



GLASGOW CITY COUNCIL

Local Housing Allowance: Safeguarding Policy

1. Purpose of the Safeguarding Policy

The purpose of this policy document is to outline how Glasgow City Council will ensure appropriate safeguards are in place to protect tenants who have significant difficulty in managing their financial liability to their landlord.

It outlines the approach that will be adopted in considering and reviewing applications from claimants and landlords for payment of Local Housing Allowance (LHA) direct to landlords.

The Council's intention is to empower claimants to manage their own financial affairs, while supporting those who are not in a position to do so.

2. Safeguarding

In the context of LHA, the term safeguarding should be taken to mean payment of LHA to the landlord, rather than the tenant, where the circumstances warrant such a course of action.

A request for safeguarding will generally be made on a form approved and issued by the Council. However, applications made via any other medium will be treated as valid, provided all of the necessary information is supplied.

Representation for safeguarding a claimant may be made by any of the following:

- The Claimant
- The Landlord
- Friends and Family of the claimant
- Social Workers, GPs or Criminal Justice Workers.
- Welfare Groups & Money Advisors
- JobCentre or Pension Service staff

In support of the application the Council may, where appropriate:

- request reasonable evidence in support of the application for safeguarding payments
- verify any information or evidence provided by contacting third parties or other organisations

The Council will work with the claimant and their representative in making the decision.

3. Making a Decision

In making a safeguarding decision, the following may be taken into account where appropriate:

- The vulnerability of a claimant and their ability to manage their own financial affairs. Some indicators of this may be:
 - The claimant is addicted to drugs, alcohol or gambling
 - The claimant has a medical condition which makes it difficult for them to manage their financial affairs
 - The claimant has Autism Spectrum Disorder or some other disorder that affects their ability to manage their affairs
 - The claimant has learning disabilities
 - The claimant is fleeing domestic violence
 - The claimant is an undischarged bankrupt

This list is neither exhaustive nor prescriptive.

- The claimant has rent arrears of 8 weeks or more (mandatory ground)
- The claimant has a history of rent arrears and may be unlikely to pay rent
- The landlord has set an affordable rent to sustain a tenancy. This will generally mean at or below the 30th percentile rate
- The landlord has reduced their rent in line with the 30th percentile rate

The Council will treat each safeguarding application on its individual merits, within a framework of consistent guidelines.

4. Notification of Safeguarding Decision

The Council will notify all persons affected by the decision in writing, detailing the following:

- The decision
- Reasons for the decision
- The review Date
- Rights of appeal
- Any advice agencies, voluntary or statutory organisations that may help claimant

5. Reviewing a Decision

After a decision has been made to apply safeguarding, it will be subject to periodic review. The date of review will be determined with reference to the individual circumstances of each case.

The decision may be reviewed if there is a relevant change in circumstances, or if requested by the claimant.

6. Overpayments of LHA

The Council may seek to recover any LHA overpayment from landlords in cases where safeguarding has been applied.

7. Appeal

If the claimant or landlord disagrees with our decision, they can appeal. The appeal will be subject to Benefits Legislation and will be considered by the Tribunal Service, an independent body with the remit of hearing all Housing Benefit and Council Tax Benefit appeals.