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The Crisis and Resilience Fund: Housing Payment Policy

Effective from 01 April 2026



Elmbridge
Borough Council

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Abbreviations

Abbreviation	Full Term
HP	Housing Payment
CRF	The Crisis and Resilience Fund
DHP	Discretionary Housing Payment
DWP	Department for Work and Pensions
LA	Local Authority
HB	Housing Benefit
UC	Universal Credit

1. Policy objectives

The Housing Payment (HP) element of The Crisis and Resilience Fund (CRF) will commence from 1 April 2026 and replaces Discretionary Housing Payment (DHP). This HP policy complements other corporate and housing service obligations in preventing hardship and housing insecurity. This policy provides access to further financial support with housing costs to the most vulnerable where the Local Authority (LA) considers that this help is required.

Guidance given by the Department for Work and Pensions (DWP) provides the way which a HP can support households and has been incorporated into the body of this policy.

Priority is given within this policy to protect those households with disability and serious ill health as well as the prevention of homelessness.

2. Responsibilities

a. Legal responsibilities

HP will be delivered through DWP-issued guidance and funding directions that local authorities must follow as a condition of receiving the grant. A cash limited discretionary fund allows authorities to provide financial support for those in housing need. Such decisions are left with authorities through them drawing up and approving their own local policies.

When exercising such discretions there is a legal obligation on LA's to act judiciously and to ensure that they do not simply apply rigid blanket policies. The LA has a duty to act fairly, reasonably and consistently. This policy establishes a guiding framework while preserving appropriate discretion for officers to apply informed decision-making, ensuring each matter is assessed on its individual merits.

b. Financial responsibilities

There is a Section 151 responsibility on the LA to submit a HP claim form to the DWP providing details of HP expenditure and different categories of claim types under statutory assurance arrangements.

The DWP provides an allocation to the LA to pay HP who will seek to pay out the full amount of subsidy awarded. It is therefore crucial that the budgetary level of payments is actively monitored with a view to paying up to the maximum but with qualifying criteria set to balance demand and ability to pay within the budget.

c. Customer responsibilities

A core element of this policy is that customers are expected to act responsibly by taking tenancies at reasonable rents and ensuring that they seek and receive appropriate housing advice before taking on or renewing tenancies.

Customers seeking to demonstrate vulnerability or hardship to support their claim may need to provide sufficient proof of any medical factors and / or breakdown of all relevant debt and expenditures.

Customers who are awarded a HP must provide details of any changes in circumstances and the repayment of any overpayments.

3. Claim categories

There are two main higher-level categories of HP award. These are:

- a. Ongoing weekly top ups / shortfalls in rent, or
- b. One off payment assisting with the costs of securing a tenancy

Within the 'weekly top up' category there are several subcategories.

a. Ongoing weekly top up's

This category will contain the majority of the HP caseload as well as the overwhelming majority of future requests. These will come from four main sources; these being:

- Local Housing Allowance (LHA) shortfall;
- Housing Element shortfall;
- Benefit Cap;
- Social housing tenants under occupying their homes

These cases receive weekly top up's calculated as weekly amounts in each case. The maximum HP award that can be made is the shortfall between the weekly equivalent full rent charged and the Housing Benefit (HB) or Universal Credit (UC) housing element award.

The LHA or Housing Element shortfall Housing Payment caseload

These cases will constitute a large part of HP expenditure. These are where the rent payable is above the relevant LHA / Housing Element. Unless these households find suitable cheaper accommodation or cease to claim HB / UC housing element, if not most, are likely to continue to reclaim at the end of their award.

Total Benefit Cap cases

These are the cases where an annual ceiling of income from all specified benefits is applied to households, mostly households with children. These constitute the largest shortfalls and may command a significant call on HP resources.

Under occupation in social housing

For social housing cases that are under occupying a property due to changes in household/circumstance, these will be considered for a HP award for a period whilst looking at downsizing and/or making alternative arrangements with their landlord.

Level of awards

Most successful applicants will receive a HP to meet the shortfall or part of the shortfall between the actual rent payable and the LHA / UC housing element. This will only apply when the rent payable is considered reasonable.

For tenants of social housing affected by under occupancy charges, successful applicants will receive a HP up to the level of one bedroom extra. Awards for two-bedrooms extra will be rare and will only be payable for reasons of extreme or multiple disability and / or extreme ill health in exceptional circumstances for a limited period.

For applicants who are affected by the Benefit Cap, they will receive a HP for either full or part of the Benefit Cap, depending on the size of the cap and funding.

Where the level of a HP award is considered high or a long-term award, the value of an award may be restricted due to budgetary constraints.

Length of awards

The length of the award will generally be for six months subject to further review when approaching that time. Awards may be reduced to three months if budget profiling shows that there is a realistic prospect of budget overspend.

As a general rule, cases where permanent ill health or disability where there is no or extremely limited capability for work may be granted longer term awards. This will be for a minimum of six months and up to twelve months in these cases. It is likely in cases of permanent disability or ill health, that in the absence of suitable alternative housing options, these cases will have their HP reinstated at renewal of tenancy, possibly several times over.

