

Local Welfare Provision Policy

Contents

1. Purpose
2. Considerations for an award
3. Claiming and Awarding a Crisis Grant
4. Claiming and Awarding a Community Support Grant
5. Excluded items and services for Crisis Grant applications
6. Monitoring
7. Publicity
8. Fraud & Error

Appendices

- Appendix 1** – Excluded items and services for Crisis Grant and Community Support Grant applications

Local Welfare Provision (LWP)

1. Purpose

The purpose of this policy is to specify how Birmingham City Council Benefit Service will operate the Local Welfare Provision (LWP) scheme and to outline the factors that will be considered when deciding if a LWP payment can be awarded.

The scheme will seek to assist vulnerable people in meeting their needs for subsistence or financial support where they are unable to meet their immediate short term needs or where they require assistance to maintain their independence within the community.

This will be aligned to the Council's key principles of tackling inequality and deprivation, promote social cohesion across all communities in Birmingham and ensure dignity, in particular for our elderly and safeguarding of children. This will be achieved by giving due regard to the need to eliminate unlawful discrimination, advance equality of opportunity and foster good relations.

1.1 Why have Local Welfare Provision?

Local Welfare Provision payments will enable the Council to provide support for vulnerable people in financial crisis. The Benefit Service will treat all applications on an individual basis. When making a decision on any application, consideration will be given to the following priorities:

- To support vulnerable young people in the transition to adult life;
- Safeguard Birmingham residents in their homes;
- Keep families together;
- Help provide stability to children;
- Support the vulnerable in the local community;
- Prevent homelessness for those at risk of losing their home;
- Help vulnerable people through personal crisis and difficult events;
- Support people affected by domestic violence;

This list is not exhaustive and is not in order of priority

1.2 Principles of the scheme in Birmingham

The principles of the scheme are to ensure the Local Welfare Provision;

- Is accessible to all potential applicants
- Is delivered on a grant-based system and will not require applicants to repay any award made to them
- Will have a streamlined assessment and decision making process
- Will make use of technology to minimise cash transactions
- Will deliver value for money through efficient procurement of key goods and services

- Provide an 'out of hours' service for those in crisis through the existing Emergency Duty Team
- Methods of payments will be respectful of the dignity of those who apply

Each case will be treated strictly on its merits and all customers will receive equal and fair treatment within a transparent process taking full account of the Council's responsibilities under all relevant government legislation. The Benefit Service is committed to working with the Council's Homeless Services, Neighbourhood Offices, Local Voluntary Sector, Registered Social and private landlords and other interested parties to facilitate this. This scheme aims to put fairness at the heart of our decision making.

1.3 Out of Hours – Emergency Duty Team

The City Councils Emergency Duty Team, is available outside normal working hours to assist anyone who is at particular risk and unable to protect themselves, or for those who cannot remain in the community without immediate intervention.

A dedicated telephone line to our Emergency Duty Team is available to provide a city-wide service outside of normal working hours on **0121 675 4806** including:

Weekdays (Monday to Thursday) - before 8.45am and after 5.15pm
Weekends - after 4.15pm on Friday to 8.45am on Monday
Available all Bank Holidays

Each call to the team is dealt with by an experienced and qualified social worker.

The online application form can be accessed at any time, through the following link;

www.birmingham.gov.uk/LWP

2. Considerations for an award

- The scheme is purely discretionary; a customer does not have a statutory right to an award;
- No cash awards will be made. Awards will be made by way of pre paid cards or delivered goods.
- The amount that can be paid out by the council in any financial year will be determined by the amount of Programme Funding received from Central government.
- If the fund has been exhausted for the respective financial year, there will be no further awards.
- A monthly budget will be allocated to ensure funding is available each month.

The Benefit Service will, where possible seek to maximise the customer's income by checking the availability of state Benefit and other sources of financial assistance that may be available to the customer upon application.

