

Sunderland City Council
Local Welfare Provision Policy
(Effective from 1 November 2017)

1 Background

From April 2013 funding for the Crisis Loan and Community Care Award elements of the DWP Discretionary Social Fund (SF) transferred to councils to enable them to develop local schemes that would be administered at their discretion

Annual funding from the DWP has since ceased but the council continues to provide support for residents to help meet some specific needs that had previously been met by the SF. These two support schemes are collectively called Local Welfare Provision (LWP) and comprise:

- Crisis Support Scheme
- Community Care Support Scheme

Neither scheme replaces or is intended to replace existing statutory provision or other available support.

Other provision including DWP Budgeting Loans, Advance Payments and Hardship Payments should still be applied for first. Only if these applications are declined would the council normally consider applications to LWP.

LWP is not available to asylum seekers or others with no recourse to public funds.

As LWP awards are made entirely at the discretion of the council (and taking into account available funding) there is no right to an award or to appeal. Both schemes however operate internal review mechanisms. Beyond that and in cases of alleged maladministration the applicant may be able to pursue the case with the Local Government Ombudsman

2 LWP objectives

LWP is primarily intended to meet some of the short term needs of poor and otherwise vulnerable applicants. The policies are broadly intended to help individuals or families under exceptional pressure by helping with some day to day basic living costs and / or white goods or furniture

These are compliant with and support the council's duties under the Equality Act 2010.

3 LWP Administration and Service Delivery

The remainder of this document provides detail of the two LWP Scheme Policies as applied from 1 April 2017 onwards. These details include an overview of their specific eligibility criteria, administration, decision making and service delivery methods

These are supported by more detailed frameworks, including operational guidance and processes within the council services that administer these schemes. These are also updated when improvements are needed to enable LWP to continue to operate flexibly, providing customers with choice, improving their independence, and seeking to deliver improved outcomes within the available budget

On-going claim administration and spending are also subject to internal quality assurance processes and on-going monitoring. These will provide sufficient confidence with regard to the consistency and accuracy of decision making as well as helping identify potential improvements and preventing LWP overspend.

As both schemes involve the use of public funds the relevant legislation, duties and actions linked to these may be required and initiated.

Any award will apply only to the applicant, their partner or their immediate dependants. This means that an award is non-transferable.

The Council may seek repayment of the monetary value of any award from the recipient if it comes to the Council's attention that a grant has been awarded as a result of:

- Misleading information
- Deception or
- Fraud

The Council may take action to recover the sum through the appropriate legal processes in line with the Council's counter-fraud policy, which is committed to ensure that benefits and grants are delivered to those citizens who have a true entitlement to them.

If the Council becomes aware that an applicant has received an award from another source for the same purpose as that which Local Welfare Provision has been awarded, the Council may seek repayment of the monetary value of the award.

Furthermore, where it comes to the Council's attention that an award has been used for a purpose other than that for which it was intended, or that an award has been sold (except where the item can reasonably be expected to be at the end of its useful life) the Council may seek repayment of the monetary value of that award.

Crisis Support Scheme

1 Scheme Aims

This scheme can provide support for applicants that are unable to meet their immediate short term needs either in an emergency, or as a consequence of a disaster.

- **Emergency** is a situation which causes the applicant to have a pressing need; or unforeseen circumstances either of which requires immediate action or remedy.

The emergency should not normally be as a consequence of an act or an omission for which the applicant or their partner is responsible, and they could not have taken reasonable steps to avoid, given their own personal circumstances

- **Disaster** is a sudden calamitous event or great misfortune causing actual loss of or damage to possessions or property. Examples include flooding , gas explosions or leaks

Consideration will also be given to applicants' that need help to alleviate the likely consequences of an immediate disaster –if these consequences' could include serious damage or risk to health and safety of the applicant or their dependents

Whilst each application will be considered on its own merits the following criteria are provided to promote fairness and consistency with regard to decision making.

2 Financial Eligibility Criteria Overview

It is a condition of the scheme that the applicants should have explored all other options and means of meeting their need. These could include their own financial / other resources, other family or friends resources, insurance, statutory provision and schemes.

- Appropriate DWP schemes (including Hardship Payments , Budgeting Loans , Advance Payments) should have been applied for and declined
- The applicant must normally be either in receipt of, or in the process of applying for Housing Benefit, Council Tax Support or Universal Credit with a Housing Costs Component. These mean that they must be a resident of the city or are intending to become one
- Consideration will also be given to applicants that receive other means tested benefits (Income based JSA , Income related ESA, Income Support , Universal Credit) and that either live in someone else's household –or are homeless (

however proof of income , residency, and other circumstances may be needed – which could require 3rd party information from an appropriate agency)

- The applicant or their partner must in addition have no readily available savings, capital or investments that could be used instead to help them resolve the crisis

3 Additional Eligibility Criteria Overview

In addition to meeting the financial eligibility criteria –which effectively means that the applicant has insufficient income / capital to meet their need themselves, they in addition must meet at least one of the following additional criteria.

