

Practice Note:

Discretionary Housing Payments & Care Experienced People

Introduction

This practice note is intended for practitioners who support Care Experienced people in their own tenancies, who may need to access additional support with their housing costs through Discretionary Housing Payments. While Discretionary Housing Payments (DHP) are open to anyone who receives a qualifying benefit, it is widely recognised that Care Experienced People often face multiple challenges and barriers to safe and secure housing and so may benefit from this additional payment.¹

Who Cares? Scotland supports Care Experienced people of all ages through advocacy, participation and influencing. We are currently working alongside the Scottish Government to ensure that more people with experience of care are successfully awarded DHPs.

This practice note is built upon evidence gathered by Who Cares? Scotland which suggests that few Care Experienced people know about DHPs and the procedures involved with accessing this benefit. Evidence suggests that some practitioners supporting Care Experienced people also have limited knowledge of the criteria and application processes. Differences in delivery of DHP across local authorities has caused confusion about the administration of the payment meaning that fewer people applied or were successful in their application. It is hoped that this practice note will raise awareness and clarify qualifying criteria, making applications more accessible and increase the number of DHPs awarded to Care Experienced people.

What is Care Experience?

The term "Care Experience" refers to anyone who has been, or is currently, in care. This care may have been provided in many different settings, such as:

Kinship Care - living with a relative who is not mum or dad, or with a close family friend
Looked After At Home - with the help of Social Work
Residential Care - living in a residential home or school
Foster Care - living with foster carers
Secure Care - living in secure accommodation
Adoption - living with adoptive parents

'The Promise', published at the end of the Care Review in February 2020, explains the importance of this more holistic understanding of 'Care Experience' as distinct from 'looked after' or 'care leaver'. These terms, it was found, not only stigmatise but also have a limiting factor on access to rights and entitlements.²

¹ <https://www.whocaresscotland.org/wp-content/uploads/2019/08/Somewhere-to-Call-Home-Megan-Sutherland-August-2019.pdf>

² https://www.carereview.scot/wp-content/uploads/2020/03/The-Promise_v7.pdf, p119

The Promise states that current definitions must be “inclusive enough to benefit all young people for whom Scotland has had parenting responsibility.”³ In line with this, we encourage practitioners to prioritise support for DHP applications for Care Experienced people regardless of age or care experience.

Care Experienced people are disproportionately disadvantaged when living alone. The average age for leaving care is 17 years old, compared with the national average of 25.⁴ Many Care Experienced young people find themselves struggling to manage a tenancy and meet their rent costs.⁵ Many experience homelessness or move back with family temporarily, after years in care of the state.⁶ They are often isolated and without the requisite support networks or life skills to manage a tenancy. As a Care Experienced member of WC?S explains:

“It’s just the kind of things other people, like generally speaking, are taught by their parents sort of as they go along, throughout their childhood.”⁷

The lack of support both emotionally and practically prevent Care Experienced people from thriving in their own home. As another Care Experienced member explains:

“People say the first night on your own is like the worst. Going from like that transition from being around so many people to being on your own can be quite traumatic.”⁸

Many struggle and fall into financial hardship:

“The financial aspect is also a barrier, if like me, you had a full-time job you don’t get any support to pay rent and bills. ...I struggled with money for a long time and ended up in debt as a result. We need financial help with rent, utilities etc. whilst we get on our feet, regardless of whether we are working or not.”⁹

One member of Who Cares? Scotland who spoke to us about her experiences of DHP, told us how essential they had been. With the additional support towards rent through DHP, she was able to maintain her studies at university.

The Scottish Government has acknowledged the additional challenges faced by Care Experienced people, especially with regards to safe and secure housing options. They have pledged to:

*work with local government to make sure that care-experienced young people receiving a qualifying benefit are supported with Discretionary Housing Payments from April next year, giving them greater choice in the housing options they have and more security in their tenancies*¹⁰

³ https://www.carereview.scot/wp-content/uploads/2020/03/The-Promise_v7.pdf, p10

⁴ <https://www.gov.scot/publications/staying-put-scotland-providing-care-leavers-connectness-belonging/pages/4/>, p10

⁵ https://www.celcis.org/files/7215/5835/3996/Beyond_The_Headlines_Homelessness_May_2019.pdf, p6

⁶ Ibid. p2

⁷ <https://www.corporateparenting.org.uk/learning-hub/guidance-materials/young-radicals-homelessness-report/>, p.3

⁸ Ibid, p4

⁹ <https://www.whocaresscotland.org/wp-content/uploads/2019/08/Somewhere-to-Call-Home-Megan-Sutherland-August-2019.pdf>, p13

¹⁰ <https://www.gov.scot/publications/protecting-scotlands-future-governments-programme-scotland-2019-20/pages/7/>

What are Discretionary Housing Payments?