Alternatively, cases involving able bodied, non-vulnerable, householders with a reasonable prospect of work will be granted short term awards of no more than three to six months and that upon reapplication may have to be thoroughly reviewed/evidenced each time.

Cases will generally not be backdated unless good cause has been proven. Any backdating will align with HB regulations. A HP can only be considered for a period where the linked HB / UC with housing element is payable.

b. One-off payments

This category has a limited provision both financially and in terms of the number of cases that can be helped. It can assist with the upfront, one-off costs of taking up a tenancy, including deposits, rent payable in advance and any other lump sum costs such as removals etc.

These will be paid as one-off payments to either tenants or landlords. These cases are focused on cases where there is either a formal homelessness duty or 'as if homeless' as assessed and notified to HP administrators by the Housing Options team. The use of HP is intended to assist where a homeless duty applies or would apply by assisting to find a suitable tenancy in the privately rented sector.

These will often be cases where housing choices are forced on the customer by urgency, imminent threat of eviction or very real likelihood of homelessness.

The number of cases able to be assisted via this category is likely to be limited to a limited few cases each year with an expected total annual expenditure of no more than £15,000.

4. Claiming Housing Payment

There must be a claim for HP. A claim should be made on the LA's own electronic application form on the Council's website. Before any claim can be formally accepted this must have been properly completed in accordance with the instructions contained on the form.

Where a customer is digitally excluded and unable to complete the form online, they may contact the LA, who will provide support and complete the form on their behalf.

5. Decision making framework

This policy provides a framework by which officers are guided in their decision making, ensuring consistent treatment of customers but allowing for sufficient discretion on the merits of each case.

Housing costs that cannot be assisted are ineligible service charges, increases in rent due to rent arrears or certain prescribed sanctions and reductions in benefit.

There are some key qualifying criteria that must be met. These are called essential criteria and determine whether, or not a HP is awarded; all of which must be met.

a. Essential criteria

To meet these essential criteria, the claimant must require further financial support with housing costs and there must be:

- sufficient HP funds available at the time of making the decision and,
- a valid rental liability for the property, and
- a current underlying entitlement to HB, or UC with housing element, and
- the relevant tenancy is within the Borough, except in cases where the LA has a statutory housing duty, and
- a shortfall between the full rent payable and HB award level or UC housing element, and
- a properly completed claim together with all relevant evidence as requested, and
- a proven local connection either by their prior establishment within the Borough of 6 months or more, or their need to live here for employment or family reasons.

b. Discretionary criteria

There are a secondary set of discretionary criteria, which fall under three broad categories of:

- Vulnerability
- Housing Needs
- Work focus

A decision is made on these criteria. These include such considerations as:

Vulnerability

- relevant adverse health, medical or social factors exist in the household,
- the property has been specially adapted due to disability,
- debts and expenditure assessments evidence financial hardship.

Housing needs

- threat of homelessness,
- all relevant housing advice has been sought, received and acted upon,
- a rising age band will have a key entitlement effect in the next 6 months,
- the claimants are registered foster carers or formal carers.

Work focus

- all relevant employment seeking activities are being pursued.
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6. Notification of decision

All claimants of HP will be formally notified of the decision. Successful claimants will be informed of the weekly amount of the award, the period for which it is given, including when it ceases. Unsuccessful claimants will be informed of the reasons why they were unsuccessful. Both successful and unsuccessful claimants will be given a right of review although the latter will constitute the most of these.

The notification will include a clear warning that the award is subject to financial considerations and the possibility of future shortened benefit periods.

7. Payment

A HP will be paid how HB or the housing element of UC is paid, either to the tenant or Landlord direct. A HP to cover the reduction in UC due to a Benefit Cap will be paid to the tenant. Payments will be paid directly into a bank account.

8. Overpayments

Overpayments that are not the LA's fault will be recoverable and if caused by the claimant will be recoverable from the claimant themselves. Where the landlord could reasonably have known that an overpayment was occurring but delayed notifying the LA then the overpayment is recoverable from them.

9. Right to a review

Claimants who wish to challenge an unsuccessful HP application or their HP award have a right of review. Reviews are carried out by an officer who was not involved in the original decision. Requests must be made in writing and set out the reasons for seeking a review. They must be received by the LA within one month of the date the claimant was notified of the decision. A review decision should be issued within one month of receipt, or as soon as reasonably practicable.

If a claimant remains dissatisfied after this stage, they may request a final review. Final reviews are undertaken by the Revenues & Benefits Systems Quality Manager. Decisions should be issued within one month of receipt, or as soon as reasonably practicable. This is the final review available under this policy.

10. Monitoring, quality and financial assurance

All claims for HP are recorded on the MRI Benefits IT system. The DWP requires authorities to monitor and report by the different categories of claim. Financial statutory returns are sent bi-annually to the DWP.