



**London Borough
of Hounslow**

**Local Welfare Provision
Discretionary Local Crisis Payments
April 2016**

Local Welfare Provision

Discretionary Local Crisis Payments

Policy and Procedure

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POLICY

1. Background

- 1.1 The Department for Work and Pensions (DWP) Social Fund Scheme was abolished from 1 April 2013 and replaced with new localised schemes of welfare provision to be delivered by all Local authorities.
- 1.2 Social Fund was originally established under the Social Security Act 1986 and administered centrally by the Jobcentre Plus on behalf of the DWP. As part of the Welfare Reform, the element which provides emergency financial assistance is to be replaced by localised welfare provision schemes, designed and delivered by Local Authorities.
- 1.3 Following the abolition of the Social Fund Scheme, other elements will be retained by the DWP. These are maternity grants, funeral grants and cold weather payments.
- 1.4 There is no statutory duty on Local Authorities to develop and administer such a scheme.
- 1.5 The Council set-up a scheme similar to the previous provision of the Community Care Grant (non-repayable grants to those leaving residential or institutional care, staying in the home instead of returning to care or where an individual is in exceptional need) and Crisis Loans (interest free loans available to anyone regardless of whether they receive benefit, who cannot meet their immediate short term needs in an emergency, or as a result of a disaster).
- 1.6 The Council have established a Local Welfare Provision (LWP) scheme, called Discretionary Local Crisis Payments (DLCP's), which is able to adequately support those deemed to be most at risk and/or in need.
- 1.7 The authority has the ability to determine its own policy including matters such as application criteria, award criteria, methods of award and the review and appeal mechanisms.
- 1.8 The scheme has a cash limited budget each financial year and will only make awards up to and including the level of funding provided. The fund will be apportioned against previous year's trends in applications and award values on a monthly basis. This will be reviewed as required but no awards will be granted over and above the funding level for the relevant financial year.

2. Purpose of Discretionary Local Crisis Payments (DLCP)

- 2.1 DLCP's are intended to help vulnerable people live as independent a life as possible in the community. There are certain application criteria that need to be met, however, the scheme is discretionary and an award of DLCP's will not only depend on customer's circumstances and their needs, but also on budget remaining for DLCP's.

2.2 The objectives of DLCP's are to:

- Help households to establish themselves in the community following a stay in institutional or residential care
- Help households remain in the community instead of entering institutional or residential care
- To ease exceptional pressures and stress on households
- To avoid serious risk to health and safety where it may be prevented

2.3 For the purposes of this policy a 'household' is defined as 'a unit of individuals who live together and who are socially and financially dependant on or for one another.'

3. Criteria for Discretionary Local Crisis Payments

3.1 Age

3.2 DLCP's are available to people aged 18 and over.

3.3 DLCP's will be considered for those aged 16 to 17 where Social Services have identified an exceptional need, for which there are no other provisions available.

3.4 Income

3.5 DLCP's are available to those households who are:

3.5.1 Already in receipt of Income Support, income-related Employment and Support Allowance, income-based Jobseeker's Allowance, Pension Credit, or payment on account of one of these benefits or their replacement under Universal Credit.

3.5.2 Already in receipt of Housing Benefit and Council Tax Support.

3.5.3 On low income, for the purposes of this scheme it will be a household with a gross income, including any benefits paid, of under £350 for single people and £500 for households per week. (Based on the Benefit Cap which is to be introduced).

3.5.4 Making mortgage or rental payments which require them to have a higher income. These cases will be considered on their own merit within the circumstances presented and the reason the application has been made.

3.5.5. Assist customers with funeral payments where there are exceptional circumstances and where the customer is already dealing with another team within the Council. The customer does not have sufficient income to pay for these arrangements and provides documentary evidence to confirm this. These cases will be considered on their own merit within the circumstances presented and the reason the application has been made.

3.5.6 The above income criteria may be disregarded for the purposes of the application where it has been made following a natural disaster.

3.6 Residency

3.7 Customer is a Hounslow resident. A Hounslow resident is someone who is living in the Borough and can provide documentary evidence or has secured a private tenancy and can provide evidence of that. It will also be available for a household who meets the criteria under point 3.13.

3.8 DLCP will also be considered where a customer has been detained elsewhere for a period, but prior to their detention, would have met the criteria of the residency test.

3.9 In the case of a prisoner or household suffering domestic violence, where it cannot be shown that an applicant met the residency requirement at any local authority, s/he may receive assistance in Hounslow where s/he chooses to approach the Council, and become resident in the area and makes no other application to another local authority for a local welfare provision or residency.

