulatory services for which there was discretion in how they were provided. Historically, financial savings had been made through cuts to such services and this was likely to continue.

The Director of Neighbourhood and Environmental Services drew Members' attention to the large number of actions undertaken through these service budgets. For example, annually there were approximately 9,000 licensing applications processed, 13 million waste collections, 8,500 fly tips dealt with and 27 community/library buildings operated and maintained. Despite budget reductions over recent years, good services continued to be provided. This was evidenced from feedback such as that from waste collection services, which showed high levels of satisfaction with waste collection and waste management.

The Commission noted that a change in law relating to the content of waste processed through the anaerobic digester that the Council used at Wanlip had resulted in significant costs to the Council. These costs would be reduced by reducing the organic content of sand derivative from the waste processed there from the current level of approximately 15% to below 10%. Work was underway with Biffa, (the Council's contractor), to install clarifying equipment that it was intended would help achieve this.

The trade waste facility at Gypsum Close recycling centre also had an impact on the revenue budget, as an ambitious income target had been set when the

current facility was opened in 2015. However, use of the facility was increasing and weighbridge revenue had increased by approximately 40% since the facility opened in 2015. These services were being promoted as much as possible, for example by including Information on trade waste services in the letters to be sent advising businesses of their rates for the coming year.

Loros currently operated the re-use shop at the Gypsum Close Recycling Centre. Under the contract, at or above a certain level of profit, some of that profit was passed to the Council. The amount being received was increasing, which would contribute towards the running costs for the site.

Members asked whether consideration had been given to recovering charges from Council tenants when their gardens had to be cleared by the Council. The Director of Neighbourhood and Environmental Services confirmed that charges for clearing private locations were passed on to the owners and suggested that Housing services could be asked to consider doing this for Council tenants. Any costs recovered in this way would be paid in to the Housing Revenue Account.

Members asked whether consideration had been given to recovering charges from Council tenants when their gardens had to be cleared by the Council. The Director of Neighbourhood and Environmental Services confirmed that charges for clearing private locations in, for example, filthy, verminous or fly-tipping situations, were passed on to the owners. The Director offered to feedback the Commission's view to Housing Services. This matter would relate back to the Housing Revenue Account.

It was questioned whether the current garden waste collection service had been successful. In reply, the Director of Neighbourhood and Environmental Services noted that approximately 4,200 residents currently used this chargeable and optional service, which was considered to be a reasonable level of use, noting the city environment. However, there was an ambition to further grow the customer base.

Concern was expressed that the budget reductions being faced by the Council would lead to a reduction in staff numbers. The Director of Finance advised that the level of budget reductions meant that it was not possible to provide guarantees about jobs, noting that the Council's employment costs currently were approximately £1million per day.

AGREED:

- 1) That the Director of Neighbourhood and Environmental Services be asked to:
 - a) ask Housing services to consider recharging Council tenants when the Council is required to clear poorly maintained gardens; and
 - b) provide this Commission with a full report on waste management costs, including information on how the city's

waste is disposed of;

- 2) That the Director of Finance be asked to notify the Commission of the final level of funding to be available for discretionary housing payments in 2018/19, to enable a decision to be made on whether the impact of this on the city's residents requires further scrutiny; and
- 3) That the Chair of this Commission be asked to advise the Overview Select Committee that this Commission accepts that the Council cannot increase Council Tax for 2018/19 above the limit set by government and so supports the proposed increase of 4.99%.

60. SPENDING REVIEWS

Members noted that information on the spending review programme was included at Appendix 8 of the report on the "General Fund Revenue Budget 2018/19 to 2020/21", (see agenda item 9).

61. WORK PROGRAMME

AGREED:

- 1) That a briefing on knife crime for members of this Commission be given at 5.00 pm on the day of the next meeting of the Commission, (28 March 2018), and that the start time of that meeting be put back to 6.15 pm to accommodate the briefing;
- 2) That members of the Children, Young People and Schools Scrutiny Commission be invited to attend the briefing referred to under 1) above; and
- 3) That the Scrutiny Policy Officer liaise with the Director of Neighbourhood and Environmental Services to determine which partners, (for example the Police), should lead the briefing referred to under 1) above.

62. URGENT ITEM - STAKE LIMITS FOR FIXED ODDS BETTING TERMINALS

With the agreement of the Chair, this report was submitted as an urgent item, as the information on the consultation referred to was not available when the agenda was prepared and the deadline for comments was before the next meeting of the Commission. In view of the Commission's previous support of the proposals contained in the consultation, it was considered appropriate that the Commission be given the opportunity to respond to it.

The Director of Neighbourhood and Environmental Services submitted a report advising the Commission of government consultations in respect of changing limits on Fixed Odds Betting Terminals (FOBTs).

The Commission thanked Members and officers for the previous work that had been done on this, (minute 85, "Executive Response to Scrutiny Report on the Impact of Gambling on Vulnerable Communities", 22 March 2017 referred), noting that the national conversation on this had only started after that work had been done.

The Commission welcomed the suggested limit to stakes on FOBTs, but expressed some concern that once someone reached a limit on one machine they were free to move to a different venue and continue to gamble. This was particularly concerning as betting shops often located near each other.

AGREED:

- 1) That the Chair be asked to respond on behalf of this Commission to the Department for Culture, Media and Sport consultation on proposals for limiting the maximum stake on all Fixed Odds Betting Terminals reiterating this Council's support for restricting the maximum stake on all B2 machines to £2;
- 2) That the Executive be asked to support the response agreed under 1) above, thereby reiterating its previous support for this position;
- 3) That the Director of Neighbourhood and Environmental Services be asked to inform the Local Government Association and local Members of Parliament of this position; and
- 4) That Department for Culture, Media and Sport actions relating to gambling and social responsibility be kept under review and a further report made to this Commission if appropriate.

63. CLOSE OF MEETING

The meeting closed at 7.09 pm



Neighbourhood Services & Community Involvement Scrutiny Commission

Discretionary Policy Review 2017/18

Assistant City Mayor: Cllr Kirk Master

Neighbourhood Services and Community
Involvement Scrutiny Commission: 28 March 2018

Lead director: Alison Greenhill



City Mayor

Useful Information

- Ward(s) affected: All
- Report author: James Rattenberry, Principal Policy Officer, Revenues & Customer Support
0116 454 1616
James.rattenberry@leicester.gov.uk
- Author contact details:

1. **Purpose of Report**

- 1.1 The purpose of this report is to outline the Council's Discretionary Housing Payment (DHP), Council Tax Discretionary Relief (CTDR) and Community Support Grant (CSG) policies, and to present key amendments intended to further focus intervention funding towards the prevention of homelessness and managing short term financial crises.

2. **Summary**

- 2.1 In 2017 the city has continued to be impacted by welfare changes. The most significant are the reduced benefit cap from January 2017, restrictions to allowances for children born after April 2017, the benefit rate freeze and Universal Credit, commencing Full Service (UC FS) in June 2018.
- 2.2 Discretionary support represents a crucial safety net for vulnerable households, and the city has experienced unprecedented demand from welfare reform primarily affecting DHP spend, as recent changes disproportionately affect housing cost entitlement. The Council also provides CTDR for those experiencing difficulty paying their Council Tax charge, and non-financial emergency assistance under the CSG scheme.
- 2.3 Our key priorities for our discretionary policies in 2018/19 are to:
- Include in our policies explicit protection for vulnerable groups – including disabled households, cases referred fulfilling our statutory homelessness duties, those engaging with the Early Help Family Programme and households including care leavers under the age of 25;
 - Following successful pilot outcomes, introduce referred access to social welfare advice for discretionary award claimants affected by the Benefit Cap;
 - Maintaining the Council's commitment to time-limited underoccupancy unless exceptions apply, to tackle overcrowding and our new obligations under the Homelessness Reduction Act.
- 2.4 The table below details the discretionary spend by year and the number of applications received, demonstrating this fluctuation in expenditure.

Discretionary fund	Funding source	2016/17 fund value	2016/17 actual spend	2017/18 Fund value	2017/18 projected spend	2018/19 Projected fund value	2018/19 Projected spend
DHP	DWP	£781k	£820k	£1.186m	£1.241m	£1m	£1.5m
CTDR	General Fund	£500k	£313k	£500k	£360k	£500k	£500k
CSG	Welfare Reserves	£500k	£250k	£500k	£250k	£500k	£300k

3. Discretionary Housing Payments

- 3.1 Government DHP allocation was increased to £1.1m in 2017/18, and is expected to be exhausted by the end of the financial year. From 2018/19 onwards, the DHP budget is expected to reduce by £100,000 per year until 2020/21, although we anticipate applications to remain close to their current level of over 3,000 annually. Our future capacity to meet demand solely from within the DWP grant alone is limited unless changes are made to encourage and support a greater number of applicants towards greater self-reliance.
- 3.2 Our statutory obligation is to ensure that the most vulnerable claimants are provided with appropriate assistance, particularly those who are severely disabled and unable to change their circumstances. We are also proposing action to help meet new obligations under the Homelessness Reduction Act, to ensure the continued availability of permanent accommodation. We have identified three new categories to be offered explicit protection:
- for vulnerable tenants placed under our homelessness duty to be provided with rent deposits, rent-in-advance and top-up payments where required to sustain tenancies,
 - for families engaging with the Council's Early Help Family programme, and
 - for young care leavers up to the age of 25.
- 3.3 Despite the impact of more recent and forthcoming welfare reform changes, over 70% of the DHP budget remains committed to two changes introduced in 2013 – underoccupancy and the Benefit Cap. In many cases affected households may be able, with assistance, to achieve greater financial independence through improving their skills, seeking employment, exploring alternative accommodation and receiving expert advice on how to resolve debt issues and budget on their existing income.
- 3.4 The Council's discretionary policies have previously introduced some conditional elements to awards namely, encouraging claimants affected by under-occupancy to seek alternative accommodation, and engaging Universal Credit claimants with intensive budgeting and money management advice delivered by CITAL. We are proposing to strengthen this conditionality and better target who we support.

- 3.5 Analysis has identified that existing recipients of DHP's affected by underoccupancy are not fulfilling the existing policy intention – of 483 live claims, only 24 had placed a bid in the previous twelve months. One in ten affected households are currently receiving a DHP, despite underoccupation being in place for over four years, accounting for more than a third of ongoing DHP expenditure. More than half of those contacted by the HomeSwapper team have stated they are not interested in alternative accommodation and are happy with their current home. It was also established that recipients were disproportionately single without dependant children (75%) and lacking indications of severe disability (95%). One in three, predominantly those with a single occupant, were underoccupying their property by two or more bedrooms. In contrast, by January 2018 there were 3,831 households on the Housing Register who were living in overcrowded conditions from a total waiting list of 6,269 (61%).
- 3.6 The Council have sought to pilot these principles within the current policy with repeat Benefit Cap claimants from July 2017. Where claimants engage and make positive steps towards obtaining skills and committing to personal budgets, awards have been extended on a case by case basis. Unless circumstances are exceptional a failure to engage during the period of the award will result in the cessation of discretionary support. Initial findings of 128 cases reviewed are encouraging – 1 in 6 have moved off the benefit cap, half of which is due to finding work, whilst only 1 in 10 have requested any additional support following their initial award.
- 3.7 Key elements of the discretionary policies from 2018/19 are as follows:
- a) Newly under occupied or Benefit Cap households who claim a DHP will receive a 13 week transition award whilst they seek support and consider other options.
 - b) The requirement to commit to downsize to affordable accommodation will be expected from the point of claim for repeat underoccupied tenants, unless exceptions apply. To do this they must enrol on the Housing register and undertake realistic bidding, or consider exchanging their property via HomeSwap. Underoccupied households who have not previously sought assistance will continue to receive a thirteen week grace period before conditions are applied.
 - c) All claimants will be offered the opportunity to receive budgeting advice from our contracted social welfare advice provider.
 - d) Unless exceptions apply, all repeat awards will be subject to consideration of a taper. Reducing the DHP gradually, over a period, will help to ease the recipient into managing the rent shortfall themselves with the support of budgeting advice.

4. Council Tax Discretionary Relief (CTDR)

- 4.1 CTDR expenditure has risen by 25% annually for the past three years, to approximately £360,000 in 2017/18. We anticipate further, but more modest increases, from 2018/19 onwards. It is anticipated demand will continue to mirror DHP applications as above. This fund is to help mitigate impacts within local taxation and help households pay their council tax. The Council has committed £500,000 for this purpose towards the non-statutory Council Tax Discretionary Relief (CTDR) fund.
- 4.2 Expenditure for 2017/18 is expected to be less than £400,000. We anticipate take up for 2018/19 remains within current spend parameters. We will continue to promote the use of this fund to maximise takeup and ensure vulnerable households are protected.

5. Community Support Grants (CSG)

- 5.1 There are two elements which make up the Community Support Grants, including crisis and support. Crisis Grants cover emergency situations including food parcels, clothing and fuel. Support Grants cover the provision of items to enable applicants to remain in their home, such as furniture, carpets and white goods.
- 5.2 CSG expenditure has remained stable over the past three years at approximately £250,000 per year and is funded from limited Welfare Reserves. Future sustainability has been embedded in the delivery plan for 2020.
- 5.3 In 2016/17 we received we received 1,077 CSG applications or 21 per week. This has continued into 2017/18. The annual CSG budget is £535,000, and expenditure is expected to be £250,000. From 2018/19 crisis spend is anticipated to increase with the introduction of Universal Credit, and could triple based on the experience of other Councils. We are working with our commissioned partners and through our Universal Credit Equality Impact Assessment to plan for this demand spike.

