This Statutory Instrument has been made in consequence of a defect in S.I. 2021/1031 and is being issued free of charge to all known recipients of that Statutory Instrument.

STATUTORY INSTRUMENTS

2024 No. 1092

SOCIAL SECURITY

The Income-related Benefits (Subsidy to Authorities) Amendment Order 2024

Made - - - - at 9:40 a.m. on 4th November 2024

Laid before Parliament at 4:00 p.m. on 4th November 2024

Coming into force - - 29th November 2024

The Secretary of State 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), (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 2024 and comes into force on 29th November 2024.

(2) This Order extends to England and Wales and Scotland.

(**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). Sections 140B, 140C and 140F were repealed by Part 1 of Schedule 14 to the Welfare Reform Act 2012 (c. 5) so far as they relate to the abolition of council tax benefit. There are amendments to section 189(1), (4) 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 9.

(2) Articles 3, 6 and 8, and the Schedule, have effect for the purpose of determining subsidy payable for the relevant year(**b**) beginning with 1st April 2023.

(3) Articles 4 and 5 have effect for the purpose of determining subsidy payable for the relevant year beginning with 1st April 2024 and any subsequent relevant year.

(4) Articles 7 and 9 have effect for the purpose of determining subsidy payable for the relevant year beginning with 1st April 2024.

(5) In this article, "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 "17th April 2023" substitute "1st April 2024"(**c**).

Amendment relating to self-contained accommodation

4. In article 17 (subsidy in respect of non self-contained licensed accommodation, and board and lodging accommodation, provided by an authority as temporary or short term accommodation), for paragraph (4) substitute—

> "(4) For the purposes of this article and articles 17A, 17B and 17C, accommodation is self-contained if P's household has the exclusive use of a kitchen, a bathroom and a toilet.".

Amendment relating to technical overpayment

5. In article 18 (additions to subsidy), for paragraph (7A) substitute—

> "(7A) A technical overpayment does not include any part of the overpayment occurring before the day on which the liability was reduced or eliminated.".

The amount of an authority's subsidy

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

Additional amount of subsidy: Verify Earnings and Pension Alerts Service

7. In paragraph 2 of Schedule 1ZB (additional amount of subsidy: Verify Earnings and Pension Alerts Service)—

(a) in the heading, for "1st April 2023" substitute "1st April 2024";

(b) for "1st April 2023" substitute "1st April 2024";

(**a**) S.I. 1998/562; relevant amending instruments are S.I. 2004/646, 2005/369, 2009/2580, 2010/2509, 2011/2957, 2018/985, 2021/1031 and 2023/1040.

(**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.

(c) for "Housing Benefit Circular HB S7/2023" to the end substitute "Housing Benefit Circular HB S6/2024 first published by the Department for Work and Pensions on 23rd April 2024(**a**)".

Additional amount of subsidy: Housing Benefit Award Accuracy Initiative

8. In Schedule 1ZC (additional amount of subsidy: Housing Benefit Award Accuracy Initiative)—

(a) in paragraph 1 (interpretation), in the definition of "HBAAI", for "Housing Benefit Circular HB A5/2022" to the end of that definition substitute "Housing Benefit Circular HB A4/2023 first published by the Department for Work and Pensions on 4th April 2023(**b**)";

(b) in paragraph 2 (additional amount: relevant year beginning with 1st April 2022)—

(i) in the heading, for "1st April 2022" substitute "1st April 2023";

(ii) for "1st April 2022" substitute "1st April 2023";

(iii) for "following Housing Benefits Circulars" to the end substitute "Housing Benefit Circular HB S6/2023 first published by the Department for Work and Pensions on 27th April 2023(**c**)".

