

Freedom of Information Act 2000 - Consequential Provisions Regulations

Your request for information has now been considered and the Council's response to your questions is shown below.

You asked:

I would like to request the following information under the Freedom of Information Act. The information relates to tenants who are entitled to have their eligible rent calculated under the Consequential Provisions Regulations, but who have had their Housing Benefit reduced under the provisions related to the Removal of the Spare Room Subsidy.

1/ How many tenants do you have in your area who are renting in the social sector – including those renting housing association properties / council properties / or through a social landlord?

2/ How many of the tenants in your area are having their housing benefit reduced because they are under-occupying their property under the government's spare room subsidy policy?

3/ Of the above, how many (or they and their partner / former partner / child/ non-dependent who has died, or left the property or served a prison sentence) have been on housing benefit continuously since the 1st January 1996 (with certain gaps allowed) under the Consequential Provisions Regulations?

4/ How many tenants who are entitled to have their eligible rent calculated pursuant to paragraph 4(1)(a) of Schedule 3 of the Housing Benefit and Council Tax Benefit (Consequential Provisions) Regulations 2006 (Consequential Provisions Regulations) rather than the provisions which relate to the Removal of the Spare Room Subsidy, have had their housing benefit reduced under the provisions which relate to the Removal of the Spare Room Subsidy since its introduction in April 2013?

5/ Of the tenants who , who are entitled to have their eligible rent calculated under the Consequential Provisions Regulations but who have had their housing benefit reduced under the provisions which relate to the Removal of the Spare Room Subsidy – how many have had their housing benefit reduced by 14%?

6/ Of the tenants who , who are entitled to have their eligible rent calculated under the Consequential Provisions Regulations but who have had their housing benefit reduced under the provisions which relate to the Removal of the Spare Room Subsidy – how many have had their housing benefit reduced by 25%?

7/ Of the tenants, who are entitled to have their eligible rent calculated under the Consequential Provisions Regulations, but who have had their housing benefit reduced under the provisions which relate to the Removal of the Spare Room Subsidy – how much money in total have these tenants, in your jurisdiction, had their housing benefit reduced by?

8/ Of the tenants, who are entitled to have their eligible rent calculated under the Consequential Provisions Regulation but who have had their housing benefit reduced under the provisions which relate to the Removal of the Spare Room Subsidy, how many, in total, HAVE BEEN paid money through the discretionary housing payment scheme?

9/ Of the tenants, who are entitled to have their eligible rent calculated under the Consequential Provisions Regulations, but who have had their housing benefit reduced under the provisions which relate to the Removal of the Spare Room Subsidy, how many, in total, ARE STILL CONTINUING to be paid money through the discretionary housing payment scheme?

10/ Of the tenants, who are entitled to have their eligible rent calculated under the Consequential Provisions Regulations, but who have had their housing benefit reduced under the provisions which relate to the Removal of the Spare Room Subsidy, how much money, in total, HAS BEEN paid to them, to date, in discretionary housing payment scheme?

11/ Of the tenants, who are entitled to have their eligible rent calculated under the Consequential Provisions Regulations, but who have had their housing benefit reduced under the provisions which relate to the Removal of the Spare Room Subsidy, how much money in total IS CONTINUING to be paid to them in discretionary housing payment scheme, while you investigate the matter

12/ Of the tenants, who are entitled to have their eligible rent calculated under the Consequential Provisions Regulations, but who have had their housing benefit reduced under the provisions which relate to the Removal of the Spare Room Subsidy, How long do you estimate it will take to investigate these matters?

13/ Of the tenants, who are entitled to have their eligible rent calculated under the Consequential Provisions Regulations, but who have had their housing benefit reduced under the provisions which relate to the Removal of the Spare Room Subsidy, how many, in total, have contacted the council to enquire about receiving arrears in their housing benefit?

14/ Of the tenants, who are entitled to have their eligible rent calculated under the Consequential Provisions Regulations, but who have had their housing benefit reduced under the provisions which relate to the Removal of the Spare Room Subsidy, how much money in total does the council owe these tenants in housing benefit arrears?

15/ How much money, in total, does the council calculate will have to be written off in Discretionary Housing Payments that have been paid to tenants who are entitled to have their eligible rent calculated under the Consequential Provisions Regulations, but who have had their housing benefit reduced under the provisions which relate to the Removal of the Spare Room Subsidy?

16/ How much money, in total, does the council calculate will have to be written off in Discretionary Housing Payments that is continuing to be paid to tenants who are entitled to have their eligible rent calculated under the

Consequential Provisions Regulations, but who have had their housing benefit reduced under the provisions which relate to the Removal of the Spare Room Subsidy?

17/ How much money to date, in total, has been paid back to tenants, who are entitled to have their eligible rent calculated under the Consequential Provisions Regulations, but who have had their housing benefit reduced under the provisions which relate to the Removal of the Spare Room Subsidy?

18/ Has the council kept records of tenants who are entitled to have their eligible rent calculated under the Consequential Provisions Regulations?

19/ If the council has not kept records of tenants who are entitled to have their eligible rent calculated under the Consequential Provisions Regulations, how much money are you proposing to set aside to deal with this matter?

We have identified that there are approximately 1,500 cases that need to be looked into to answer your request. It would take one officer one hour per case to process the information requested. 6 officers working on these cases per day would equate to around 33 days.

Section 12 of the Act makes provision for public authorities to refuse requests for information where the cost of dealing with them would exceed the appropriate limit, which for Local Authorities is set at £450. This represents the estimated cost of one person spending 2.5 working days in determining whether the department holds the information, locating, retrieving and extracting the information.

This is therefore a Refusal Notice under section 17.1 of the Freedom of Information Act, because under the provisions of section 12.1 of the Act, the Council estimates that to comply with your request in its current form will exceed the appropriate limit.

However, I can inform you that there are officers working on this task already and the investigations into these 1,500 cases will continue and the information should be available in approximately 7 weeks. If you are still interested, you may wish to make another request at that time.

The legislation allows you to use the information supplied for your own personal use. Please be aware that any commercial or other use, for example publication, sale, or redistribution may be a breach of copyright under the Copyright, Designs and Patents Act 1988 as amended unless you obtain the copyright holder's prior permission.

Not all the information that is supplied which is covered by copyright will be the Council's copyright, for example it may be the copyright of a government department or another Council. You should seek either the Council's consent or their consent as appropriate. The Council is willing to advise you of any such potential issues on request. In order to make a request to re-use the information please contact the Information Governance Manager using the details below.

If you are dissatisfied with the handling of your request please write to:

Information Governance Manager
Information and Support
Leicester City Council
FREEPOST (LE985/33)
New Walk Centre
LEICESTER LE1 6ZG
e-mail: info.requests@leicester.gov.uk

Your request for internal review should be submitted to the above address within 40 (forty) working days of receipt by you of this response. Any such request received after this time will only be considered at the Council's absolute discretion.

You can also complain to the Information Commissioner at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow SK9 5AF
Telephone: 01625 545 700
www.informationcommissioner.gov.uk

Please be aware that the Information Commissioner does not normally consider appeals or complaints until the internal appeals and complaints processes of the public authority which is answering the request have been exhausted. You are therefore advised to complain or appeal to the Information Governance Manager before contacting the Commissioner.