

## NOTES ON COMPLETION OF FORM MPF720B - FINAL SUBSIDY CLAIM 2020/2021

### GENERAL INFORMATION

These guidance notes are important. Please ensure that you read these notes before completing form MPF720B. Incorrectly completed forms will be returned to the authority and may mean that payments are delayed.

With the exception of certain areas of benefit spending whereby authorities have the most scope to monitor and control costs, subsidy is paid at the rate of 100%. The benefit subsidy arrangements require authorities to keep accurate records of benefit spending falling into the different categories required for subsidy purposes. Authorities need to maintain systems and records in such a way that the individual cases, which make up the benefit subsidy totals in each category, can be identified for verification of accounts and claims for internal audit and auditor certification purposes.

Most of the legal references in these notes refer to The Income-related Benefits (Subsidy to Authorities) Order 1998 which is a standing Order which is updated each year.

### DEADLINE FOR SUBMISSION

The deadlines for submission to the Department are as follows:-

- authority certification deadline: **30 APRIL 2021**;
- auditor certification deadline: **30 NOVEMBER 2021**

**Local authorities** must inform the Department, with reasons, as soon as it becomes apparent that these deadlines cannot be met. The Department will give consideration, in light of reasons provided, to granting deadline extensions **but these will only be granted in exceptional circumstances**.

### WHERE THE FORMS SHOULD BE SENT

The completed claim form should be returned by e-mail to: [HBSubsidy@dwp.gov.uk](mailto:HBSubsidy@dwp.gov.uk)

Additionally, a copy of the first page of the claim form (showing the total subsidy claimed) and the local authority certification page must be scanned and emailed as a separate attachment. Details of the e-mail process were given in a separate bulletin in March 2021.

A copy should be retained as your authority's record of the claim.

A hard copy (including both the completed local authority certificate and the appointed auditor's certificate) should be sent to your appointed auditor.

Each copy of the form must hold identical entries.

### SIGNING THE FORM

The Responsible Finance Officer must sign and date each copy of the Local Authority Certificate of Entitlement, deleting either the claim for payment or the undertaking to repay subsidy in excess of entitlement as appropriate. Claims cannot be accepted if the Local Authority Certificate is unsigned.

## GENERAL NOTES

The PDF version of the form should be completed. The PDF form will complete all necessary calculations and transfer amounts between cells.

Unless otherwise stated, entries for cash amounts must be in whole pounds only, rounded to the nearest pound. Amounts of 50 pence or less should be rounded down and amounts of more than 50 pence should be rounded up.

**Zero should be entered in any fields in which there is nil expenditure. Following completion of the form, authorities must click on the “Validate” button on the first page of the form – this will highlight any cells which are blank and allow correction before the form is submitted.**

Subsidy should not be claimed in 2020/21 for benefit which is due for a period falling wholly within the financial year 2021/22 but which is issued in the financial year 2020/21 to ensure timeous receipt. Subsidy for those payments should be claimed for the financial year 2021/22. Where a payment is made for a period which bridges two financial years, subsidy should be claimed in the year in which the payment is made.

The recording of overpayments and backdating on the final subsidy claim is as follows:-

- Authorities must ensure that an overpaid amount has been netted before including the figure in the relevant cell.
- **All overpayments must be recorded in the overpayments cells and for current year overpayments only the total expenditure cells as well** – overpayments should not be included in any other cell.
- **Current year and prior year overpayments must be recorded separately. Current year overpayments are those identified in the year relating to benefit paid in the year (including benefit paid in the year but in respect of an earlier year). Prior year overpayments are those identified in the year but relating to benefit paid in an earlier year.**
- **Backdated benefit must be separately identified in cells 038 and 131 but otherwise must be treated in the same way as other expenditure attracting full-rate subsidy** and be included in the relevant cell in each section of the form according to the type of payment made. The relevant regulations are the Housing Benefit Regulations 2006 (Regulation 83(12) & (12A)) and the Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations 2006 (Regulation 64(1) & (1A)). Where a backdated award is subsequently found to have been overpaid it should be treated for subsidy purposes as an overpayment.

## TOTAL EXPENDITURE (BENEFIT GRANTED) CELLS: 011 and 094

These cells represent the total expenditure for rent rebates and rent allowances in terms of benefit granted by the authority during the relevant year. Benefit granted will be more than the amount of benefit physically paid or credited to an account in cases where deductions are made from benefit granted to recover overpayments or excess benefits.

Cells 011 and 094 should exclude the following expenditure (further details are given in section 8 of the Subsidy Guidance Manual and Article 11(2) of The Income-related Benefits (Subsidy to Authorities) Order 1998):-

- modular improvement schemes (rent rebate only), unless the authority qualifies for exemption:

- rent free weeks and credits;
- awards to tenants;
- prior year overpayments – including recovered Departmental error overpayments;
- uncashed instruments of payment (see section below);
- recovered payments on account which occurred in a previous year;
- expenditure on modified schemes (this expenditure is reported separately in cells 214 and 225).

Expenditure in cells 011 and 094 should include all current year overpayments and the amount by which benefit properly payable (benefit granted) has been reduced because of recovery action by deductions from benefit.

Entries in cells 012 to 015 and 022 to 023 should reconcile to the total in cell 011 and cells 095 to 110 should reconcile to the total in cell 094 and therefore should be completed on the same basis as the headline cells 011 and 094, that is, based on benefits granted and excluding the categories of expenditure set out above.

Overpaid and backdated expenditure should be recorded in accordance with the previous section.

**EXPENDITURE ATTRACTING FULL-RATE SUBSIDY WHICH IS INCLUDED IN THE TOTAL EXPENDITURE CELLS BUT NOT SEPARATELY IDENTIFIED ELSEWHERE: CELLS 023 and 110**

These cells represent expenditure that attracts full-rate subsidy but which it is not appropriate to include in another cell. Expenditure should only be included in these cells following a positive decision by an authority that the expenditure cannot properly be included in another cell. These cells should not include a balancing item(s) included to ensure successful in-year reconciliation.