Rent rebate deductions from the subsidy of an authority in Wales

9. In Schedule 4A (rent rebate limitation deductions (Housing Revenue Account dwellings): authorities in Wales)—

(a) in paragraph 3(2), for "1st April 2023 is 0.44" substitute "1st April 2024 is 0.397";

(b) for paragraph 4, but not including the heading, substitute—

"4. The amounts for the relevant year beginning with 1st April 2024 for the purposes of paragraph 2 are as follows—

Local authority	(1) Specified amount "O" (£)	(2) Guideline rent increase "P" (£)
Caerphilly County Borough Council	112.66	8.69
Cardiff City Council	127.01	9.93
Carmarthenshire County Council	111.84	8.66
Denbighshire County Council	112.78	8.85
Flintshire County Council	118.06	9.06
Isle of Anglesey County Council	113.43	8.86
Pembrokeshire County Council	114.89	8.46
Powys County Council	115.70	8.81
Swansea City Council	113.19	9.05

(**a**) See https://www.gov.uk/government/publications/housing-benefit-subsidy-circulars-2024/s62024-funding-for-the-verify-earnings-and-pensions-service-for-the-financial-year-ending-march-2025.

(**b**) See https://www.gov.uk/government/publications/housing-benefit-adjudication-circulars-2023/a42023-housing-benefit-award-accuracy-initiative-for-the-financial-year-ending-march-2024.

(**c**) See https://www.gov.uk/government/publications/housing-benefit-subsidy-circulars-2023/s62023-housing-benefit-award-accuracy-initiative-funding-for-the-financial-year-ending-march-2024-for-local-authorities-participating-from-3-april-20. This circular was revised on 19th December 2023.

Local authority	(1) Specified amount "O" (£)	(2) Guideline rent increase "P" (£)
Vale of Glamorgan Council	126.03	9.39
Wrexham County Borough Council	116.23	8.94".

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

Stephen Timms
Minister of State
At 9.40 a.m. on 4th November 2024 Department for Work and Pensions

We consent

Jeff Smith
Taiwo Owatemi
29th October 2024 Two of the Lords Commissioners of His Majesty's Treasury

SCHEDULE

Article 6

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 2023-2024

Local authority	Administration subsidy (£)
England	
Adur District Council	144,908
Amber Valley Borough Council	295,394
Arun District Council	365,742
Ashfield District Council	331,126
Ashford Borough Council	309,360
Babergh District Council	179,042
London Borough of Barking and Dagenham	809,485
London Borough of Barnet	1,281,592
Barnsley Borough Council	829,214
Basildon District Council	557,100
Basingstoke and Deane District Council	348,402
Bassetlaw District Council	300,656
Bath and North East Somerset Council	431,208
Bedford Borough Council	480,628
London Borough of Bexley	548,449
Birmingham City Council	5,164,131
Blaby District Council	138,695
Blackburn with Darwen Borough Council	498,286
Blackpool Borough Council	708,058
Bolsover District Council	219,452

Local authority	Administration subsidy (£)
Bolton Metropolitan Borough Council	932,725
Boston Borough Council	170,745
Bournemouth, Christchurch and Poole Council	1,150,485
Bracknell Forest Borough Council	241,442
Bradford Metropolitan Borough Council	1,551,473
Braintree District Council	339,986
Breckland District Council	294,472
London Borough of Brent	1,376,000
Brentwood District Council	125,128
Brighton and Hove Council	1,033,579
Bristol City Council	1,460,137
Broadland District Council	188,381
London Borough of Bromley	752,016
Bromsgrove District Council	153,660
Broxbourne Borough Council	244,426
Broxtowe Council	220,846
Buckinghamshire Council	893,783
Burnley Borough Council	369,524
Bury Metropolitan Borough Council	513,824
Calderdale Borough Council	670,025
Cambridge City Council	292,879
London Borough of Camden	1,261,354
Cannock Chase District Council	233,874
Canterbury City Council	361,597
Castle Point District Council	163,447
Central Bedfordshire Council	480,476
Charnwood Borough Council	308,215
Chelmsford Borough Council	328,230
Cheltenham Borough Council	269,878
Cherwell District Council	294,957