- They have a serious physical health problem affecting their day to day living , which they receive on-going treatment for
- They have a dependent child / children that normally live with them
- They are at risk of homelessness
- They have a substance or alcohol misuse problem , which they receive treatment or support for
- They are on probation or receiving support relating to their offending history
- They have recently been subject to –or are at risk of domestic abuse
- They have a learning disability , physical or sensory impairment or mental health issue
- They are a young person leaving care
- They are an older person with support needs
- They have caring responsibilities for someone who is unable to look after themselves
- There is a risk to their own health and safety
- They have reasonable prospects of appealing against a sanction – especially if their reason for applying to the scheme are linked to the sanction itself

In addition even if the applicant meets all other criteria the council will normally only consider making one award to that household in any rolling 12 month period – further awards can only be made by exception

The scheme is intended to provide a response to a given crisis and not be seen in any way as part of a solution to a given applicants' on-going low income.

4 Application Overview

The council will determine the means and method by which applicants can conveniently and quickly apply to the scheme and detail their circumstances

The council will determine both the information that customers need to provide to both support their applications as well as determine the level and types of support

that applicants will receive taking account of their presenting circumstances. This may require a certain amount of information to be provided and verified.

There is no statutory right to support under the scheme and no right of appeal against these matters. The internal review process allows applicants to challenge decisions and the opportunity to provide new information if necessary.

- **Evidence of emergency or disaster:** the applicant must provide suitable information about the emergency or disaster and the impact that it has had or will have on them or their household.

Applications will be approved or declined based on this information and whether the household meets one of the additional eligibility criteria, and the financial eligibility criteria.

- **Evidence of financial eligibility:** All of the applicants' income (and that of their partner and any dependents) will be taken into account – including those benefits normally disregarded for benefit purposes. In addition acceptable proof may need to be provided of these :

- Any savings /investments held which can be quickly realised to alleviate the crisis
- Whether other family members or friends could assist to deal with the crisis (financially or otherwise)
- Whether expenditure on non-essential items could be reduced –or debt repayments reduced
- Whether the household could be eligible for other income/ benefits that are not being received
- Steps that that the applicant or partner are taking –or could take to help themselves – including benefits / debt advice

- **Decision making and notification:** The council aims to determine all applications within one working day of their receipt and are subject to a pre-screening exercise to quickly identify those that do not meet basic criteria as well as those that may need to provide additional details.

Once the applicant –or 3rd parties have provided sufficient information to enable the council to determine the application a decision will be notified immediately wherever it is possible to do so. These notifications will include details of

- Any items to be awarded
- Where an award is not being made – the reasons for the decision
- What they can do if they believe the decision is incorrect

- Other support available to applicants (successful or unsuccessful) including information and advice provision
- The duty to notify the council of any changes which might affect their entitlement to an award

5 Details of Potential Crisis Support Provision

Crisis Awards normally only provide support with food or fuel costs however travel and clothing needs can also be considered as eligible under the scheme.

- **Support with food costs:** The value of any support is intended to reflect the short term nature of a crisis, and the applicants' household composition, and are normally made to cover a one week period.

- **Support with Fuel costs (for applicants with prepayment meters in place)**

The support is intended to reflect the short term nature of most crisis and awards are currently made for one week periods.

- **Support with Travel costs:** Travel vouchers can be considered in exceptional circumstances and only if this is the only way that the customer can attend the given appointment (for example funerals or hospital appointments). Other potential sources of help such as NHS ambulance/ transport, or any DWP assistance schemes should be explored first.

The expectation is that any travel required will be within the Sunderland City council area, however travel within the wider Tyne & Wear area may be considered.

- **Support to cover basic clothing:** Support can be provided that will cover basic and minimum clothing for the person and their immediate family. The intention is this will only be provided in circumstances where the applicant(s) either does not have –or has been deprived of any suitable clothing. Situations where this could happen in addition to crisis / emergencies as described in section 1 include where single residents are being discharged from long term stays in hospital / care homes or prisons and therefore have limited resources at their disposal

Community Care Support Scheme

1 Scheme Aims

This scheme is primarily intended to help vulnerable people to enter or re-enter the community and / or to develop or maintain their independence within the community.

Whilst each application will be considered on its own merits the following criteria are provided to promote fairness and consistency with regard to decision making.

2 Financial Eligibility Criteria Overview

It is a condition of the scheme that the applicants should have explored all other options and means of meeting their need. These could include their own financial / other resources, other family or friend's resources, statutory provision and schemes.