6. Risks

- 6.1 There are number of risks associated with this change of policy and fund management. A risk log has been created which will be monitored by the Director of Finance and the Lead member for Welfare Reform. The main risks have been identified as:
- a) Demand will outstrip the DWP DHP grant / Council funding;
 - b) The review of the DHP caseload fails to realise projected budget reduction;
 - c) Demand for budgeting support or Housing Advice outstrips capacity;
 - d) Where under-occupancy applies, and the tenant is seeking to move, the market fails to respond to demand;

- e) DWP loans fail to be granted to welfare benefit claimants;
- f) Introduction of third party referrals significantly increase take up;
- g) BIC numbers rise greater than DWP prediction creating a higher demand.

We consider these risks to be adequately mitigated by the changes outlined above.

7 Financial, Legal and other Implications

7.1 Financial Implications

Changes to benefits are having, and will continue to have, a direct impact on the incomes of those who depend on such income. Those in exceptionally difficult circumstances may apply for discretionary funding which the Council administers. These include:

(a) a council tax discretionary relief (hardship) fund, initially intended to assist those having to pay a proportion of their council tax for the first time. The budget for this fund is £500,000 in 17/18 and is part of the Council's normal budget;

b) discretionary housing payments, for which the budget in 17/18 is £1,186,000. This budget is directly supported by government grant, which is expected to reduce in future years as described above. Demand for this support has, however, been increasing;

(c) community support grant, originally funded by a grant from the DWP which has now ceased. The Council has sustained the programme having saved various related underspends in a reserve specifically for this purpose. The budget for 2017/18 is £535k, funded from this reserve. The amount held in the welfare reform reserve fell from £4.5m to £4.1m as at 1st April 2017, and will eventually be fully spent. It is possible to increase the annual budget, but this will result in the reserve being spent sooner. Decisions on the amount to spend are taken as part of annual budget deliberations."

This report sets out options to reduce the ongoing costs to the Council and to influence/drive certain behaviours by actual and potential claimants / recipients of support.

Colin Sharpe, Head of Finance, ext. 37 4081

7.2 Legal Implications

From 2013, Upper Tribunal decisions have imposed increased reliance on DHPs to justify the legality of otherwise potentially discriminatory legislation. As a result, LAs have new duties to fulfil, as DHPs are tied ever closer to the operation of HB (& UC) regulations. All three discretionary policies have an objective 'to avoid disability or other unlawful discrimination.'

Conditions should only be applied to cases in which it is appropriate to make a conditional award. It may be potentially discriminatory to time-limit awards, and to insist on registration with rehousing schemes for claimants who would otherwise face potential Article 14 discrimination, in particular those resident in accommodation substantially adapted to disability needs (Rutherford) and households containing a disabled person with an ascertained need for an additional bedroom (Rutherford) including those unable to share a bedroom due to disability (Grisham). R (Hardy) v. Sandwell MCB (2014) also established that disability-related income should not be considered available for rent expenditure in assessing Discretionary Housing Payment entitlement.

In dealing with the allocation of the DHP over the course of a financial year the Council needs to bear in mind the risk of challenge based on fettering of discretion. We have been given an express power to top-up the Government grant by up to 2.5 times. Whilst this is not a duty, it is a power and a blanket refusal to exercise a power would most likely be rendered unlawful. This should be borne in mind if, for example, the earmarked DHP monies are spent before the year ends. Failing to entertain applications, contrary to both our own policy and DWP Guidance might lead to an accusation of having fettered our discretion.

The Council has a duty under the Equality Act 2010 to have due regard to the need to eliminate unlawful discrimination of people sharing protected characteristics which are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation. There is also a duty to promote equality of opportunity and foster good relations between those sharing a relevant protected characteristic and those who do not do so.

Kamal Adatia, City Barrister & Head of Standards. Ext. 37 1401

7.3 Climate Change and Carbon Reduction Implications

There are no significant climate change implications arising from the recommendations in this report.

Duncan Bell, Senior Environmental Consultant. Ext. 37 2249

7.4 Equalities Implications

The report provides information, highlights concerns and outlines options regarding the Council's Discretionary Housing Payment (DHP), Council Tax discretionary Relief (CTDR) and Community Support Grant (CSG). Those affected by the changes will be those households who are in receipt of either housing benefit or Universal Credit with a Housing Costs element. There will be services users from across all protected characteristics affected by the changes proposed, however there are some protected characteristics such as disability, gender and age which are most likely to be disproportionately affected should funds be exhausted due to increased and sustained demand.

The Public Sector Equality Duty (PSED) which is part of the Equality Act 2010 expects us to show due regard to eliminating discrimination, advancing equality of opportunity and fostering good relations. Our public sector duty expects us to demonstrate how we do this. The Equality Impact Assessment appended to the report should include the information and evidence that is used to inform the proposals, what impacts have been identified and for who and how any disproportionate negative impacts will be mitigated. If mitigating actions aren't identified or implemented where a disproportionately negative impact has been identified, we will not have met our statutory duty and, therefore, it is important to assign responsibility to an individual and a timescale for having implemented any actions that are identified.

The proposed introduction of explicit protection for households where there has been an adaptation due to a disability or long term health condition, for vulnerable tenants (placed under the homelessness duty), for families who are engaging with the Early Help Family Programme and looked after children aims to ensure that those who would be most negatively affected, if the fund were to become exhausted due to increased and sustained demand, are protected. The steps taken to ensure support for these protected groups will help us to meet the aim of eliminating unlawful discrimination.

The Equality Impact Assessment which is appended to the report outlines improvements to the collection of equalities data. More information about the protected characteristics of those making applications, both successful and unsuccessful, will allow meaningful analysis of the actual equalities implications of the implementation of the policy and will allow equalities considerations to inform the review of the policy and procedures in the future.

Hannah Watkins, Equalities Manager. Ext 37 5811

8. Other Implications

N/A.

9. Summary of Appendices

Appendix One: Discretionary Policy documents 2018/19.

Appendix Two: Equality Impact Assessment & Statistical Analysis

For further information on Welfare Reform Impacts – see report to Scrutiny Commission October 2016:

<http://www.cabinet.leicester.gov.uk:8071/documents/s79047/Welfare%20Reform%20update%20-%20JTy.pdf>

For existing Discretionary Policies, please see:

<http://www.leicester.gov.uk/media/180408/discretionary-housing-payments-2015-18.pdf>

<http://www.leicester.gov.uk/media/180407/council-tax-discretionary-relief-policy-2015-18.pdf>
<http://www.leicester.gov.uk/your-community/benefits-and-support/housing-benefit/community-support-grant/>

13. **Is this a private report (If so, please indicate the reasons and state why it is not in the public interest to be dealt with publicly)**

No.

14. **Is this a “key decision”?**

No.

15. **If a key decision please explain reason**

LCC Council Tax Discretionary Relief Policy 2018-2020**1. What is the Council Tax Discretionary Relief (CTDR) scheme?**

This scheme helps to support local Council Tax charge payers experiencing financial hardship under section 76 of the Local Government Act 2003 and section of the 13A Local Government Finance Act 1992. Applicants must demonstrate that they require further financial assistance and satisfy the full eligibility criteria.

2. What are the main features of the scheme?

2.1 This Policy aims to operate a Council Tax Discretionary Relief scheme to support local Council Tax charge payers experiencing financial hardship under section 76 of the Local Government Act 2003 and section of the 13A Local Government Finance Act 1992. Applicants must demonstrate that they require further financial assistance and satisfy the full eligibility criteria. The principles of the scheme are listed below.

2.2 Relief is primarily intended as short-term assistance as opposed to a long-term reduction in Council Tax liability. The Council has discretion as to whether to award Council Tax Discretionary Relief, but will make its decisions in accordance with principles of good decision-making; in particular, it will act fairly and reasonably. Each case will be considered on its own merits with regard to all the relevant circumstances.

2.3 If the Council decides to award Council Tax Discretionary Relief, it has discretion as to the amount of the award, provided that the claimant's need for financial assistance arises in respect of a liability to pay their Council Tax. The award cannot be more than the claimant's weekly liability.

3. Am I eligible for support?

Claims for Council Tax Discretionary Relief under this scheme should be one of last resort. Applicants will be expected to have explored and secured any lawful entitlement to other benefits, incomes and reductions in preference to claiming Council Tax Discretionary Relief. Applicants will need to ensure they are able to

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satisfy the Council that they have taken all reasonable steps to resolve their own situation prior to application.

4. Are my personal circumstances taken into account?

5.1 In order to apply for a Council Tax Discretionary Relief, a charge payer must have a Council Tax liability and:

- be in receipt of a Leicester City Council Tax Reduction; and/or,
- be in receipt of Universal Credit (UC); and/or,
- require further financial assistance; and/or,
- suffer hardship through an extreme event or natural disaster where their main or sole residence has structural damage, which could not reasonably have been rectified within the normal period of exemption (see below)

6. How do I apply?

6.1 Applications to the Council for a Council Tax Discretionary Relief must be made on Leicester City Council's Council Tax Discretionary Relief application form available:

- a) by calling the Revenues & Benefits Service on: 0116 454 1006;
- b) in person, by visiting any Customer Services Centre, Neighbourhood Housing Office, or the Revenues and Benefits Service;
- c) by emailing housingbenefits@leicester.gov.uk;
- d) by visiting our website: www.leicester.gov.uk/dhps to download an application form.

6.2 Applications to the Council for a Council Tax Discretionary Relief must be submitted in one of the following ways:

- a) by post to the Revenues & Benefits Service, Leicester City Council, FREEPOST; RTRE-HTRJ-CSSJ, York House, 91 Granby Street, Leicester LE1 6FB;
- b) by visiting any Customer Services Centre, Neighbourhood Housing Office, or the Revenues and Benefits Customer Contact Centre;
- c) by emailing housingbenefits@leicester.gov.uk

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6.3 Applications may be made by a claimant; someone else on the claimant's behalf; or, by their representative with authority to act on their behalf i.e. Power of Attorney; Appointee; or any other authorised third party representative.

6.5 The claimant must provide the Council with all supporting information and documentary evidence, as required, to enable the application to be assessed.

6.6 Applications may be made by a claimant or someone else on the claimant's behalf. The Council will accept referrals by email from:

- a) Leicestershire County Council, Leicestershire District Councils; and, Rutland Unitary Authority on behalf of Leicester City residents;
- b) Leicestershire and Rutland Combined Fire Authority;
- c) Leicestershire Policy Authority.

6.7 The Council will accept applications on Leicester City Council's Council Tax Discretionary Relief application form from:

- a) third sector organisations i.e. Citizen's Advice Bureau;
- b) Leicester City Council internal partners i.e. Welfare Rights Service; Adult and Children's Services;
- c) a third party to whom it might be appropriate.

7. How will I be paid?

7.1 The Council will usually consider an award from the date the application is received. However in exceptional circumstances consideration will be made for a request to backdate to an earlier period should sufficient good cause be shown to warrant an additional award for a prior period.

7.2 If a backdate is considered the date of an award of a Council Tax Discretionary Relief will not usually exceed 52 weeks prior to the date of application or from the date liability was established whichever is the earlier.

7.3 The award in general is designed to give temporary assistance, and the Council would not normally grant the relief indefinitely, however, each case would be considered on its own merits and the length of the award determined on that basis.

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7.4 The relief will normally cease at the end of a financial year unless an earlier date is specified. A claimant is not prevented from reapplying for a further award in subsequent years.

7.5 The award of Council Tax Discretionary Relief will be made based on the net liability after any discounts, exemptions and reductions have been applied to the Council Tax account.

7.6 If it is subsequently identified that a reduction has been awarded as a result of false or fraudulent information, the Council reserves the right to withdraw the award and recover the resulting sum due. The Council also reserves the right to prosecute the applicant for false representation under the Local Government Act 1972, section 222.

7.7 The Council may make single payment in the form of a reduction from the Council Tax account. Where the account is in credit, a refund may be made to:

- a) the claimant; or,
- b) his or her partner; or,
- c) an appointee; or,
- d) to a third party with the written permission of the claimant.

7.8 Council Tax Discretionary Relief may be paid using the following methods:

- by crediting the customer's Council Tax account;
- (n.b. - payment will usually be a one off credit);
- by cheque, if the Council Tax account has been paid in full or is in credit.

8. Will I be offered help to improve my financial position?

8.1 The Council will ask you to seek help to tackle your financial crisis. We will offer you free budgeting and financial advice to fully assess your personal and financial circumstances with Citizens Advice LeicesterShire.

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8.2 You can choose to seek advice from another accredited financial advisor to fully assess your personal and financial circumstances.

8.3 If you seek further financial advice from discretionary funding and have received any help, you may not receive further financial assistance.

9. How will I be notified of the decision?

9.1 The Council will provide a written notice of its decision to the applicant or their representative. The decision notice will set out:

- a) the amount of the award (if any);
- b) the period of the award (if any);
- c) provide a summary of the factors considered in reaching the decision;
- d) provide details of how to request a review or obtain more information about the decision;
- e) provide details of how the award (if any) will be made. This will be in the form of a credit on to the council tax account.

9.2 On the provision of all satisfactory requested information, a decision will be made, where practicable, within 14 working days.

10. What do I need to do after I have been awarded CTDR?

10.1 A claimant who is in receipt of Council Tax Discretionary Relief must inform the Council in writing or by email about any relevant changes in circumstances occurring after the application has been made, which may affect the continuation of the award. In particular the claimant must tell the Council about any of the following changes for themselves, their partner or any non-dependent in their household within one calendar month of any change:

- a) entitlement and payment of housing benefit;
- b) address;
- c) income and capital;

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- d) employment status and earnings;
- e) outgoings;
- f) availability of other financial assistance;
- g) household composition;
- h) entitlement to any other benefits including disability related income and Universal Credit;
- i) compliance activity stipulated in the award notice.

10.2 This list is not exhaustive. Recipients are advised to contact the service if they require clarification. If in doubt they are advised to tell us.

