

## INITIAL SCREENING – STAGE 1 (See Guidance information)

As a public authority we need to ensure that our strategies, policies, functions and services, current and proposed have given due regard to equality and diversity.

Please complete the following questions to determine whether a Full Equality Assessment is required.

|                                                                                          |                   |
|------------------------------------------------------------------------------------------|-------------------|
| <b>Name of policy, strategy or function:</b> Discretionary Housing Payments (DHP) Policy | <b>Ref:</b> cbDHP |
|------------------------------------------------------------------------------------------|-------------------|

|                                               |                                             |
|-----------------------------------------------|---------------------------------------------|
| <b>Responsible Officer:</b> Clive Biddlestone | <b>Role:</b> Equality Assessment Task Group |
| <b>Directorate:</b> Corporate Resources       | <b>Assessment Date:</b> 6 March 2013        |

|                   |                                          |                                               |                                      |                                  |
|-------------------|------------------------------------------|-----------------------------------------------|--------------------------------------|----------------------------------|
| <b>Is this a:</b> | <u><b>Policy X</b></u>                   | Strategy <input type="checkbox"/>             | Function <input type="checkbox"/>    | Service <input type="checkbox"/> |
| <b>Is this:</b>   | New or Proposed <input type="checkbox"/> | <b>Already exists and is being reviewed X</b> | Is Changing <input type="checkbox"/> |                                  |

### 1. What are the main aims, objectives of the policy, strategy, function or service and the intended outcomes and who is likely to benefit from it

**Aims:** The DHP policy is to be amended to consider the impact of Central Government reform on Housing Benefit awards in Birmingham. The policy aims to reflect the recently issued Department of Works and Pensions draft DHP guide.

**Objectives:** The Discretionary Housing Payment scheme provides Councils with ring-fenced annual funding to administer to vulnerable residents in receipt of housing benefit. Councils can spend up to two and a half times the Government contribution on Discretionary Housing Payments but any payments above the Government contribution must be funded by the Council. Birmingham has traditionally sought to restrict payments to the Government contribution.

For 2013/14 Birmingham has received a grant of £3.77m

The demand for DHP awards is expected to significantly outstrip the overall funding. If overall spending on DHP awards is to be kept to Government funding levels, there is a need to agree a policy that identifies priority groups and an appropriate process for making awards.

- Most applications will be subject to an income and expenditure assessment (including looking at levels of savings) as part of the assessment of entitlement to an award and the value and length of any award.
- In line with the Government's rationale for increasing Discretionary Housing Payments funding (as detailed in circular HB/CTB A4/2012), priority will be given to disabled people living in properties with significant adaptations as well as foster carers affected

by the social sector size criteria.

- Kinship Care arrangements supported financially by the Council will be treated in line with foster carers. Kinship Care arrangements made privately are not affected by the under-occupancy rules;
- Other applications will be considered on a case by case basis for exceptional circumstances where a DHP award is appropriate. This will include for example applications involving single people who need an extra room to support child access arrangements; older people approaching pension age where work is not a realistic option; and families expecting a first child where housing allocation has been made in this basis. Also people who are experiencing severe financial difficulties and those affected by Local Housing Allowance changes.

## **2. Explain how the main aims of the policy, strategy, function or service will demonstrate due regard to the aims of the General Duty?**

- |                                                            |     |
|------------------------------------------------------------|-----|
| 1. Eliminate discrimination, harassment and victimisation? | Yes |
| 2. Advance equality of opportunity?                        | Yes |
| 3. Foster good relations?                                  | Yes |
| 4. Promote positive attitudes towards disabled people?     | Yes |
| 5. Encourage participation of disabled people?             | Yes |
| 6. Consider more favourable treatment of disabled people?  | Yes |

The Government has stated that the national £30m additional funding relating to Social Sector Size Criteria is aimed at supporting households with disabilities living in properties adapted for disability and foster caring families, as foster children are not taken into account when assessing the number of bedrooms needed for benefit purposes.

Current analysis indicates that in Birmingham 16 households of foster carers and 33 households with adapted properties will be affected.

Under the current Discretionary Housing Payments Policy awards are made to applicants irrespective of age, disability, gender re-assignment, race, religion or belief, sex and sexual orientation, marital status or whether the claimant is pregnant. The defining factor for an award is an inability to meet the cost of the rent or the cost to move to more appropriate accommodation i.e. inadequate income. All applicants have to be in receipt of some Housing Benefit. This is a legal requirement and will continue to be applied.

In line with the Government's rationale for increasing Discretionary Housing Payments funding as detailed in circular HB/CTB A4/2012, priority will be given to foster carers and/or disabled people living in properties with significant adaptations.

Members of the Birmingham Social Housing Partnership will be informed about the DHP Policy. This group is made up of stakeholders including the registered social landlords within the Birmingham area who will assist tenants with signposting to and the making of applications for DHP.

