

Issue details	
Title:	Housing Benefit Modified Scheme
Version number	Version 1
Officer responsible:	Service Lead – Revenues, Benefits, Corporate Customer Services, Fraud & Compliance
Authorisation by:	Cabinet
Authorisation date:	

History of most recent Policy Changes – Must be completed			
Date	Section	Change	Origin of change (eg change in legislation)

East Devon District Council – Housing Benefit Modified Scheme

1 Why has the council introduced this policy?

This policy has been introduced to confirm how EDDC are financially supporting veterans of the armed forces who are residing in low income households and as such are entitled to receive Housing Benefit.

Housing Benefit legislation provides the ability for Local Authorities to disregard any prescribed war disablement pension or prescribed war widow's pension. This is known as a local modified scheme.

In addition EDDC are signed up to the Armed Forces covenant and this policy supports the covenant.

2 What is the council's policy?

2.1 Modified scheme

Through the local scheme provisions EDDC will fully disregard any amount of income not already disregarded through the national schemes from the following;

- Armed Forces and Reserve Forces Compensation Scheme -
Guaranteed Income Payment - from 20th November 2006
MOD Early Departure Payment - from 2nd November 2009
- Naval, Military and Air Force Death and Disablement Pension -
Children's Allowance
- War Disablement Pension, which includes -
Services Attributable Pension and
Services Invaliding Pension
- War Widow's/Widower's Pension,

2.2 Who is eligible?

Any resident who is receiving a payment listed under 2.1 and is in receipt of Housing Benefit will automatically receive the disregard.

2.3 Disregarding income for the purposes of a Discretionary award

Our discretionary awards are based on total income and expenditure for a household and the individual needs of the household. Each case is decided on its own merits therefore although income from war

pensions may not be fully disregarded in the calculation, we will take into account all reasonable expenditure when deciding if a discretionary award is appropriate.

3. How will we use & share information

The Council will only collect data relevant to a claim for Housing Benefit and Council Tax Reduction. Data will be held on our digital platform and will be protected using up-to-date technical and organisational security measures.

Data will also be used to:

- Determine eligibility for other discretionary funds such as Discretionary Housing Payments, The Household Support Fund and our Cost of Living Hardship Fund.
- Contact residents about decisions or updates related to an application

Personal data will not be kept longer than necessary (in line with our existing retention schedule).

Information collected during the application process will be used to assess an applicants' claim. Information will also be cross matched with other data held by the Council and third-party agencies e.g. Department for Work and Pensions (DWP), HM Revenue & Customs (HMRC) for verification purposes.

The Council may also share data with both internal and external organisations for the purposes of validating any applications made for other Council services such as Housing Applications, School Placements, Homeless Applications.

In addition, we may also share data within the organisation to support our efforts to redirect residents to other support that may be available (for example our Discretionary Housing Payment Scheme, Council Tax Reduction Scheme).

With permission we may also share data with partner agencies to enable them to provide the necessary support in order to achieve long term outcomes in building financial resilience (for example Exeter Community Energy, Citizens Advice East Devon, South West Water).

We may also share data within the organisation or with other Government agencies in order to prevent and/or detect potentially fraudulent activity. Subject to a legal gateway, information may also be shared for the prevention of fraud and criminal activity with (list not exhaustive):

- The police
- Immigration Service, Absconder Services and/or UK Border Agency
- Health and social care organisations
- Other Local Authorities

We will also share anonymised monitoring data with the DWP in order to complete the monitoring returns.

3. Fraud

The Council is committed to tackling and preventing fraud in all its forms. If a claimant attempts to claim an award of Housing Benefit or Council Tax Reduction by making a false declaration or providing false evidence or statements, they may have committed an offence under the Theft Act 1968. Where the Council suspects that fraud may have occurred it will investigate the matter as appropriate, and this may lead to criminal proceedings.

4. Policy Administration

Appendices and other relevant information

[Social Security Administration Act 1992 \(legislation.gov.uk\)](https://legislation.gov.uk)
[The Housing Benefit and Council Tax Benefit \(War Pension Disregards\) \(Amendment\) Regulations 2009 \(legislation.gov.uk\)](https://legislation.gov.uk)
[Armed Forces Act 2006 \(legislation.gov.uk\)](https://legislation.gov.uk)

5. Data Protection

Provide a general view of what personal data is to be used and how and provide a link to the [Council's Data Protection Policy](#) and reference the relevant privacy notices.

6. Policy consultation

Senior Leadership Team & Cabinet

Policy review

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