

**Sunderland City Council**

**Local Welfare Provision**

| **-Community Care Support**

**2016-17**

[www.sunderland.gov.uk](http://www.sunderland.gov.uk)

## 1. **Introduction**

1.1 From 1<sup>st</sup> April 2013 the DWP system of Discretionary Social Fund (for certain elements only) was replaced by a local scheme to be administered at the Council's discretion.

1.2 The two elements of the DWP Social Fund that were abolished were:

- Crisis Loans
- Community Care Grants

1.3 These schemes were replaced by two new schemes to be designed and operated by the Council, they are:

- Crisis Support
- Community Care Support

Collectively the two schemes will form the Council's Local Welfare Provision Schemes. Social Fund Budgeting loans, alignment payments and funeral expenses continue to be the responsibility of the DWP.

1.4 Community Care Support under this scheme is only available to vulnerable people who fit predetermined criteria and who have exhausted all other means of support including the DWP. This scheme is not available to asylum seekers or those with no recourse to public funds.

1.5 The Council retains its statutory responsibilities in relation to areas such as homelessness and safeguarding. All existing support schemes will continue to be operated by the Council. Local Welfare Provision is not a replacement or substitute for these separate support mechanisms.

## 2. **Aims of the Local Welfare Provision Scheme – Community Care Support**

2.1 The purpose of this policy is to specify how Sunderland City Council will operate the Local Welfare Provision Schemes and to indicate some of the factors that will be considered when deciding if a Community Care Support award can be made. Each case will be treated strictly on its merits and all customers will be treated equally and fairly when the scheme is administered. The Council is committed to working with the local voluntary sector, social landlords and other interested parties in the City to maximise entitlement to all available state benefits and this will be reflected in the administration of the Local Welfare Provision Schemes.

2.2 The Council will have the discretion to make a Community Care Support to any applicant that meets the criteria set out in this policy. Every application will be considered on own individual merits and circumstances.

2.3 The scheme is designed to assist the most vulnerable in meeting their immediate short term needs and maintaining their independence in the community.

- 2.4 All decisions made on Community Care Support applications will be made following a consistent decision making model. Each claimant will be treated fairly and equitably and consideration will be given to individual circumstances.
- 2.5 Where a Community Care Support award cannot be made, or where it may be more appropriate to do so, the applicant will be signposted to available alternatives.
- 2.6 The Council's Local Welfare Provision Policy has been designed to
- Help those who are most in need that meet the qualifying criteria
  - Help families under exceptional pressure
  - Help those who help themselves
  - Support elderly and vulnerable people in the community
  - Help individuals and families in personal difficulty
  - Help those fleeing domestic violence
  - Assist young people leaving care
  - Support the chronic or terminally ill, or those with learning/ sensory/physical or mental health disabilities.
  - Be fair and consistent for all applicants, in accordance with Sunderland City Council's Equal Opportunities Policy.
- 2.7 The scheme is neither designed nor intended to replicate or assume responsibility of any statutory agency or any previous provisions made under the Social Fund Scheme operated by the Department for Work and Pensions. The policy is flexible and will be adapted as the needs of the scheme become more apparent.
- 2.8 This document sets out the Sunderland City Council policy for administering the Community Care Support Scheme.

### **3. Community Care Support**

#### **3.1 General Description**

- 3.1.1 The Community Care Support scheme is intended to help vulnerable people to enter, re-enter or remain in the community and integrate with, and live independently within, that community.

#### **3.2 Application Information**

- 3.2.1 Applications for Community Care Support can be made by telephone by the applicant or their representative.
- 3.2.2 The Council will determine the level and type of support. There is no right of appeal; however there will be an internal review procedure in place to ensure clarity and consistency of decision ( See section 3.8.2 )

3.2.3 The scheme will be operated solely at the Council's discretion. There is no statutory role linked to the provision of the scheme and therefore applicants have no statutory right to support under the scheme.

### **3.3 Eligibility Criteria**

3.3.1 The applicant or their partner must have applied for a budgeting loan/alignment payment from the DWP if they are eligible to do so – and have been declined. However the reason why the budgeting loan/alignment payment was declined will be taken into account and may affect the decision.