10.3 Any changes must be reported in writing to the Council directly as soon as possible and must be reported by letter, or email within one month. Notification of changes to the Department for Work and Pensions for welfare benefit purposes is not sufficient to obviate this responsibility.

11. What can I do if I want the decision to be reviewed?

11.1 Claimants may request the Council looks again at the decision within one calendar month of the decision notice where:

- a) they have not been awarded Council Tax Discretionary Relief; or,
- b) where they feel the award should be increased;
- c) they disagree with the period of the award;
- d) they disagree that the award has been reduced;
- e) they disagree with the recovery of an overpayment.

11.2 Requests for review must be:

- a) submitted in writing;
- b) addressed to the Head of Revenues and Benefits;
- c) received at the Council offices within one calendar month of the date of the decision notice;
- d) signed by the claimant, their appointee or agreed third party representative;

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e) outline the reasons for review, providing any new evidence required.

11.3 Applicants will not have the right of review:

- a) where their request is received by the Council more than one calendar month after the date of the decision notice; unless good cause can be shown for the delay; or,
- b) where the Council has already made a determination of a previous request for review in respect of the matter; unless significant new information is identified; that would have a direct bearing upon the original decision; or,
- c) for any day on which they have already received 100% discount or exemption.

11.4 Any request for review of the decision under this scheme will be determined within one calendar month of receipt of the request or as soon as reasonably practicable.

11.5 Any review will be considered on its own merits, in the light of all relevant circumstances at the time (as described in the eligibility guidelines part 4).

11.6 The review request must give the reasons why the applicant considers the original decision should be amended, and may include new or additional information relevant to the request to change the original decision. The Council may require further supporting evidence to be provided.

11.7 The reviewing officer (who will not be the original decision maker) will review the original decision. The outcome of the review request will be notified to the claimant normally within one calendar month of its receipt or the receipt of the supporting information.

11.8 If a customer disagrees with the decision, the only statutory avenue open to challenge such decisions is through judicial review. The High Court may be asked to consider whether the Council has acted within its powers.

12. How does Leicester City Council prevent fraudulent claims for the CTDR scheme?

12.1 If you falsely declare your circumstances, provide a false statement or provide false evidence in support of your application, you may have committed an offence under the Fraud Act 2006.

12.2 Leicester City Council will investigate allegations of fraud and retains the right to prosecute such cases under section 222 of the Local Government Act 1972.

13. Are the application form and this document accessible in other formats?

10.1 If you would like a hard copy or large print version please contact Leicester City Council on 0116 454 1006 or via email at SDIO@leicester.gov.uk or by post at the following free post address: Freepost RTRE-HTRJ-CSSJ, Service Improvement Team, Leicester City Council, Revenues & Benefits Department, York House, 91 Granby Street, LEICESTER, LE1 6FB.

Appendix A: Background and Legislative Framework

1. Background

1.1 Leicester City Council has updated its Council Tax Discretionary Relief policy to ensure that the most vulnerable members of the community are protected in line with the requirements of the Government's localisation of benefits, which replaced the previous Council Tax Benefits system from 1st April 2013.

1.2 The Council has updated the policy to offset the most severe impacts of these reforms on vulnerable persons (placing particular reference to protected characteristics) who face exceptional financial hardship. The relief will reduce the Council Tax payable after taking into account eligibility for any national benefits, discounts, reliefs and exemptions. The relief can be applied to an individual or to a defined class of cases such as in a fire or flood situation for a district of the city.

1.4 The scheme is locally funded, but will seek a contribution from precepting authorities to offset the full cost of the schemes operation. The scheme will be subject to a budget cap each year set by the Council through its budgeting and

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precepting arrangements. The values of the discretionary fund will be published annually.

1.3 The Council Tax Discretionary Relief Policy will permit officers the discretion to provide discounts in council tax liability under the policy up to 100% of the remaining Council Tax liability. Notwithstanding the schemes budget cap, the Council retains the discretion to award additional discount under section 13A of the Local Government Finance Act 1992.

2.0 Legislative Framework

2.1 Awards under this scheme are made in line with the following legislation:

- i. The Local Government Finance Act 2012
- ii. Section 76 of the Local Government Act 2003; this introduced a new power, as section 13A Local Government Finance Act 1992 – the award of discretionary discounts
- iii. Section 4, Local Government Finance Act 1992 - Dwellings may be exempt from Council Tax if they fall within one of the specified classes
- iv. Section 11, Local Government Finance Act 1992 - The amount of Council Tax payable may be subject to a discount where there is no resident, or all but one of them falls to be disregarded
- v. Leicester City Council's Council Tax Reduction Scheme 2013
- vi. Child Poverty Act 2010
- vii. Equality Act 2010 (incorporating the Disabled Persons Act 1986)
- viii. Housing Act 1996
- ix. The Leicester City Council Tax Reduction Scheme (Prescribed Requirements) (England) Regulations 2013
- x. The Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012 Default Scheme
- xi. Social Security Act 1992
- xii. Universal Credit Regulations 2012
- xiii. Local Government Act 1972 section 222
- xiv. The Fraud Act 2006, section 2

xv. Data Protection Act 1998

2. Finance and Monitoring

2.1 The Council Tax Discretionary Relief Policy will have a budget set each financial year. This will be set in agreement with and with a contribution from major precepting authorities.

2.2 If all available funds have been exhausted from the discretionary relief budget, reductions in Council Tax liability may continue to be made on a discretionary basis under s13A of the Local Government Finance Act 1992.

2.3 Current funding limits are encompassed with the general hardship fund for local tax. The funds are cash limited with the option to increase the limit in exceptional circumstances if deemed necessary.

2.2 The Revenues & Benefits Service will undertake monitoring of the number, amount and period of DHP awards in relation to the available DHP budget. The purpose is to ensure the DHP budget has sufficient funds to meet demands on the DHP budget throughout the financial year.

2.3 The Revenues & Benefits Service will also monitor cases where a DHP request has been refused to ensure decisions are being made fairly and consistently. The Council is subject to the general equality duty.

2.4 This means that steps will be taken to monitor implementation of this policy to ensure no one is subject to disproportionate adverse treatment because they had a protected characteristic. The general equality duty requires that the Council has due regard to the need to:

- Remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic
- Take steps to meet the needs of persons who share relevant protected characteristic that are different from the needs of persons who do not share it

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- Foster good relations.

2.5 The policy will be reviewed on a rolling three year programme or at such time or occurrence where a review is appropriate.

3. Legislative framework & equality monitoring arrangements

3.1 The Council may use any evidence and information supplied to it in respect of Council Tax Discretionary Relief to check the eligibility of the applicant in respect of this scheme or any other welfare benefit, discounts or exemptions in compliance with its powers and obligations under Data Protection Act 1998 and other legislation. Our data sharing and fair processing detail can be found at the following web link: <http://www.leicester.gov.uk/your-council-services/council-and-democracy/key-documents/internet-disclaimer/>

4. Principal objectives

4.1 The following outlines the principal objectives behind the Policy:

- alleviating poverty
- encouraging and sustaining people in employment and education
- sustaining tenancies and preventing homelessness
- maintaining residents in their own homes
- supporting vulnerable people
- support those subject to other welfare reform changes including income capping
- safeguarding residents in their own homes
- helping those who are trying to help themselves
- keeping families together
- supporting domestic violence victims who are trying to move to a place of safety
- supporting the vulnerable or the elderly in the local community
- helping customers through personal and difficult events

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- supporting young people in the transition to adult life, or promoting good educational outcomes for children and young people;
- To avoid disability or other unlawful discrimination.

Appendix B: Financial and Personal Circumstances

1.1 The Council is committed to equality, fairness and transparency. Equality is about ensuring people are treated fairly and given fair chances. It is also about ensuring that people receive fair outcomes in the standard of service they receive from the Council and equality of access to Council services. This incorporates everyone, regardless of their race, gender, gender reassignment, age, disability, pregnancy and maternity, religion or belief, sex or sexual orientation, marital or civil partnership status and/or disability, in line with the nine protected characteristics set out in the Equality Act 2010.

1.2 A number of groups have been defined under Leicester City Council's Council Tax Reduction Scheme Impact Assessment (2013) as being potentially financially vulnerable. The main groups are listed in the table below (this list is neither exhaustive nor prescriptive):

- Households who are considered to be vulnerable and need to remain in their current properties for reason of disability, particularly those with property adaptations;
- Households placed in their homes under the Council's statutory homelessness obligation;
- Households receiving assistance through the Early Help Family Programme;
- Households containing a care leaver under the age of 25.

1.3 Examples of financially vulnerable groups:

- The claimant or member of the household or a dependent child is in receipt of the middle or higher rate of Disability Living Allowance (DLA) care component; or the

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standard or enhanced daily living component of Personal Independence Payment (PIP); or Armed Forces Independent Payment (AFIP)

- The claimant is a disabled adult living in supported living accommodation who has carers and is unable to work due to their health
- The claimant or partner is in receipt of attendance allowance.
- The claimant or partner is in receipt of Employment Support Allowance (ESA) and gets a support component
- The claimant is a care leaver up to the age of 22 years
- The claimant or household member is deemed vulnerable through drug or alcohol dependency who are attending a accredited rehabilitation programme
- The claimant or household member has suffered domestic violence and is being supported by accredited local schemes to remain in permanent accommodation or move into permanent accommodation, inclusive of forced marriages
- The claimant or partner is a registered foster carer (child or adult) and has current foster child/adult placements
- The claimant or partner is a registered foster carer (child or adult) and is in-between foster care placements
- The claimant has dependent children under the age of 5 and is living on income support
- The claimant or partner is either an expectant or nursing parent.
- Claimant and/or partner who is unable to work due to caring responsibilities and is in receipt of, or has an underlying entitlement to carers allowance.
- The claimant or partner has parental care responsibility for non-resident children (up to 20 years old) to support family cohesion
- The claimant or household member is a hostel leaver where they were resident in a hostel engaging with support while resident. Minimum period of hostel residency is 3 months
- The claimant or partner is an ex-offender on probation
- The claimant or partner is receiving additional support from the council. Such as floating support from STAR or the think family programme.
- The claimant or partner is in receipt of war widow's pension or a recipient of an armed forces compensation payment/pension.

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1.4 There may be households which for short periods of time may have exceptional circumstances or life events which lead to severe financial hardship. Examples of applicants or households who may potentially be awarded a Council Tax Discretionary Relief under exceptional circumstance are (this list is not exhaustive):

- a) recently bereaved and as a consequence benefits have been suspended which had caused a disruption to their income;
- b) terminally ill and unable to contribute to the household income;
- c) recovering from a serious illness and unable to contribute to the household income.

1.5 The Council has discretion as to whether to make a Council Tax Discretionary Relief payment; but will ensure all decisions are made in accordance with principles of good decision-making; in particular, it will act fairly and reasonably and each claim for Council Tax Discretionary Relief will be decided on its own merits with regard to all relevant circumstances.

1.6 If the Council decides to award Council Tax Discretionary Relief, it has discretion as to the level of that award; however, the need for financial assistance must be in respect of a liability to pay their Council Tax. The value must not exceed the net Council Tax liability after all reductions, discounts and exemptions have been applied.

1.7 The Council must be satisfied that the applicant has taken all reasonable steps to resolve their situation prior to making their application.

1.8 The Council will consider whether the applicant has access to other assets that could be used to pay their Council Tax.

1.9 The application will not be considered until the claimant's eligibility to Council Tax Reduction; any other discretionary fund; or, welfare benefit such as Housing Benefit entitlement/Universal Credit; and, all other statutory reductions has been assessed.

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1.10 The claimant must be able to demonstrate that their current circumstances are unlikely to improve in the short- to medium-term.

1.11 The Council's finances allow for Relief to be made, on the basis that sufficient money is available in the relevant budget to meet the potential cost of any Relief granted, including Relief to others who might meet the qualifying criteria.

1.12 It is reasonable for the Council to award Relief having regard to the interests of other local Council Tax payers who have to contributed to meeting the cost of any Relief granted.

1.13 Awards will stop immediately if the applicant or household or their representative has misrepresented or failed to disclose a material fact, fraudulently or otherwise. The Council will look to recover any overpayment of award; and, in instances of proven fraudulent activity the Council will always seek to recover any overpayment in all cases.

1.14 Failure to provide the information required to support an application without sufficient reason will result in the application being considered without the information. This is likely to result in the request being refused.

1.15 There is no entitlement for a charge payer to withhold payment of Council Tax pending the submission and determination of an application for Council Tax Discretionary Relief, or during any subsequent request for a review of the decision. A reduced payment arrangement may be considered on request pending the submission and assessment of any application. However, claimants must be aware that if their application for Relief is unsuccessful this could result in them having to pay a higher monthly amount over a shorter period of time. If an application is successful the charge payer will receive a payment into their account. Any credit in excess of their annual liability will be refunded.

1.16 Where applications are made as a result of an exceptional event or natural disaster, these will be determined by the City Mayor, following consideration and recommendation from the Director of Finance.

1.17 The Council will usually consider an award from the date the application is received. However in exceptional circumstances consideration will be made for a request to backdate to an earlier period should sufficient good cause be shown to warrant an additional award for a prior period. If a backdate is agreed, the date of an award of a Council Tax Discretionary Relief will not usually exceed 52 weeks prior to the date of application or from the date liability was established whichever is the earlier.

2. Ceasing payment

2.1 The Council may cease making, or reduce the amount of, a Council Tax Discretionary Relief where:

- a) the decision to make the award was based in whole or in part on a misrepresentation; and/or,
- b) the claimant failed to disclose a material fact; and/or,
- c) the award was made as a result of an error; and/or,
- d) the claimant informs a relevant change in circumstances; and/or,
- e) the claimant fails to inform the Council of a relevant change of circumstances; and/or,
- f) a condition of the award stipulated in the award notice has not been met.