There are two types of areas that will be considered when assessing applications:

2.1 Crisis Grants

Crisis Grants (CGs) are designed to meet expenses that cannot be met from another source, that have arisen as a consequence of a disaster and must be the only way of preventing or mitigating serious risk to health or safety to the applicant or a member of their immediate family. Payments would routinely be made to cover the following risks:

- No access to essential needs (food and heating)
- Imminent deterioration in health
- Of children being taken into care
- Breakdown of the family unit

For the purposes of this policy, the definition of a disaster is considered to be 'an event that causes great distress or destruction' and includes major flooding, gas explosions or a house fire, but it is not expected that a minor mishap or damage or failure of a household item would be included in this situation in most circumstances. A disaster could also cover having no financial funds available to meet daily living expenses. This list is not exhaustive.

3. Claiming and Awarding a Crisis Grant

3.1 Eligibility Criteria

To be eligible for a crisis grant all of the following conditions must be satisfied. Applicants must:

- Be a resident of Birmingham. This is to avoid people claiming fraudulently across the country.
- Be aged 16 or over;
- Be without sufficient resources to meet their immediate short-term needs or those of their family;
- Not be a person subject to immigration control or have no recourse to public funds.

3.2 How to apply

An application for a Crisis Grant must be made through the online application via the Council's website.

Where assistance is required in completing the form, applicants are encouraged to use the existing support mechanisms already in place such as;

- Voluntary Sector agencies
- Probation Offices
- Neighbourhood Offices
- Children's Centres
- Homeless Centres
- Charities
- Housing Advice organisations (for example City Council or Registered Social Landlords)

This list is not exhaustive as there are many such support agencies available across the City.

3.3 Applications made by the customer

- The applicant completes the online Crisis Grant application
- Once the application is received by the Benefit Service, it will be assessed. If the form is incomplete or further information is required, the team will call or write to the customer for the necessary information.
- Once received, the Benefit Service will process the application and notify the customer as stated in the 'Decision Outcome' section below.

Information provided may be shared and verified with other council departments and relevant external organisations (for example Department for Work and Pensions) in order to check information, protect public funds and to identify any additional help and support that might be available.

3.4 Forms of support

Crisis Grants will be made for the provision of:

- Food and heating
- Nappies and other essential items such as bedding, crockery etc.

3.5 Award values

There will be no minimum payment for Crisis Grants as each case will be assessed on individual circumstances. Period of awards will also be considered depending on a customer's individual circumstances.

There is no restriction on the number of applications that can be made in a 12 month period; each application will be considered and assessed on its own merits. However

customers making repeat applications for Crisis Grants may be signposted to relevant advice and support services.

Once the funding has been exhausted for the financial year, no further awards will be made.

3.6 Decision Outcomes

Once all information to support an application has been received a decision will be made on the same day where possible, or within 48 hours.

Applicants will be sent a letter explaining the decision outcome for both successful and unsuccessful applications. This will include:

- The amount of CG awarded
- How, when and to whom the award will be paid
- The right to request a review

To avoid unnecessary delay, applicants may be asked for alternative contact methods such as email or telephone to speed up the outcome confirmation.

No cash payments will be made – payment will be in the form of a pre-paid card for Crisis Grants.

3.7 Review/ Reconsideration

An applicant can ask for reconsideration if they can demonstrate there has been:

- A factual error based on the decision made or
- An oversight on a significant piece of evidence or
- Where new evidence has come to light, that was not provided with the original application.

In these circumstances, the request must be made within 10 working days of the original decision. Any request outside of these timescales will not be considered.

Such requests must be made in writing to:

Benefit Service, PO Box 8267, Birmingham, B4 7XF.

This review will be carried out by the Benefit Service Appeals team. Their decision will be final with no other right of appeal.

3.8 Applications made by Service Providers

For Service Providers, the following process will be followed:

- Customer contacts the service provider for assistance. Service providers complete their internal assessments and identifies the customer may be eligible for a Crisis Grant.
- Service provider supports the customer to complete the online Crisis Grant application
- Once the application is received by the Benefit Service, it will be assessed. If the form is incomplete or further information is required, the team will call or write to the service provider or customer for the necessary information.
- Once received, the Benefit Service will process the application and notify the customer as stated in the 'Decision Outcome' section above.