3.3.2 The applicant or their partner must be in receipt of or be in the process of applying for Housing Benefit, Council Tax Support or Universal Credit with the Housing Costs component. This means that they must be a resident of the City or have firm plans to move to a home within the City. Applications will also be considered from 1<sup>st</sup> tier advice agencies that are supporting the in work poor who are not in receipt of Housing Benefit/Council Tax Support/Universal Credits with Housing Costs. Again, the applicant in these cases must also be able to provide evidence of their link to the City as described above. This scheme is not available to asylum seekers or those with no recourse to public funds

3.3.3 The applicant or partner must have no readily available savings, capital, investments or funds that could be used.

3.3.4 The household is limited to one award in every rolling 12 month period. However, by exception further provision may be considered.

3.3.5 The applicant or their partner requires support for at least one of the following:

- a) Support to move back into the community after a stay in supported or temporary accommodation.
- b) Support to stay in the home and prevent a move into residential care or hospital
- c) Support to prevent a serious deterioration of health within the home
- d) Support families under exceptional pressure

3.3.6 In addition to the above, the applicant or their partner must then satisfy at least one of the following criteria:

- They have a serious physical health problem affecting day to day living, which they are receiving ongoing hospital treatment for
- Have dependent children who normally live with them
- Are at risk of homelessness
- They have a substance or alcohol misuse problem, which they are receiving treatment or support for
- They are on probation or receiving support relating to their offending history
- They are affected by or at risk of domestic abuse

- They have a learning disability, physical or sensory impairment or mental health problem
- 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
- Where there is a risk to their health and safety (including couples and single persons)
- Where, if the reason for their application is primarily due to a sanction , that they in addition have reasonable prospects of successfully appealing against this

### **3.4 Specific Evidence**

3.4.1 The applicant must provide details of their circumstances and the effect that it has had/will have on their household. The application will be approved or declined based upon the information given about their situation and the satisfaction of the eligibility criteria.

### **3.5 Level of Award**

3.5.1 Support from the scheme is limited only to:

- a) Bed and bedding
- b) Essential white goods and furniture
- c) Clothing Voucher
- d) Any additional essential products the Council sees fit to supply.

Second hand or refurbished goods may be supplied at the Council's discretion.

### **3.6 Delivery of Service**

3.6.1 All goods will be delivered direct to the applicant at their home address.

3.6.2 The service is open Monday to Thursday 8.30am to 5.15pm and Friday 8.30am to 4.45pm. The Council will continue to provide the existing out of hour's service.

3.6.3 It is expected that the majority of applications and subsequent awards of Community Care Support will be a result of signposting from an accredited advocate within Sunderland City Council, such as council employees, health and care practitioners, as well as other professionals such as Probation Officers etc.

### **3.7 Determining Factors in Assessing Eligibility –**

3.7.1 The following factors will be taken into account when assessing Community Care Support applications. This list is not exhaustive:

- a) The income and essential expenditure of the applicant and/or partner.
- b) All income will be taken into account, including those incomes which are normally disregarded for benefit purposes e.g. Disability Living Allowance, Child Maintenance, Child Benefit etc.  
*N.B. War Disablement Pension and Armed Forces Compensation Payments will remain disregarded in full.*
- c) When assessing expenditure, consideration will be given to whether expenditure is considered above basic living requirements (i.e. excessive). If expenditure is considered to be unreasonably high, enquiries will be made for clarification. In these circumstances Sunderland City Council reserve the right to substitute a sum for the expenditure, which they consider to be a reasonable amount.
- d) Any savings and/or investments held by the applicant/partner which could help to alleviate their financial situation.
- e) Whether any family members outside of the immediate household could help towards the applicant's financial situation.
- f) Whether expenditure on non-essential items could be reduced.
- g) Whether the applicant/partner could be eligible for other benefits which they are not claiming.
- h) The level of debt of the applicant/partner.
- i) Whether any long term action has been taken to help their problems meeting their living costs.
- j) Any other steps taken by the applicant/partner to help themselves.
- k) Any financial advice taken by the applicant/partner to alleviate their situation, e.g. Welfare Rights, Citizens Advice Sunderland, Fiscus etc.