2.2 If the Council decides to cease making, or reduce the amount of, a Council Tax Discretionary Relief, it will notify the claimant of this decision in writing, provide reasons for the decision and inform them of their right to request a review of the decision. This will include the period in which to make the request and to whom the review request must be made.

2.3 The claimant may request a review of such a decision. There is no right of appeal.

3. Recovery of overpayments

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3.1 15.1 The Council may recover any overpayment of Discretionary Relief that has been paid by removing the amount from the Council Tax account, or by invoicing the claimant where the Council Tax account is closed.

Leicester City Council Community Support Grant**1. What is the Leicester City Council Community Support Grant (CSG)?**

1.1 This scheme helps vulnerable people in short-term crisis to meet urgent needs, or to maintain their independence in the community.

2. What are the main features of the scheme?

2.1. It is only open to Leicester residents, those moving to a tenancy within the city, those fleeing from domestic violence or those with a link to Leicester. See the Glossary for more details.

2.2. Each case will be treated strictly on its own merits and you will receive fair and equal treatment.

2.3. It reflects the Council's commitment to work with voluntary advice services to provide budgeting and income maximisation advice and repeat applicants will be expected to engage with these services.

2.4. There is a limit of two awards within a rolling twelve month period. However, this is subject to exceptions.

3. What type of help is available?

3.1 For Crisis Grants help includes food, essential clothing, fuel and electricity costs. This will usually be issued in the form of food parcels, credits uploaded on to fuel cards or vouchers.

3.2 Support Grants will usually be issued in the form of reuse furniture or reconditioned white goods. Delivery will then be arranged by the suppliers with you or your support worker.

4. Am I eligible for support?

4.1 You must be over the age of 16, meet the conditions in 2.1 and have a low income – whether in receipt of welfare benefits, low income or pension credit.

4.2 You must have exhausted other means of alternative funding, including private funding, insurance, and DWP funding. See Appendix A for more details.

Leicester City Council Community Support Grant

4.3 For Crisis Grants, you will need to be able to demonstrate exceptional financial hardship. See the Glossary for more details.

4.4 For Support Grants, you should be in receipt of any of the following: be receiving IS, JSA (income-based) or ESA (income-related), or another low income with less than £500 in savings. We will consider other exceptional circumstances at our discretion.

4.5 The award is intended to support a person with limited financial means to return to, or remain in the community.

4.6 If your benefit claim is undergoing a sanction, please see Section 3 of Appendix B of this scheme.

5. Are my personal circumstances taken into account?

5.1 The following personal circumstances will be taken into account during the decision making process:

- a) Whether a CSG payment would prevent homelessness;
- b) Whether a CSG payment would help you maintain employment, education or training; or
- c) Whether a CSG payment would prevent a move that would have a detrimental effect on you and your household, for example children's schooling, health, support networks or employment.

5.2 Crisis Grant. This covers help where you have suffered an emergency or crisis, for example, a fire or flood. This crisis will be the cause of a severe risk to the health and safety of the applicant or an immediate family member/dependant(s). Examples of when your health and safety might be at severe risk include:

- a) no access to essential needs (food, heating and clothing);
- b) imminent deterioration/deterioration in health;
- c) domestic abuse;
- d) neglect and harm;
- e) breakdown of the family unit;
- f) exceptionally poor living conditions;
- g) onset of, or deterioration in the health of an immediate family member;
- h) risk of homelessness deemed to be unintentional.

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5.3 If you have dependent children between the ages of 7 and 16, who meet free school meal criteria, and you are suffering a crisis, you can apply for food parcels during the school holiday periods. Households with dependent children of Reception age and in Years 3 and 4 must meet the free schools meals claim criteria as applied prior to September 2014 when changes to free school meals criteria were introduced.

5.4 Support Grant. This helps you to establish a home or remain in the community when you are under exceptional financial pressure but do not have an immediate need. Examples of when you might be under exceptional financial pressure include the following:

- a) you have suffered a disaster (such as a fire or flood);
- b) you are leaving care or prison;
- c) you have had to move due to violence, or fear of violence;
- d) you are leaving accommodation where you received significant care and supervision, you should also be expecting to move out within 6 weeks.
- e) you, or a member of your family, suffers from a disability or chronic illness which gives rise to an exceptional need, and which cannot be met by another support fund;
or
- f) you are a former member of the armed forces.

6. How do I apply?

6.1 By telephone, call: 0116 454 1019, between 8.30am and 5pm from Monday to Friday. For an out-of-hours emergency, you can call: 0116 255 1606.

6.2 If you are homeless, or think you are at risk of being homeless, please call 0116 454 1008.

7. How long will it take?

7.1 For Crisis Grants, a decision is usually made within two working hours of receipt of a verified and completed application form.

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7.2 For Support Grants, a decision is usually made within 10 working days of receipt of a verified and completed application, and successful claimants may have to wait for up to 5 days for delivery of the items.

7.3 An advisor will contact you by telephone, email or text to let you know if you have been successful. A letter will also be sent to you by post explaining the decision. Leicester City Council will set out the reasons for why the decision was made and explain your right of appeal.

7.4 Alternative arrangements will be put in place as necessary for those who do not have a permanent contact address.

8. What can I do if I want the decision to be reviewed?

7.1 If you are unhappy with the decision, you can write to Leicester City Council's Head of the Revenues and Customer Support Service, explaining why you think the decision should be changed. You will need to sign your letter and make sure it reaches the Council within one calendar month of the date of the original decision. - Your application will then be reviewed by a senior officer of the Revenues & Customer Support Service.

7.2 If you remain unhappy with the decision after it has been reviewed, you have the right to challenge the decision through judicial review. The High Court may be asked to consider whether the Council has acted within its powers.

8. How does Leicester City Council prevent fraudulent claims for the CSG scheme?

8.1 If you falsely declare your circumstances, provide a false statement or provide false evidence in support of your application, you may have committed an offence under the Fraud Act 2006.

8.2 Leicester City Council will investigate allegations of fraud and retains the right to prosecute such cases under section 222 of the Local Government Act 1972.

9. Are the application form and this document accessible in other formats?

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10.1 If you would like a hard copy or large print version please contact Leicester City Council on 0116 454 1006 or via email at SDIO@leicester.gov.uk or by post at the following free post address: Freepost RTRE-HTRJ-CSSJ, Service Improvement Team, Leicester City Council, Revenues & Benefits Department, York House, 91 Granby Street, LEICESTER, LE1 6FB.

Appendix A: Background and Legislative Framework

1. Background

1.1 Prior to 1 April 2013, the Department of Work and Pensions (DWP) Social Fund scheme consisted of a regulated scheme made up of Sure Start Maternity Grants, Funeral Payments, Cold Weather Payments and Winter Fuel Payments, and a discretionary scheme made up of Community Care Grants, Budgeting Loans and Crisis Loans. The Welfare Reform Act 2012 abolished Community Care Grants and Crisis Loans from 1 April 2013 and replaced them with a new Local Welfare Provision (LWP) administered by local authorities.

1.2 From 1 April 2013, Crisis Loan alignment payments and other Crisis Loans paid due to issues with benefit were replaced by a new national scheme of Short Term Benefit Advances (STBAs) administered by the DW P. Budgeting Loans continue for 'legacy' benefit claimants only, i.e. recipients of Jobseeker's Allowance (Income-based), Employment and Support Allowance (Income-related) and Income Support). Universal Credit (UC) claimants are able to apply for a Budgeting Advance.

1.3 The Government allocated the Council a grant to deliver a local scheme to meet local priorities. There was no requirement to replicate the current Crisis Loan or Community Care Grant schemes. The Council was provided with the funding and flexibility to design emergency provision for vulnerable groups according to local circumstances, in order to meet severe hardship in the most appropriate way.

1.4 The Council was encouraged to:

- i) work in partnership with local third sector organisations to develop their scheme;

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- ii) explore a range of in-kind support, and to link to advice, information and advocacy;
- iii) explore a full range of models for delivery.

1.5 In the development of CSG the Council fulfilled its duty to consult with all major stakeholders. The service is committed to continuing to work with the local voluntary sector, social landlords and other key stakeholders in the City to maximise entitlement to all available state benefits, charitable funds and grants; this is reflected in the administration of CSG. It will also continue to work closely with money and welfare benefits advice services across the city to provide budgeting and income maximisation advice, and will continue to consult with all stakeholders on the effectiveness of this policy.

1.6 In January 2014, the government announced that it would no longer provide central funding for local welfare assistance schemes operated by local authorities from April 2015. This decision was confirmed following further consultation in November 2014.

1.7 The Council will continue to operate the scheme on the basis of reserves accumulated from previous grants being available.

1.8 From 6 April 2016, Local welfare funds were designated as 'public funds' for immigration purposes. This means that CSG cannot be used to support any person from abroad without recourse to public funds.

1.9 While an assessment of habitual residence is pending, CSG may assist those with a presumption of eligibility with a short-term award of food and essential items only.

2. Finance and Monitoring

2.1 The financial management of the budget will be undertaken through the corporate financial audit procedures. The purpose is to ensure the CSG decision making is robust, meets the intention of the policy, is transparent and is making

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decisions that allow for sufficient funds to meet demands on the CSG budget throughout the financial year.

2.2 The Council will undertake monitoring of the number, amount and period of CSGS awards in relation to the available CSG budget. The Council's Quality Assurance Team Leader will ensure that an audit check is conducted of 5% of the decisions made to ensure consistent decision-making.

2.3 The policy will be reviewed annually or at such time or occurrence where a review is appropriate.

2.4 Each application will be treated strictly on its own merits. You will receive equal and fair treatment within a transparent process taking full account of the Council's responsibilities under all relevant government legislation and to meet our standing statutory duties under Homelessness, Equality, Human Rights, Child Poverty and Child Protection legislation. Decisions under the scheme are made in accordance with the principles of good decision making and decision makers will act fairly, reasonably and consistently. Details of the legislative framework and equality monitoring arrangements of the scheme are provided in section 3.

2.5 The Council will also monitor cases where a CSG application has been refused or supported to ensure decisions are being made fairly and consistently.

2.6 The Council is subject to the general equality duty. This means that steps will be taken to monitor implementation of this policy to ensure no one is subject to disproportionate adverse treatment because they had a protected characteristic. The Council's equality duty requires that the Council has due regard to 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 relevant protected characteristic that are different from the needs of persons who do not share it; and
- iii) Foster good relations.

3. Legislative framework & equality monitoring arrangements

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3.1 The Council has taken all relevant legislation into account when devising the Community Support Grant policy, including but not limited to:

- i) The Welfare Reform Act 2012
- ii) The Localism Act 2011
- iii) The Equality Act 2010
- iv) The Local Government Finance Act 2012 and 1992
- v) The Local Government Act 2003
- vi) The Leicester City Council Tax Reduction Scheme 2015/16
- vii) The Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012 Default Scheme
- viii) The Social Security Act 1992
- ix) The Universal Credit Regulations 2012 and accompanying legislation
- x) The Local Government Act 1972 section 222
- xi) The Fraud Act 2006, section 2
- xii) The Data Protection Act 1998
- xiii) The Housing Act 1996
- xiv) The Social Security Act 1986
- xv) The National Assistance Act 1948
- xvi) The Child Poverty Act 2010
- xvii) The Chronically Sick & Disabled Persons Act 1970
- xviii) The Disabled Persons (Services, consultation and representation) Act 1986
- xix) The Mental Health Act 1983
- xx) The Children Act 1989
- xxi) The Localism Act 2011
- xxii) The Care Act 2014
- xxiii) Statement of changes to the Immigration Rules: HC877, 11 March 2016

3.2 In addition to the above requirements, the Council also takes account of current guidance and advice which has been published by the DW P and local policy which includes:

- i) Local support to replace Community Care Grants and Crisis Loans for living expenses in England, June 2011;

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- ii) Social Fund Community Care Grants – Department for Work & Pensions (DWP) Customer Insight Research Report 2, 2011;
- iii) Local Authority field work summary report, December 2011;
- iv) The Leicester Child Poverty Commission (2013) (Recommendation 18).

3.3 The Council has engaged extensively with stakeholder groups on this policy and is supported by a comprehensive Impact Assessment.

4. Priority groups

4.1 The following circumstances may place you in a priority group:

- i) Whether you are fleeing domestic abuse;
- ii) Whether you are a care leaver;
- iii) Whether you or another household member is subject to Social Services intervention;
- iv) Whether you or another household member is undertaking care duties for relatives in the area;
- v) Whether you are a returning ex-offender who is having difficulty in finding suitable accommodation;
- vi) Whether you are a former member of the armed forces who is having difficulty in finding suitable accommodation;
- vii) The exceptional nature of you and your family's circumstances;
- viii) Any reasons which make it necessary or especially desirable for you to occupy the dwelling you currently reside in the view of the assessor;
- ix) Whether the payment of a CSG award keep you and your family together;
- x) Whether it support a young person in the transition to adult life, or will it assist in the safeguarding of a vulnerable adult or child;
- xi) Whether you have a physical or mental condition that if not managed correctly will result in a serious health risk.

Appendix B: Financial and Personal Circumstances

We will consider your circumstances in full before deciding whether or not to award a CSG taking into account the following:

1. Financial Considerations

- i) Proximity of essential services relied upon by you and your partner to your home
- ii) The relevant financial, medical and social circumstances of you and your household
- iii) The income and essential expenditure of the customer and their household when considering income.
- iv) Whether your expenditure is considered to be above your basic living requirements. If your expenses seem high, the CSG assessor will make enquiries with you to clarify the details
- v) Savings and investments held by you and your household, which could be used to your their financial situation. The accessibility of these funds will be taken into account and the award may be reduced
- vi) Whether you has insurance to help you recover the costs of the lost goods. Your grant may be reduced by an equivalent amount
- vii) Whether other family members outside your household help in any way towards your financial expenditure;
- viii) Whether you and your household could reduce expenditure on non-essential items;
- ix) Whether the you and your household are entitled to other welfare benefits but are not claiming them;

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- x) Your the level of indebtedness;
- xi) Whether the you and your household are taking long-term action to help their problems in meeting their housing costs; and
- xii) Any steps taken by you to help yourself such as financial advice you have sought to alleviate your situation, such as from Citizens Advice Leicestershire, local advice agencies or the Welfare Rights Service.

