Appendix 2d

Leeds CITY COUNCIL

Report Author: Steve Carey
Tel: (0113) 2243001

REPORT OF:	**STEVE CAREY, CHIEF OFFICER, REVENUES AND BENEFITS**
REPORT TO	**AREA COMMITTEE CHAIRS' FORUM**
DATE:	**THURSDAY 3 NOVEMBER 2011**
SUBJECT:	**WELFARE REFORM**

The report provides an update on the Government's Welfare Reform proposals and the impact on Leeds' citizens.

Background information

The Government has embarked on a major programme of Welfare Reform which sees major changes happening in each year of the next three years. Appendix 1 provides information on the most significant changes over the next 3 years.

Within the programme of reform there are significant changes to the Housing Benefit scheme. The changes introduced in April 2011 only affect private rented sector tenant and it is useful to understand how Housing Benefit works in the private rented sector.

Housing Benefit in the private rented sector is based on Local Housing Allowance (LHA) rates set by the Valuation Officer Agency (VOA). Each month the VOA provides LHA rates for:

- shared accommodation
- 1-bed accommodation
- 2-bed accommodation
- 3-bed accommodation
- 4-bed accommodation
- 5-bed accommodation

The amount of Housing Benefit a private-sector tenant gets is based on the property size required for the size of a tenant's household. For example, a tenant requiring 3-bed accommodation will have their HB based on the 3-bed LHA rate whether or not the tenant actually rents 3-bed accommodation. Where a tenant rents a property that is more expensive than the LHA rate, the tenant will have to pay the shortfall themselves. Where a tenant rents accommodation that is cheaper than the LHA rate, the tenant can keep the excess benefit up to a maximum of £15 pw.

Changes were introduced in April 2011 that:

- removed excess benefit payments of up to £15 pw
- capped the maximum LHA that can be paid at the 4-bed rate; and

- changed the way that LHA rates are calculated resulting in reductions in all LHA rates with the exception of shared accommodation.

Main issues

Housing Benefit changes

- *loss of excess benefit*: Private sector tenants can no longer keep excess benefit where they rent property that is cheaper than the LHA rate. Around 9,500 tenants are affected by this change and will see their Housing Benefit reduce by an average of £11 pw. The reduction is applied to existing tenants on a rolling basis from April 11 with tenants losing their excess on the anniversary of their HB claim. All excess payments wil be removed by March 2012.

- *Capping LHA at 4-bed rate for families previously entitled to 5-bed rate of LHA:* Existing cases are protected until January 2012 but following the end of the transitional protection period, 60 families in Leeds requiring 5-bed accommodation will see their Housing Benefit reduce by between £9.87 a week and £161.92 a week with the average reduction for these families being £86.55 a week. A programme of home visits was undertaken in April and May to explain the changes and options to householders. Further visits are planned as benefit falls to be reduced.

- *Reductions in local housing allowance rates following changes to the way LHA rates are calculated.* Existing cases are protected until January 2012. Table 1, below, shows the reductions in LHA rates for the different property types and the number of households that will be affected when transitional protection starts to run out in January 2012.

Table 1

Type of accommodation required	Pre-April 2011 Local Housing Allowance rates £pw	Latest LHA rates following change in calculation (Sep 11) £pw	Number of households facing a reduction
Shared accom	61.50	61.50	} } 4984
1-bed	109.62	99.92	
2-bed	126.22	115.38	3058
3-bed	144.23	132.69	1035
4-bed	206.54	183.46	295
5-bed	335.00	183.46*	60

* 5-bed rate is capped at the 4-bed rate

- *Shared Accommodation Rate (SAR)*: Single private rented sector tenants up to the age of 25 have their HB limited to the Shared Accommodation Rate of LHA – around £61 pw. New rules come into effect from January 2012 which extends the Shared Accommodation Rate rules to cover single people up to the age of 35. From January 2012, over 1500 tenants aged between 25 and 35 will see their Housing Benefit reduce from the maximum 1-bed rate of £99.92 to the SAR of £61.50 pw.

- All tenants affected by these changes have been sent personalised information about the changes, the impact of the changes and, in each case, the date the changes are due to be applied. Landlords and landlord groups have also been provided with information about the changes. The Government has also increased the amount of funding for Discretionary Housing Payments from £20m annually to £30m annually for 11/12 and this will increase further to £60m for 12/13. Leeds allocation based on the £30m figure is £397k and it is expected that this figure will increase at least proportionately. The increased allocation will be used to help those facing the most difficulties.

- Leeds is also a partner in a successful West Yorkshire bid to the Department for Work and Pensions for funds to establish a West Yorkshire online service that will help to match Housing Benefit tenants to affordable private sector accommodation. Work is currently underway to deliver this solution.

Welfare Reform proposals planned for 2013

There are a number of reforms planned to come into effect starting from April 2013. This includes the proposed implementation of a localised scheme of support for Council Tax which is intended to replace Council Tax Benefit from April 2013 and the start of the rollout of Universal Credit from October 2013.

Replacement scheme for Council Tax Benefit

- The Welfare Reform Bill proposes the abolition of Council Tax Benefit with effect from April 2013. In its place will be localised schemes of support designed and operated by councils with funding for the scheme reduced by 10%. The Department for Communities and Local Government is leading on the localised schemes of support for Council Tax.