### **3.8 Decision Making and Disputes**

3.8.1 Once a decision on a Community Care Support application has been made the applicant and/or representative will be notified by telephone.

They will be notified of:

- a) The items to be awarded
- b) Where a Community Care Support award will not be made, the reason(s) for this decision.
- c) Information on who can be contacted for further information and advice.
- d) Any other options available to the applicant should their Community Care Support application be unsuccessful
- e) The duty to notify the Council of any change in circumstances which may affect their entitlement to a Community Care Support award.

3.8.2 The applicant or representative will have the right to request that the decision be reviewed in the event that they disagree with

- The award being refused
- Amount of award

The applicant may be requested to supply additional information/evidence in order to support their request for a review.

The review process will have two stages

- Stage 1: All requests to review a decision from the applicant or representative will be considered and notified within agreed service levels.
- Stage 2: If the applicant is still not satisfied with the outcome of the review, they may request a further review within the timescales of being notified of the review outcome. The review will be conducted by a senior officer taking into account all the information and evidence included in the review and how reasonable the decision made is. The decision will be notified within a fixed timescale.

3.8.3 Annual funding is a limited resource so awards can only be made while there is funding available to do so. Community Care Support awards will therefore be made on the basis of available funds, which will be managed and reprioritised on an ongoing basis.

### **3.9 Monitoring Arrangements and Managing Local Welfare Provision**

3.9.1 The Council will regularly monitor the number and value of Community Care Support awards, as well as the available Local Welfare Provision Budget.

3.9.2 In order to comply with quality and accuracy guidelines a sample of all applications will be audited to ensure that decisions are being made fairly with clarity and consistency, in line with Sunderland City Council's Equal Opportunities Policy and all other relevant legislation

3.9.3 The Council will monitor all awards to ensure that they are meeting the needs of the claimant in line with the aims of the Local Welfare Provision scheme. All telephone contact will be recorded.

### **3.10 Counter Fraud**

3.10.1 The Council is committed to preventing fraud. Any applicant who attempts to fraudulently claim or fraudulently claims a Community Care Support award by falsely declaring their circumstances, making false statements or providing false evidence in support of their application may be treated as committing an offence under the Fraud Act 2006. Where it is alleged or suspected that fraud may have been committed, the matter will be passed for investigation and appropriate action taken in any case where fraud is proven. This may include referral to the police.

3.10.2 If an award under the scheme is found to have been based on a fraudulent application the award may be recovered through formal action and the applicant will be disqualified from the scheme for a period of two years from the date fraud is discovered.

### **3.11 Publicising Local Welfare Provision**

3.11.1 Sunderland City Council has no plans to publicise the Local Welfare Provision in the mainstream media. Local Welfare Provision will be promoted to the relevant agencies, housing associations and voluntary sector organisations, which will also be made aware of the qualifying criteria and evidence required to support a Local Welfare Provision application. Information and application forms will be available on the Sunderland City Council website.

3.11.2 Sunderland City Council is committed to providing training to all staff involved in the scheme to ensure their knowledge of the scheme is relevant and up to date.



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## **1. Introduction**

1.1 From 1<sup>st</sup> April 2013 the DWP system of Discretionary Social Fund (for certain elements only) was replaced by a local scheme to be administered at the Council's discretion.

1.2 The two elements of the DWP Social Fund that were abolished were:

- Crisis Loans
- Community Care Grants

1.3 These schemes were replaced by two new schemes to be designed and operated by the Council, they are:

- Crisis Support
- Community Care Support

Collectively the two schemes will form the Council's Local Welfare Provision Schemes. Social Fund Budgeting loans, alignment payments and funeral expenses continue to be the responsibility of the DWP.

