

Customer Support and Collections: Local discretionary support 2013

Introduction

The Welfare Reform Act introduces a discretionary local provision for a scheme to support those in crisis, remaining or moving into the community from care.

A scheme has been developed by the Council's Customer Support and Collections Service that will provide local welfare support. The service has successfully run the Discretionary Housing Payments (DHP) scheme since its introduction on 2001.

Categories for Support and Eligibility

How difficult would it be for the person to remain or settle in the community if a grant is refused?

Assist certain specified groups who require basic items as part of a new tenancy or improving conditions to stay in the household/community following significant lifetime events. For those who have a tenancy or are entering into one we will need to consider if the tenancy is sustainable (For benefit purposes private rented properties are going to be restricted to Local Housing Allowance (LHA) rates and Registered Social Landlord (RSL) properties will be affected by the under-occupancy rules):

Assisting someone leaving residential care*

Conditionality:

- Do they have a local connection? If not, why are they moving to Bury?
- Are they currently in receipt of or will they be eligible for an income related benefit upon their leaving care?
- If returning to the same home - is there a recognisable link between the expense and leaving care - how will it help?
- If returning to a different home - what happened to the home they went into care from? Can they not return? If owner occ - is it up for sale, are reasonable efforts being made to sell the property?
- Are they leaving one form of care to another form of care - **they must** be re-establishing themselves in the community
- Is the accommodation intended to be permanent i.e. will they stay for the foreseeable future, is it sustainable?

Assisting someone leaving institutional care* (i.e. a young person leaving a care home)

Conditionality:

- Do they have a local connection? If not, why are they moving to Bury?

- Are they currently in receipt of or will they be eligible for an income related benefit upon their leaving care?
- Are they part of a re-settlement programme?
- What funding is available from S.17 of the Children's Act
- Are they leaving one form of care to another form of care – **they must** be re-establishing themselves in the community
- Is the accommodation intended to be permanent i.e. will they stay for the foreseeable future, is it sustainable?

Assisting someone to remain in the community rather than going to residential or institutional care*

Conditionality:

- Are they at risk of entering institutional or residential care?
- Are they in receipt of an income related benefit?
- How will specific items help the person remain in the community? – would their situation deteriorate without this? How are they managing at present?

Housing someone fleeing domestic violence

Conditionality:

- Where are they living now?
- Are they moving from refuge accommodation?
- Are they engaging with a support agency if not have violent incidences been reported to the Police
- Is the accommodation intended to be permanent i.e. will they stay for the foreseeable future, is it sustainable?
- Do they have a local connection? If not, why are they moving to Bury?

Housing a homeless person who is currently sleeping rough, in a hostel or a tenant in a Bury Council defined temporary accommodation

Conditionality:

- Do they have a local connection? If not, why are they moving to Bury?
- Are they currently in receipt of or will they be eligible for an income related benefit upon their leaving care?
- Are they part of planned resettlement programme (charitable or LA)
- Are they known to the Council Re-settlement Team?
- Have they had an unsettled lifestyle for a considerable amount of time?
- Is the accommodation intended to be permanent i.e. will they stay for the foreseeable future, is it sustainable.

Housing someone from prison

Conditionality:

- Do they have a local connection? If not, why are they moving to Bury? Is a stipulation of release not to return to a previous area?
- Is the accommodation intended to be permanent i.e. will they stay for the foreseeable future, is it sustainable?

- Have they been released permanently?
- Are they receiving or have they claimed an income related benefit?
- What happened to previous address + any belongings – why can't they return? (HB + temp absence rule) (HB whilst on remand)
- Is their potential for alternative accommodation
- Are they still engaging with probation services or other support agency?
- Have they been in registered temporary accommodation provided by the council – if moving from temp to perm accom the application must be made within 14 days of moving in)
- NB: The Prison Discharge Grant (currently £37.00 18yrs-24yrs, £46.00 if > 25yrs) is being abolished - those who have the option to make an advance claim to JSA prior to release and from 1 April 2013 will be able to apply for a Short Term Benefit Advance (STBA) if their underlying entitlement to benefit has been established and if there is a delay in issuing benefit.)

*This is accommodation that provides its residents with a significant and substantial level of care or supervision, either because they cannot look after themselves adequately, or because they might pose a risk to themselves or others without supervision. (**See examples 1, 2, 3**)

All:

Can anyone else help either by providing financial help or by giving practical assistance?

We will not ask what monetary amount they require we will ask what the needs are.