4. Community Support Grant

A Community Support Grant will be considered to support a return to, or allow a person to remain in, the community or to ease exceptional pressure on families.

Customers will be referred to other relevant departments where applicable, such as Adults & Communities, Children, Young People & Families or Homeless Prevention Team.

Unless there are exceptional circumstances such as someone who lives at home and receives support from their family or family members are unable to assist due to the demands of their own financial, health or general circumstances, applications from single people living with other family members, will not be awarded as they are likely to have access to assistance from other family members.

Claiming and Awarding a Community Support Grant Award

4.1 Eligibility Criteria

Support Grants will be considered for vulnerable people in financial crisis to support a return to or to allow a person to remain in the community or to ease exceptional financial pressure on families.

The Applicant:

- Must be a resident of Birmingham. This is to avoid people claiming fraudulently across the country. Consideration will be given to those fleeing domestic violence and resettling in Birmingham.
- Be aged 16 or over
- Must be in receipt of, or expected to receive Income Support, Income Based Jobseekers Allowance, Income Related Employment Support or any type of Pension Credit (currently known as 'passported' Benefit) or
- If not in receipt of any of the above benefits be able to demonstrate that the individual is without sufficient resources to meet their immediate short-term

- needs or those of their family and demonstrate that the need cannot be met by another source
- Not be a person subject to immigration control or have no recourse to public funds.

This will change with the introduction of Universal Credit and the policy will be updated at this time.

An application for a Community Support Grant does not give automatic entitlement to an award. The discretionary nature of this scheme will require the consideration of individual needs on all applications and the availability of funds within this cash limited budget. The wide variety of individual circumstances will mean a decision in one case does not constitute a precedent for others.

4.2 How to Apply

An application for a Community Support Grant must be made through the online application via the Council's website.

Where assistance is required in completing the form, applicants are encouraged to use the existing support mechanisms already in place such as;

- Voluntary Sector agencies
- Probation Offices
- Neighbourhood Offices
- Children's Centres
- Homeless Centres
- Charities

This list is not exhaustive as there are many such support agencies available across the City.

The date of application is the date of receipt of a completed application, provided the application is in the correct form and is acceptable as sufficient in the circumstances of the case. The applicant will be contacted via email confirm receipt of the application.

Information provided may be shared with other council departments and/or external organisations, such as Department for Work and Pensions) in order to check information, protect public funds and to identify any additional help and support that might be available.

The officer will consider the full circumstances before deciding whether or not to award a Community Support Grant payment. In deciding whether to award a grant, the assessor will take into account the following as applicable to the application:

- The exceptional nature of the customer and their family circumstances;
- Will the grant keep the family together, will it support a young person in the transition to adult life, or will it assist in the safeguarding of a vulnerable adult or child;
- Whether the customer and their household could reduce expenditure on non-essential items;
- Whether the customer and their household are entitled to other welfare Benefit but are not claiming them;
- What other support could the customer and their household benefit from to help their problems in meeting their housing costs;
- Whether a payment would help to prevent homelessness;
- Whether the customer is affected by domestic abuse;
- Whether the customer or other household member is subject to Social Services intervention;
- Whether the customer or other member of their household is undertaking care duties for relatives in the area;

Particular consideration will be given to applications for a Community Support Grant received from people in the following groups:

- Vulnerable adults with learning difficulties or disabilities, including Autism.
- Chronically sick and/ or terminally ill
- People recovering from or addicted to drugs and/ or alcohol
- Young people leaving care
- Homeless or at risk of losing their home
- People affected by domestic violence

This list is not exhaustive and is not in order of priority.

Consideration will also be given where;

Leaving an establishment where customers received care

Customers may be granted a Community Support Grant if they are leaving accommodation in which they received significant and substantial care and supervision to move into independent living within the community. Time spent in the accommodation and the level of individual care and supervision provided will be taken into consideration when making a decision.

