

Welfare, Benefits and Debt Advice Policy

Stevenage Borough Council

2024-2026

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1. Purpose

- 1.1 Stevenage Borough Council is committed to providing high quality, free and confidential welfare benefit, and debt advice services accessible to our customers to assist them to maximise their income and, as a consequence, sustain their tenancies/homes.
- 1.2 The purpose of this policy is to set out Stevenage Borough Council's approach to providing these services. For the purposes of this policy, customers are defined as tenants and shared owners who rent a home from Stevenage Borough Council and includes those residing with them. Other types of customers are not included in the definition.

2. Scope

- 2.1 This document is for staff in the Welfare, Debt and Benefit Advice team as well as front-line council staff who may deal with service users that disclose a support need.

3. Legal Framework

- 3.1 What legislation is this policy associated with?

- Welfare Reform Act 2012
- Protection from Eviction Act 1977
- Debt Respite Scheme (2020)

- 3.2 What are the legislative or regulatory requirements that the council must fulfil?

Welfare Reform Act 2012 = Ensure that there is appropriate provision for universal credit and personal independence payment; to make other provision about social security and tax credits; to make provision about the functions of the registration service and child support maintenance.

Protection from Eviction Act 1977 – Ensure there is provision whereby the service is supporting individuals in rented accommodation from losing their homes without the involvement of a court.

4. Equalities

- 4.1 Under the Equality Act (2010) the Council has a legal duty to fulfil the requirements of the Public Sector Equality Duty (PSED). Through this duty and in the application of this policy, the council will carry out its functions in a way that:
 - a. Removes discrimination, harassment, victimisation and any other conduct that is unlawful under the Equality Act (2010)
 - b. Promotes equal opportunities between people who have a protected characteristic(s) and those who don't
 - c. Encourages good relations between people who have a protected characteristic(s) and those who don't

Further information on the Council's fulfilment of the Equality Act (2010) is set out in the Equality, Diversity and Inclusion (EDI) Policy (2022) and Reasonable Adjustment Policy (2024).

5. Data Protection

- 5.1 The Council regards respect for the privacy of individuals and the lawful and careful treatment of personal information as very important to delivery of services.
- 5.2 The Council will ensure that it treats personal information lawfully and proportionately as set out in the General Data Protection Regulation (GDPR) and Data Protection Act (2018). For further information on the Councils approach to handling information please see [Data Protection Act \(stevenage.gov.uk\)](https://www.stevenage.gov.uk)

6. Policy

- 6.1 Stevenage Borough Council acknowledges that the welfare benefits system can be complex and difficult to navigate and so assistance is required to ensure that customers' income is maximised in order to sustain tenancies and quality of life. Stevenage Borough Council also acknowledges that personal debt can be a hindrance to customers in sustaining their tenancies and that providing specialist advice in this area will help improve customers' financial capability and overall wellbeing.
- 6.2 The aims of this Policy are to set out the Councils approach to:
 - identifying customers who require, or who may require in the future, support and/or advice in the management of their tenancy and other financial liabilities
 - the role of external and internal agencies in assessing and meeting the support needs of customers
 - provision of high-quality information, advice and support on welfare benefits
 - to maximise customers' income
 - to prevent or reduce rent arrears and other liabilities
 - to reduce court actions due to rent arrears
 - to sustain tenancies and minimise the need for evictions, thereby reducing homelessness
 - to provide a home visiting service where a customer requires this to maintain confidentiality.
- 6.3 The council is aware of the financial pressures under which many households operate. To tackle these issues every effort will be made to make customers aware of sources of financial assistance which may be available to mitigate debt or to help alleviate financial distress, including:
 - Housing Benefit and the Local Council Tax Reduction Scheme
 - Universal Credit for working-age customers
 - Discretionary Housing Payments
 - Council Tax and Business Rates Hardship Relief