1.4 Crisis Support under this scheme is only available to vulnerable people who fit predetermined criteria and who have exhausted all other means of support including the DWP. This scheme is not available to asylum seekers or those with no recourse to public funds.

1.5 The Council retains its statutory responsibilities in relation to areas such as homelessness and safeguarding. All existing support schemes will continue to be operated by the Council. Local Welfare Provision is not a replacement or substitute for these separate support mechanisms.

## **2. Aims of the Local Welfare Provision Scheme – Crisis Support**

2.1 The purpose of this policy is to specify how Sunderland City Council will operate the Local Welfare Provision Schemes and to indicate some of the factors that will be considered when deciding if a Crisis Support award can be made. Each case will be treated strictly on its merits and all customers will be treated equally and fairly when the scheme is administered. The Council is committed to working with the local voluntary sector, social landlords and other interested parties in the city to maximise entitlement to all available state benefits and this will be reflected in the administration of the Local Welfare Provision Schemes.

2.2 The Council will have the discretion to make a Crisis Support award to any applicant that meets the criteria set out in this policy. Every application will be considered on its own individual merits and circumstances.

- 2.3 The scheme is designed to assist the most vulnerable in meeting their immediate short term needs in the event of an emergency or disaster.
- 2.4 All decisions made on Crisis Support applications will be made following a consistent decision making model. Each claimant will be treated fairly and equitably and consideration will be given to individual circumstances. Where a Crisis Support award cannot be made, or where it may be more appropriate to do so, consideration will be given/signposting to available alternatives such as Discretionary Housing Payments, Section 17 funding and Housing Funds as well as external support groups and agencies.
- 2.5 The Council's Local Welfare Provision Policy has been designed to
- Help those who are most in need that meet the qualifying criteria
  - Help families under exceptional pressure
  - Help those who help themselves
  - Support elderly and vulnerable people in the community
  - Help individuals and families in personal difficulty
  - Help those fleeing domestic violence
  - Assist young people leaving care
  - Support the chronic or terminally ill, or those with learning/ sensory/physical or mental health disabilities.
  - Be fair and consistent for all applicants, in accordance with Sunderland City Council's Equal Opportunities Policy.
- 2.6 The scheme is neither designed nor intended to replicate or assume responsibility of any statutory agency or any previous provisions made under the Social Fund Scheme operated by the Department for Work and Pensions. The policy is flexible and will be adapted as the needs of the scheme are identified.
- 2.7 This document sets out the Sunderland City Council policy for administering the Crisis Support Scheme.

### **Crisis Support**

#### **General Description**

- 3.1.1 The crisis support scheme is only for applicants who are unable to meet their immediate short term needs either in:
- an emergency
  - as a consequence of disaster

### **3.2 What is an emergency?**

*An emergency is a situation which causes the applicant to have a pressing need; or an unforeseen circumstance either of which requires immediate action or remedy.*

- 3.2.1 The emergency should not be a consequence of an act or an omission for which the applicant or their partner is responsible and the applicant or their partner could not have taken reasonable steps to avoid. However, if the applicant has children or an adult who may otherwise qualify for support through Adult Social Care/vulnerable adult, the Council will provide support under the scheme regardless of the culpability of the applicant or their partner.

### **3.3 What is a disaster?**

*A disaster is a sudden calamitous event or great misfortune causing loss of or damage to possessions or property. Examples of a disaster include:*

- *Flooding*
- *Gas Explosion/Leak*

- 3.3.1 Consideration will also be given to the needs of individuals who need help to alleviate the likely consequence of an imminent disaster. The consequences of the disaster should be serious damage or risk to the health or safety of the applicant or a member of their household.

- 3.3.2 Help under the Crisis Support scheme should be the only remaining means of avoiding this damage or risk. It is a condition of the scheme that applicants must have explored all other avenues of support first including their own resources, family, friends, landlord, employer, insurance and the DWP.

### **3.4 Application Information**

- 3.4.1 Applications for Crisis Support can be made by telephone, by the applicant or a representative.