The applicant must be 18 or over (care leavers aged under 18 are provided for by social services)

One grant application

Must be in receipt of an income related benefit – JSA (IB), ESA (IR), I/S and PC **AND** have accessible capital less than £500 (this is additional to the means tested benefit criteria). However, we do accept things will need to change when UC comes in

Maximum amount based on researched/set figures

Checks: either a Pre-award or Post-award visit to ascertain what is needed or what the money was spent on

An acknowledgement of a need may not always result in a payment because of budget limitations – the scheme is not demand led.

Items considered:*

- Essential food (if not provided by others i.e. resettlement team) – enough for 2/3 days
- Gas/electric top up (if not provided by others i.e. resettlement team) – enough for 3 days – (£2.00 per day for gas and £1.30 per day for electric) If this is via a PayPoint outlet or online there may be a minimum top-up)
- Essential goods associated with children (if unable to access Sct 17)

- Essential domestic appliances (using researched/set figures)
- Essential domestic furniture (using researched/set figures)
- Beds and bedding (using researched/ set figures)
- Rent in advance (not Bond which protects the landlord against any damage that the tenant causes during the tenancy.) – Information from Housing Options Private Rents Team suggests that this is normally obtained required via loans from friends/family or applying for a DWP crisis loan.
- Flooring for families with children of crawling age (risking injury)

* General household essentials includes items such as a fridge, something to cook with, sit on - this does not include items such as a television, DVD, music systems, telephone, dishwasher, freezer, washing machine (unless required for health reasons)

Crisis Payment

The applicant must be able to demonstrate that they are a resident in the borough of Bury and the need linked to a serious risk to someone's health and safety. There must be a genuine need caused by a lack of money; we would expect a customer to be receiving a means tested benefit or be entitled to one due to nil income **OR** due to exceptional circumstances their normal source of support is not available.

Lost, stolen, spent and no money until next pay day

Items considered:

- food parcel,
- heating top up,
- prepayment card for day to day living expenses

Level of support:

- **Responsibility for a home with a dependant child (ren):** full daily allowance (for day to day living expenses) until next payment – we will liaise with Children's Services

Daily rates:

Single (18 – 24 years)	£ 8.00	(weekly £ 56.00)
Single (25 and over)	£10.00	(weekly £ 70.00)
Couple	£16.00	(weekly £112.00)

Plus daily child allowance of £9.00 (maximum of 2 children)

- **Responsibility for a home with no dependants: 40%** of daily allowance (for daily living expenses) until next payment or food parcel (to be discussed)

Daily rates:

Single (18 – 24 years)	£3.20	(weekly £22.40)
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Single (25 and over)	£4.00	(weekly £28.00)
Couple	£6.40	(weekly £44.80)

PLUS a food parcel

Daily rates:

Single (60 - 65)	£ 8.00	(weekly £56.00)
Single (> 65)	£ 9.20	(weekly £64.40)
Couple (60-65)	£12.40	(weekly £86.80)
Couple (> 65)	£13.80	(weekly £96.60)

- **No Responsibility for a home:** food parcel only

Minimum/Maximum – see rates detailed above for day to day living expenses

Fire/local emergency flood caused by extreme weather

Items considered:

- food parcel,
- prepayment card for day to day living expenses,
- essential household items/appliances if no insurance cover

Level of support

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- **No Responsibility for a home:** food parcel only

Minimum (see rates detailed above for day to day living expenses)

In both cases the customer must have **NO** access to alternative sufficient resources

All awards will be issued as a loan with an option to pay it back.

If a further application is received it would only be considered if repayment in full has been made in respect of the first application. If the first award is not repaid further applications would not be allowed. Customers who make repeat applications will be referred to support agencies.

NO action will be taken if awards are not repaid this will be entirely voluntary.

The fund will not replace other service responsibilities

EXCEPTION

A claim may be refused if the need is due to any recklessness of the customer

The message needs to be clear; this is not a benefit, it is there for desperate need. It is difficult to predict the real levels of demand as we establish the scheme.

Remaining Risks

A number of factors may yet have an impact on the scheme:

- The Welfare Reform Act cuts are yet to hit adversely affected families (Benefit cap, size criteria)
- Changes to disability benefits: where some will lose contributory ESA and Personal Independence Payment replaces DLA for adults.
- The Introduction of UC in October 2013

The Application Process

The software solution we are looking at (IEG4) uses an online form (24/7) so for practical reasons the digital channel will be our preferred method of application whether this is via a 3rd party or the customer. The council has various public buildings which provide customers with access to the Internet.