3.9 Household circumstances – examples below

3.10 Customer needs help because he/she and his/her family face exceptional stress, such as family/marital breakdown or because one of them has a long-term illness.

3.11 Customer needs help because he/she and his/her family face exceptional pressure, such as high washing costs due to the needs of a child with a disability, clothing needs due to disability or illness or repair/replacement of items damaged by a family member with challenging behaviour.

3.12 Customer needs help with unexpected expenses such as visiting someone who is critically ill, in hospital, to attend a relative's funeral, or to alleviate a domestic crisis.

3.13 Those households who have been placed in other boroughs by the Council, assistance with any resettlement or personal expenses lays with the Council until our duty is discharged and the household are recognised residents of the placement area.

3.14 People excluded from applying

3.15 Some groups are excluded from application for a DLCP and they are listed below.

- 3.16 Care home residents and hospital in-patients may not apply, unless it is planned that they will be discharged within the following two weeks.
- 3.17 Persons who are members of a fully maintained religious order may not apply.
- 3.18 Persons from abroad or subject to immigration controls may not apply; i.e. those with no recourse to public funds.
- 3.19 Those households who have been placed in the borough by another local authority or organisation may not apply. It is expected the placing authority or organisation would assist with any resettlement or personal expenses until their duty is discharged and the household are recognised residents of that Council.

4 Goods and Services which may be covered

4.1 DLCP may be able to cover full or partial costs of the following items:

- Costs in relation to disasters such as fire, flood, gas explosion or chemical leak
- Essential replacement furniture (e.g. bed, mattress, seating, wardrobe, chest of drawers)
- Essential replacement white goods/household equipment (e.g. cooker or microwave, fridge or fridge freezer)
- Bedding where stocks are inadequate
- Crockery
- Living expenses for a maximum of 14 days where no other means are available i.e. following a disaster such as fire, flood or gas leak.
- Lost or damaged essential clothing where no other means are available and stocks are inadequate.
- Certain travel expenses i.e. to a family funeral or to attend someone who is ill, ease a domestic crisis, visit a child who is with the other parent pending custody decision or to move to suitable accommodation.
- Repaying emergency credit on a pre-payment fuel meter

5 Goods and Services which will not be covered

5.1 DLCP will not cover the full or partial costs of the following items in most circumstances:

- Emergencies which are a result of an act or omission for which the customer or partner is responsible, for example gambling or miss-spending
- Rent and deposit payments – other support is available locally where criteria are met
- Council water charges, arrears or community water charges

- Non-essential items such as TV's, Radio's, DVD players, Hi-Fi's, computers, laptops, mobile phones, garden sheds, TV licences, etc.
- A need which occurs outside the United Kingdom
- Educational or training need including clothing and tools
- Distinctive school uniform or sports clothes for use at school or equipment to be used at school
- Travelling expenses to or from school
- Meals taken during school holidays by children who are entitled to free school meals
- Expenses in connection with court (legal proceedings) such as legal fees, court fees, fines, costs, damages, subsistence or travelling expenses
- Fees associated with Bankruptcy or Debt Relief Orders
- Removal or storage charges
- Domestic assistance and respite care
- Holidays or outings
- Any repair to rented or leased property
- Any medical, surgical, optical, speech/hearing or dental item or service (note that needs under all of these headings can be provided free of charge by the National Health Service)
- Work related expenses
- Debts to government departments
- Debts to financial institutions or private individuals
- Investments
- Costs of purchasing, renting or installing a telephone and of any call charges
- Costs of fuel consumption and any associated standing charges
- Housing costs including minor repairs and improvements
- Charges for accommodation associated with certain visits i.e. when an additional room is obtained for a visiting guest
- Adaptations to properties due to disability
- Items will not be considered where the household holds a furnished tenancy

6 Method of provision of Goods and Services

- 6.1 Furniture, white goods and household items will be provided from the list of preferred suppliers.
- 6.2 The Council will try wherever possible to source recycled items in the first instance. Where this is not possible, the Council will direct the customer to the appropriate preferred supplier to obtain new items within a pre-agreed price range.

Where goods cannot be provided from a direct supplier, the Council will procure the item on behalf of the customer where possible.

- 6.3 The Council will ensure wherever possible, the cheapest method of provision is used to allow more funds to be available for future awards to as many customers as possible within each financial year.