- The key features of the consultation proposals are:

    a) Pensioners are likely to be protected from any reduction in support and councils are likely to have the ability to protect other vulnerable groups; and
    b) Councils will be given fixed funding for the schemes which will be reduced by 10% in comparison to current spend on Council Tax Benefit. Any spend above this level, whether driven by more generous schemes of increased demand, will need to be funded by councils.

- A copy of Leeds' response to DCLG's consultation paper is attached at appendix 2

Universal Credit

- Universal Credit is the cornerstone of the Government's reforms aimed at making work pay. It is also the most ambitious of the changes bringing together IS, JSA, ESA, HB and Tax Credits into a single payment. Nationally, this will see 19m different benefit claims (including 5m HB claims) being migrated into 8.5m claims for Universal Credit. Universal Credit is intended to simply the benefits system and ensure that people are always better off in work than on benefits. This is achieved by firstly having a single working age benefit accessed through a single claim form and administered by a single agency and secondly by allowing people to keep more of their benefits when they move into work than is currently the case. It is expected that the rate at which Universal Credit will be withdrawn when people move into work will be 65%. The current range of benefits can see people who move into work having their benefits withdrawn by rates in excess of 90% in some instances.

- Although the design work and underpinning policies are still being developed by the Department for Work and Pensions, a number of aspects of Universal Credit are now known and these have implications for the council and for people receiving benefits in Leeds.

    - Universal Credit will be delivered in the first instance by teams formed from Jobcentre Plus and HMRC Tax Credits teams with local authority responsibility for Housing Benefit being removed by 2017. A decision on the longer term operating models will be taken in 2015. This may result in opportunities for local councils to become involved in Universal Credit delivery once the transition programme is completed in 2017;

    - Access to Universal Credit is expected to be through an electronic claims process with support provided for people who may struggle with this process. Jobcentre Plus will provide face-to-face support in the first instance although discussions are underway with the Department for Work and Pensions on the role of local councils in providing face-to-face support;

    - From October 2013 new claims for Income Support, Employment Support Allowance and Jobseekers Allowance will be treated as claims for Universal Credit as will any associated HB claims and will be administered by the new Jobcentre Plus/HMRC teams;

    - From 2014 there will be a transition programme to transfer existing HB, IS, ESA, JSA and Tax Credit claims to Universal Credit with the transition period expected to be completed by 2017.

- It is intended that Universal Credit will be paid monthly in arrears and will be paid, in most instances, directly to claimants.

- Pensioner claims will transfer to the Pension Service starting in October 2014 and housing costs will be paid as a housing credit with Pension Credit. The Pension Service has recently stated that it expects to continue to pay housing costs elements directly to landlords where this is currently the case.

Other changes

1.1 The programme of welfare reform also sees further changes coming into effect from April 2013. These changes include:

a) *Cap on Housing Benefit for social sector tenants who live in accommodation that is too large for their needs:* Tenants who live in social sector housing that is larger than they need will see their Housing Benefit reduced by a percentage. The change applies only to working age tenants and not to pension-age tenants.

b) *Use of Consumer Price Index to up-rate Local Housing Allowance rates*
Currently local housing allowance rates are up-rated on a monthly basis by the Valuation Office Agency using evidence collected from landlords in the private rented sector. From April 2013 local housing allowance rates will be up-rated by reference to the consumer price index and will be up-rated by the lower of the consumer price index or the evidence collected by the Valuation Office Agency. The Departments for Work and Pension's analysis suggests that this change will save the Government £225m.

c) *Benefit caps*
The Welfare Reform Bill contains proposals to cap the total amount of benefit a household can receive to around £500 a week for a family and £350 a week for a single person. The cap will only apply to out of work working age claimants.

The cap will be applied by local councils and will be achieved by reducing Housing Benefit until the overall amount of benefit is no more than the £500/£350 cap. The key factors that will determine the number of cases affected by the cap are a) the amount of housing benefit that is paid and b) the size of the family. Initial work suggests that 184 families in Leeds would be affected by the change – all are families with 4 or more children.

d) *Social Fund*
From April 2013 Jobcentre Plus will no longer run a scheme of Community Care Grants and Crisis Loans for General Living Expenses and emergency situations. Instead, an amount of funding will be transferred to local councils for councils to consider running schemes to support citizens.

It is expected that Councils will be free to decide whether they wish to run a scheme and, if so, what type of scheme they wish to provide. If a council chooses not to run a scheme, it is expected that it will need to state what the funding has been used for. The reasoning for transferring the scheme to local councils is that Community Care Grants and Crisis Loans applications are more suitably dealt with in a face-to-face setting and that is not the direction of travel for Jobcentre Plus; it also enables councils to design schemes that better reflect local situations.

The funding that will be transferred to councils is expected to be less than that currently spent on the schemes by Jobcentre Plus. In 2009/10, £70M nationally was spent on Crisis Loans and it is intended that £36m will be distributed to councils from April 2013 along with £136m Community Care Grant funding.

e) *Disability Living Allowance changes*
From April 2013 Disability Living Allowances (DLA) will be replaced by Personal Independence Payments for claimants aged between 16 and 64. A programme of reviews will be undertaken for people already getting DLA and they will be assessed against the criteria for Personal Independence Payments. The Department for Work and Pensions impact assessment states there will be "net costs to individuals of £2.1bn from reduced benefit expenditure from focussing support on disabled people with greatest needs".

A Welfare Reform Strategy Board has been established to prepare for and oversee the implementation of the changes in Leeds and an overall strategy is in development for approval by Executive Board in the New Year.