The form requires expenditure to be analysed over a number of cells which should account for the majority of expenditure: cells 023 and 110 should include only that expenditure attracting full-rate subsidy that cannot be included in another cell.

Reference: Section 13 of the Subsidy Guidance Manual which includes examples of the type of expenditure appropriate to cells 023 and 110. The examples are not exhaustive. Authorities should keep sufficient records and evidence to be able to demonstrate that expenditure is properly included in these cells and should not be reported in other cells.

**Uncashed Instruments of Payment**

Where it is known that an instrument of payment issued in the financial year will not be cashed, for example, it passes its expiry date, the amount of the payment should be deducted from the relevant total expenditure cell and any other cells in which it has been recorded. Where it is known that an instrument of payment issued in an earlier year will not be cashed and needs to be written back, the subsidy claimed on the original payment must be included in cell 179S and subsequently cell 006.

Note: There is no statutory defined expiry period; a maximum of six months is suggested. (Section 8 of the Subsidy Guidance Manual.)

## COMPLETION OF CELLS

### Cells 001 to 009

Cells 001, 002, 005 and 008 will be pre-populated by the DWP. Cells 003, 004, 006, 007 and 009 will be automatically populated as the rest of the claim form is completed.

### Cell 010 - Spare

## RENT REBATES

### TOTAL RENT REBATE EXPENDITURE (BENEFIT GRANTED)

*Reference: Section 8 of the Subsidy Guidance Manual; Article 11(2) of The Income-related Benefits (Subsidy to Authorities) Order 1998.*

#### Cell 011

Enter the total expenditure, including overpayments, backdated awards and extended payments paid by your authority in the financial year. For a full explanation of the expenditure to be included in this cell see page 2 of these notes.

### SUBSIDY ARRANGEMENTS FOR TEMPORARY AND SHORT TERM ACCOMMODATION WHERE THE LOCAL AUTHORITY IS THE LANDLORD

**Cells 012 – 015 cover cases where the local authority is the landlord. The same rules for calculating the maximum weekly subsidy amount apply to temporary or short term accommodation cases where a registered housing association is the landlord (cells 104 - 107). These guidance notes are intended only to provide a general overview of the temporary accommodation subsidy scheme. Please refer to subsidy circular S5/2017 (Revised).**

The subsidy payable for cases in temporary or short-term accommodation is the lowest of:

- the amount of HB entitlement in a week (or part-week);
- the maximum weekly amount determined by a formula that uses Local Housing Allowance rates, which varies according to the size, type and location (Broad Rental Market Area (BRMA)) of the accommodation; or
- the upper limit (either £500 or £375 per week) depending on the location of the property.

These subsidy arrangements apply where the local authority provides accommodation to discharge a homelessness function or prevent homelessness. The types of accommodation are:

- board and lodging (also known as B&B) or non self-contained licensed accommodation (cells 012 and 013); and
- leased or self-contained licensed accommodation (cells 014 and 015).

In Scotland, this includes leased accommodation held within the HRA.

These subsidy arrangements do not apply where accommodation is provided in a hostel owned by a local authority and held outside the HRA. This expenditure is included in cell 023.

Self-contained accommodation is where none of the following are shared with another household:

- a kitchen,
- a toilet,
- a bathroom.

For board and lodging accommodation or non self-contained licensed accommodation, the maximum weekly amount is the one bedroom self-contained LHA rate (not the shared room rate) for January 2011 for the BRMA in which the accommodation is situated.

For leased or self-contained licensed accommodation, the maximum weekly amount is 90 per cent of the LHA rate for January 2011 for the particular size of property (based on the number of bedrooms) for the BRMA in which the accommodation is situated.

For non self-contained leased accommodation (accommodation with shared facilities) the maximum weekly amount is 90 per cent of the one bedroom self-contained LHA rate for January 2011 for the BRMA in which the accommodation is situated.

The management costs element (£40 per week for local authorities based in London and £60 per week for local authorities outside London) is not eligible for subsidy.

Note that the appropriate LHA rate is based on the size of the property and not the household. For subsidy purposes only, if a property has between two and five rooms (inclusive) that could be used as bedrooms or living rooms, at least one of those rooms must be treated as a living room (not a bedroom). If a property has six or more living rooms / bedrooms, at least two of those rooms must be treated as living rooms (not bedrooms).

The upper limit of £500 or £375 depends on the location (BRMA) of the property.

The £500 upper limit applies only for cases where the accommodation is located in the following BRMAs in London (listed in Schedule 8 of The Income-related Benefits (Subsidy to Authorities) Order 1998):

- Central London
- Inner West London
- Inner North London
- Inner South West London
- Inner East London
- Inner South East London
- Outer South West London

The £375 upper limit applies to cases located in accommodation in all other BRMAs.

No subsidy is payable for any expenditure above these upper limits.

## **BOARD AND LODGING AND NON SELF-CONTAINED LICENSED ACCOMMODATION**

*Reference: Article 17 of The Income-related Benefits (Subsidy to Authorities) Order 1998.*

This applies where board and lodging or non self-contained licensed accommodation is provided by a local authority as temporary accommodation (to discharge a statutory homelessness function) or short term accommodation to prevent homelessness.

Cell 012	
Rate	100%

Enter the total expenditure **up to** the lower of the one bedroom self-contained LHA rate and the upper limit (£500 or £375).

Cell 013	
Rate	0%

Enter the total expenditure **above** the lower of the one bedroom self-contained LHA rate and the upper limit (£500 or £375).