DHPs are a UK-wide benefit devolved to Scotland in April 2017. The payments are funded primarily by the Scottish Government and administered through local authorities. It is a temporary payment awarded to people who are in receipt of Housing Benefit or Universal Credit with a housing element, but where these do not meet the full cost of rent. It can be used for, though not limited to:

- Providing support for those struggling to meet rent costs
- Preventing an individual becoming homeless while the Housing Association explores alternative housing
- Making up the difference caused by a benefit cap or spare room subsidy
- One-off costs like a rent deposit, rent in advance, or removal costs

What DHPs are not used for:

- If Housing Benefit or Universal Credit already covers the full cost of rent
- To cover an increase in rent due to arrears
- To cover an increase in rent because an overpayment is being recovered from Housing Benefit
- To cover a gap/shortfall due to Universal Credit sanctions
- To cover a Council Tax bill

Frequently Asked Questions:

How do people apply for a DHP?

Each local authority has its own application process. Most have an online form or a downloadable form on their website. The process often requires payslips, proof of benefits, and sometimes bank statements. Who Cares? Scotland's experience supporting people to apply has shown that strong supporting letters detailing the circumstances and challenges faced by the individual can be helpful.

Can people apply for a DHP if they already receive the Further and Higher Education Care Experienced Bursary?

Yes. Individuals can apply for a DHP even if they receive the Care Experienced Bursary. They must be already receiving Housing Benefit or Universal Credit which contributes to rent as well as being able to demonstrate the need for additional help with housing costs.

Are DHPs for long term or short-term support?

DHPs can be awarded for several months as well as for one-off payments.

NB: The payment does not roll-over to the new financial year so a new application must be sent before the end of the financial year.

One Care Experienced member of Who Cares? Scotland told us that in her local authority she had to reapply every 12 weeks for her DHP. This is not replicated with consistency across other local authorities. She noted that there was a lot of planning and working out of timeframes to ensure that she received the new instalment in time. As she explains, "I'm well informed but other people aren't. I know where to get answers and to apply. Not everyone is like that."

Can you reapply for a DHP in the same financial year?

Yes. There is nothing in the legislation that says that individuals cannot apply more than once during a financial year. However, they will likely have to present a strong case for it. A supporting letter may be useful here.

Can people appeal if their application is rejected?

Yes. Although there is no independent tribunal/appeal process for DHP decisions, all Local Authorities have an internal review policy to reconsider their decision. When requesting a review, individuals must write back to the local authority within 1 month of receiving the initial decision. A strong supporting letter will again be very useful here.

Can DHPs be used for rent arrears?

Yes. It can be used if the individual has been struggling to pay rent and is in arrears. However, it cannot be used if there has been an increase in rent to make up rent arrears or because an overpayment is being recovered from Housing Benefit. It also cannot be used to cover Council Tax bills, or for a shortfall due to Universal Credit Sanctions.

What support can I offer a Care Experienced person to apply?


Housing Officers and Social Workers are in good positions to support Care Experienced people to apply. Often it is the lack of awareness of the payment which prevents people from applying as well as the application process, which is intimidating, so a good understanding of the payments and eligibility criteria will help.

Summary

Discretionary Housing Payments are a vital benefit which many people are not aware they are eligible for. The Scottish Government has recognised the significance of the challenges facing Care Experienced people in their own tenancies and has pledged to work alongside local authorities to bring more security and stability to the lives of people with Care Experience. It is the hope that this briefing will support practitioners to advertise this benefit to qualifying Care Experienced people and in turn, make more successful applications.

If you would like to speak to someone about the content of this practice note, please get in touch with the Who Cares? Scotland Helpline.

HELPLINE FOR
CARE EXPERIENCED
PEOPLE



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