Local authority	Administration subsidy (£)
Cheshire East Council	758,734
Cheshire West and Chester Council	886,577
Chesterfield Borough Council	363,786
Chichester District Council	256,384
Chorley Borough Council	249,483
City of London	48,369
Colchester Borough Council	412,355
Cornwall Council	1,574,511
Cotswold District Council	166,729
Coventry City Council	996,150
Crawley Borough Council	348,831
London Borough of Croydon	1,598,030
Cumberland Council	764,941
Dacorum Borough Council	364,088
Darlington Borough Council	362,930
Dartford Borough Council	227,626
Derby City Council	755,983
Derbyshire Dales District Council	122,265
Doncaster Metropolitan Borough Council	1,004,663
Dorset Council	848,663
Dover District Council	358,499
Dudley Metropolitan Borough Council	910,408
Durham County Council	1,911,380
London Borough of Ealing	1,369,183
East Cambridgeshire District Council	154,853
East Devon District Council	275,092
East Hampshire District Council	175,869
East Hertfordshire District Council	254,040
East Lindsey District Council	436,740
East Riding of Yorkshire Council	654,419

Local authority	Administration subsidy (£)
East Staffordshire Borough Council	223,782
East Suffolk Council	642,053
Eastbourne Borough Council	382,151
Eastleigh Borough Council	250,317
Elmbridge Borough Council	232,988
London Borough of Enfield	1,555,662
Epping Forest District Council	256,158
Epsom and Ewell Borough Council	137,274
Erewash Borough Council	305,845
Exeter City Council	327,370
Fareham Borough Council	158,750
Fenland District Council	257,018
Folkestone and Hythe District Council	325,328
Forest of Dean District Council	200,922
Fylde Borough Council	182,691
Gateshead Borough Council	822,273
Gedling Borough Council	225,562
Gloucester City Council	346,805
Gosport Borough Council	222,568
Gravesham Borough Council	254,666
Great Yarmouth Council	424,618
Royal Borough of Greenwich	1,276,611
Guildford Borough Council	228,416
London Borough of Hackney	1,819,435
Halton Borough Council	538,156
London Borough of Hammersmith and Fulham	1,015,587
Harborough District Council	125,448
London Borough of Haringey	1,339,619
Harlow District Council	329,327
Harrow Council	683,194

Local authority	Administration subsidy (£)
Hart District Council	106,653
Hartlepool Borough Council	483,998
Hastings Borough Council	451,011
Havant Borough Council	238,594
London Borough of Havering	563,104
Herefordshire Council	397,613
Hertsmere Borough Council	252,665
High Peak Borough Council	197,066
London Borough of Hillingdon	792,555
Hinckley and Bosworth Borough Council	202,564
Horsham District Council	229,219
London Borough of Hounslow	994,808
Huntingdonshire District Council	296,681
Hyndburn Borough Council	288,924
Ipswich Borough Council	445,501
Isle of Wight County Council	427,777
Isles of Scilly Council	1,665
London Borough of Islington	1,420,385
Royal Borough of Kensington and Chelsea	887,564
Kings Lynn and West Norfolk Borough Council	334,032
Hull City Council	1,157,267
Royal Borough of Kingston upon Thames	403,294
Kirklees Metropolitan Borough Council	1,209,669
Knowsley Borough Council	681,210
London Borough of Lambeth	1,786,696
Lancaster City Council	419,726
Leeds City Council	2,307,428
Leicester City Council	1,069,174
Lewes District Council	237,562
London Borough of Lewisham	1,572,555

Local authority	Administration subsidy (£)
Lichfield District Council	185,595
City of Lincoln Council	343,586
Liverpool City Council	2,332,089
Luton Borough Council	579,639
Maidstone Borough Council	331,921
Maldon District Council	113,713
Malvern Hills District Council	152,943
Manchester City Council	2,476,116
Mansfield District Council	333,820
Medway Council	688,334
Melton Borough Council	102,554
London Borough of Merton	549,674
Mid Devon District Council	166,124
Mid Suffolk District Council	165,508
Mid Sussex District Council	228,772
Middlesbrough Council	613,164
Milton Keynes Borough Council	712,425
Mole Valley District Council	155,196
New Forest District Council	335,240
Newark and Sherwood District Council	268,110
Newcastle-Under-Lyme Borough Council	283,502
Newcastle City Council	1,274,582
London Borough of Newham	1,522,337
North Devon District Council	245,243
North East Derbyshire District Council	251,233
North East Lincolnshire Council	545,770
North Hertfordshire District Council	260,480
North Kesteven District Council	193,994
North Lincolnshire Council	449,117
North Norfolk District Council	238,470