Support to stay at home and prevent move into residential care or hospital

A Community Support Grant may be considered if this will help a customer to stay in the community rather than enter accommodation to receive care. One of the factors considered is how immediate the likelihood is of going into such accommodation, and whether the type of item or service required would prevent this happening. For example:

- Help to move to a more suitable place to live or to be nearer someone who will provide care and support.

There is also other funding available that might assist with improving the home to maintain independence such as Disabled Facilities Grant and Discretionary Housing Payments.

Support for a family facing exceptional pressure

Community Support Grants may be made if this will help with costs to ease exceptional pressures for a customer and their family. Some examples of situations that may give rise to exceptional pressure are:

- Someone in the family suffers from a disability or chronic sickness which gives rise to an exceptional need and where that need cannot be met by another support funds e.g. Disability Living Allowance.
- there is, or has been, a breakdown of relationships within the family, (including domestic violence)
- there is a serious problem with the accommodation, such as overcrowding or structural problems
- Domestic upheaval because of unforeseen circumstances such as house fire, flooding or other disaster.

The above is not an exhaustive list and is not in order of priority.

What causes exceptional pressure can cover a very wide range of personal circumstances. When considering applications, officers will look at **all** the factors causing pressures on the family and will decide:

- Whether any of them individually or collectively when looked at as a whole, constitute exceptional pressure, and:
- If so, whether the items applied for will ease that exceptional pressure.

However, customers may be referred to other relevant departments if applicable, such as Adults Social Care, Children, Young Persons and Families. In addition, details of any other sources of funding will be provided to the applicant where appropriate. Examples include; the homeless prevention fund and charity applications.

4.3 Forms of support

Community Support Grants will be considered for the provision of;

- Furniture
- White goods
- Household goods

Applications will not be considered for excluded items as listed in the 'Excluded Items' section. In these cases, the applicant may, where possible, be signposted to other agencies that may assist.

The applicant will be required to provide all information needed in order to make a determination on their claim. Further investigation may be considered if, for example, the information supplied is insufficient; the information supplied is improbable or contradictory; the application is for a new item when the cost of repair would be less.

Information provided may be shared with other council departments and /or relevant external organisations, such as the Department for Work and Pensions in order to check information, protect public funds and in order to identify any additional help and support that might be available.

4.4 Award Values

There will be no minimum payment for Community Support Grants as each case will be assessed on individual circumstances. Award values will be at the discretion of the Council but will be based on standard prices for items required to include the cost of delivery.

There is no restriction on the number of applications that can be made in a 12 month period; each application will be considered and assessed on its own merits. However customers making repeat applications for Crisis Grants may be signposted to relevant advice and support services.

Once the funding has been exhausted for the financial year, no further awards will be made.

4.5 Details of how the application process will be operated are as follows:

The officer will record the reasons as to why a decision to award or refuse an application has been made taking into account the council's equality duties and any other relevant statutory duties.

Decision Outcomes

- Community Support Grants will be processed within 10 working days of receipt
- Applicants will be sent a letter explaining the decision outcome for both successful and unsuccessful applications. This will include:

- The amount of CSG awarded and the items authorised
- The right to request a review
- Alternative options will be in place for those who do not have a permanent contact address. This might include a letter to the agency acting on behalf of the applicant or a letter being sent to an alternative address provided by the individual.
- The items will be delivered to the property address on the date specified.
- No alternative cash payments will be made

4.6 Review/ Reconsideration

An applicant can ask for reconsideration if they can demonstrate there has been:

- a factual error based on the decision made or
- an oversight on a significant piece of evidence or
- where new evidence has come to light, that was not provided with the original application.

In these circumstances, the request must be made within 10 working days of the original decision. Any request outside of these timescales will not be considered.

Such requests must be made in writing to:

Benefit Service, PO Box 8267, Birmingham, B4 7XF.

This review will be carried out by the Benefit Service Appeals team. Their decision will be final with no other right of appeal.