- Appropriate DWP schemes (including Hardship Payments , Budgeting Loans , Advance Payments) should have been applied for and declined
- The applicant must normally either be in receipt of, or in the process of applying for Housing Benefit, Council Tax Support or Universal Credit with a Housing Costs Component. These mean that they must be a resident of the city or intending to become one
- Consideration will also be given to applicants that receive other means tested benefits (Income based JSA , Income related ESA, Income Support , Universal Credit) and that either live in someone else's household –or are homeless (however proof of income , residency, and other circumstances may be needed – which could require 3rd party information from an appropriate agency)
- The applicant or their partner must in addition have no readily available savings, capital or investments that could be used instead to help them resolve the crisis

3 Additional Eligibility Criteria Overview – 2 stage test

In addition to meeting the financial eligibility criteria –which effectively means that the applicant has insufficient income / capital to meet their need themselves, they in addition must pass the following 2 stage test.

1st stage - The applicant or their partner must either require support to:

- Move back into the community after a stay in supported or temporary / high dependency accommodation (for example residential , hospital or prison); or
- Enable them to stay in their home and prevent a move into residential care or hospital ; or

- Prevent a serious deterioration of health within their current home; or
- Relieve exceptional pressure on them or their family.

2nd stage: In addition the applicant or their partner must also meet at least one of the following criteria.

- They have a serious physical health problem affecting their day to day living , which they receive on-going treatment for
- They have a dependent child / children that normally live with them
- They are at risk of homelessness
- They have a substance or alcohol misuse problem , which they receive treatment or support for
- They are on probation or receiving support relating to their offending history
- They have recently been subject to –or are at risk of domestic abuse
- They have a learning disability , physical or sensory impairment or mental health issue
- They are a young person leaving care
- They are an older person with support needs
- They have caring responsibilities for someone who is unable to look after themselves
- There is a risk to their own health and safety
- They have reasonable prospects of appealing against a sanction – especially if their reason for applying to the scheme are linked to the sanction itself

In addition even if the applicant meets all other criteria the council will normally only consider making one award to that household in any rolling 12 month period – further awards can only be made by exception

4 Application Overview

The council will determine the means and method by which applicants can conveniently and quickly apply to the scheme and detail their circumstances Applications will be enabled through a variety of methods. This is the proviso that they do not disadvantage customers by reducing in practice their current ability to apply to the scheme.

The council will determine both the information that customers need to provide to both support their applications as well as determine the level and types of support that applicants will receive taking account of their presenting circumstances. This may require a certain amount of information to be provided and verified by either the applicant or in many cases 3rd parties. This information is needed to both determine

the applicants that do qualify for financial help, as well as the additional support offers all applicants will receive.

There is no statutory right to support under the scheme and no right of appeal against these matters. The internal review process allows applicants to challenge decisions and the opportunity to provide new information.

- **Evidence of additional eligibility:** the applicant must provide suitable information about their circumstances to evidence that they meet criteria under both the 1st and 2nd stages. It is likely that many applicants will need to obtain 3rd party corroboration to confirm information in respect of these 1st and 2nd stages.

Applications will be approved or declined based on this information and also on the financial eligibility criteria.

- **Evidence of financial eligibility:** All of the applicants' income (and that of their partner and any dependents) will be taken into account – including those benefits normally disregarded for benefit purposes. In addition acceptable proof may need to be provided for these :
 - Any savings /investments held which can be quickly realised to alleviate the crisis
 - Whether other family members or friends could assist to deal with the crisis (financially or otherwise)
 - Whether expenditure on non-essential items could be reduced –or debt repayments reduced
 - Whether the household could be eligible for other income/ benefits that are not being received
 - applicant or partner are taking –or could take to help themselves – including benefits / debt advice
- **Decision making and notification:** The council aims to determine all applications as soon as is possible and operates a pre-screening exercise to quickly identify those that do not meet basic criteria as well as those that may need to provide additional details to support their applications.

Once the applicant –or 3rd parties have provided sufficient information to enable the council to determine the application a decision will be notified immediately. These notifications will include details of:

- Any items to be awarded
- Where an award is not being made – the reasons for the decision
- What they can do if they believe the decision is incorrect

- Other support available to applicants (successful or unsuccessful) including information and advice provision
- The duty to notify the council of any changes which might affect their entitlement to an award

5 Details of Community Care Support Provision

Community Care Support provision is normally limited to assisting with the following areas:

- Bed and bedding
- Essential white goods and furniture
- Any other essential products (that the council sees fit to supply)

Awards will reflect household composition and what items they might already have available to them. The provision can also include 2nd hand or refurbished goods where it is appropriate to supply these –and where supplies exist