Local authority	Administration subsidy (£)
North Northamptonshire Council	783,180
North Somerset Council	534,110
North Tyneside Borough Council	690,226
North Warwickshire District Council	136,700
North West Leicestershire District Council	190,374
North Yorkshire Council	1,290,458
Northumberland County Council	863,396
Norwich City Council	564,906
Nottingham City Council	1,247,930
Nuneaton and Bedworth Borough Council	360,424
Oadby and Wigston Borough Council	84,950
Oldham Borough Council	827,391
Oxford City Council	416,431
Pendle Borough Council	240,365
Peterborough City Council	625,781
Plymouth City Council	922,281
Portsmouth City Council	788,243
Preston Borough Council	451,261
Reading Borough Council	509,420
London Borough of Redbridge	816,091
Redcar and Cleveland Borough Council	497,549
Redditch Borough Council	238,813
Reigate and Banstead Borough Council	264,684
Ribble Valley Borough Council	80,868
London Borough of Richmond upon Thames	417,605
Rochdale Borough Council	820,951
Rochford District Council	126,896
Rossendale Borough Council	182,365
Rother District Council	239,115
Rotherham Borough Council	852,514

Local authority	Administration subsidy (£)
Rugby Borough Council	242,121
Runnymede Borough Council	154,119
Rushcliffe Borough Council	157,285
Rushmoor Borough Council	250,951
Rutland County Council	62,294
Salford City Council	1,057,752
Sandwell Metropolitan Borough Council	1,104,077
Sefton Metropolitan Borough Council	959,220
Sevenoaks District Council	220,052
Sheffield City Council	1,753,447
Shropshire Council	660,361
Slough Borough Council	447,544
Solihull Metropolitan Borough Council	505,172
Somerset Council	1,445,793
South Cambridgeshire District Council	221,248
South Derbyshire District Council	159,711
South Gloucestershire Council	450,072
South Hams District Council	187,124
South Holland District Council	176,989
South Kesteven District Council	303,297
South Norfolk District Council	227,293
South Oxfordshire District Council	223,637
South Ribble Borough Council	198,807
South Staffordshire District Council	207,288
South Tyneside Council	700,264
Southampton City Council	927,932
Southend-on-Sea City Council	626,918
London Borough of Southwark	1,824,889
Spelthorne Borough Council	199,810
St Albans District Council	252,832

Local authority	Administration subsidy (£)
St Helens Borough Council	633,266
Stafford Borough Council	230,594
Staffordshire Moorlands District Council	144,884
Stevenage Borough Council	254,782
Stockport Borough Council	668,915
Stockton-on-Tees Borough Council	605,541
Stoke-on-Trent City Council	880,663
Stratford-on-Avon District Council	249,431
Stroud District Council	231,588
Sunderland City Council	1,174,141
Surrey Heath Borough Council	124,617
London Borough of Sutton	611,187
Swale Borough Council	410,459
Swindon Borough Council	588,165
Tameside Metropolitan Borough Council	827,048
Tamworth Borough Council	195,326
Tandridge District Council	169,459
Teignbridge District Council	297,039
Telford and Wrekin Council	552,361
Tendring District Council	462,861
Test Valley Borough Council	233,413
Tewkesbury Borough Council	175,660
Thanet District Council	547,404
Three Rivers Council	175,378
Thurrock Borough Council	450,178
Tonbridge and Malling District Council	246,761
Torbay Council	487,377
Torridge District Council	161,815
London Borough of Tower Hamlets	1,818,079
Trafford Metropolitan Borough Council	563,786