## **3. What does your current data tell you about who your policy, strategy, function or service may affect:**

|               |     |
|---------------|-----|
| Service users | Yes |
|---------------|-----|

Employees No  
Wider community no  
**Please provide an explanation for your 'Yes' or 'No' answer**

There are no adverse differential impacts noted for different equality characteristics. However, within equality characteristics certain groups may be adversely affected:

- Housing Benefit cap will affect larger families as larger families tend to have more benefit income.
- Penalties for under-occupation will affect disabled people living in significantly adapted accommodation – including any adaptations made for disabled children; and foster carers, whose housing benefit is reduced because of a bedroom being used by, or kept free for, foster children.

Current analysis indicates that 15,251 social sector households within the Birmingham area will be affected by the size criteria. This equates to 9,586 Local Authority tenants with a loss of £131,040.11 Housing Benefit per week and 5,665 Registered Social Housing with a loss of £94,146.78 Housing Benefit per week. A total annual loss of £11.7m

It is not the Governments intention to substitute the savings targeted as a result of welfare reform with the payment of Discretionary Housing Payments.

**4. Are there any aspects of the policy, strategy, function or service, including how it is delivered, or accessed, that could contribute to inequality?** (including direct or indirect discrimination to service users or employees)

**No**  
**Please provide an explanation for your 'Yes' or 'No' answer**

Under the current Discretionary Housing Payments Policy awards are made to applicants irrespective of age, caring, disability, gender re-assignment, race, religion or belief, sex and sexual orientation. The defining factor for an award is an inability to meet the cost of the rent or the cost to move to more appropriate accommodation i.e. inadequate income. All applicants have to be in receipt of some Housing Benefit. This is a legal requirement and will continue to be applied.

The updated Discretionary Housing Payments Policy is a response to Housing Benefit reforms which introduce; a Housing Benefit cap and penalties for under-occupation in the social rented sector.

The responsibility for the changes in legislation lies with Central Government. The Government has produced EIAs to support the introduction of these changes.

There are no adverse differential impacts noted for different equality characteristics within this policy. However, within equality characteristics certain groups may be adversely affected by the Government legislation changes:

- Housing Benefit cap will affect larger families as larger families tend to have more benefit income.

- Penalties for under-occupation will affect disabled people living in significantly adapted accommodation – including any adaptations made for disabled children; and foster carers, whose housing benefit is reduced because of a bedroom being used by, or kept free for, foster children.

The Discretionary Housing Payments Policy recognises and addresses the needs of these particular groups. It will target support within these areas and will continue to monitor the impact on them.

## 5. Will the policy, strategy, function or service, have an adverse (negative) impact upon the lives of people, including employees and service users?

**No**

**Please provide an explanation for your 'Yes' or 'No' answer**

There are no adverse differential impacts resulting from the DHP policy, noted for different equality characteristics.

The impact of the Government's HB reforms for social sector tenants and large families will mean that many tenants will struggle to pay their rent. The additional funding from the Government recognises that some people will need help following the changes but the level of funding is unlikely to be sufficient to support the groups identified as needing help.

The Discretionary Housing Payments Policy directs the Council on how to use these funds effectively in order to meet these needs with due regard to the impact on equality, diversity, cohesion and integration.

## 6. Is an Equality Assessment required?

If your answer to question 2 has identified potential adverse impact and you have answered '**yes**' to any of the following questions 3, 4, or 5, then you should carry out a Full Equality Assessment.

Does the Policy, Strategy, Function or Service require a Full Equality Assessment? **No**

If a Full Equality Assessment is required, before proceeding you should discuss the scope of the assessment with service managers in your service area as well as the Directorate Contact Officer.

If a Full Equality Assessment is **Not** required, please sign the declaration and complete the Summary statement below, then forward a copy of the Initial Screening to your Directorate Contact Officer

If a Full Equality Assessment **Is** required, you will need to sign the declaration and complete the Summary statement below, detailing why the Policy, Strategy, Function or Service is moving to a Full Equality Assessment. Then continue with your Assessment

## **DECLARATION**

**A Full Equality Assessment not required, the Initial Screening has demonstrated that the Policy, Strategy, Function or Service is robust; there is no potential for discrimination or adverse impact. All opportunities to promote equality have been taken.**

Chairperson: Clive Biddlestone

Summary statement:

Sign-off Date: 06/03/13

Having considered the impacts in respect of the duty under section 149 of the Equality Act 2010 it is not considered that any of the protected characteristic groupings will be adversely impacted by the DHP policy and therefore a full EA is not required.

However, the approach taken will help those with severe financial difficulties which may include people from all protected equality characteristics.

**Quality check: The screening document has been checked using the agreed audit arrangements in the Directorate:**

Name: (Officer/Group carrying out the Quality Check)

Date undertaken:

Screening review statement:

Directorate:

Contact number:

## **Equality Assessment Task Group Members**

|    | <u>Name</u>       | <u>Role on Task Group</u>        | <u>Contact Number</u> |
|----|-------------------|----------------------------------|-----------------------|
| 1. | Clive Biddlestone | Chairperson/ Debt Advice Manager | 0121 464 1483         |
| 2. | Lee Browning      | Benefits Sector Manager          | 0121 464 1425         |
| 3. | Julie Shanahan    | Service Specialist               | 0121 303 3583         |
| 4. | Martin O'Neill    | Head of Benefits                 | 0121 464 1450         |

