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STATUTORY INSTRUMENTS

2023 No. 1040

SOCIAL SECURITY

**The Income-related Benefits (Subsidy to Authorities) Amendment
Order 2023**

<i>Made</i> - - - -	<i>22nd September 2023</i>
<i>Laid before Parliament</i>	<i>25th September 2023</i>
<i>Coming into force</i> - -	<i>6th November 2023</i>

The Secretary of State for Work and Pensions makes this Order in exercise of the powers conferred by sections 140B(1), (3), (4) and (4A), 140C(1), (1A), (2) and (4), 140F(2) and 189(1), (4), (5), (6) and (7) of the Social Security Administration Act 1992(a).

In accordance with section 189(8) of that Act(b), the Secretary of State has obtained the consent of the Treasury.

In accordance with section 176(1)(b) of that Act(c), the Secretary of State has consulted with organisations appearing to the Secretary of State to be representative of the authorities concerned.

Citation, commencement and extent

1.—(1) This Order may be cited as the Income-related Benefits (Subsidy to Authorities) Amendment Order 2023 and comes into force on 6th November 2023.

(2) Any amendment made by this Order has the same extent as the provision amended.

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- (a) 1992 c. 5 (“the Administration Act”). Sections 140B, 140C and 140F were inserted by paragraph 4 of Schedule 12 to the Housing Act 1996 (c. 52). Section 140B(1) was amended by paragraph 7 of Schedule 1 to the Social Security Administration (Fraud) Act 1997 (c. 47) (“the Fraud Act”). Section 140B(4) was substituted and section 140B(4A) was inserted by section 10 of the Fraud Act. Section 140C(1A) was inserted by paragraph 37 of Schedule 7 to the Local Government Act 2003 (c. 26). There are amendments to section 189(1), (4), (5) and (6) which are not relevant to this Order. Section 189(7) was amended by paragraph 24 of Schedule 9 to the Local Government Finance Act 1992 (c. 14) and by paragraph 10 of Schedule 1 to the Fraud Act.
- (b) Relevant amendments were made by paragraph 3(5) of Schedule 13 to the Housing Act 1996 and paragraph 3 of Schedule 4 to the Tax Credits Act 2002 (c. 21).
- (c) Section 176(1)(b) was amended by paragraph 3(4) of Schedule 13 to the Housing Act 1996.

Amendment of the Income-related Benefits (Subsidy to Authorities) Order 1998 and effect of amendments

2.—(1) The Income-related Benefits (Subsidy to Authorities) Order 1998(a) is amended in accordance with articles 3 to 8.

(2) Articles 3 and 4 and Schedule 1 have effect for the purpose of determining subsidy payable for the relevant year(b) beginning with 1st April 2022.

(3) In paragraph (2), “relevant year” means the year in respect of which a claim for subsidy is made.

Housing Benefit Assurance Process

3. In article 2 (interpretation of Parts 2 and 4), in the definition of “HBAP”, for “31st March 2022” substitute “17th April 2023”(c).

The amount of an authority’s subsidy

4. For Schedule 1 (sums to be used in the calculation of subsidy) substitute the Schedule 1 set out in Schedule 1 to this Order.

Additional amount of subsidy: Verify Earnings and Pension Alerts Service

5. For Schedule 1ZB (additional amount of subsidy: Verify Earnings and Pension Alerts Service) substitute the Schedule 1ZB set out in Schedule 2 to this Order.

Additional amount of subsidy: Housing Benefit Award Accuracy Initiative

6. For Schedule 1ZC (additional amount of subsidy: Housing Benefit Award Accuracy Initiative) substitute the Schedule 1ZC set out in Schedule 3 to this Order.

High rents and rent allowances

7. In Schedule 4 (high rents and rent allowances), omit Part 5.

Rent rebate deductions from the subsidy of an authority in Wales

8. For Schedule 4A (rent rebate limitation deductions (housing revenue account dwellings): authorities in Wales) substitute the Schedule 4A set out in Schedule 4 to this Order.

Signed by authority of the Secretary of State for Work and Pensions

22nd September 2023

We consent.