7 Length and Conditions of Award

- 7.1 Awards of DLCP will only be made against an immediate or short term need and will be of a single instance nature. There will be no continuous awards made.
- 7.2 Only **one** DLCP application is expected per household within a single financial year. Applications may be considered if an emergency or a disaster is not a consequence of an act or omission for which the customer or his/her partner is responsible and the customer or his/her partner could not have taken reasonable steps to avoid the emergency.
- 7.3 If the customer has applied for a DLCP for the same items or services within the last 12 months and there has not been a relevant change of circumstances, then he/she will not be considered for a further DLCP.
- 7.4 For the purposes of this policy, a relevant change of circumstances would be where a customer has encountered a new and separate crisis, in which the need differs from the initial application circumstances.
- 7.5 All customers will agree to be referred for further help and advice, especially where there appears to be a recurring emergency, i.e. budgeting issues, debt management.
- 7.6 Where benefits due to the customer are still being applied for, the Council will expect that effort is being taken to maximise the income available to them.
- 7.7 The Council will not make a grant where there is a reasonable expectation that funding is available from other statutory funds.

8 Publicity

- 8.1 The scheme will be publicised to third sector voluntary organisations and training will also be provided.
- 8.2 All internal and external agencies who deal with vulnerable people will be notified of the scheme and its purpose. These agencies will then refer relevant households to make an application or act on their behalf.
- 8.3 Hounslow web site: www.hounslow.gov.uk will have a link and provide all the details of the scheme and its purpose. Along with a link to make an on-line application.

PROCEDURE

9 How does a customer apply for Discretionary Local Crisis Payment?

- 9.1 The information provided when applying for a DLCP, will be held by the London Borough of Hounslow in compliance with the Data Protection Act 1998. It will be used for the purpose of processing the request for a provision and verifying an application has not been made for assistance from another Local Authority.
- 9.2 The London Borough of Hounslow is under a duty to protect the public funds it administers, and to this end may use the information provided on forms for the prevention and detection of fraud. It may also share this information with other bodies responsible for auditing or administering public funds for these purposes. Personal data will otherwise not be disclosed to third parties.
- 9.3 The London Borough of Hounslow may use contact details in order to contact customers about London Borough of Hounslow initiatives or to consult about its services, but only if consent has been given for us to do so.
- 9.4 Applications have to be made using the Council's approved online application form.
- 9.5 Where an application is made on behalf of a person, by someone other than an appointee or a recognised referral agent, that person must give their consent in writing to the application being made on their behalf.
- 9.6 If it is found that the reason for application meets the criteria of other local assistance schemes, the application will be referred for the attention of the relevant department and the customer will be notified of the action taken.
- 9.7 Treatment of prisoners in local scheme – the Council will work closely with the probation and housing services. The Council will expect probation services to inform us of release dates where necessary. Probation services will instigate applications to the Job centre and the job centre will only refer those cases to us who are moving into accommodation which does not have any of the essential items.
- 9.8 Treatment of those fleeing domestic violence – the Council will work closely with domestic violence support organisations and refuge. Acceptance of the residency of a customer will be reviewed on a case by case basis.
- 9.9 Treatment of rough sleepers – the Councils Housing Outreach Services will verify if a person may be eligible for assistance. The Council will expect the Job Centre to assess these individual's claims for benefits swiftly and any referrals will only be accepted when the need has to be covered by the local welfare provision and not other resources.
- 9.10 Treatment of those with no fixed abode – the Council will in the main exclude these applications, although any customers who approach the Council or the

Job Centre Plus with exceptional circumstances will have to be considered and their vulnerability established e.g. medical vulnerability, victim of crime etc.

- 9.11 Treatment of those who have attempted suicide – the Council will be mindful of its duty under Section 17 of the Children’s Act and consider each case on its own merit against the policy criteria; it will not be considered a qualifying circumstance on its own.
- 9.12 Out of hours services will not be provided by the Council. The emergency services will be expected to assist any customers with urgent needs outside of the Council provision as is currently provided. A response would be needed when there is an immediate serious risk to health or welfare of the customer or a member of the family.
- 9.13 Where the funds available for a specific financial year have been depleted, no further awards will be possible under any circumstances. Notification will be given to stakeholders and the public by the forms of media available i.e. on the application portal, by email and where necessary by post, where this situation occurs.