## LEASED AND SELF-CONTAINED LICENSED ACCOMMODATION INCLUDING ACCOMMODATION HELD WITHIN THE HOUSING REVENUE ACCOUNT

*Reference: Article 17A of The Income-related Benefits (Subsidy to Authorities) Order 1998.*

This applies where leased accommodation or self-contained licensed accommodation is provided by a local authority as temporary accommodation (to discharge a statutory homelessness function) or short term accommodation to prevent homelessness.

Scottish local authorities can account for accommodation they have leased from the private sector within the Housing Revenue Account. From April 2012 expenditure on cases in this accommodation is subject to the LHA-based temporary accommodation subsidy scheme and therefore should be included in cells 014 and 015.

Cell 014	
Rate	100%

Enter the total expenditure **up to** the lower of 90% of the appropriate LHA rate for the property, and the upper limit (£500 or £375).

Cell 015	
Rate	0%

Enter the total expenditure **above** the lower of 90% of the appropriate LHA rate for the property plus the management costs element, and the upper limit (£500 or £375).

### Cells 016 to 020 - Spare

Cell 021S	
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#### **DRI deduction.**

Enter the DRI deduction from cell 190S (see pages 15-17 for a full explanation on how to calculate the deduction).

## EXTENDED PAYMENTS

*Reference: Section 12 of the HB Subsidy Guidance Manual.*

Cell 022	
Rate	100%

#### **Total extended payments of rent rebates.**

Enter all expenditure in respect of extended payments in rent rebate cases. This expenditure should also be included in cell 011.

## RENT REBATE EXPENDITURE ATTRACTING FULL SUBSIDY NOT SEPARATELY IDENTIFIED

Cell 023	
Rate	100%

**Rent Rebate expenditure attracting full-rate subsidy which is included in cell 011 but not otherwise separately identified in this section.** Subsidy of

100% is paid on this amount. For further information, see section 13 of the Subsidy Guidance Manual and the note on page 3 of these notes.

## OVERPAID RENT REBATES

*Reference: Section 4 of the HB Subsidy Guidance Manual; Articles 18 and 19 of The Income-related Benefits (Subsidy to Authorities) Order 1998.*

**All overpayments must be recorded only in cells 024 to 033 and – for current year overpayments – cell 011 also.** Overpayments must be recorded as either current or prior years overpayments. For an explanation of these categories, see page 2 of these guidance notes.

When completing this section, authorities should note that subsidy is payable on overpaid rent rebates (as per the relevant categories specified in section 4 of the HB Subsidy Guidance Manual) identified by the authority within the financial year. Authorities will not be required to deduct from their claim in this year, or refund in subsequent years, any overpaid benefit which is later recovered for those categories of overpayment in cells 026 to 028 and 031 to 033.

### OVERPAID RENT REBATES (CURRENT YEAR)

Cell 024	
Rate	0%

#### DWP error overpayments recovered

Enter amounts involved on overpayments caused by DWP errors but which have been recovered during the year. This amount is not eligible for subsidy.

Cell 025	
Rate	100%

#### DWP error overpayments not recovered

Enter amounts involved on overpayments caused by DWP errors but which have not been recovered during the year. Subsidy of 100% is paid on this amount.

Cell 026	
Rate	0%

#### LA error and administrative delay overpayments

Enter the amount involved on overpayments caused by LA errors and administrative delays. This amount is not eligible for subsidy.

Cell 027	
Rate	0%

#### Technical overpayments

Enter the amount involved on overpayments caused by technical error where the rent rebate has been credited for a period where there was no rental liability or the rental liability was reduced. The Technical overpayment begins on the day the rental liability ceased or reduced. This amount is not eligible for subsidy.

Cell 028	
Rate	40%

#### Eligible overpayments

Enter the amount involved on eligible overpayments. Subsidy of 40% is paid on this amount.

### OVERPAID RENT REBATES (PRIOR YEARS)

Cell 029	
Rate	0%

#### DWP error overpayments recovered

Enter amounts involved on overpayments caused by DWP errors but which have been recovered during the year. This amount is not eligible for subsidy.

Cell 030	
Rate	100%

#### DWP error overpayments not recovered

Enter amounts involved on overpayments caused by DWP errors but which have not been recovered during the year. Subsidy of 100% is paid on this amount.

Cell 031	
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### LA error and administrative delay overpayments

Rate	0%
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Enter the amount involved on overpayments caused by LA errors and administrative delays. This amount is not eligible for subsidy.

Cell 032	
Rate	0%

### Technical overpayments

Enter the amount involved on overpayments caused by technical error where the rent rebate has been credited for a period where there was no rental liability or the rental liability was reduced. The Technical overpayment begins on the day the rental liability ceased or reduced. This amount is not eligible for subsidy.

Cell 033	
Rate	40%

### Eligible overpayments

Enter the amount involved on eligible overpayments. Subsidy of 40% is paid on this amount.

## RENT REBATE SUBSIDY CALCULATION

Cell 034S	
Rate	100%

### TOTAL SUBSIDY CLAIMED AT FULL RATE

Cell 034S = (012S+014S+022S+023S+025S) – (021S+029+031+032+033).

Cell 035S	
Reduced Rate	

### TOTAL SUBSIDY CLAIMED AT REDUCED RATES

Cell 035S = 028S+033S.

Cell 036S	
Total Subsidy	

### TOTAL RENT REBATE SUBSIDY CLAIMED

Cell 036S = 034S+035S+208S. The amount in cell 036S is entered in cell 003.

Cell 037
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### IN-YEAR RECONCILIATION

This is the total in-year expenditure specified in this section of the form, i.e. the total of cells 012 to 015 and 022 to 028. This must equal the total in cell 011.