Mims Davies
Parliamentary Under Secretary of State
Department for Work and Pensions

19th September 2023

Scott Mann
Stuart Anderson
Two of the Lords Commissioners of His Majesty’s Treasury

(a) S.I. 1998/562; relevant amending instruments are S.I. 2004/646, 2008/695, 2018/985, 2020/976, 2021/1031 and 2022/983.

(b) See section 140G of the Administration Act for the definition of “year”.

(c) See <https://www.gov.uk/government/publications/housing-benefit-assurance-process-hbap>. The relevant HBAP publication is contained in HBAP Module 1 and Module 6.

SCHEDULES

SCHEDULE 1

Article 4

Substitution of Schedule 1 to the Income-related Benefits (Subsidy to Authorities) Order 1998

“SCHEDULE 1

Article 12(1)(b)

Sums to be used in the calculation of subsidy

Relevant Year 2022-2023

<i>Local authority</i>	<i>Administration subsidy (£)</i>
England	
Adur District Council	155,260
Allerdale Borough Council	291,366
Amber Valley Borough Council	314,518
Arun District Council	396,117
Ashfield District Council	369,270
Ashford Borough Council	327,221
Babergh District Council	186,692
London Borough of Barking and Dagenham	883,626
London Borough of Barnet	1,381,355
Barnsley Borough Council	860,032
Barrow Borough Council	214,897
Basildon District Council	578,884
Basingstoke and Deane District Council	378,794
Bassetlaw District Council	316,286
Bath and North East Somerset Council	433,805
Bedford Borough Council	484,034
London Borough of Bexley	628,705
Birmingham City Council	5,299,607
Blaby District Council	154,008
Blackburn with Darwen Borough Council	522,497
Blackpool Borough Council	763,704
Bolsover District Council	236,927
Bolton Metropolitan Borough Council	1,018,205
Boston Borough Council	194,537
Bournemouth, Christchurch and Poole Council	1,190,342
Bracknell Forest Borough Council	261,686
Bradford Metropolitan Borough Council	1,663,599
Braintree District Council	358,729

<i>Local authority</i>	<i>Administration subsidy (£)</i>
Breckland District Council	312,113
London Borough of Brent	1,559,304
Brentwood District Council	130,706
Brighton and Hove Council	1,069,586
Bristol City Council	1,559,279
Broadland District Council	204,868
London Borough of Bromley	804,237
Bromsgrove District Council	164,764
Broxbourne Borough Council	261,756
Broxtowe Council	237,940
Buckinghamshire Council	978,818
Burnley Borough Council	377,975
Bury Metropolitan Borough Council	549,099
Calderdale Borough Council	685,971
Cambridge City Council	319,687
London Borough of Camden	1,330,141
Cannock Chase District Council	259,710
Canterbury City Council	393,432
City of Carlisle District Council	298,073
Castle Point District Council	180,170
Central Bedfordshire Council	524,247
Charnwood Borough Council	325,448
Chelmsford Borough Council	353,218
Cheltenham Borough Council	279,901
Cherwell District Council	307,473
Cheshire East Council	776,941
Cheshire West and Chester Council	903,516
Chesterfield Borough Council	382,396
Chichester District Council	278,324
Chorley Borough Council	262,116
City of London	54,054
Colchester Borough Council	447,657
Copeland Borough Council	218,646
Cornwall Council	1,672,446
Cotswold District Council	174,005
Coventry City Council	1,070,102
Craven District Council	110,413
Crawley Borough Council	371,582
London Borough of Croydon	1,590,871
Dacorum Borough Council	404,422
Darlington Borough Council	386,010
Dartford Borough Council	246,219
Derby City Council	810,432
Derbyshire Dales District Council	131,787