4.7 Applications made by Service Providers

For Service Providers, the following process will be followed:

- Customer contacts the service provider for assistance. Service providers complete their internal assessments and identifies the customer may be eligible for a Community Support Grant.
- Service provider supports the customer to complete the online Community Support Grant application
- Once the application is received by the Benefit Service, it will be assessed. If the form is incomplete or further information is required, the team will call or write to the service provider or customer for the necessary information.
- Once received, the Benefit Service will process the application and notify the customer as stated in the 'Decision Outcome' section above.

5. Excluded items and services for Crisis Grant and Community Support Grant applications

The Local Welfare Provision for Birmingham is designed to provide financial assistance to vulnerable people to meet their immediate essential living costs.

Crisis Grants/Community Support Grants will **not** be awarded for certain items not considered to be part of this scheme. A full list of the excluded items is shown at

Appendix 1.

6. Monitoring arrangements and managing the Local Welfare Provision Scheme

The Benefit Service will undertake monitoring of the number, amount and period of CGs and CSGs awards in relation to Local Welfare Provision budget on a monthly basis. There must be sufficient budgetary provision available to meet the City Council's commitment to fund the scheme.

The Benefit Service will also monitor cases where a request has been refused to ensure decisions are being made fairly and consistently. In line with our general equality duties, we are required, in the exercise of our functions, to have due regard to the need to eliminate unlawful discrimination, advance equality of opportunity and foster good relations.

By monitoring a sample of both successful and refused cases, we will be able to proactively identify any potential inequalities by keeping the outcomes under review. This data may formulate decisions in relation to future Local Welfare Provision policy and interventions for Birmingham.

7. Publicity

The Local Welfare Provision scheme will be publicised on the Council's website and all relevant stakeholders and partnership organisations will be made aware of the scheme.

8. Fraud & Error

Birmingham City Council is committed to the identification and prevention of fraud in all its forms. Where it is alleged or considered an application may be made fraudulently, the matter will be investigated and if fraud is found to have occurred, action will be taken including criminal proceedings, where relevant.

Excluded items and services for Crisis Grant and Community Support Grant applications

- Housing costs (other than intermittent costs not met by Housing Benefit, Income Support, income-based Jobseeker's Allowance, Employment and Support Allowance (income-related) or Pension Credit, certain rent in advance payments, certain boarding charges, and minor repairs and improvements)
- Housing costs in respect of Council Tax, mortgage payments, utility payments, water rates, sewerage rates, service charges, maintenance charges, collective community charges
- Expenses in connection with court (legal) proceedings
- Removal or storage charges if being re-housed following a compulsory purchase order, a redevelopment or closing order, a compulsory exchange of tenancies, or under a housing authority's statutory duty to the homeless
- Any repair to property owned by public sector housing bodies including housing associations, housing co-operatives and housing trusts
- An educational or training need including clothing and tools
- Travelling expenses to or from school because funding is available from other sources
- Distinctive school uniform or sports clothes for use at school or equipment to be used at school because funding is available from other sources
- School meals taken during term time by children who are entitled to free school meals
- Any expense which the Council has a statutory duty to meet including Section 17 funding for 16-18 year olds
- Tobacco and alcohol products
- The cost of domestic assistance and respite care
- A medical, surgical, optical, or dental item or service (these needs can be provided free of charge by the National Health Service, if you are getting Income Support, income-based Jobseeker's Allowance, Employment and Support Allowance (income-related) or Pension Credit (which includes the guarantee credit))
- work related expenses including fares when seeking work and the cost of work clothes because help is available from other sources
- Debts to Government Departments
- Investments
- Purchase, installation, rental and call charges for a telephone
- Mobility needs
- Holidays
- A television, radio, a TV licence, aerial or rental charges for a television or radio
- The cost of any fuel and standing charges
- Garaging, parking, purchase, and running costs of any motor vehicle except where the payment is being considered for emergency travel expenses
- Living at home with family (unless exceptional circumstances)
- Customers who have no recourse to public funds in the United Kingdom.
- A need which occurs outside the United Kingdom
- Maternity and funeral expenses (clothing for a pregnant woman, clothing for a growing baby are exceptions)