2. Claim Requirements

2.1 If you claim JSA, ESA, or Universal Credit, you will be expected to first apply for a Short Term Benefit Advance (STBA) or Universal Credit Advance (UCA).

- i) If you have applied for a STBA or UCA and you have been informed that this will be granted, you may apply for a Crisis Grant. If your CSG application is successful, the award will cover the period until receipt of your first STBA payment (usually 14 days from application).
- ii) If you have applied for a JSA or ESA STBA and you are excluded from the STBA or you have received a negative decision, you may apply for a Crisis Grant. If your CSG application is successful, the award will cover a period of up to 4 weeks or receipt of your first welfare benefit payment, whichever is earlier.
- iii) If you have claimed Universal Credit but you are excluded from a UCA or have received a negative decision, you may apply for a Crisis Grant. If successful, the award will cover a period up to 8 weeks or receipt of your first welfare benefit payment, whichever is earlier.
- iv) Up to 14 days crisis support - If your JSA, ESA or UC claim is undergoing a sanction, disallowance or suspension, you will be expected to first apply for a DWP hardship award through the JobCentre Plus. If you receive a positive decision for a hardship award, you may apply for a Crisis Grant.

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If your CSG application is successful, the award will cover the period until receipt of your first hardship payment (usually 14 days from application);

v) If your JSA, ESA or UC claim is undergoing a sanction, disallowance or suspension and you are excluded from applying for hardship or have received a negative decision for a hardship award, you may apply for a Crisis Grant.

vi) If your application for a CSG award is successful the crisis payment will cover a period up to 4 weeks extending to a maximum of 13 weeks in exceptional circumstances or receipt of your first welfare benefit payment, whichever is earlier;

vii) If you have claimed UC and an award decision has been made but you have not yet received a payment, you may apply for a CSG.

viii) If your application for a CSG award is successful the crisis payment will cover a period up to 8 weeks or when your first payment of welfare benefit is paid, whichever is earlier; and

ix) Food parcel - To support vulnerable households where an immediate hardship payment is granted, however these payments take 24 hours to arrive.

3.2 These are the circumstances for, or in, which no assistance will be given (excluded persons)

i. people in hospital and care homes (independent or local authority) with no plans for discharge within 2 weeks;

ii. prisoners and people lawfully detained or on release on temporary license;

iii. members of a religious order who are fully maintained by it;

iv. people treated as in full-time relevant education who are not in receipt of welfare benefit these persons will only be considered to receive support for expenses arising out of a disaster.

v. full-time students not in receipt of IS, JSA (IB) or ESA (IR) or Pension Credit (including payments on account) – these persons will only be considered to receive support for expenses arising out of a disaster;

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- vi. someone who meets the legal definition of a 'Person From Abroad' these persons will only be considered to receive support for expenses arising out of a disaster
- vii. those whose benefit claim is disqualified, disallowed or sanctioned in relation to their JSA, ESA, IS or Pension Credit. DWP hardship payments should assist such claims;
- viii. where other statutory provisions are in place; including but not restricted to:
- ix. DWP budgeting loans, DWP benefit alignment payments, DWP short term benefit advances, and DWP statutory social fund payments (for example: winter fuel allowance);
- x. people who have made two applications to the Community Support Grant Scheme within the current financial year – except in extreme circumstances;
- xi. for items other than that which the Council can provide or needs which are not covered by Crisis Grant;
- xii. where private insurance covers costs of the damage;
- xiii. where liability exists elsewhere which addresses the issue (for example if a ceiling falls down because of a leak in the flat above);
- xiv. solely due to unexpected budgeting issues without a causal emergency or crisis;
- xv. a need for a person who resides outside England;
- xvi. when the CSG budget has been exhausted;

3.3 Assistance will be limited to support for expenses arising out of a disaster for, or in, the following circumstances:

- i) persons treated as in full-time relevant education or full-time students not entitled to IS, JSA (income-based), ESA (income-related) or PC (Guarantee Credit);

3.4 Crisis Grants are not available for the following

- i) a need which occurs outside United Kingdom
- ii) an educational or training need including clothing and tools (the DWP is able to support with these)
- iii) distinctive school uniform or sports clothes for use at school or equipment to be used at school
- iv) travelling expenses to or from school

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- v) school meals taken during school holidays by children who are entitled to free school meals
- vi) expenses in connection with court (legal) proceedings such as legal fees, court fees, fines, costs, damages, subsistence or travelling expenses (other than emergency travelling expenses when stranded away from home)
- vii) removal or storage charges if you are being re-housed following a compulsory purchase order, a redevelopment or closing order, a compulsory exchange of tenancies, or under a housing authority's statutory duty to the homeless
- viii) domestic assistance and respite care
- ix) any repair to council property and any repair to property of certain housing trusts (details of which can be found by contacting Leicester City Council.
- x) a medical, surgical, optical, aural or dental item or service (these needs can be provided free of charge by the National Health Service, if you receive IS, JSA (IB), ESA (IR), the maximum award of Universal Credit (supported by relevant SOS letter and qualifying criteria) or Pension Credit (guarantee credit)
- xi) work related expenses
- xii) debts to Government departments or investments
- xiii) purchase, installation, rental and call charges for a telephone
- xiv) mobility needs
- xv) holidays
- xvi) a television or a radio, or a licence, aerial or rental charges for a television or a radio
- xvii) garaging, parking, purchase, and running costs of any motor vehicle except where the payment is being considered for emergency travel expenses
- xviii) housing costs, (other than intermittent costs not met by Housing Benefit, Income Support, Jobseeker's Allowance (income-based), Employment and Support Allowance (income-related) or Pension Credit, certain rent in advance payments, certain boarding charges, and minor repairs and improvements)
- xix) council tax, council water charges, arrears of community charge, collective community charge contributions or community water charges.

The above list is not exhaustive and whilst it is indicative of the rationale applied to the scheme, The Council will always consider exceptions.

Appendix C: Glossary

Disaster

This is 'an event that causes great distress or destruction' and includes major flooding, gas explosions or a house fire, but it is not expected that a minor mishap or damage or failure of a household item would be included in this situation in most circumstances. A disaster could also cover having no financial funds available to meet daily living expenses as a result of some sort of crisis, such as theft or unintended loss.

In cases of theft, the claim must be supported by a crime reference number. In cases of loss, the claimant must be able to demonstrate that the loss is not their fault.

Person From Abroad

A Person From Abroad is someone who fails or would fail the habitual residence test for the purpose of Income Support, Pension Credit, Income-based Job Seekers Allowance, Income Related Employment Support Allowance or Universal Credit.

Link to Leicester

Applicants may be considered to meet the 'link to Leicester' criteria in 2.1 of the Policy by satisfying at least one of the following:

- Applicants living within the city of Leicester must be able to produce documentary evidence that they have used a residential address within the City as their settled home for 2 consecutive years immediately prior to their application;
- Applicants that have previously lived in settled accommodation in the city of Leicester for 3 consecutive years or more out of the last 5 years;
- Applicants currently working within the city of Leicester and have been for the last 12 months;
- People who are aged over 18 and approved as a homeless person under Part VII of the Housing Act 1996;

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- Applicants who need to give or receive support to direct family members who have been living in the city for the past 5 years. Direct family members include husbands, wives, civil partners, parents, sons, daughters, brothers and sisters;
- Asylum seekers who have been dispersed to the City by the National Asylum Support service (NASS) and whose status changes to that of refugee, or who are awarded exceptional or indefinite leave to remain whilst living in the city;
- Persons who have previously served in the armed forces and they make an application for housing within 5 years of their discharge;
- Bereaved spouses and civil partners of members of the Armed Forces leaving service family accommodation following the death of their spouse/partner;
- Prisoners released from prison who meet one of the above criteria prior to them entering service or prison.

Severe Financial Hardship

This means that you have limited disposable income and you or your household are at risk of severe detriment to your health and safety.

Intentional Homelessness

Being intentionally homeless means that you are homeless because you left accommodation that you could have stayed in. If your last home was temporary or short-term, the Council looks into the reasons you left your last 'settled home'.

When deciding if you are or aren't intentionally homeless, the council must consider the reasons you became homeless. It's up to the Council to prove that you became homeless intentionally and that:

- you did, or failed to do, something that caused you to leave your home
- the act, or failure to act, was deliberate or you were aware of what was going on
- it was reasonable for you to continue living in your accommodation.

You have the right to explain your actions to the council in relation to your housing situation.

1. Background

1.1 Prior to 1 April 2013, the Department of Work and Pensions (DWP) Social Fund scheme consisted of a regulated scheme made up of Sure Start Maternity Grants, Funeral Payments, Cold Weather Payments and Winter Fuel Payments, and a discretionary scheme made up of Community Care Grants, Budgeting Loans and Crisis Loans. The Welfare Reform Act 2012 abolished Community Care Grants and Crisis Loans from 1 April 2013 and replaced them with a new Local Welfare Provision (LWP) administered by local authorities.

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- viii) The Social Security Act 1992
- ix) The Universal Credit Regulations 2012 and accompanying legislation
- x) The Local Government Act 1972 section 222
- xi) The Fraud Act 2006, section 2
- xii) The Data Protection Act 1998
- xiii) The Housing Act 1996
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- xv) The National Assistance Act 1948
- xvi) The Child Poverty Act 2010
- xvii) The Chronically Sick & Disabled Persons Act 1970
- xviii) The Disabled Persons (Services, consultation and representation) Act 1986
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- xx) The Children Act 1989
- xxi) The Localism Act 2011
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 - xxiii) Statement of changes to the Immigration Rules: HC877, 11 March 2016

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- iii) Whether you or another household member is subject to Social Services intervention;
- iv) Whether you or another household member is undertaking care duties for relatives in the area;
- v) Whether you are a returning ex-offender who is having difficulty in finding suitable accommodation;
- vi) Whether you are a former member of the armed forces who is having difficulty in finding suitable accommodation;
- vii) The exceptional nature of you and your family's circumstances;
- viii) Any reasons which make it necessary or especially desirable for you to occupy the dwelling you currently reside in the view of the assessor;
- ix) Whether the payment of a CSG award keep you and your family together;
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We will consider your circumstances in full before deciding whether or not to award a CSG taking into account the following:

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- iii) The income and essential expenditure of the customer and their household when considering income.
- iv) Whether your expenditure is considered to be above your basic living requirements. If your expenses seem high, the CSG assessor will make enquiries with you to clarify the details
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- vi) Whether you has insurance to help you recover the costs of the lost goods. Your grant may be reduced by an equivalent amount
- vii) whether other family members outside your household help in any way towards your financial expenditure;
- viii) whether you and your household could reduce expenditure on non-essential items;
- ix) whether the you and your household are entitled to other welfare benefits but are not claiming them;
- x) your the level of indebtedness;
- xi) whether the you and your household are taking long-term action to help their problems in meeting their housing costs; and
- xii) any steps taken by you to help yourself such as financial advice you have sought to alleviate your situation, such as from Citizens Advice Leicestershire, local advice agencies or the Welfare Rights Service.

2. Claim Requirements

2.1 If you claim JSA, ESA, or Universal Credit, you will be expected to first apply for a Short Term Benefit Advance (STBA) or Universal Credit Advance (UCA).

- i) If you have applied for a STBA or UCA and you have been informed that this will be granted, you may apply for a Crisis Grant. If your CSG application is successful, the award will cover the period until receipt of your first STBA payment (usually 14 days from application).
- ii) If you have applied for a JSA or ESA STBA and you are excluded from the STBA or you have received a negative decision, you may apply for a Crisis Grant. If your CSG application is successful, the award will cover a period of up to 4 weeks or receipt of your first welfare benefit payment, whichever is earlier.
- iii) If you have claimed Universal Credit but you are excluded from a UCA or have received a negative decision, you may apply for a Crisis Grant. If successful, the award will cover a period up to 8 weeks or receipt of your first welfare benefit payment, whichever is earlier.
- iv) Up to 14 days crisis support - If your JSA, ESA or UC claim is undergoing a sanction, disallowance or suspension, you will be expected to first apply for a DWP hardship award through the JobCentre Plus. If you receive a positive decision for a hardship award, you may apply for a Crisis Grant.

If your CSG application is successful, the award will cover the period until receipt of your first hardship payment (usually 14 days from application);

- v) If your JSA, ESA or UC claim is undergoing a sanction, disallowance or suspension and you are excluded from applying for hardship or have received a negative decision for a hardship award, you may apply for a Crisis Grant.
- vi) If your application for a CSG award is successful the crisis payment will cover a period up to 4 weeks extending to a maximum of 13 weeks in exceptional

circumstances or receipt of your first welfare benefit payment, whichever is earlier;

vii) If you have claimed UC and an award decision has been made but you have not yet received a payment, you may apply for a CSG.

viii) If your application for a CSG award is successful the crisis payment will cover a period up to 8 weeks or when your first payment of welfare benefit is paid, whichever is earlier; and

ix) Food parcel - To support vulnerable households where an immediate hardship payment is granted, however these payments take 24 hours to arrive.