<i>Local authority</i>	<i>Administration subsidy (£)</i>
Doncaster Metropolitan Borough Council	1,044,406
Dorset Council	884,643
Dover District Council	368,913
Dudley Metropolitan Borough Council	953,670
Durham County Council	2,011,966
London Borough of Ealing	1,477,289
East Cambridgeshire District Council	167,606
East Devon District Council	297,550
East Hampshire District Council	190,721
East Hertfordshire District Council	273,942
East Lindsey District Council	466,991
East Riding of Yorkshire Council	697,878
East Staffordshire Borough Council	253,637
East Suffolk Council	660,021
Eastbourne Borough Council	395,234
Eastleigh Borough Council	254,237
Eden District Council	96,394
Elmbridge Borough Council	256,365
London Borough of Enfield	1,646,586
Epping Forest District Council	279,025
Epsom and Ewell Borough Council	144,819
Erewash Borough Council	312,178
Exeter City Council	348,897
Fareham Borough Council	171,817
Fenland District Council	275,588
Folkestone and Hythe District Council	355,564
Forest of Dean District Council	211,506
Fylde Borough Council	194,866
Gateshead Borough Council	854,280
Gedling Borough Council	251,565
Gloucester City Council	382,527
Gosport Borough Council	247,242
Gravesham Borough Council	285,617
Great Yarmouth Council	423,863
Royal Borough of Greenwich	1,369,639
Guildford Borough Council	248,029
London Borough of Hackney	2,028,921
Halton Borough Council	543,418
Hambleton District Council	191,991
London Borough of Hammersmith and Fulham	1,006,388
Harborough District Council	127,266
London Borough of Haringey	1,437,265
Harlow District Council	345,862
Harrogate Borough Council	297,732

<i>Local authority</i>	<i>Administration subsidy (£)</i>
Harrow Council	747,709
Hart District Council	115,588
Hartlepool Borough Council	490,637
Hastings Borough Council	453,589
Havant Borough Council	260,943
London Borough of Havering	627,513
Herefordshire Council	433,811
Hertsmere Borough Council	278,288
High Peak Borough Council	219,139
London Borough of Hillingdon	877,829
Hinckley and Bosworth Borough Council	203,534
Horsham District Council	243,151
London Borough of Hounslow	1,000,420
Huntingdonshire District Council	325,083
Hyndburn Borough Council	301,650
Ipswich Borough Council	480,546
Isle of Wight County Council	455,910
Isles of Scilly Council	1,640
London Borough of Islington	1,497,485
Royal Borough of Kensington and Chelsea	914,611
Kings Lynn and West Norfolk Borough Council	367,964
Hull City Council	1,284,037
Royal Borough of Kingston upon Thames	433,156
Kirklees Metropolitan Borough Council	1,271,497
Knowsley Borough Council	728,171
London Borough of Lambeth	1,825,479
Lancaster City Council	412,448
Leeds City Council	2,514,090
Leicester City Council	1,177,299
Lewes District Council	260,074
London Borough of Lewisham	1,654,588
Lichfield District Council	195,101
City of Lincoln Council	365,729
Liverpool City Council	2,481,751
Luton Borough Council	652,486
Maidstone Borough Council	372,876
Maldon District Council	124,054
Malvern Hills District Council	168,002
Manchester City Council	2,580,189
Mansfield District Council	362,508
Medway Council	765,468
Melton Borough Council	107,354
Mendip District Council	281,777
London Borough of Merton	571,268

<i>Local authority</i>	<i>Administration subsidy (£)</i>
Mid Devon District Council	182,849
Mid Suffolk District Council	176,011
Mid Sussex District Council	240,463
Middlesbrough Council	687,811
Milton Keynes Borough Council	804,206
Mole Valley District Council	165,890
New Forest District Council	357,603
Newark and Sherwood District Council	286,707
Newcastle-Under-Lyme Borough Council	316,785
Newcastle City Council	1,283,745
London Borough of Newham	1,586,677
North Devon District Council	259,987
North East Derbyshire District Council	267,258
North East Lincolnshire Council	577,726
North Hertfordshire District Council	291,247
North Kesteven District Council	210,243
North Lincolnshire Council	469,211
North Norfolk District Council	260,846
North Northamptonshire Council	837,818
North Somerset Council	555,299
North Tyneside Borough Council	735,318
North Warwickshire District Council	148,542
North West Leicestershire District Council	198,704
Northumberland County Council	941,021
Norwich City Council	611,937
Nottingham City Council	1,362,091
Nuneaton and Bedworth Borough Council	378,367
Oadby and Wigston Borough Council	94,713
Oldham Borough Council	859,869
Oxford City Council	421,230
Pendle Borough Council	266,318
Peterborough City Council	649,437
Plymouth City Council	969,134
Portsmouth City Council	869,783
Preston Borough Council	478,688
Reading Borough Council	537,658
London Borough of Redbridge	859,524
Redcar and Cleveland Borough Council	553,740
Redditch Borough Council	247,959
Reigate and Banstead Borough Council	289,320
Ribble Valley Borough Council	86,684
Richmondshire District Council	100,906
London Borough of Richmond upon Thames	446,592
Rochdale Borough Council	871,847