- Local food banks
 - Other charitable and support organisations
- 6.4 A standardised financial statement called a Personal Budget Sheet will be used to ensure that a customer's total income and expenditure can be ascertained to help identify the best support provision available. This information will be held securely on Northgate and in line with the requirements of the General Data Protection Regulation (GDPR) and Data Protection Act (2018).
- 6.5 Where necessary, we will obtain permission from the customer to share information with other agencies, to provide support for that customer. Verbally given consent will be relied upon for urgent things such as an emergency hardship support referral, when given this will be noted on our information systems.
- 6.6 There are certain situations where, by law, we do not have to obtain prior permission to disclose personal information, such as where there are safeguarding concerns – please see our Data Protection Policy (2023) and Safeguarding Policy (2022) for more information on this.
- 6.7 We can provide information and advice via letter, text, email or telephone and where support is required, we can conduct appointments via the phone, online video call or at the customer's own home or another location which is suitable and safe for both us and the customer. Appointments will normally only be provided during office opening hours, but exceptions can be made where there is no alternative, and any risk can be managed.
- 6.8 We can assist Stevenage Borough Council customers with all types of benefits, from making new claims to assistance with first tier tribunal appeals. We will advise what a customer's entitlement should be and provide support, where needed, for them to make a claim, request a review of a decision or help with formal appeals. We would be unable to assist a customer to make a claim, request a review of a claim or appeal a decision on a claim where we determine entitlement does not exist.
- 6.9 Where we determine that a customer is receiving benefit they are not entitled to, we will first advise them that this is the case and advise them to contact the relevant benefit agency immediately. If the customer does not provide evidence that they have reported the circumstances promptly we will contact the relevant office directly to report the change.
- 6.10 Where we are in receipt of benefit directly in respect of a customer (such as for Housing Benefit or Universal Credit Housing Costs) we may report information immediately as we have a legal duty to do so.
- 6.11 Where we suspect benefit fraud is being committed by a customer, we have a duty to report this to the relevant agencies and will follow our procedures. Please refer to the Council Fraud Sanction Policy (2021) for further details.
- 6.12 All Stevenage Borough Council customers will have access to a free debt advice service funded by us. Our Welfare Benefits and Debt Advice Service will aim to advise customers on their options for dealing with their personal debt, from assisting with negotiating

repayment plans to assessing their insolvency options. The service will support and assist customers with their chosen option where possible or signpost the customer to an appropriate agency. Limitations to our service will be clearly stated to customers.

- 6.13 The Debt Advice Procedure outlines this in more detail. The advice given will always have regard to the customer's best interests. For example, where there are rent arrears or other charges owed by the customer to Stevenage Borough Council, these will not be unduly favoured in any advice given, meaning they are given the appropriate weight of priority for the customer's situation.
- 6.14 We recognise that most customers approaching us for debt advice are already likely to be vulnerable due to being in debt, but they may also be vulnerable for other additional reasons. We will adapt our service to suit customer's needs, including providing more time to engage/provide information and adapting how we communicate and provide advice. We recognise conflicts of interest can sometimes arise and where these cannot be managed, we will signpost the customer to access advice from an independent agency in their own best interests.

7. Monitoring and Review

- 7.1. This policy will be reviewed in accordance with the policy review programme. Any feedback from residents or staff on the implementation of this policy and amendments in response to changes in legislation or service provision will be kept under regular review by the Head of Community Advice and Support.
- 7.2. Complaints will be dealt with in accordance with the Corporate Complaints Policy (2022).

8. References and Resources

- Equality and Diversity Act 2010
- Data Protection Act 2018
- SBC Equality, Diversity & Inclusion Policy (2022)
- SBC Council Fraud Sanction Policy (2021)
- SBC Tenancy Policy (2021)
- SBC Housing Allocation Policy (2023)
- SBC Safeguarding Policy (2022)
- SBC Data Protection Policy (2023)
- SBC Complaints Policy (2022)

9. Abbreviations and Definitions

EDI	Equality, Diversity and Inclusion
GDPR	General Data Protection Regulation
PSED	Public Sector Equality Duty
SBC	Stevenage Brough Council

10. Version History

Date	Outlined Amendments	Author
01/03/2024	First Draft	Chloe Stewart