3.2 These are the circumstances for, or in, which no assistance will be given (excluded persons)

- i. people in hospital and care homes (independent or local authority) with no plans for discharge within 2 weeks;
- ii. prisoners and people lawfully detained or on release on temporary license;
- iii. members of a religious order who are fully maintained by it;
- iv. people treated as in full-time relevant education who are not in receipt of welfare benefit these persons will only be considered to receive support for expenses arising out of a disaster.
- v. full-time students not in receipt of IS, JSA (IB) or ESA (IR) or Pension Credit (including payments on account) – these persons will only be considered to receive support for expenses arising out of a disaster;
- vi. someone who meets the legal definition of a 'Person From Abroad' these persons will only be considered to receive support for expenses arising out of a disaster
- vii. those whose benefit claim is disqualified, disallowed or sanctioned in relation to their JSA, ESA, IS or Pension Credit. DWP hardship payments should assist such claims;
- viii. where other statutory provisions are in place; including but not restricted to:

- ix. DWP budgeting loans, DWP benefit alignment payments, DWP short term benefit advances, and DWP statutory social fund payments (for example: winter fuel allowance);
- x. people who have made two applications to the Community Support Grant Scheme within the current financial year – except in extreme circumstances;
- xi. for items other than that which the Council can provide or needs which are not covered by Crisis Grant;
- xii. where private insurance covers costs of the damage;
- xiii. where liability exists elsewhere which addresses the issue (for example if a ceiling falls down because of a leak in the flat above);
- xiv. solely due to unexpected budgeting issues without a causal emergency or crisis;
- xv. a need for a person who resides outside England;
- xvi. when the CSG budget has been exhausted;

3.3 Assistance will be limited to support for expenses arising out of a disaster for, or in, the following circumstances:

- i) persons treated as in full-time relevant education or full-time students not entitled to IS, JSA (income-based), ESA (income-related) or PC (Guarantee Credit);

3.4 Crisis Grants are not available for the following

- i) a need which occurs outside United Kingdom
- ii) an educational or training need including clothing and tools (the DWP is able to support with these)
- iii) distinctive school uniform or sports clothes for use at school or equipment to be used at school
- iv) travelling expenses to or from school
- v) school meals taken during school holidays by children who are entitled to free school meals
- vi) expenses in connection with court (legal) proceedings such as legal fees, court fees, fines, costs, damages, subsistence or travelling expenses (other than emergency travelling expenses when stranded away from home)

- vii) removal or storage charges if you are being re-housed following a compulsory purchase order, a redevelopment or closing order, a compulsory exchange of tenancies, or under a housing authority's statutory duty to the homeless
- viii) domestic assistance and respite care
- ix) any repair to council property and any repair to property of certain housing trusts (details of which can be found by contacting Leicester City Council.
- x) a medical, surgical, optical, aural or dental item or service (these needs can be provided free of charge by the National Health Service, if you receive IS, JSA (IB), ESA (IR), the maximum award of Universal Credit (supported by relevant SOS letter and qualifying criteria) or Pension Credit (guarantee credit)
- xi) work related expenses
- xii) debts to Government departments or investments
- xiii) purchase, installation, rental and call charges for a telephone
- xiv) mobility needs
- xv) holidays
- xvi) a television or a radio, or a licence, aerial or rental charges for a television or a radio
- xvii) garaging, parking, purchase, and running costs of any motor vehicle except where the payment is being considered for emergency travel expenses
- xviii) housing costs, (other than intermittent costs not met by Housing Benefit, Income Support, Jobseeker's Allowance (income-based), Employment and Support Allowance (income-related) or Pension Credit, certain rent in advance payments, certain boarding charges, and minor repairs and improvements)
- xix) council tax, council water charges, arrears of community charge, collective community charge contributions or community water charges.

The above list is not exhaustive and whilst it is indicative of the rationale applied to the scheme, The Council will always consider exceptions.

Disaster

This is 'an event that causes great distress or destruction' and includes major flooding, gas explosions or a house fire, but it is not expected that a minor mishap or damage or failure of a household item would be included in this situation in most circumstances. A disaster could also cover having no financial funds available to meet daily living expenses as a result of some sort of crisis, such as theft or unintended loss.

In cases of theft, the claim must be supported by a crime reference number. In cases of loss, the claimant must be able to demonstrate that the loss is not their fault.

Person From Abroad

A Person From Abroad is someone who fails or would fail the habitual residence test for the purpose of Income Support, Pension Credit, Income-based Job Seekers Allowance, Income Related Employment Support Allowance or Universal Credit.

Link to Leicester

Applicants may be considered to meet the 'link to Leicester' criteria in 2.1 of the Policy by satisfying at least one of the following:

- Applicants living within the city of Leicester must be able to produce documentary evidence that they have used a residential address within the City as their settled home for 2 consecutive years immediately prior to their application;
- Applicants that have previously lived in settled accommodation in the city of Leicester for 3 consecutive years or more out of the last 5 years;
- Applicants currently working within the city of Leicester and have been for the last 12 months;
- People who are aged over 18 and approved as a homeless person under Part VII of the Housing Act 1996;
- Applicants who need to give or receive support to direct family members who have been living in the city for the past 5 years. Direct family members include husbands, wives, civil partners, parents, sons, daughters, brothers and sisters;

- Asylum seekers who have been dispersed to the City by the National Asylum Support service (NASS) and whose status changes to that of refugee, or who are awarded exceptional or indefinite leave to remain whilst living in the city;
- Persons who have previously served in the armed forces and they make an application for housing within 5 years of their discharge;
- Bereaved spouses and civil partners of members of the Armed Forces leaving service family accommodation following the death of their spouse/partner;
- Prisoners released from prison who meet one of the above criteria prior to them entering service or prison.

Severe Financial Hardship

This means that you have limited disposable income and you or your household are at risk of severe detriment to your health and safety.

Intentional Homelessness

Being intentionally homeless means that you are homeless because you left accommodation that you could have stayed in. If your last home was temporary or short-term, the Council looks into the reasons you left your last 'settled home'.

When deciding if you are or aren't intentionally homeless, the council must consider the reasons you became homeless. It's up to the Council to prove that you became homeless intentionally and that:

- you did, or failed to do, something that caused you to leave your home
- the act, or failure to act, was deliberate or you were aware of what was going on
- it was reasonable for you to continue living in your accommodation.

You have the right to explain your actions to the council in relation to your housing situation.

Equality Impact Assessment (EIA) Template: Service Reviews/Service Changes

Title of spending review/service change	Discretionary Housing Payments and Council Tax Discretionary Relief policy changes
Name of division/service	Finance, Revenues & Customer Support
Name of lead officer completing this assessment	James Rattenberry, Principal Policy Officer
Date EIA assessment completed	17/10/17
Decision maker	Alison Greenhill
Date decision taken	1/3/18

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EIA sign off on completion:	Signature	Date
Lead officer	James Rattenberry	1/3/18
Equalities officer	Hannah Watkins	29/11/17
Divisional director	Alison Greenhill	29/11/17

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Please ensure the following:

- (a) That the document is understandable to a reader who has not read any other documents, and explains (on its own) how the Public Sector Equality Duty is met. This does not need to be lengthy, but must be complete.
- (b) That available support information and data is identified and where it can be found. Also be clear about highlighting gaps in existing data or evidence that you hold, and how you have sought to address these knowledge gaps.
- (c) That the equality impacts are capable of aggregation with those of other EIAs to identify the cumulative impact of all service changes made by the council on different groups of people.

1. Setting the context

Describe the proposal, the reasons it is being made, and the intended change or outcome.

The Government allocates Leicester City Council ('the Council') a grant allocation to deliver Discretionary Housing Payments (DHPs) to those households who are in receipt of either Housing Benefit or Universal Credit with a Housing Costs element. This is a statutory duty to provide 'top up' rent payments and lump sums for applicant households who require further financial assistance with their housing costs. Case law establishes limitations on the amounts which can be paid, in which circumstances, and which groups are entitled to open-ended or unconditional support. Most significantly, this applies to treatment of disability-related income such as DLA or PIP which cannot be treated in the same way as other income, making time-limited or conditional awards for those who should not be obliged to seek alternative accommodation in the short-term (i.e. severely disabled claimants with property adaptations), and refusing claims which mitigate the indirect discrimination of welfare reforms (for example, allowing additional rooms relating to disability not expressly permitted by the relevant legislation).

The proposed changes are also to be applied to the Council's Discretionary Council Tax Relief (CTDR) policy. This is a non-statutory fund to mitigate the impact of Council Tax collection for vulnerable claimants, particularly those of working-age who are unable to pay the minimum 20% payment required under the current Council Tax Support (CTS) scheme.

There are no current changes proposed in relation to the Council's emergency Community Support Grant fund, which was established under Local Welfare Provision legislation but continues on a non-statutory, non-ring fenced basis.

The main service changes proposed for implementation are:

- Restricting initial awards of discretionary support to claimants affected by the Benefit Cap, and those who have previously received support at 100% of rent shortfall to a further award of thirteen weeks only, supplemented by intensive support by Citizens Advice LeicesterShire (CITAL). Claimants affected by the Benefit Cap are considered by the government to be fit to move into work and are not receiving any of a series of exclusionary benefits. As they are entitled to more than £20,000 a year in welfare benefits, this is reduced to the cap level via their Housing Benefit award. Repeat claimants will be considered on a case by case basis and may not be excluded if exceptional circumstances apply, such as severe disability/property adaptation. Further awards will, in most circumstances, only be considered where the claimant has engaged with CITAL or an equivalent provider and are assessed as requiring additional assistance with housing costs.
- Removing the initial 13 week allowance of discretionary support prior to applying to be placed on the Housing Register and actively seeking alternative accommodation, instead requiring this engagement from the outset of a claim, unless a legal exemption or exceptional circumstances apply. Awards were originally made on this initial basis to smooth the transition for newly affected claimants and allow engagement with support and relocation services during this period. However, the relevant welfare reform (under-occupancy) has now been in place for four years and all affected tenants have been directly approached on numerous occasions by Housing Services to outline their options.
- To ensure that households affected by welfare reforms are able to move to more appropriate properties and that we are meeting our new statutory homelessness obligations, by transferring a ring-fenced allocation of the DHP budget of approximately £50,000 to the administration of the Housing Department, to provide rent deposits and rent-in-advance supporting the LeicesterLet scheme. Where claimants are also eligible for ongoing DHP awards, these will be made for a minimum 52 week period to ensure certainty for private sector landlords participating in the scheme.

2. Equality implications/obligations

Which aims of the Public Sector Equality Duty (PSED) are likely be relevant to the proposal? In this question, consider both the

current service and the proposed changes.	
	Is this a relevant consideration? What issues could arise?
<p>Eliminate unlawful discrimination, harassment and victimisation</p> <p>How does the service ensure that there is no barrier to access for anyone with a particular protected characteristic (as set out in our PSED) with needs that could be addressed by that service?</p>	<p>Service has previously operated on a paper-based system, however this is now supplemented by an e-form and online application form. The continued provision of paper based forms for claimants who cannot complete the e-form will mean that those with poor literacy skills will not be disadvantaged by having to complete a form with others for support.</p>
<p>Advance equality of opportunity between different groups</p> <p>How does the proposal/service ensure that its intended outcomes promote equality of opportunity for users? Identify inequalities faced by those with specific protected characteristic(s).</p>	<p>The E form and online form will enable remote access and include a dedicated email evidence submission which support workers and agencies can assist with directly.</p> <p>Specialist telephony service will help meet equality obligations, particularly for those with literacy, numeracy and disability needs who may struggle with the online format. This additional support will promote equality of opportunity of those in need of financial support being able to more robustly report their personal circumstances as evidence of need and therefore improve the likelihood of receiving discretionary support based on their need.</p>
<p>Foster good relations between different groups</p> <p>Does the service contribute to good relations or to broader community cohesion objectives? How does it achieve this aim?</p>	<p>By being more transparent and accessible, the assessment process will likely be considered to be fairer and thus more equitable across the city's different communities/protected groups. The aim of a fair and accessible support grants system will aid in fostering good relations between different groups</p>

	challenging potential perceptions of bias or exclusion of those who have not been successful in the past.
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3. Who is affected?

Outline who could be affected, and how they could be affected by the proposal/service change. Include current service users and those who could benefit from but do not currently access the service.

Changes will be on offer to all existing service users. The outcome of this change in service provision will be a more responsive, personalised and easily understandable assessment procedure that treats all applicants fairly and in an equitable manner.

Identifiable existing client groups who will be positively affected by the changes include:

- Customers with both physical and mental disabilities;
- Customers with literacy, numeracy and IT difficulties;
- Customers with a history of homelessness;

4. Information used to inform the equality impact assessment

What **data, research, or trend analysis** have you used? Describe how you have got your information and what it tells you. Are there any gaps or limitations in the information you currently hold, and how you have sought to address this, e.g. proxy data, national trends, etc.

National data was used for comparative purposes, for example census data and national discretionary payment statistics.

5. Consultation

What **consultation** have you undertaken about the proposal with current service users, potential users and other stakeholders?
What did they say about:

- What is important to them regarding the current service?
- How does (or could) the service meet their needs?
- How will they be affected by the proposal? What potential impacts did they identify because of their protected characteristic(s)?
- Did they identify any potential barriers they may face in accessing services/other opportunities that meet their needs?

The Executive have considered welfare reform and Universal Credit update reports on local welfare reform impacts and future developments, and appendices detailing current benefit performance statistics and consultation responses on changes to Local Welfare Provision allocation. The Executive has regularly been provided with similar updates in the past and are aware of the challenges facing the service.

Feedback from the stakeholder group has regularly been encouraged and fed into the review process – annual discretionary award forums are held and promoted to obtain formal feedback, in addition to monthly input through the Social Welfare Advice Partnership forum and in relation to individual cases on an ad-hoc basis.

The service will continue to consult on the reform programme and seek to introduce further refinements to the process on an ongoing basis.

6. Potential equality Impact

Based on any evidence and findings, use the table below to identify if any individuals or community groups are likely to be affected by the proposal because of their protected characteristic(s). Describe what the impact is likely to be, how significant that impact is for individual or group well-being, and what mitigating actions can be taken to reduce or remove negative impacts?