<i>Local authority</i>	<i>Administration subsidy (£)</i>
Rochford District Council	139,437
Rossendale Borough Council	202,551
Rother District Council	243,151
Rotherham Borough Council	910,717
Rugby Borough Council	240,402
Runnymede Borough Council	176,745
Rushcliffe Borough Council	167,403
Rushmoor Borough Council	280,571
Rutland County Council	64,993
Ryedale District Council	128,368
Salford City Council	1,121,387
Sandwell Metropolitan Borough Council	1,217,007
Scarborough Borough Council	382,101
Sedgemoor District Council	468,554
Sefton Metropolitan Borough Council	990,126
Selby District Council	167,385
Sevenoaks District Council	240,285
Sheffield City Council	1,927,636
Shropshire Council	687,073
Slough Borough Council	484,029
Solihull Metropolitan Borough Council	527,104
Somerset West and Taunton Council	436,898
South Cambridgeshire District Council	243,282
South Derbyshire District Council	180,358
South Gloucestershire Council	496,463
South Hams District Council	201,118
South Holland District Council	188,403
South Kesteven District Council	314,153
South Lakeland District Council	169,917
South Norfolk District Council	252,696
South Oxfordshire District Council	234,944
South Ribble Borough Council	210,421
South Somerset District Council	418,414
South Staffordshire District Council	217,661
South Tyneside Council	758,243
Southampton City Council	947,450
Southend-on-Sea City Council	650,545
London Borough of Southwark	1,777,461
Spelthorne Borough Council	218,797
St Albans District Council	266,685
St Helens Borough Council	662,578
Stafford Borough Council	253,961
Staffordshire Moorlands District Council	158,011
Stevenage Borough Council	280,953

<i>Local authority</i>	<i>Administration subsidy (£)</i>
Stockport Borough Council	730,845
Stockton-on-Tees Borough Council	661,242
Stoke-on-Trent City Council	947,639
Stratford-on-Avon District Council	256,450
Stroud District Council	242,118
Sunderland City Council	1,268,190
Surrey Heath Borough Council	136,729
London Borough of Sutton	611,276
Swale Borough Council	434,827
Swindon Borough Council	588,379
Tameside Metropolitan Borough Council	869,561
Tamworth Borough Council	206,615
Tandridge District Council	178,884
Teignbridge District Council	316,705
Telford and Wrekin Council	612,269
Tendring District Council	505,444
Test Valley Borough Council	248,655
Tewkesbury Borough Council	188,104
Thanet District Council	571,920
Three Rivers Council	190,490
Thurrock Borough Council	477,682
Tonbridge and Malling District Council	279,233
Torbay Council	534,037
Torrington District Council	170,756
London Borough of Tower Hamlets	1,863,709
Trafford Metropolitan Borough Council	581,798
Tunbridge Wells Borough Council	249,320
Uttlesford District Council	146,475
Vale of White Horse District Council	237,730
Wakefield Council	1,152,480
Walsall Borough Council	1,027,770
London Borough of Waltham Forest	997,078
London Borough of Wandsworth	1,294,763
Warrington Borough Council	535,677
Warwick District Council	275,828
Watford Borough Council	280,410
Waverley Borough Council	223,592
Wealden District Council	260,367
Welwyn Hatfield District Council	336,375
West Berkshire Council	324,924
West Devon Borough Council	126,822
West Lancashire District Council	292,289
West Lindsey District Council	248,446
West Northamptonshire Council	874,601