10 How do we receive Discretionary Local Crisis Payment applications

- 10.1 The date of application for a DLCP is the date the completed form is received by the Council.
- 10.2 It is the customer’s responsibility to provide all the necessary evidence to allow an Assessment Officer (AO) to make a decision on the application.
- 10.3 It may be necessary to seek further information or clarify on certain aspects of the application, the Council will seek to resolve this by contacting the customer, a third party, checking records available to the Council, or requesting further supporting evidence.
- 10.4 Evidence can be documentary, verbal or physical; requirements are to be determined by the AO. It may be derived from sources such as, the application form, supporting documents and correspondence, telephone or interview records, a record of observations on visit, previous applications, records available to the Council and other local knowledge.
- 10.5 Evidence may be provided by customers, and their representatives, social care officers, probation officers, medical doctors, housing officers, landlords, Council visiting officers and AO’s.
- 10.6 If the customer or third party gives any information over the telephone, this may be acceptable as corroborating evidence. These **calls** may be **recorded** for quality assurance and training purposes, and will therefore be available for verification purposes.
- 10.7 If the customer does not provide requested evidence within 10 working days of application, an AO will make a decision based on the completed application and any other evidence which may already held by the Council.

10.8 If the evidence provided seems inconsistent, improbable or contradictory, and no further evidence is provided, an AO may deem such application as defective and the DLCP will not be paid.

11 How are Discretionary Local Crisis Payment applications dealt with

11.1 The AO will have regard to the remaining funds held for the DLCP scheme within the relevant calendar month and relevant financial year.

11.2 The AO will then have regard to all of the circumstances of each application which will be considered on its own merits relating to the purpose and criteria of the scheme.

11.3 The nature, extent and urgency of the need, the existence of other available resources from which the need may be met and the possibility that some other person or body may wholly or partly meet the need will be taken into account.

12 Customer granted Discretionary Local Crisis Payment

12.1 Where DLCP funds are available and the customer has been deemed as meeting the criteria for an award, the following process will apply to provision of goods and services.

12.2 In deciding the type of award, the AO will calculate:

- The full amount in pounds sterling to cover essential items against the guidance price list of essential items.
- The cost of goods and services to cover emergency need, dependant on type of emergency and immediate needs of the customer's household.
- The relevant basic amount for living expenses and/or groceries for the household size.

12.3 In all cases the AO will also take into account the existence of other available resources to the customer from which the need may be met in part or in full i.e. cash in the bank, building society, Post Office accounts, cash in hand or other sources.

12.4 Notification of the award will be in writing, either by post or electronically by email where available, directly to the customer and/or his representative within 2 weeks from the date of the application provided all required supporting evidence has been submitted. The AO will explain the reasons for their decision.

12.5 In case of emergency DLCP applications the award will be notified by telephone and usually within 24 to 48 hours following application. A written explanation, either by post or electronically by email where available, of the decision will then be issued.

13 Customer not granted Discretionary Local Crisis Payment

- 13.1 Notification of the decision will be in writing directly to the customer and/or his representative within 2 weeks from the date of the application provided all required supporting evidence has been submitted. The AO will explain the reasons for their decision.
- 13.2 In case of emergency DLCP applications the decision will be notified by telephone and usually within 24 to 48 hours following application. A written explanation of the decision will then be issued.

14 Keeping a record of awards

- 14.1 All decisions will be recorded in the Council's computer system and maintained in accordance with the Data Protection Act 1998.
- 14.2 Awards, including actual value and reasons of award will be monitored.
- 14.3 Decisions not to award, including potential value and reasons of refusal will be monitored.

15 The right of Review

- 15.1 If the customer is unhappy with the decision they may ask for a review. The request for review must be made in writing stating reasons why the customer does not agree with the decision and wants the case to be reconsidered. The request must be made by email to helpinghand@hounslow.gov.uk, or in the case of no internet access, addressed to the Local Welfare Provision Officer, Revenues and Benefits Client Unit, Civic Centre, Lampton Road, Hounslow, TW3 4DN.
- 15.2 The application together with supporting documents will be looked at again by a senior officer'. The review decision will be notified in writing by email or where necessary by post and where appropriate also by telephone within 10 working days.
- 15.3 There will be no further review rights on these decisions. There is no legal obligation against the Council to consider appeals against decisions as this is a discretionary scheme.

16 Further help available

- 16.1 If the application for a DLCP is unsuccessful or we cannot pay the full amount requested the Council can refer the customer to a voluntary or charitable organisation for further help.
- 16.2 A full list of organisations who are working providing grants to the public is available at <http://www.turn2us.org.uk/>.