- 3.4.2 The Council will determine the level and type of support. There is no right of appeal, however there will be an internal review procedure in place to ensure clarity and consistency of decision ( see section 3.10.2)

- 3.4.3 The scheme will be operated solely at the Council's discretion. There is no statutory role linked to the provision of the scheme and therefore applicants have no statutory right to support under the scheme.

### **3.5 Eligibility Criteria**

- 3.5.1 The applicant or their partner must have applied for all available assistance, for example, budgeting loan/alignment payment/short term benefit advances from the DWP if they are eligible to do so – and have been declined.
- 3.5.2 The applicant or their partner must be in receipt of or be in the process of applying for Housing Benefit, Council Tax Support or Universal Credits with the Housing Costs component. This means that they must be a resident of the City. Applications will also be considered from 1<sup>st</sup> tier advice/professional agencies for that not in receipt of benefit. In these cases the applicant must be able to prove residency in Sunderland. This scheme is not available to asylum seekers or those with no recourse to public funds.
- 3.5.3 The applicant or their partner must have no readily available savings, capital, investments or funds that could be used.
- 3.5.4 The household is limited to one award in every rolling 12 month period. However, by exception further provision may be considered.
- 3.5.5 In addition to the above, the applicant or their partner must then satisfy at least one of the following criteria:
- a. Have a serious physical health problem affecting day to day living, which they are receiving ongoing treatment for
  - b. Have dependent children who normally live with them
  - c. Are at risk of homelessness
  - d. They have a substance or alcohol misuse problem, which they are receiving treatment or support for
  - e. They are on probation or receiving support relating to their offending history
  - f. Are affected by or at risk of domestic abuse
  - g. They have a learning disability, physical or sensory impairment or mental health problem
  - h. Are a young person leaving care
  - i. Are an older person with support needs
  - j. Have caring responsibilities for someone who is unable to look after themselves
  - k. Have a risk to their health and safety (including couples and single)
  - l. Where, if the reason for their application is primarily due to a sanction, that they in addition have reasonable prospects of successfully appealing against this.

### **3.6 Specific Evidence of Emergency or Disaster**

3.6.1 The applicant must provide detail of the emergency or disaster and the effect that it has had on the household and be willing for the situation to be assessed by the Council. The application will be approved or declined based upon the information given about the situation and the satisfaction of at least one of the eligibility criteria.

### **3.7 Level of Award**

3.7.1 The applicant or their partner will be limited to a maximum of one food parcel and/or pre-paid energy voucher for gas and/or electricity dependent upon size of household and the time of year. However, by exception further provision may be considered.

3.7.2 There will also be provision for emergency travel in exceptional circumstances (hospital visit-if this cannot be covered by the NHS ambulance/transport service/funeral). This will be in the form of a travel voucher. However by exception travel costs will be considered for locations outside of the city.

3.7.3 If the claimant becomes homeless as a result of an emergency or disaster additional provision may be considered at the council's discretion.

3.7.4 Other essential items may be considered at the discretion of the council for cases of extreme need.

### **3.8 Delivery of Service**

3.8.1 Where supermarket vouchers are provided instead of food parcels to meet the crisis (from 1 April 2016) the customer will be expected to collect these from designated locations wherever this is practicable for them to do so. This will also apply to the collection of pre-payment energy vouchers / travel vouchers. Where vouchers cannot be supplied the council will still arrange for delivery of food parcels to the customer

3.8.2 The service is open Monday to Thursday 8.30am to 5.15pm and Friday 8.30am – 4.45pm and the council will continue to provide the existing out of hours services. ( although all support will be delivered by way of vouchers wherever it is practicable to do so)

3.8.3 The Council will endeavour to deliver all support (supermarket vouchers, food parcels, pre-payment energy vouchers and travel vouchers within 24 hours of the application being received. The time taken to process and consider applications will be dependent on information being provided by the applicant and DWP. If the claimant is unable to access items in the meantime they will be signposted to an appropriate agency for more immediate assistance. Signposting to appropriate agencies will also be given to unsuccessful applicants.