<i>Local authority</i>	<i>Administration subsidy (£)</i>
West Oxfordshire District Council	202,841
West Suffolk Council	389,606
City of Westminster	1,294,989
Wigan Council	1,016,817
Wiltshire Council	1,029,349
Winchester City Council	238,915
Royal Borough of Windsor and Maidenhead	268,262
Wirral Borough Council	1,241,841
Woking Borough Council	202,879
Wokingham District Council	200,194
Wolverhampton City Council	1,047,981
Worcester City Council	271,919
Worthing Borough Council	290,107
Wychavon District Council	268,669
Wyre Borough Council	299,317
Wyre Forest District Council	294,191
City of York Council	395,430
Wales	
Blaenau Gwent County Borough Council	318,962
Bridgend County Borough Council	477,573
Caerphilly County Borough Council	636,859
Cardiff City Council	1,262,108
Carmarthenshire County Council	540,118
Ceredigion Council	187,368
Conwy County Borough Council	379,349
Denbighshire County Council	349,113
Flintshire County Council	411,534
Gwynedd Council	323,966
Isle of Anglesey County Council	211,568
Merthyr Tydfil Borough Council	236,961
Monmouthshire County Council	220,909
Neath Port Talbot County Borough Council	591,884
Newport City Council	576,113
Pembrokeshire County Council	385,804
Powys County Council	327,717
Rhondda-Cynon-Taff County Borough Council	797,265
Swansea City Council	911,084
Torfaen Borough Council	390,255
Vale of Glamorgan Council	359,861
Wrexham County Borough Council	462,998
Scotland	
Aberdeen City Council	652,154
Aberdeenshire Council	470,681
Angus Council	368,081

<i>Local authority</i>	<i>Administration subsidy (£)</i>
Argyll and Bute Council	271,451
Clackmannanshire Council	232,389
Comhairle Nan Eilean Siar Council	62,405
Dumfries and Galloway Council	538,578
Dundee City Council	786,906
East Ayrshire Council	527,112
East Dunbartonshire Council	207,488
East Lothian District Council	326,547
East Renfrewshire Council	175,099
City of Edinburgh Council	1,515,282
Falkirk District Council	557,578
Fife Council	1,334,156
Glasgow City Council	3,641,774
Highland Council	674,465
Inverclyde District Council	403,506
Midlothian Council	295,008
Moray Council	243,621
North Ayrshire Council	677,929
North Lanarkshire Council	1,397,861
Orkney Islands Council	56,904
Perth and Kinross Council	368,564
Renfrewshire Council	707,391
Scottish Borders Council	360,545
Shetland Islands Council	51,479
South Ayrshire Council	433,924
South Lanarkshire Council	1,134,646
Stirling Council	254,796
West Dunbartonshire Council	495,052
West Lothian Council	661,233”

SCHEDULE 2

Article 5

Substitution of Schedule 1ZB to the Income-related Benefits (Subsidy to Authorities) Order 1998

“SCHEDULE 1ZB

Article 12(1)(bza)

Additional amount of subsidy: Verify Earnings and Pension Alerts Service

Interpretation

1. In this Schedule—

“relevant activities” means activities carried out by authorities receiving VEP alerts to administer those alerts;

“VEP alerts” means alerts given by the Secretary of State enabling authorities to identify changes in earnings and pensions so as to help prevent fraud and error relating to housing benefit.

Additional amount: relevant year beginning with 1st April 2023

2. The additional amount of subsidy for an authority for the relevant year beginning with 1st April 2023 is the amount specified for that authority in the Housing Benefit Circular HB S7/2023 first published by the Department for Work and Pensions on 9th May 2023(a).

Use of amount paid under paragraph 2

3. An authority must use the additional amount received under paragraph 2 in connection with relevant activities.”

SCHEDULE 3

Article 6

Substitution of Schedule 1ZC to the Income-related Benefits (Subsidy to Authorities) Order 1998

“SCHEDULE 1ZC

Article 12(1)(bzb)

Additional amount of subsidy: Housing Benefit Award Accuracy Initiative

Interpretation

1. In this Schedule—

“HBAAI” means the Housing Benefit Award Accuracy Initiative set out in Housing Benefit Circular HB A5/2022 first published by the Department for Work and Pensions on 5th May 2022(b);

“relevant activities” means activities carried out by authorities in connection with administering the HBAAI.