Cell 038
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### BACKDATED EXPENDITURE

The entry required in this cell is total expenditure on backdated awards excluding overpayments. Whilst backdated awards are analysed across other cells in this section of the form (in the overpayments cells if the backdated award is subsequently found to have been overpaid), the purpose of this cell is to identify backdated expenditure so that relevant audit trails and assurance can be provided that the expenditure has been properly incurred. The relevant regulations are the Housing Benefit Regulations 2006 (Regulation 83(12) & (12A)) and the Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations 2006 (Regulation 64(1) & (1A)).

Cells 039 to 054 – Spare

Cells 055 to 079 – England and/or Wales only

Cells 080 to 093 – Spare

## RENT ALLOWANCES

TOTAL RENT ALLOWANCE EXPENDITURE (BENEFIT GRANTED)

Reference: Section 8 of the Subsidy Guidance Manual; Article 11(2) of The Income-related Benefits (Subsidy to Authorities) Order 1998.

<b>Cell 094</b>
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Enter the total expenditure, including overpayments, backdated awards and extended payments. For a full explanation of the expenditure that should be included in this cell see page 2 of these notes.

## REGULATED TENANCIES

Reference: Section 7 of the Subsidy Guidance Manual.

<b>Cell 095</b>	
<b>Rate</b>	<b>100%</b>

Enter total expenditure in respect of “regulated tenancies” entered into before deregulation (2 January 1989). Subsidy of 100% is paid on this amount.

## EXPENDITURE UNDER THE RENT OFFICER ARRANGEMENTS:

### CASES REFERRED TO THE RENT OFFICER BY 30 APRIL 2021 AS REQUIRED (EXCLUDING EXPENDITURE MADE UNDER PAYMENTS ON ACCOUNT UNDER REG.93 OF SI 2006 No.213 OR REG.74 OF SI 2006 No.214)

Reference: Section 7 of the Subsidy Guidance Manual; Articles 16 and 23(1) and Schedule 4 of the Income-related Benefits (Subsidy to Authorities) Order 1998.

Cells 096 to 100 must only include cases which have been referred as required to the Rent Officer by 30 April 2021 (the deadline for submission of the 2020/21 final subsidy claim). **There is no entitlement to subsidy for cases which should have been referred by this date but were not: all expenditure in the relevant year in relation to these cases must be included in cell 101.**

Cells 096 to 099 must only include cases for which the authority holds a rent officer determination. This should be a current determination but may be an old determination (a determination older than 52 weeks) provided a referral for a new determination has been made by 30 April 2021.

Cells 096 to 099 must exclude all cases for which an authority does not have a current determination and **has not** made a referral by 30 April 2021, regardless of whether it has an old determination. All such cases must be included in cell 101.

Cells 096 to 099 must exclude all cases for which a referral **has** been made by 30 April 2021 but the determination has not been received and there is no old determination which can be used. In relation to these cases, expenditure incurred under payments made on account following referral and pending receipt of the Rent Officer’s determination must be included in cell 100.

## CLAIMS ADMINISTERED UNDER THE PRE-1996 RULES

<b>Cell 096</b>	
<b>Rate</b>	<b>60%</b>

### Total expenditure above the RO’s determination under Regs. 13 or 13ZA.

Enter the total expenditure on that part of weekly eligible rent above the Rent Officer's determination of a claim related rent, less ineligible amounts for meals as appropriate, where restrictions could not be made. These would include cases where a restriction can not be made:

- in the first 13 weeks of a new claim (Reg. 13(7)).
- in the 12 months following the death of a family member (Reg. 13(5)).
- on a rent increase in the 12 months following the death of a family member (Reg. 13ZA(2)), or
- where the claimant is in a vulnerable group (Reg. 13(4)).

Subsidy of 60% is paid on this amount.

Cell 097	
Rate	0%

**Total expenditure above the RO's determination.**

Enter the total expenditure on that part of weekly eligible rent above the Rent Officer's determination of a claim related rent, less ineligible amounts for meals as appropriate, where restrictions could be made under Regs.13 or 13ZA. Exclude amounts shown in cell 096. This amount is not eligible for subsidy.

Cell 098	
Rate	100%

**Total expenditure at or below the RO's determination.**

Enter the total expenditure on that part of the weekly eligible rent at or below the Rent Officer's determination of a claim related rent, less ineligible amounts for meals where appropriate. Subsidy of 100% is paid on this amount.

MAXIMUM RENT CASES

Cell 099	
Rate	100%

Enter the total expenditure incurred up to the maximum rent. This includes cases where a restriction could not be made:

- in the first 13 weeks of a new claim (Reg.13ZA(3));
- in the first 12 months following the death of a family member (Reg.13ZA(1)).

Subsidy of 100% is paid on this amount. Any expenditure incurred above the maximum rent is not Housing Benefit and must not be included in any of the cells in this form.

**EXPENDITURE UNDER THE RENT OFFICER ARRANGEMENTS: PAYMENTS MADE ON ACCOUNT UNDER REG.93 OF SI 2006 No. 213 OR REG.74 OF SI 2006 No. 214 AND REFERRAL MADE TO THE RENT OFFICER BY 30 APRIL 2021**

Cell 100	
Rate	100%

For cases in which a referral was made to the Rent Officer by 30 April 2021, enter total expenditure made on account under Reg.93 of SI 2006 No. 213 or Reg.74 of SI 2006 No. 214 pending receipt of the Rent Officer's determination. Expenditure paid in these circumstances should not be reclassified on receipt of the Rent Officer's determination, irrespective of whether this determination is received before or after 30 April 2021. Subsidy of 100% is paid on this amount.

If the Rent Officer's determination identifies that an overpayment has occurred, the overpayment should be included in the appropriate overpayment cell (cells 116, 117, 123 or 124); if an underpayment is identified, the subsequent payment should be included in the appropriate Rent Officer determination cell (as explained above, the expenditure already incurred should not be reclassified and remains in cell 100).