This section also asks you to consider whether any particular vulnerable groups are likely to be affected by the proposal. List the relevant vulnerable groups that may be affected, along with likely impact, and mitigating actions to reduce or remove those negative impacts. These groups need not have protected characteristics.

Protected characteristics	Impact of proposal: Describe the likely impact of the proposal on people because of their protected characteristic. Will their needs continue to be met? What issues will affect their take up of services/other opportunities that meet their needs?	Risk of negative impact: How likely is it that people with this protected characteristic will be negatively affected? How great will that impact be on their well-being? What will determine who will be negatively affected?	Mitigating actions: For negative impacts, what mitigating actions can be taken to reduce or remove this impact? These should be included in the action plan at the end of this EIA.
Age	Mixed model of appointments and online/phone discretionary applications should cater for all ages – only potential negative impact for older customers who may struggle to apply online and already statistically underrepresented.	Promotion of additional personal support available and other sources of support available (advice agencies) should ensure that people are aware of availability of support grant and their applicability to their personal circumstances.	Ensuring that telephony support continues to be available to support the primary online receipt route.
Disability	Changes to policy include disregard of DLA/PIP payments and additional allowances to disability needs and welfare reform impacts. Telephone support and online access are anticipated to help overcome access barriers.	The assessment will be based on personal circumstances.	N/A
Gender Reassignment	No impact identified from existing data/national trends.		N/A

Marriage and Civil Partnership	No impact identified from existing data/national trends.		N/A
Pregnancy and Maternity	No impact identified from existing data/national trends.	No impact identified from existing data/national trends.	
Race	Evidential requirements now relaxed, online form and process more easily understandable and improved engagement with community support groups will expand awareness among the city's different BME communities.	Risk of indirect discrimination, potentially as a result of language difficulties and/or community awareness of the schemes involved.	Increased engagement with community groups who offer direct translation. Simplified form, reviewed evidential requirements and understandable step-by-step electronic format also of assistance for those with poor literacy and numeracy.
Religion or Belief	No impact identified from existing data/national trends.		N/A
Sex	National research indicates the financial vulnerability of women in relation to economic and welfare trends.	The improved approach will promote both men and women in terms of awareness and accessing the scheme.	N/A
Sexual Orientation	No impact identified from existing data/national trends.		N/A

Vulnerable groups	Impact of proposal: Describe the likely impact of the proposal on children in poverty or any other people who we consider to be vulnerable. List any vulnerable groups likely to be affected. Will their needs continue to be met? What issues will affect their take up of services/other opportunities that meet their	Risk of negative impact: How likely is it that this group of people will be negatively affected? How great will that impact be on their well-being? What will determine who will be negatively affected?	Mitigating actions: For negative impacts, what mitigating actions can be taken to reduce or remove this impact for this vulnerable group of people? These should be included in the action plan at the end of this EIA.
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	needs/address inequalities they face?		
Children in poverty	Face complex needs and dependant on adult income – also disproportionately affected by welfare reform changes. Additional allowances available in relation to THINK family engagement, care/care leavers, fostering, overcrowding and poor living environments.	New government welfare reforms will continue to reduce available benefits to support families, placing additional pressure on them to bridge any gaps.	Improved engagement with advice organisations.
Other vulnerable groups -	Include history of homelessness, domestic and sexual abuse, safeguarding issues, alcohol/substance abuse and other financially vulnerable groups.	New government 'savings' will continue to adversely affect the level of funding provided for services to meet the needs of these groups, placing additional pressures on their day to day living requirements.	Additional allowances available from other sources, improved stakeholder engagement and online/telephony service.

7. Monitoring Impact

You will need to ensure that monitoring systems are established to check for impact on the protected characteristics and human rights after the decision has been implemented. Describe the systems which are set up to:

- monitor impact (positive and negative, intended and unintended) for different groups

- monitor barriers for different groups
- enable open feedback and suggestions from different communities
- ensure that the EIA action plan (below) is delivered.

Significant improvements have been made to the monitoring data collated around discretionary awards. This will be improved by the online e-form whereby data is automatically uploaded onto a central database. This will ensure we are able to monitor both positive and negative impacts in greater detail and with a much higher degree of certainty regarding the inferences drawn.

Improvements have also been made in relation to spend monitoring and outstanding claim data, which will be reviewed by Senior Management on a weekly basis. The support grant scheme has been designed to be flexible so that amendments can be made with the weighting of awards following feedback and due regard to budgetary constraints.

The service will continue to monitor performance indicators, protected characteristics and demographic elements as part of an ongoing system of renewal and improvement.

8. EIA action plan

Please list all the equality objectives, actions and targets that result from this Assessment (continue on separate sheets as necessary). These now need to be included in the relevant service plan for mainstreaming and performance management purposes.

Equality Outcome	Action	Officer Responsible	Completion date
Establish and augment monitoring data and corresponding analytical framework	To gather & monitor improved equalities data, adjusting the policy and promotion of the scheme to enable fair and consistent distribution of funds, as necessary and	James Hudson	31/3/18

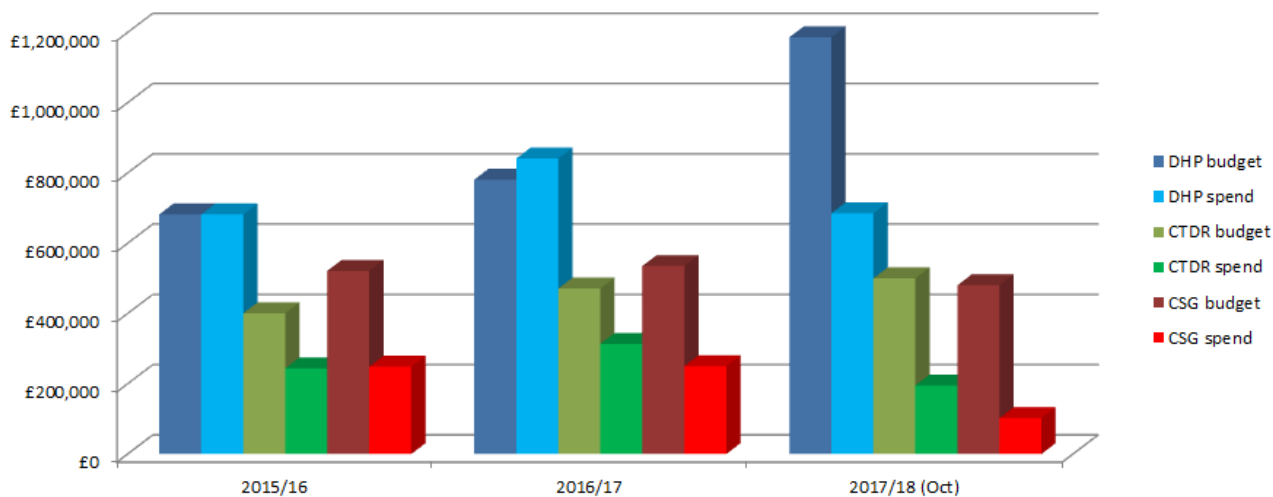
	appropriate.		
Improved Communication Strategy with advice organisations stakeholders	To continue to develop core interaction with identified stakeholders, e.g. advice organisations and collective action/needs strategy.	Nilkesh Patel	31/3/18
Improved delivery mechanisms from first contact to assessment, all users benefitting from an accessible and easy to understand service	Fit for purpose systems developed to meet the needs of all customers, and making allowances to reflect need and vulnerability as appropriate.	James Rattenberry	31/3/18
Long-term sustainability – short- medium- and long-range planning and strategy reviews	To develop, monitor and update strategies and range plans in line with findings – annual reporting and at regular intervals where appropriate.	James Rattenberry	31/3/18



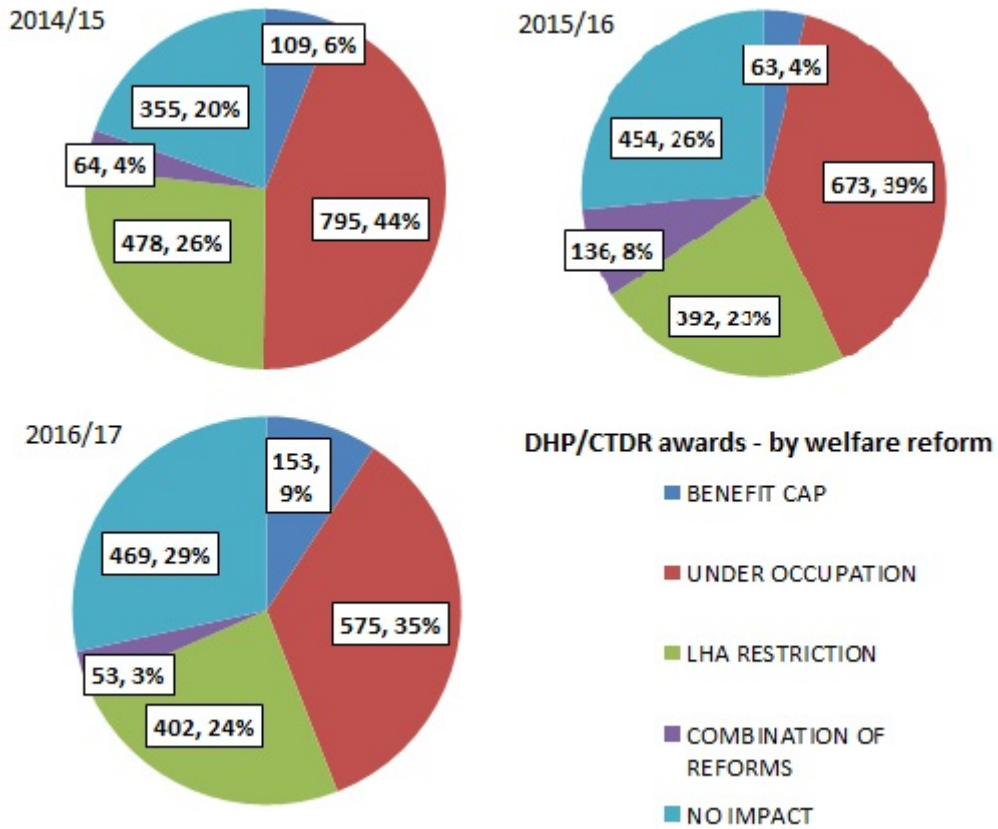
Appendix 2b:
Discretionary Policy & Welfare Reform
Statistical Analysis

Discretionary Expenditure 2015/16 to date

Financial year	Discretionary Housing Payments		Council Tax Discretionary Relief		Community Support Grants	
	DHP budget	DHP spend	CTDR budget	CTDR spend	CSG budget	CSG spend
2015/16	£681,863	£681,828	£400,545	£243,516	£521,171	£248,316
2016/17	£780,900	£840,895	£470,696	£313,240	£535,000	£250,103
2017/18 (Oct)	£1,186,024	£685,457	£500,000	£194,946	£480,000	£102,000



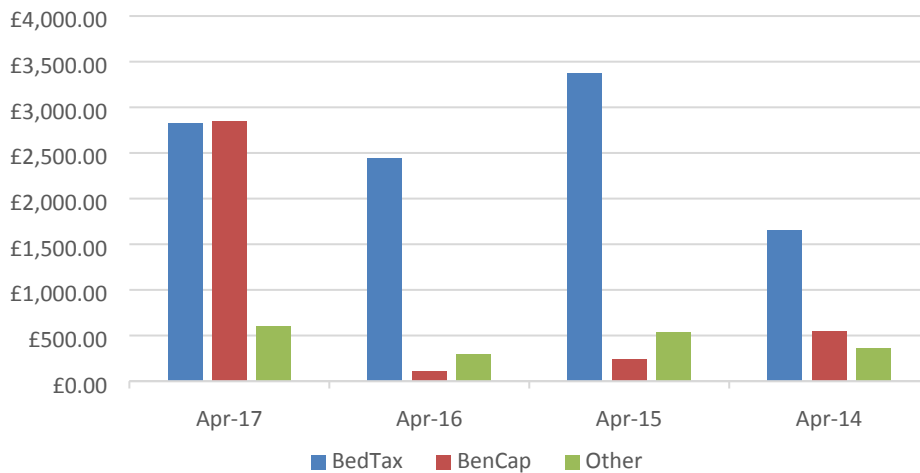
Financial year	DHP national budget	(Projected) LCC DHP budget
2015/16	£125m	£681,863
2016/17	£150m	£780,900
2016/18	£185m	£1,186,024
2018/19	£170m	(£1,089,860)
2019/20	£155m	(£993,696)
2020/21	£140m	(£897,532)



LA DHP expenditure by welfare reform

	LA DHP wkly	Underocc	BenCap	Other
Apr-17	£6,279.32	£2,828.51	£2,848.28	£602.53
Apr-16	£2,840.56	£2,443.66	£105.46	£291.44
Apr-15	£4,153.99	£3,376.24	£242.85	£534.90
Apr-14	£2,548.00	£1,648.02	£542.97	£357.01

Weekly LA DHP spend by welfare reform



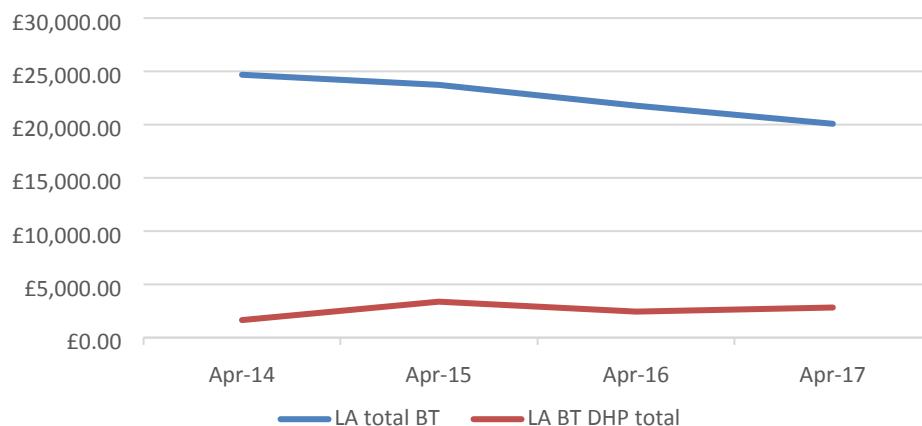
- Weekly DHP expenditure on LA cases has more than doubled between 2016 and 2017, from £2.8k to £6.2k per week.
- DHP expenditure on LA bedroom tax cases peaked in 2015, but again increased by 16% from 2016 to 2017.
- The lowered benefit cap has had a significant effect and now accounts for more spend for LA claims than the bedroom tax.
- Spend for claimants not affected by welfare reforms has also doubled.