Additional amount: relevant year beginning with 1st April 2022

2. The additional amount of subsidy for an authority for the relevant year beginning with 1st April 2022 is the amount (if any) specified for that authority in the following Housing Benefit Circulars published by the Department for Work and Pensions—

(a) HB S7/2022, first published on 29th April 2022(c);

(a) See <https://www.gov.uk/government/publications/housing-benefit-subsidy-circulars-2023/s72023-funding-for-the-verify-earnings-and-pension-service-for-the-financial-year-ending-march-2024>.

(b) See <https://www.gov.uk/government/publications/housing-benefit-adjudication-circulars-2022/a52022-housing-benefit-award-accuracy-initiative-for-financial-year-ending-march-2023>.

(c) See <https://www.gov.uk/government/publications/housing-benefit-subsidy-circulars-2022/s72022-housing-benefit-award-accuracy-initiative-funding-for-financial-year-ending-march-2023-for-local-authorities-participating-from-4-april-2022>.

(b) HB S10/2022, first published on 18th November 2022(a).

Use of amount paid under paragraph 2

3. An authority must use any additional amount received under paragraph 2 in connection with relevant activities.”

SCHEDULE 4

Article 8

Substitution of Schedule 4A to the Income-related Benefits (Subsidy to Authorities) Order 1998

“SCHEDULE 4A

Article 20A

Rent Rebate Limitation Deductions (Housing Revenue Account Dwellings): Authorities in Wales

Interpretation

1. In this Schedule—

“HRA” means the Housing Revenue Account of the authority the amount of whose subsidy is under consideration;

“rent”, in relation to a dwelling, means the total of the payments in respect of the dwelling specified in regulation 12(1) of the Housing Benefit Regulations or, as the case may be, regulation 12(1) of the Housing Benefit (State Pension Credit) Regulations, other than a payment specified in regulation 12(1)(e).

Liability to deduction

2.—(1) This paragraph applies in relation to the relevant year if—

- (a) the authority is specified in the Table in paragraph 4 for that year, and
- (b) $O + P$ is less than Q where—

“O” is the amount specified in column 1 of that Table for the authority;

“P” is the guideline rent increase specified in column 2 of that Table for the authority;

“Q” is the average weekly rent for a dwelling for the authority for the relevant year.

(2) For the purposes of determining Q in sub-paragraph (1)(b), the average weekly rent for a dwelling for the authority for the relevant year is calculated by dividing the total rent charged for all dwellings in the HRA in that year by the total number of weeks for which rent was charged for all dwellings in the HRA, disregarding any unoccupied dwelling.

(a) See <https://www.gov.uk/government/publications/housing-benefit-subsidy-circulars-2022/s102022-housing-benefit-award-accuracy-initiative-funding-for-financial-year-ending-march-2023-for-local-authorities-participating-from-october-2022>.

Amount of deduction

3.—(1) The amount of the deduction from subsidy referred to in article 20A(2) is to be calculated as follows—

Step 1

Divide the amount of rebates granted by the authority in the relevant year in respect of dwellings in the HRA by the income of the authority for that year from rent (including rent remitted by way of rebate) in respect of such dwellings.

Step 2

If the result of Step 1—

- (a) does not exceed the rebate proportion for the relevant year (see sub-paragraph (2))—
 - (i) deduct (O + P) from Q (see paragraph 2);
 - (ii) divide the result of paragraph (a)(i) by Q;
 - (iii) multiply the amount of the subsidy (apart from any deduction to be calculated under this Schedule) by the result of paragraph (a)(ii);
- (b) exceeds the rebate proportion for the relevant year—
 - (i) deduct (O + P) from Q (see paragraph 2);
 - (ii) divide the result of paragraph (b)(i) by Q;
 - (iii) divide the rebate proportion (see sub-paragraph (2)) by the result of Step 1;
 - (iv) multiply the result of paragraph (b)(ii) by the result of paragraph (b)(iii);
 - (v) multiply the amount of the subsidy (apart from any deduction to be calculated under this Schedule) by the result of paragraph (b)(iv).

