



**Full Council**

**Monday 1 March 2021**

**Subject: Discretionary Disregard of War Pension Income – Housing Benefit**

Report by:

Assistant Director of Operational and Commercial Services

Contact Officer:

Angela Matthews  
Benefits Manager

[angela.matthews@west-lindsey.gov.uk](mailto:angela.matthews@west-lindsey.gov.uk)

Purpose / Summary:

To inform members of the existing policy and to seek approval for its continued application

**RECOMMENDATION(S):**

**That members accept the content of the report and approve the continued application of the Discretionary Disregard War Pension Income – Housing Benefit Policy in line with national opinion**

**IMPLICATIONS**

**Legal:**

None

**Financial : FIN/150/21/CC**

The Council applies the discretionary powers and disregards 100% of the War Disablement and War Widows Pension. West Lindsey District Council is responsible for 25% of the cost of the discretionary disregard of War Pension income. The cost is fully accounted for within the Housing Benefits budget and there is no additional financial pressure as a result of the contents of this report.

The costs are detailed in the table below:

Subsidy year	Discretionary Disregard	DWP funded	WLDC Funded
2019/20	£21,915	£16,436	£5,479
2018/19	£25,970	£19,478	£6,492

**Staffing :**

None arising from this report

**Equality and Diversity including Human Rights :**

None arising from this report.

**Data Protection Implications :**

None arising from this report.

**Climate Related Risks and Opportunities :**

None arising from this report.

**Section 17 Crime and Disorder Considerations :**

None arising from this report.

**Health Implications:**

None arising from this report.

**Title and Location of any Background Papers used in the preparation of this report:**

National HB Subsidy Expenditure 2019-20-

<https://www.gov.uk/government/publications/housing-benefit-subsidy-initial-pre-audit-final-claims-apr-2019-to-mar-2020>

Social Security Administration Act 1992

<https://www.legislation.gov.uk/ukpga/1992/5/section/134/enacted>

**Risk Assessment :**

The discretionary disregard is applied nationally and if WLDC were to remove the disregard we would be seen to be treating this income and the group of people who receive this income differently to the national procedure

Whilst we have a low number of Housing Benefit claims where this income is disregarded, this policy may have to be reviewed if the number of claims increases significantly as there is a cost to the Local Authority for applying this disregard of personal income.

**Call in and Urgency:**

**Is the decision one which Rule 14.7 of the Scrutiny Procedure Rules apply?**

*i.e. is the report exempt from being called in due to urgency (in consultation with C&I chairman)*

**Yes**

**No**

**Key Decision:**

*A matter which affects two or more wards, or has significant financial implications*

**Yes**

**No**

## **Executive Summary**

Historically West Lindsey has applied a full disregard to War Widows or War Disablement Pension income when calculating Housing Benefit entitlement.

The Department for Work and Pensions funds a £10 mandatory disregard of the weekly pension and Section 134 (8) of the Social Security Administration Act 1992 allows the local authority to disregard up to 100% of the remaining weekly war pension income.

The DWP fully fund the £10 disregard and fund 75% of any discretionary disregard leaving the Local Authority to fund the remaining 25% of the discretionary element.

Nationally the discretionary disregard of this income is applied by all but four Local Authorities.

New Audit procedures require the Council to confirm that the policy is still relevant and should continue to be applied.

The policy covering the disregard is attached at Appendix 1.

This matter would normally be considered by the Council's Corporate Policy and Resources Committee, but is being brought direct to Council, for expedience, in light of this new additional audit requirement.

## **1 Introduction**

West Lindsey District Council currently disregards 100% of War Disablement & War Widows Pension income in the calculation of Housing Benefit entitlement. This is allowed under Section 134 (8) of the Social Security Administration Act 1992 and is mainly funded by the Government.

The Department for Work & Pensions instruct us to apply a £10 per week mandatory disregard of War Disablement and War Widows Pension income and legislation allows us to disregard up to 100% of the remaining pension income.

The majority of Councils nationally apply the War Pension Disregard.

## **2 Financial effect of the disregard**

The Council applies the discretionary powers and disregards 100% of the War Disablement and War Widows Pension at a small cost to the council as shown in the table below.

Subsidy year	Discretionary Disregard	DWP funded	WLDC Funded
2019/20	£21,915	£16,436	£5,479
2018/19	£25,970	£19,478	£6,492

### 3 Social effect of the disregard

The Council acknowledges that War Disablement and War Widows pensions are received after the individual has suffered a loss as a result of war and by applying the discretionary disregard does not allow the income to negatively affect an award of Housing Benefit.

### 4. Recommendation

**That members accept the content of the report and approve the continued application of the Discretionary Disregard War Pension Income – Housing Benefit Policy, in line with national opinion**