As overpayments resulting from the use of payments on account must be recovered, local authorities should, in making a payment on account, consider all of the information they hold in respect of the claim to allow a payment which is reasonable but minimises the risk of an overpayment.

**EXPENDITURE UNDER THE RENT OFFICER ARRANGEMENTS: CASES REQUIRING REFERRAL BUT NO REFERRAL MADE BY 30 APRIL 2021**

Cell 101	
Rate	0%

Enter the total expenditure in respect of cases for which an authority does not have a current Rent Officer determination and **has not** made a referral to the Rent Officer by 30 April 2021, regardless of whether it has an old determination. This includes expenditure arising from payments made on account for cases for which a Rent Officer referral was not made by 30 April 2021. (Do not include hostel cases where there is no need to refer to the Rent Officer because there is already an existing

determination in relation to another similar dwelling in that hostel; these cases should be included in cells 096 to 099 as appropriate. Do not include RSL cases which the authority decides do not need to be referred to the Rent Officer; these cases should be included in cell 102). This amount is not eligible for subsidy. Referrals made after and determinations received after 30 April 2021 should not be used to reclassify expenditure.

## **EXPENDITURE UNDER THE RENT OFFICER ARRANGEMENTS: CASES EXCLUDED FROM REQUIREMENT TO REFER TO THE RENT OFFICER**

*Reference: Section 7 of the Subsidy Guidance Manual; Article 16 and Schedule 4 of The Income-related Benefits (Subsidy to Authorities) Order 1998.*

<b>Cell 102</b>	
<b>Rate</b>	<b>100%</b>

### **Total expenditure not requiring referral to the Rent Officer.**

Enter the total expenditure not requiring referral to the Rent Officer (pre and post January 1996 claims). This includes RSL cases which the authority decides do not need to be referred to the Rent Officer. Subsidy of 100% is paid on this amount.

## **LHA EXPENDITURE**

*Reference: LHA Manual.*

<b>Cell 103</b>	
<b>Rate</b>	<b>100%</b>

### **LHA Expenditure**

Enter the total expenditure in claims administered under LHA rules. Subsidy of 100% is paid on this amount.

## **SUBSIDY ARRANGEMENTS FOR TEMPORARY ACCOMMODATION OR SHORT TERM ACCOMMODATION WHERE A REGISTERED HOUSING ASSOCIATION IS THE LANDLORD**

Guidance on determining the level of subsidy payable for these cases is the same as for SUBSIDY ARRANGEMENTS FOR TEMPORARY OR SHORT TERM ACCOMMODATION WHERE THE LOCAL AUTHORITY IS THE LANDLORD (rent rebate cases) above, cell 012 – 015.

These subsidy arrangements apply to all cases where temporary or short term accommodation is provided by a registered housing association to enable the local housing authority to discharge a statutory homelessness function or prevent homelessness, and the registered housing association is the immediate landlord. This includes cases where the accommodation is held on license or leased from a landlord (such as Housing Association Leasing (HAL) and HAL Direct schemes).

Also included are cases where the accommodation is owned by the registered housing association and provided as temporary or short term accommodation, as above.

## **EXPENDITURE ON BOARD AND LODGING AND NON SELF-CONTAINED LICENSED ACCOMMODATION PROVIDED BY A REGISTERED HOUSING ASSOCIATION AS TEMPORARY ACCOMMODATION OR SHORT TERM ACCOMMODATION**

*Reference: Article 17B of The Income-related Benefits (Subsidy to Authorities) Order 1998.*

This applies where board and lodging or non self-contained licensed accommodation is provided by a registered housing association as temporary accommodation (to discharge a statutory

homelessness function) or short term accommodation to prevent homelessness.

<b>Cell 104</b>	
<b>Rate</b>	<b>100%</b>

Enter the total expenditure **up to** the lower of the one bedroom self-contained LHA rate and the upper limit (£500 or £375).

<b>Cell 105</b>	
<b>Rate</b>	<b>NIL</b>

Enter the total expenditure **above** the lower of the one bedroom self-contained LHA rate and the upper limit (£500 or £375).

**EXPENDITURE ON ACCOMMODATION PROVIDED BY A REGISTERED HOUSING ASSOCIATION AS TEMPORARY ACCOMMODATION OR SHORT TERM ACCOMMODATION – EXCEPT WHERE PROVIDED AS BOARD AND LODGING OR AS NON SELF-CONTAINED LICENSED ACCOMMODATION (SEE ABOVE)**

*Reference: Article 17C of The Income-related Benefits (Subsidy to Authorities) Order 1998.*

Article 17C applies to all cases where accommodation is provided by a registered housing association as temporary accommodation to assist a local authority discharge a statutory homelessness function, or provided as short term accommodation to assist a local authority prevent homelessness, and the registered housing association is the landlord; except cases to which Article 17B applies (see above).

It applies where accommodation is provided as temporary or short term accommodation and the claimant is required to pay rent to a registered housing association for:

- non self-contained accommodation held on a lease from a private landlord;
- non self-contained accommodation owned by the registered housing association; or
- self-contained accommodation held on license, leased or owned by the registered housing association.

<b>Cell 106</b>	
<b>Rate</b>	<b>100%</b>

Enter the total expenditure **up to** the lower of 90% of the appropriate LHA rate for the property, and the upper limit (£500 or £375).

<b>Cell 107</b>	
<b>Rate</b>	<b>NIL</b>

Enter the total expenditure **above** the lower of 90% of the appropriate LHA rate for the property plus the management costs element, and the upper limit (£500 or £375).

**SUPPORTED RENT EXPENDITURE**

<b>Cell 108</b>	
<b>Rate</b>	<b>100%</b>

Enter the total expenditure for any claims or awards that have had their eligible rent calculated within the rules that have replaced the use of the pre 1996 rules for “exempt accommodation”. Authorities with no such expenditure should enter zero.