(2) The rebate proportion for the purposes of sub-paragraph (1) for the relevant year beginning with 1st April 2023 is 0.44.

Amounts for the purposes of paragraph 2

4. The amounts for the relevant year beginning with 1st April 2023 for the purposes of paragraph 2 are as follows—

<i>Local authority</i>	<i>(1) Specified amount “O”(£)</i>	<i>(2) Guideline rent increase “P” (£)</i>
Caerphilly County Borough Council	104.56	8.10
Cardiff City Council	117.78	9.23
Carmarthenshire County Council	103.72	8.12
Denbighshire County Council	104.47	8.31
Flintshire County Council	109.56	8.50
Isle of Anglesey County Council	105.09	8.34
Pembrokeshire County Council	107.02	7.87
Powys County Council	107.42	8.28
Swansea City Council	104.77	8.42
Vale of Glamorgan Council	117.24	8.79
Wrexham County Borough Council	107.82	8.41”

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Income-related Benefits (Subsidy to Authorities) Order 1998 (S.I. 1998/562) (“the 1998 Order”) which provides for the calculation and payment of housing benefit subsidy to local authorities in England, Wales and Scotland which administer housing benefit. Section 140F(2) of the Social Security Administration Act 1992 (c. 5) authorises the making, revocation or varying of an Order before, during or after the year to which it relates.

Article 3 updates the definition of “HBAP” in article 2 of the 1998 Order to refer to the appropriate version of the Housing Benefit Assurance Process, published on 17th April 2023.

Article 4 and Schedule 1 substitute Schedule 1 to the 1998 Order, which prescribes the sums to be used in the calculation of subsidy for the year beginning with 1st April 2022.

Article 5 and Schedule 2 substitute Schedule 1ZB to the 1998 Order, which prescribes a system for the making of additional payments of subsidy to authorities administering alerts relating to the earnings and pension entitlement of claimants for housing benefit. The substituted Schedule 1ZB has effect for the purposes of determining additional amounts of subsidy payable for the year beginning with 1st April 2023. The amounts were notified by the Secretary of State to local authorities on 9th April 2023.

Article 6 and Schedule 3 substitute Schedule 1ZC to the 1998 Order. The definition of “HBAAI” in paragraph 1 of that Schedule is updated to refer to the most recent version of the Housing Benefit Award Accuracy Initiative, published on 5th May 2022. Paragraph 2 of Schedule 1ZC prescribes a system for the making of additional payments of subsidy to authorities verifying the accuracy of information held in respect of the household, income and capital, and general financial circumstances of claimants for housing benefit. The substituted Schedule 1ZC has effect for the purposes of determining additional amounts of subsidy payable for the year beginning with 1st April 2022. The amounts were notified by the Secretary of State to local authorities on 18th November 2022.

Article 7 omits Part 5 of Schedule 4 to the 1998 Order. Paragraph 1 of that Schedule, which referred to the table in Part 5, was previously omitted by the Income-related Benefits (Subsidy to Authorities) Amendment Order 2006 (S.I. 2006/54). This Order is therefore being issued free of charge to all known recipients of that Statutory Instrument.

Article 8 and Schedule 4 substitute Schedule 4A to the 1998 Order, to update the rebate proportion figure for 2023/2024 to 0.44, and to set out revised specified amounts “O” and guideline rent increases “P” used when calculating deductions from subsidy under paragraph 2 of Schedule 4A. The substituted Schedule 4A has effect for the purposes of determining subsidy payable for the year beginning with 1st April 2023 for authorities in Wales.

Hard copies of the circulars referenced in this Order are available by writing to the Department for Work and Pensions, Local Authority Partnership, Engagement and Delivery Division, Peel Park Phase 2, First Floor Blue Zone, Brunel Way, Blackpool, Lancashire FY4 5ES or by emailing lawelfare.lafunding@dpw.gov.uk.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sector is foreseen.

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