Local authority	Administration subsidy (£)
Tunbridge Wells Borough Council	225,164
Uttlesford District Council	142,958
Vale of White Horse District Council	222,944
Wakefield Council	1,053,254
Walsall Borough Council	917,774
London Borough of Waltham Forest	899,163
London Borough of Wandsworth	1,257,535
Warrington Borough Council	537,006
Warwick District Council	250,094
Watford Borough Council	256,034
Waverley Borough Council	201,040
Wealden District Council	246,370
Welwyn Hatfield District Council	325,673
West Berkshire Council	310,174
West Devon Borough Council	117,292
West Lancashire District Council	280,411
West Lindsey District Council	228,035
West Northamptonshire Council	808,288
West Oxfordshire District Council	191,155
West Suffolk Council	366,046
City of Westminster	1,251,108
Westmorland and Furness Council	446,532
Wigan Council	981,046
Wiltshire Council	991,414
Winchester City Council	223,686
Royal Borough of Windsor and Maidenhead	256,381
Wirral Borough Council	1,190,388
Woking Borough Council	185,741
Wokingham District Council	192,377
Wolverhampton City Council	984,198

Local authority	Administration subsidy (£)
Worcester City Council	246,778
Worthing Borough Council	281,317
Wychavon District Council	245,415
Wyre Borough Council	278,034
Wyre Forest District Council	271,852
City of York Council	381,258
Wales	
Blaenau Gwent County Borough Council	300,229
Bridgend County Borough Council	453,123
Caerphilly County Borough Council	601,312
Cardiff City Council	1,211,618
Carmarthenshire County Council	498,388
Ceredigion Council	180,275
Conwy County Borough Council	337,206
Denbighshire County Council	334,695
Flintshire County Council	409,718
Gwynedd Council	299,890
Isle of Anglesey County Council	197,052
Merthyr Tydfil Borough Council	222,092
Monmouthshire County Council	214,478
Neath Port Talbot County Borough Council	574,560
Newport City Council	562,162
Pembrokeshire County Council	359,788
Powys County Council	316,553
Rhondda-Cynon-Taff County Borough Council	733,133
Swansea City Council	886,041
Torfaen Borough Council	382,783
Vale of Glamorgan Council	339,533
Wrexham County Borough Council	449,708
Scotland	

Local authority	Administration subsidy (£)
Aberdeen City Council	606,783
Aberdeenshire Council	446,278
Angus Council	360,519
Argyll and Bute Council	258,916
Clackmannanshire Council	227,517
Comhairle Nan Eilean Siar Council	90,461
Dumfries and Galloway Council	514,471
Dundee City Council	757,569
East Ayrshire Council	507,744
East Dunbartonshire Council	200,826
East Lothian District Council	331,524
East Renfrewshire Council	170,406
City of Edinburgh Council	1,462,219
Falkirk District Council	543,414
Fife Council	1,319,958
Glasgow City Council	3,438,326
Highland Council	669,091
Inverclyde District Council	400,434
Midlothian Council	289,515
Moray Council	228,786
North Ayrshire Council	656,828
North Lanarkshire Council	1,349,991
Orkney Islands Council	51,915
Perth and Kinross Council	354,552
Renfrewshire Council	663,257
Scottish Borders Council	349,100
Shetland Islands Council	45,423
South Ayrshire Council	422,214
South Lanarkshire Council	1,110,816
Stirling Council	259,851

Local authority	Administration subsidy (£)
West Dunbartonshire Council	451,873
West Lothian Council	634,535”.

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. Sections 140C(4) and 140F(2) of the Social Security Administration Act 1992 (c. 5) authorise 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 1st April 2024. Article 4 updates the meaning of "self-contained accommodation" for the purposes of articles 17 to 17C of the 1998 Order. Article 5 makes a correction to paragraph (7A), the definition of "technical overpayment" for the purposes of article 18 of the 1998 Order.

Article 6 and the Schedule 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 2023.

Article 7 amends 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 amendments to Schedule 1ZB have effect for the purposes of determining additional amounts of subsidy payable for the year beginning with 1st April 2024. The amounts were notified by the Secretary of State to local authorities on 23rd April 2024.

Article 8 amends 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 4th April 2023. 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 amendments to Schedule 1ZC have 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 27th April 2023 and revised on 19th December 2023.

Article 9 amends Schedule 4A to the 1998 Order, to update the rebate proportion figure for 2024/2025 to 0.397, 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 amendments to Schedule 4A have effect for the purposes of determining subsidy payable for the year beginning with 1st April 2024 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@dwp.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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ISBN 978-0-34-826513-2

£8.14

http://www.legislation.gov.uk/id/uksi/2024/1092