LA Under-occupancy DHP expenditure

	LA total BT	LA BT DHP total	% DHP support
Apr-17	£20,077.33	£2,828.51	14.09%
Apr-16	£21,778.73	£2,443.66	11.22%
Apr-15	£23,731.04	£3,376.24	14.23%
Apr-14	£24,680.91	£1,648.02	6.68%

	LA BT cases	LA BT DHPs
Apr-17	1458	171
Apr-16	1585	166
Apr-15	1771	245
Apr-14	1850	119

Weekly LA underoccupancy reduction in HB versus DHP support



The number of properties and HB losses from under-occupancy have decreased steadily 2014 to date. However, DHP volumes and expenditure in this area have increased, are now level with the previous peak of 14% of under-occupancy rent shortfalls.

Bedroom tax households have previously typically been supported for a 52 week period, although of 172 live LA DHP under-occupancy claims:

- 49 have been supported for one to two years; (26.9%);
- 28 have been supported for two to three years (16.4%);
- 8 have been supported for over three years (4.6%).

We estimate that those we are legally required to support for a long-term or indefinite period, for example due to disability/property adaptation, to be between 5 and 10%.

LA underoccupancy cases – demographic analysis

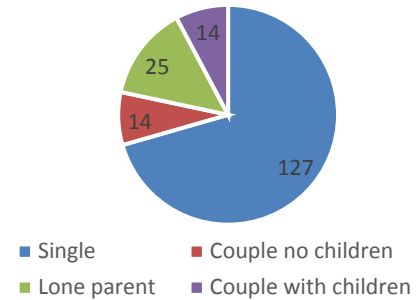
Household makeup	Number	% of caseload
Single	127	74.27%
Couple no children	14	8.19%
Lone parent	25	14.62%
Couple with children	14	8.19%

29 of the households listed as single also have at least one other non-dependent adult resident.

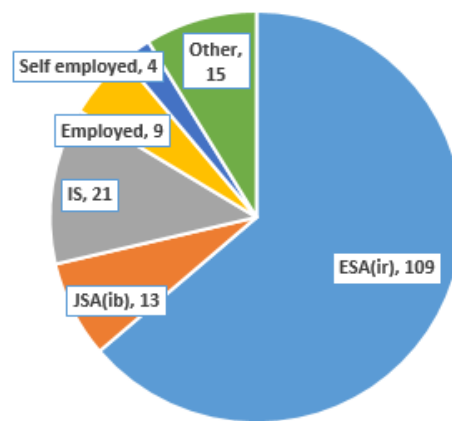
Gender	Number	% of caseload
Male	58	33.92%
Female	113	66.08%

Primary income	Number	% of caseload
ESA(ir)	109	63.74%
JSA(ib)	13	7.60%
IS	21	12.28%
Other	28	16.37%

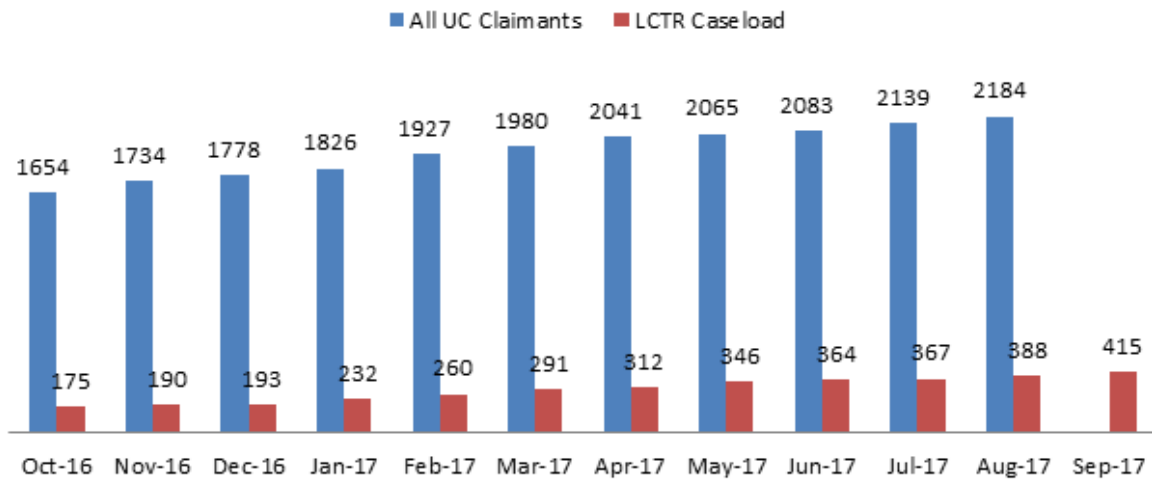
LA DHP claimants by household type



LA DHP claimants by primary income



Universal Credit Caseload in Leicester



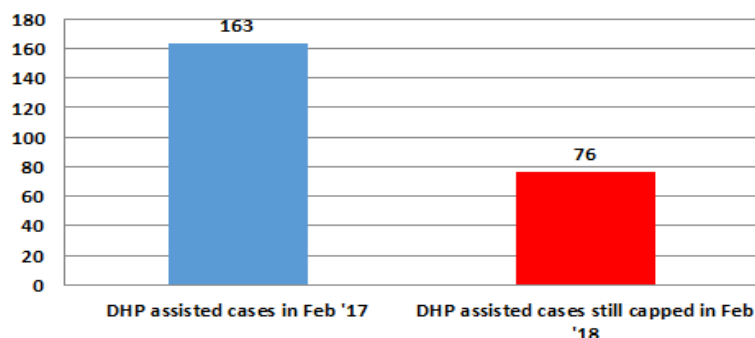
ADDENDUM – UPDATED RESEARCH INTO BENEFIT CAP HOUSEHOLDS ASSISTED BY DISCRETIONARY HOUSING PAYMENTS 2017/18

The new lowered Benefit Cap was fully implemented in Leicester by 1 February 2017. On this date, 530 households were identified as having a reduced Housing Benefit entitlement due to the Benefit Cap.

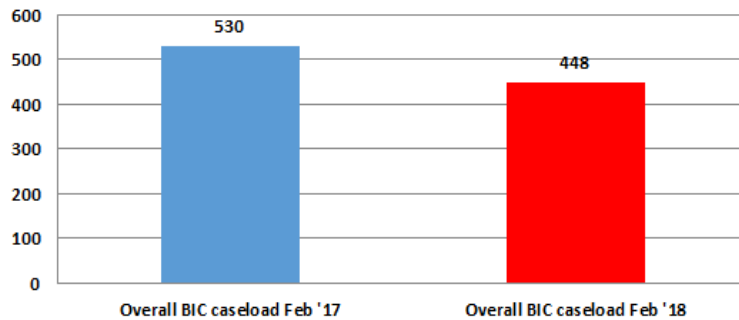
On the same date, 163 vulnerable households affected by the Benefit Cap were either already receiving a time-limited Discretionary Housing Payment award due to be extended in the new financial year, or had made a new application for Discretionary Housing Payments which was granted in the subsequent month. These cases have been tracked until 1 February 2018, during which time additional support has been offered on a tapered basis and customers have been prompted to attend specialist support through Citizens Advice LeicesterShire or another registered social welfare advice provider to address their underlying issues.

12 months after the cap was applied and support offered, more than half (87, 54%) of DHP-assisted cases are no longer affected by the Benefit Cap. By way of comparison, the total number of capped households has decreased by only 15% (from 530 to 448 households respectively).

DHP assisted Benefit Cap cases 17/18



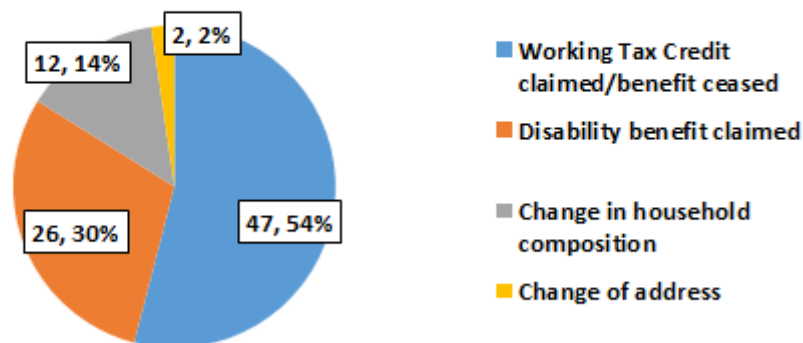
All Benefit Cap cases 17/18



Of those cases assisted with DHP payments during 2017/18 affected by the Benefit Cap whose cap levels were subsequently lifted – more than half (54%) had moved into paid employment of at least 16 hours per week, resulting in either a continuing Housing Benefit claim without the benefit cap, or income exceeding benefit thresholds and no longer requiring benefit assistance as a result.

The next most significant reason for the Benefit Cap being removed was a member of the household applying for and being granted a disability-related benefit leading to an exemption (30%), which may also in part be attributable to the guidance offered by registered social welfare advice providers.

DHP assisted Benefit Cap cases - reason for cap removal



Neighbourhood Service and Community Involvement Scrutiny Commission

Work Programme 2017-18

Meeting date	Meeting items	Actions Arising	Progress
12th July 2017	<ol style="list-style-type: none"> 1. Portfolio Overview 2. Leicester City Council Service Plan for Food Law Regulation 2017/2018 3. Spending reviews 4. Work programme 		
6th September 2017	<ol style="list-style-type: none"> 1. TNS East & Central 2. Social Welfare Advice consultation 3. Response to written questions presented to July meeting 4. Spending reviews 5. Work programme 		
25th October 2017	<ol style="list-style-type: none"> 1. Channel Shift Update 2. Community language service 3. Work programme 		
7th December 2017	<ol style="list-style-type: none"> 1. Social Welfare re-procurement 2. Safer Leicester Partnership 3. Domestic violence campaign 4. Govt. review of FOBT stake limits 5. Work programme 		
24th January 2018	<ol style="list-style-type: none"> 1. Language and IT skills support 2. Council budget 3. Work programme 		
13th March 2018	<ol style="list-style-type: none"> 1. Special meeting to consider call-in on Neighbourhood Services Grant Funding 		
28nd March 2018	<ol style="list-style-type: none"> 1. Community Involvement 2. Update on spending reviews 3. Work programme 		

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Appendix C

19th March 2018

Neighbourhood Service and Community Involvement Scrutiny Commission

Work Programme 2017-18

FORWARD PLAN / SUGGESTED ITEMS		
Topic	Detail	Proposed Date
Apps and digital offer	Love Leicester app and digital inclusion	
CAB		
Children Services (TNS)	Children services (TNS and using buildings better)	
City Warden Service	Communication of role to public/powers. Proposal from July 2017 meeting	
Cleansing Services review		
Communications Strategy		
Cold calling and doorstep loans	Proposal from July 2017 meeting	
Community Asset Transfer		
Community Safety	Public Spaces Protection Order (New Psychoactive Substances & Street Drinking): broad review	
Council tax reduction:	Public consultation with interested parties (eg SWAP) Re DHP discretionary housing payment) and CSG (crisis support grant)	To be scheduled in context of policy review
Emergency food: City's Food Banks	Overview and forthcoming developments Update report on volunteering numbers on food banks Voluntary action LeicesterShire	
Enforcement	Residents parking	
Fly tipping	Data from each ward City Wardens service	
Food Action Plan	Emergency food survey	
Gambling Impact Task Group report		
Knife crime		To be confirmed
Libraries	Which community groups use this space?	
Safer Leicester Partnership	Sector reports and updates	
Neighbourhood Policing and Community Safety	Government's modern crime prevention strategy	

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19th March 2018

Neighbourhood Service and Community Involvement Scrutiny Commission

Work Programme 2017-18

Payday Lenders		
Private Landlords.		
Regulatory Service review		
Social Welfare Advice Partnership	Report on advice provision and Council's response SWAP representative to be invited Single male claimants seeking help and crisis support	
Standards review		
Taxi Drivers	Child Safety/ screening process/ air quality	
Taxi Penalty System	12 month review – recommendation from NSCI August 2015	
The Furniture Bank Pilot Scheme: Evaluation & Future Options	Evaluation of pilot scheme and future options	
Trading Standards	Legal highs	
Using Buildings Better	Overview of the programme	
Voluntary and Community Sector	Voluntary Action Leicestershire	
Ward Community meetings		
Waste Management	Biffa contract 2028 Recycling figures and orange bags. Flats and terraced houses. Jan / March.	
Welfare reform	Briefing Impact and roll-out.	
Community Language Service	Briefing (requested at meeting on 12 th July 2017)	
halal desk top study	Briefing (requested at meeting on 12 th July 2017)	
Cold calling and doorstep loans	Request from members	Scoping document to be prepared?
KEY DECISIONS		
Community capacity spending review.	Published 24 th April 2017	Previously consulted on 25 th Jan 2017