**EXTENDED PAYMENTS**

*Reference: Section 12 of the HB Subsidy Guidance Manual.*

<b>Cell 109</b>
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**Total extended payments of rent allowances.**

<b>Rate</b>	<b>100%</b>
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Enter all expenditure in respect of extended payments in rent allowance cases. This expenditure should also be included in cell 094. Subsidy of 100% is paid on this amount.

## RENT ALLOWANCE EXPENDITURE ATTRACTING FULL SUBSIDY NOT SEPARATELY IDENTIFIED

<b>Cell 110</b>	
<b>Rate</b>	<b>100%</b>

**Rent Allowance expenditure attracting full-rate subsidy which is included cell 094 but not otherwise separately identified in this section.** Subsidy of 100% is paid on this amount. For further information, see 13 of the Subsidy Guidance Manual and the note on page 3 of these notes.

## OVERPAID RENT ALLOWANCES

*Reference: Section 4 of the HB Subsidy Guidance Manual; Articles 18 and 19 of The Income-related Benefits (Subsidy to Authorities) Order 1998.*

**All overpayments must be recorded only in cells 111 to 124 and – for current year overpayments – cell 094 also.** Overpayments must be recorded as either current or prior years overpayments. For an explanation of these categories, see page 2 of these guidance notes.

When completing this section, authorities should note that subsidy is payable on overpaid rent allowances (as per the relevant categories specified in section 4 of the HB Subsidy Guidance Manual) identified by the authority within the financial year. Authorities will not be required to deduct from their claim in this year, or refund in subsequent years, any overpaid benefit which is later recovered from these categories of overpayments in cells 113 to 115 and 120 to 122.

## OVERPAID RENT ALLOWANCE (CURRENT YEAR)

<b>Cell 111</b>	
<b>Rate</b>	<b>0%</b>

### **DWP error overpayments recovered**

Enter amounts involved on overpayments caused by DWP errors but which have been recovered during the year. This amount is not eligible for subsidy.

<b>Cell 112</b>	
<b>Rate</b>	<b>100%</b>

### **DWP error overpayments not recovered**

Enter amounts involved on overpayments caused by DWP errors but which have not been recovered during the year. Subsidy of 100% is paid on this amount.

<b>Cell 113</b>	
<b>Rate</b>	<b>0%</b>

### **LA error and administrative delay overpayments**

Enter the amount involved on overpayments caused by LA errors and administrative delays. This amount is not eligible for subsidy.

<b>Cell 114</b>	
<b>Rate</b>	<b>40%</b>

### **Eligible overpayments**

Enter the amount involved on eligible overpayments. Subsidy of 40% is paid on this amount.

<b>Cell 115</b>	
<b>Rate</b>	<b>25%</b>

### **Duplicate payments following alleged non-receipt, loss, theft or destruction.**

Enter the amount involved on duplicate payments. These arise following alleged non-receipt, loss, theft or destruction in cases where the original payment has been cashed. Subsidy of 25% is paid on this amount.

<b>Cell 116</b>	
<b>Rate</b>	<b>0%</b>

### **Recovered overpayments resulting from the use of payments on account made under Reg.93 of SI 2006 No. 213 or Reg.74 of SI 2006 No.214.**

Enter the total amount of recovered overpayments which have arisen from making payments on account under Reg.93 of SI 2006 No. 213 or Reg.74 of SI 2006 No.214. This amount is not eligible for subsidy.

<b>Cell 117</b>	
<b>Rate</b>	<b>100%</b>

**Overpayments resulting from the use of payments on account made under Reg.93 of SI 2006 No. 213 or Reg.74 of SI 2006 No.214 which have not been recovered.**

Enter the total amount of overpayments which have arisen from making payments on account under Reg.93 of SI 2006 No. 213 or Reg.74 of SI 2006 No.214, but have not been recovered. Subsidy of 100% is paid on this amount.

#### OVERPAID RENT ALLOWANCE (PRIOR YEARS)

<b>Cell 118</b>	
<b>Rate</b>	<b>0%</b>

**DWP error overpayments recovered**

Enter amounts involved on overpayments caused by DWP errors but which have been recovered during the year. This amount is not eligible for subsidy.

<b>Cell 119</b>	
<b>Rate</b>	<b>100%</b>

**DWP error overpayments not recovered**

Enter amounts involved on overpayments caused by DWP errors but which have not been recovered during the year. Subsidy of 100% is paid on this amount.

<b>Cell 120</b>	
<b>Rate</b>	<b>0%</b>

**LA error and administrative delay overpayments**

Enter the amount involved on overpayments caused by LA errors and administrative delays. This amount is not eligible for subsidy.

<b>Cell 121</b>	
<b>Rate</b>	<b>40%</b>

**Eligible overpayments**

Enter the amount involved on eligible overpayments. Subsidy of 40% is paid on this amount.

<b>Cell 122</b>	
<b>Rate</b>	<b>25%</b>

**Duplicate payments following alleged non-receipt, loss, theft or destruction.**

Enter the amount involved on duplicate payments. These arise following alleged non-receipt, loss, theft or destruction in cases where the original payment has been cashed. Subsidy of 25% is paid on this amount.

<b>Cell 123</b>	
<b>Rate</b>	<b>0%</b>

**Recovered overpayments resulting from the use of payments on account made under Reg.93 of SI 2006 No. 213 or Reg.74 of SI 2006 No.214.**

Enter the total amount of recovered overpayments which have arisen from making payments on account under Reg.93 of SI 2006 No. 213 or Reg.74 of SI 2006 No.214. This amount is not eligible for subsidy.

