

Shelter Scotland Briefing: Social Security (Scotland) Bill Stage 1 Debate

Tuesday 19th December 2017

Shelter Scotland helps over half a million people every year struggling with bad housing and homelessness through our advice, support and legal services. And we campaign to make sure that, one day, no one will have to turn to us for help.

- Shelter Scotland welcomes the introduction of the Social Security (Scotland) Bill; particularly the principles of dignity and respect and positioning social security as an investment in the people of Scotland.
- We have concerns that **the bill does not put Discretionary Housing Payments (DHPs) on statutory footing**. By putting a requirement for local authorities to have a DHP scheme into the primary legislation of this bill, we reinforce this as a requirement. DHPs are vital to provide protection for households struggling with housing costs, and at risk of homelessness.

DHPs are vital to preventing homelessness

We know that many households in Scotland have difficulty meeting their housing costs for a number of reasons, and need assistance to avoid risking unnecessary eviction. The most common problem Shelter Scotland clients came to us with last year, was “struggling to pay or afford housing costs”. DHPs are essential in ensuring households can keep their homes.

DHPs are used by local authorities to supplement housing benefit payments to households in exceptional circumstances; typically, where housing benefit falls short of actual housing costs by a significant amount. This top-up can allow households facing a major shortfall to adjust to new circumstances or to head off hardship and prevent homelessness.

The availability of a fund to deal with exceptional circumstances is a crucial part of the social security system. Last year, around 107,000 DHP applications were received by local authorities and over £51 million was awarded.

DHPs have also been used by the Scottish Government to mitigate the impact of certain welfare cuts, such as the removal of the spare room subsidy (Bedroom Tax), on households in Scotland. The largest portion of DHP funds has been used in recent years to mitigate the “bedroom tax”. Although the intention in the future is to end the bedroom tax in Scotland at source.

Discretionary Housing Payments in the Social Security (Scotland) Bill (section 49)

The Bill at present contains a *power* for councils to maintain a DHP scheme. We see no reason that this power should not become a duty, or requirement, on Local Authorities to maintain a DHP fund.

This would not become a duty to provide DHP payments, and we see the scheme operating in the same way it currently does whereby the local authority receives applications for assistance and uses its discretion to decide which qualifying individuals are awarded.

Shelter Scotland would like to see an amendment to the bill at stage two to create a duty on local authorities to provide DHPs. A relatively simple amendment would ensure that the power to provide for DHPs would be changed to a twin duty: first of all, to maintain a system for discretionary payments and, secondly, to have a fund for that purpose.

As at present, the fund would be supported by Scottish Government payments and, if appropriate, by local authorities' own money. The exact amounts would be determined by annual budget processes.

We note and welcome the Scottish Government's response to the Social Security Committee's report on the Bill at Stage 1, in which the Scottish Government "acknowledges that concerns have been raised in regards to the Bill not containing a duty which compels a Local Authority (LA) to operate a Discretionary Housing Payments (DHP) scheme" and therefore "will reflect carefully on the evidence submitted to the Committee" in this regard.

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