### **3.9 Determining Factors in Assessing Eligibility**

3.9.1 The following factors will be taken into account when assessing Crisis Support applications. This list is not exhaustive:

- a) All income will be taken into account, including those incomes which are normally disregarded for benefit purposes e.g. Disability Living Allowance, Child Maintenance, Child Benefit etc.

*N.B. War Disablement Pension and Armed Forces Compensation Payments will remain disregarded in full.*

- b) Any savings and/or investments held by the applicant/partner which could help to alleviate their financial situation.
- c) Whether any family members outside of the immediate household could help towards the applicant's financial situation.
- d) Whether expenditure on non-essential items could be reduced.
- e) Whether the applicant/partner could be eligible for other benefits which they are not claiming.
- f) The level of debt of the applicant/partner.
- g) Any other steps taken by the applicant/partner to help themselves.
- h) Any financial advice taken by the applicant/partner to alleviate their situation, e.g. Welfare Rights, Citizens Advice Sunderland, Fiscus etc..

### **3.10 Decision Making and Disputes**

3.10.1 Once a decision on a Crisis Support application has been made the applicant and/or representative will be notified immediately if possible. They will be notified of:

- a) The items to be awarded
- b) Where a Crisis Support payment will not be made, the reason(s) for this decision.
- c) Information on who can be contacted for further information and advice.
- d) Any other options available to the applicant should their Crisis Support application be unsuccessful
- e) The duty to notify the Council of any change in circumstances which may affect their entitlement to a Crisis Support award

3.10.2 The applicant or representative will have the right to request that the decision be reviewed in the event that they disagree with

- The award being refused
- Amount of award

The applicant may be requested to supply additional information/evidence in order to support their request for a review.

The review process will have two stages

- Stage 1: All requests to review a decision from the applicant or representative will be considered and notified within agreed service levels.
- Stage 2: If the applicant is still not satisfied with the outcome of the review, they may request a further review within the timescales of being notified of the review outcome. The review will be conducted by a senior officer taking into account all the information and evidence included in the review and how reasonable the decision made is. The decision will be notified within a fixed timescale.

There is no right of appeal via the Independent Review Service, however, the applicant or representative may request an internal review of the decision and will retain the right to make a complaint to the Local Government Ombudsman.

3.10.3 Annual funding is a limited resource so awards can only be made while there is funding available to do so. Crisis Support awards will therefore be made on the basis of available funds, which will be managed and reprioritised on an on-going basis.

### **3.11 Monitoring Arrangements and Managing Local Welfare Provision**

3.11.1 The Council will regularly monitor the number and value of Crisis Support awards, as well as the available Local Welfare Provision Budget.

3.11.2 In order to comply with quality and accuracy guidelines a sample of all applications will be audited to ensure that decisions are being made fairly with clarity and consistency, in line with Sunderland City Council's Equal Opportunities Policy and all other relevant legislation.

3.11.3 The Council will monitor all awards to ensure that they are meeting the needs of the claimant in line with the aims of the Local Welfare Provision scheme. All telephone contact will be recorded.

### **3.12 Counter Fraud**

3.12.1 The Council is committed to preventing fraud. Any applicant who attempts to fraudulently claim or fraudulently claims a Local Welfare Provision award by falsely declaring their circumstances, making false statements or providing false evidence in support of their application may be treated as committing an offence under the Fraud Act 2006. Where it is alleged or suspected that fraud may have been committed, the matter will be passed for investigation and appropriate action taken in any cases where fraud is proven. This may include referral to the Police.



3.12.2 If an award under the scheme is found to have been based on a fraudulent application the award may be recovered through formal action and the applicant will be disqualified from the scheme for a period of two years from the date fraud is discovered.

### **3.13 Publicising Local Welfare Provision**

3.13.1 Local Welfare Provision will be promoted to the relevant agencies, housing associations and voluntary sector organisations, which will also be made aware of the qualifying criteria and evidence required to support a Local Welfare Provision application. Information and application process will be available on the Sunderland City Council website.

3.13.2 Sunderland City Council is committed to providing training to all staff involved in the scheme to ensure their knowledge of the scheme is relevant and up to date.