<b>Cell 124</b>	
<b>Rate</b>	<b>100%</b>

**Overpayments resulting from the use of payments on account made under Reg.93 of SI 2006 No. 213 or Reg.74 of SI 2006 No.214 which have not been recovered.**

Enter the total amount of overpayments which have arisen from making payments on account under Reg.93 of SI 2006 No. 213 or Reg.74 of SI 2006 No.214, but have not been recovered. Subsidy of 100% is paid on this amount.

#### RENT ALLOWANCE SUBSIDY CALCULATION

<b>Cell 125S</b>	
<b>Rate</b>	<b>100%</b>

**TOTAL SUBSIDY CLAIMED AT FULL RATE**

Cell 125S = (095S+098S+099S+100S+102S+103S+104S+106S+108S+109S+110S+112S+117S) – (118+120+121+122+123).

<b>Cell 126S</b>
<b>Reduced Rate</b>

**TOTAL SUBSIDY CLAIMED AT REDUCED RATES**  
 Cell 126S = 096S+114S+115S+121S+122S.

<b>Cell 127S</b>
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**TOTAL RENT ALLOWANCE SUBSIDY CLAIMED**  
 Cell 127S = 125S+126S+210S.

<b>Cell 128S</b>
------------------

**MODIFIED SCHEME SUBSIDY**  
 Cell 128S = Cell 216S.

<b>Cell 129S</b>
<b>Total subsidy</b>

**TOTAL SUBSIDY**  
 Cell 129S = 127S+128S. This amount is entered in cell 004.

<b>Cell 130</b>
-----------------

**IN-YEAR RECONCILIATION**  
 This is the total in-year expenditure specified in this section of the form, i.e. the total of cells 095 to 117. This must equal the total in cell 094.

<b>Cell 131</b>
-----------------

**BACKDATED EXPENDITURE**  
 The entry required in this cell is total expenditure on backdated awards excluding overpayments. Whilst backdated awards are analysed across other cells in this section of the form (in the overpayments cells if the backdated award is subsequently found to have been overpaid), the purpose of this cell is to identify backdated expenditure so that relevant audit trails and assurance can be provided that the expenditure has been properly incurred. The relevant regulations are the Housing Benefit Regulations 2006 (Regulation 83(12) & (12A)) and the Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations 2006 (Regulation 64(1) & (1A)).

**Cells 132 to 178 – Spare**

**SUBSIDY ADDITIONS AND DEDUCTIONS**

**UNCASHED PAYMENTS**

*Reference: Article 20 of The Income-related Benefits (Subsidy to Authorities) Order 1998.*

<b>Cell 179S</b>
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**Subsidy reduction in respect of uncashed payments**  
 Enter the total subsidy reduction in respect of uncashed payments issued in years prior to 2020/21. This amount is entered in cell 006.

**DISPROPORTIONATE RENT INCREASE (DRI)**

*Reference: Section 5 of the Subsidy Guidance Manual; Article 15 of The Income-related Benefits (Subsidy to Authorities) Order 1998.*

**NB: Homeless people in board and lodging, licensed and short term leased accommodation are excluded from this incentive.**

There are two alternatives by which an authority can gain exemption from the DRI rule:

**Either**

Category **(A)** - open and transparent rent-setting policies.

The authority must satisfy all the following criteria:

- i) for 2020/21, the authority has set rents solely according to the type, condition, class or description of the dwelling, and the services, facilities or rights provided to the tenant; and
- ii) for 2020/21, the authority has set rents and service charges having regard to the type, condition, class or description of the dwelling and any services, facilities or rights provided to the tenant; and
- iii) for 2020/21, the authority did not have regard to tenants' real or potential HB status when setting its rents; and
- iv) in 2020/21 and the previous two years, the authority did not operate a deliberate policy of letting properties attracting higher rents to tenants who were on rebates, or who were likely to become rebated, irrespective of their housing need.

or

Category **(B)** - rents increased by a common percentage.

The authority must satisfy both criteria (unless it is a new authority in which case it need only satisfy the first criterion):

- i) there is clear evidence that rent increases between the 31 March 2020 and 31 March 2021 were the same percentage and applied on the same day for all tenants irrespective of their HB status; and
- ii) no subsidy deduction was applicable under the disproportionate rent increase rule for 2019/2020. (This should be tested after the DWP have settled the authority's final subsidy claim for 2019/2020).

It is the responsibility of the authority to convince its auditors that it qualifies for exemption under either of these categories.

**Cell 180a/180b**

Click in either cell 180a (if category A exemption is not sought) or 180b (if category A exemption is sought).

**Cell 181a/181b**

Click in either cell 181a (if category B exemption is not sought) or 181b (if category B exemption is sought).

If both cells 180a and 181a are clicked (i.e. if exemption is not sought under category A or B), access will be given to the remaining DRI cells. If either cell 180b or 181b is clicked (i.e. if exemption is sought under category A or B), access to the remaining DRI cells will be denied.

## THE DRI CALCULATION

If the authority does not gain exemption it will be required to carry out a simple formulaic calculation. This calculation is based on the DRI abatement applied in the preceding year, multiplied by any new abatement arising from a disproportionate rent increase in the subsidy year itself.

**Cell 182**

Enter the percentage figure for the Disproportionate Increase in Rent Rebates in 2019/20. This figure to be shown to three decimal places.

**Cell 183**

Enter the Disproportionate Increase factor for 2019/20. Calculate this figure by dividing the figure shown in cell 182 by 100. The figure should be shown to four decimal places.

**Cell 184**

Enter, in box b, the average weekly rent for Local Authority tenants in receipt of rent rebates on 31 March 2021 for properties which were also occupied by those same tenants on 31 March 2020 and enter, in box a, the average weekly rent for those properties on 31 March 2020. Figures to be shown to two decimal places.

**Cell 185**

Enter, in box b, the average weekly rents for Local Authority tenants not in receipt of rent rebates on 31 March 2021 for properties which were also occupied by those same tenants on 31 March 2020 and enter in box a, the average weekly rent for those properties on 31 March 2020. Figures to be shown to two decimal places.