However, we have recognised that some awards will require more detailed information than others and some customers may struggle with the process. In those cases, the contact centre will be available to assist customers to make a successful application (Monday to Friday between 9.00am and 5.00pm).

People in crisis who have traditionally accessed this fund can understandably be very insistent and persistent in trying to get the help they perceive that they need. Concerns over the safety of staff are a key reason for operating remotely and for this reason there will be no face to face option for making a claim to the scheme.

Because of the largely discretionary nature of the scheme, the applicant may have to give more detailed information about his individual circumstances than would be the case if he were claiming a regulated benefit.

Home visits will be made where appropriate.

The council will endeavour to meet the needs of any eligible applicants, however, if demand is more than funding allows we will need to make a decision to support only some of the applicants based on need, urgency and seriousness of the situation.

We must make sure that the fund is not exhausted before the end of the financial year.

Methods of payment

Payments must be made swiftly to avoid situations becoming worse because of delay.

Appropriate methods of payment may include:

- Food parcels – local charity
- Pre-payment cards for living expenses
- Pre-payment cards for suitable goods (inform customers which outlets can provide items for the amount allowed/granted)
- Suitable goods from suppliers

Cash will be avoided in all cases

Rights of Review

There is no automatic entitlement to these funds; however we will need to ensure we establish processes to ensure that decisions are fair and impartial and to decide on appropriate arrangements for reconsideration or review without access to the tribunal service or the Independent Review Service.

To fit in with the concept of good practice the intention is to have a 2 tier appeal system:

1st tier: Internally to be dealt with very quickly

2nd tier: also internally with a greater distance from the original decision process which will still need to be dealt with relatively quickly and fit with the scheme and budget

As a final recourse the customer will retain the right to make a complaint to the Local Government Ombudsman which is external to the appeals process.

A customer has the right to:

- Make an application;
- have that application determined fairly
- know the reasons for any decision that has been made
- To put his case for a payment; and
- seek a review of a decision

Appeals will only be accepted for things that are part of the scheme.

IT Systems + Financial Controls

IEG4 has created a solution for online applications that facilitates decision making and case management of the applications received.

We have a finite budget so close and regular monitoring will be required.

Assisting someone leaving institutional or residential

Example 1:

Mr C is 82 and receives Pension Credit. He has lived alone since the death of his wife three years ago, and has managed to look after himself.

Six weeks ago Mr C had a fall and badly broke his arm. He remained in hospital until the plaster was removed and has just been discharged. He will need physiotherapy for some time until his arm becomes stronger.

Mr C has always used the twin tub washing machine he and his wife bought many years ago. However, he can no longer lift the wet washing from the washing tub to the spin dryer, and a friend has suggested an automatic washing machine would be helpful. She has shown Mr C hers, and he feels sure he could use one. However, he cannot afford to buy one and have it installed. **Mr C should apply:** the expenses of buying and installing an automatic washing machine would help Mr C to establish himself in the community following his stay in hospital.

Example 2:

After suffering a stroke, Mrs D was treated in hospital, and then spent almost a year in a care home. She has her own home, and receives retirement pension and a private pension from her late husband's company. She does not receive Pension Credit.

Mrs D is now well enough to return home provided there is someone there to look after her. However, Mrs D's daughter, her only close relative, lives some distance away. There is room at Mrs D's house for her daughter and her children and they have agreed to come to live with Mrs D, but need help to pay removal expenses for their furniture and personal possessions. Her daughter is a lone parent who receives Income Support. A payment to meet the cost of her daughter's removal expenses would help Mrs D to return to community, so could apply.

Mrs D would not herself be eligible because she does not receive a qualifying benefit. However, her daughter could apply for the payment, and would meet the eligibility conditions as she receives Income Support.

Example 3:

Mr E is 65 and has been in hospital for ten days undergoing an operation on his left wrist. He has been discharged to his family home, which he shares with his wife and adult son. He does not yet have full function in his wrist, and will continue to receive physiotherapy for some weeks.

Mr E wants a community care grant to replace the worn and tatty carpet in his bedroom, and to buy a freezer as the family has never had one.

Mr E has had a stay in institutional care, but it did not affect the continuity of his life in the community. His home conditions are as they were when he went into hospital. The evidence does not show a connection between the things Mr E needs and any need to establish himself back into the community. **Mr E would not be eligible.**