**Cell 186**

Enter the increase factor for rebated rents; calculate this by dividing the average rent figure at cell 184(b) by the figure in cell 184(a). The figure should be shown to three decimal places.

**Cell 187**

Enter the increase factor for non-rebated rents; calculate this by dividing the average rent figure at cell 185(b) by the figure in cell 185(a). The figure should be shown to three decimal places.

**Cell 188**

Enter the Disproportionate Increase in rent rebates. The calculation for this is: (figure in cell 183 + 1) x (figure in cell 186/figure in cell 187) – 1. The figure should be shown to four decimal places.

## **BASE FOR DEDUCTION**

**Cell 189**

The figure in cell 189 will be applied to the following base:-  
Total expenditure for rent rebates only and this should equal the amount shown in cell 011 on this claim form. It equates to total rent rebates less any "nil" deductions i.e. modular improvements and awards to tenants. Then deduct the following:

- amounts above rent thresholds shown in cells 013 and 015.
- overpaid amounts in cells 024, 026, 027, 028, 029, 031, 032 and 033.

The resultant figure will be the base for deduction and should be entered at cell 189.

**Cell 190S**

Enter the DRI deduction. This is the amount in cell 188 multiplied by the amount in cell 189 shown as a whole number. This figure is entered in cell 021S of the claim.

## **Cells 191 to 200 – Spare**

### **LOCAL AUTHORITY ERROR AND ADMINISTRATIVE DELAY SUBSIDY**

*Reference: Section 4 of the HB Subsidy Guidance Manual*

**Cell 201**

**TOTAL EXPENDITURE ATTRACTING FULL SUBSIDY**  
Enter the total of (cells 034S + 125S).

**Cell 202**

**LOWER THRESHOLD**  
Enter 0.48% of the figure in cell 201.

**Cell 203**

**HIGHER THRESHOLD**

Enter 0.54% of the figure in cell 201.

**Cell 204**

**TOTAL LA ERROR AND ADMINISTRATIVE DELAY OVERPAYMENTS**

Enter the total of (cells 026 + 031 + 113 + 120).

**Cell 205**

**LA ERROR AND ADMINISTRATIVE DELAY SUBSIDY (100%)**

Enter the total local authority error and administrative delay from cell 204 if less than or equal to cell 202. Otherwise enter 0.

**Rate 100%**

**Cell 206**

**LA ERROR AND ADMINISTRATIVE DELAY SUBSIDY (40%)**

Enter the total local authority error and administrative delay from cell 204 if more than cell 202 but less than or equal to cell 203. Otherwise enter 0.

**Rate 40%**

**Cell 207S**

**TOTAL LA ERROR AND ADMINISTRATIVE DELAY SUBSIDY**

Enter the total of (cell 205 + (cell 206 x 0.40)).

**Total Subsidy**

**LA ERROR AND ADMINISTRATIVE DELAY SUBSIDY APPORTIONMENTS**

**Cell 208S**

**REBATES FOR NON-HRA PROPERTIES**

Enter the total of (cell 207S x ((cell 026 + 031) divided by cell 204)). This amount is added into the total in cell 036S.

**Total Subsidy**

**Cell 209 – England and Wales only**

**Cell 210S**

**RENT ALLOWANCES**

Enter the total of (cell 207S x ((cell 113 + 120) divided by cell 204)). This amount is added into the total in cell 127S.

**Total Subsidy**

**Cell 211 - Spare**

**MODIFIED SCHEMES SUBSIDY**

*Reference: Section 8 of the HB Subsidy Guidance Manual*

**Cell 212**

Enter the total of (cells 036S + 127S).

**Cell 213**

Enter the total of (cell 212 x 0.2%).

**Cell 214**

**TOTAL EXPENDITURE**

Enter total expenditure due to the voluntary disregarding of War Disablement Pensions or War Widows Pensions. This amount should equal the total entered in the final box of cell 225.

**Cell 215**

Enter the total of (cell 214 x 75%).

**Cell 216S**

**TOTAL SUBSIDY**

Enter the lower of cells 213 and 215. This amount is transferred to cell 128S.

**Total Subsidy**

## Cells 217 to 224 – England only

### MODIFIED SCHEMES

*Reference: Section 8 of the HB Subsidy Guidance Manual; Article 11(2) of The Income-related Benefits (Subsidy to Authorities) Order 1998.*

For public expenditure estimates and monitoring purposes, information is required in the form of expenditure incurred in the financial year on increases in benefit resulting from authorities' use of certain discretionary powers.

<b>Cell 225</b>
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Enter amounts which relate to increases in benefit arising from the introduction of local schemes which enable authorities to disregard some or all of any war disablement pension or war widows pension remaining after the statutory disregards have been applied (Sections 134(8) and 139(6) of the Social Security Administration Act 1992 refer).

### Local Authority Certificate

The Responsible Finance Officer (in accordance with Section 95 of the Local Government (Scotland) Act 1973) must sign and date each copy of the certificate, deleting either the claim for payment or the undertaking to repay subsidy in excess of entitlement as appropriate. The Responsible Finance Officer must also enter the details requested at "Name" and "Position held".

Please note that the references in the certificate to regulations and orders are to those regulations and orders as amended. In particular, The Income-related Benefits (Subsidy to Authorities) Order 1998 is amended each year. The revised sums to be used in the calculation of subsidy etc. for 2020/21 are set out in The Income-related Benefits (Subsidy to Authorities) Amendment Order 2021.

### Certificate of the Auditor appointed by the Accounts Commission

The certificate is to be given by the auditor appointed by the Accounts Commission. Please see the note about regulations and orders in the paragraph above. (A print of the certificate can be obtained when printing the whole form.)