

Local Welfare Provision Policy 2020/21

**Guidelines for the operation of the Local Welfare
Provision Scheme.**

January 2021

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1. Introduction

- 1.1 The Welfare Reform Act 2012 ended the provision of Community Care Grants and Crisis Loans for living expenses under the Discretionary Social Fund administered by the Department for Work and Pensions (DWP).
- 1.2 Funding was transferred from the DWP to Local Authorities (LAs) from 1 April 2013 to provide a locally administered scheme to provide assistance to vulnerable residents in the Borough.
- 1.3 There was no statutory duty requiring LAs to deliver a scheme, but Oldham Council considered it to be in the best interests of the residents of the Borough to operate a scheme. As a result of the reduction in funding the Council administered a scheme in a way that ensures the funding provides support to Oldham's most vulnerable residents.
- 1.4 Oldham's scheme is known as the Local Welfare Provision (LWP) scheme.
- 1.5 As a Co-operative Council, the Council is committed to making the most of the strengths that lie in communities and neighbourhoods across the borough. This is reflected in the LWP scheme, which makes use of the expertise and local knowledge of community groups, charitable organisations, and partner agencies in working together to support residents in difficult circumstances.
- 1.6 Oldham Council is also committed to supporting local people to find sustainable, long-term solutions, so that help is provided to prevent people from facing crises and needing support in the future. As part of the process of assessing a claim for LWP, the Council seeks to identify whether applicants could benefit from other forms of support (such as benefit, debt or budgeting advice) which gives them the tools to address the root causes of any short-term problems which are causing them to turn to LWP for help.

Response to COVID 19

- 1.7 The Department for Food, Environment and Rural Affairs (DEFRA) has allocated £361,000 of funding to Oldham to support the allocation of food and essential supplies. Of this sum, £105,000 of this funding has been set aside to help broaden support currently available through the Local Welfare Provision Scheme. This additional funding is only available in 2020/21. This funding has been allocated as follows
 - £80,000 to help meet additional requests for support from the scheme as more residents experience crisis during the COVID 19 pandemic
 - £25,000 to fund a wider package of essential household items to those in crisis including bedding, crockery, cutlery, cleaning products and COVID protection pack (face mask/hand sanitiser, etc.).

2. Purpose of the Scheme

2.1 The purpose of the Local Welfare Provision Scheme is to provide support:

- To meet short term emergency/immediate support needs of vulnerable residents.
- To assist vulnerable residents to establish or maintain a home in the community.

2.2 Examples of the types of residents and the circumstances where an award may be considered are:

- Care Leavers under the age of 25
- People who have suffered a disaster/crisis such as fire or flood
- Families under exceptional financial pressure including as a result of the impact of COVID 19
- People who are homeless or rough sleepers
- Vulnerable older people
- People fleeing domestic violence
- People moving out of institutional or residential care
- People moving to supported accommodation/independent living
- People who are leaving prison or detention centres
- People who are chronically or terminally ill
- People with alcohol or drug issues
- People with learning difficulties.
- People returning to work after a short term on benefit

This list is not exhaustive.

3. Principles of the Scheme

3.1 The LWP scheme is based around the following principles:

- The Council will treat each resident fairly and equitably with full consideration being given to their circumstances.
- The LWP scheme is a fund to support those in crisis who do not have ready access to other means of support. This will ensure that funding is prioritised to support those residents in most need. The scheme is discretionary, which means an applicant does not have a statutory right to an award.
- The Council will consider making LWP awards to applicants who meet the qualifying criteria specified in this policy, providing that there is sufficient funding available.
- In each financial year the Council will spend no more on LWP awards than the DWP or other government department makes available in grant funding to support the scheme.
- The Council reserves the right to vary the operation of the scheme during the year to ensure that the level of awards made does not exceed the funding available.

- The Council will provide support to applicants by means of signposting or referrals to other partners, regardless of the outcome of their claim for LWP, to avoid a future need to claim LWP and to maximise the support offered.
- The Council will consider bids for LWP funding from groups / organisations who provide support to Oldham residents. Successful bidders will be awarded monies from the fund providing there is sufficient funding. In these cases, residents may be awarded LWP support without the requirement to complete an application form.

4. Eligibility Criteria

4.1 To be eligible for an award the applicant must:

- Be aged 16 or over
- Be a resident of the borough
- Be in receipt of or about to receive one of the following:
 - Income Support
 - Income-based Jobseeker's Allowance
 - Employment and Support Allowance (income-related)
 - Pension Credit
 - Universal Credit
 - Housing Benefit
 - Council Tax Reduction
 - Child/Working Tax Credit
 - Disability Living Allowance
 - Personal Independence Payment
 (NB Awards may be made in exceptional circumstances to applicants who are not in receipt of one of the above benefits)
- Have taken all reasonable steps available to maximise income e.g. claiming Council Tax Reduction, Universal Credit, Discretionary Housing Payments
- Have insufficient means to meet the need of the applicant and/or the applicant's family after an emergency or crisis

4.2 During the COVID 19 crisis, consideration will also be given under the scheme to use discretion to consider applications from those significantly impacted by the COVID crisis and in need of emergency financial support. Examples of this may include where the applicant

- runs their own business and cannot trade or
- runs a business that has been impacted as a result of the pandemic or
- has been laid off or furloughed
- has suffered personal illness or where illness of the applicant's family has resulted in financial crisis

4.3 To avoid duplication., the Council will signpost the applicant to other available support as part of this assessment including Test and Trace Support Payments, support available from the Get Oldham Working and Invest teams.

4.4 An award will not be made where:

- the applicant has already applied to another fund or scheme for the same items covered by LWP
- the applicant has access to other funds which could be used to cover the costs, such as savings.
- the applicant owns a property other than the one in which they live.
- the need for LWP has been self-imposed by the applicant e.g. a benefit sanction enforced, loss of employment due to misconduct etc. except in exceptional circumstances e.g. unjust sanction where there is no other support available. In this circumstance, the applicant must be supported by a trusted referrer or support worker.
- the applicant has received an LWP award in the past 3 months

In cases of significant exceptional need, the above criteria can be relaxed.

5. The Application Process

5.1 The application process is clear, transparent and accessible.

5.2 Applicants can request support through a number of access channels:

- Online via the Council website
- Through a dedicated telephone line (telephone number here)
- Through a trusted referrer - these will be in a wide range of organisations across the Borough and from a range of services within Team Oldham.

5.3 The application can be made by:

- the person to whom the application relates (the applicant)
- another person on behalf of the applicant (the representative/referrer)

5.4 The application process is designed to provide consistent and fair decision making by gathering appropriate data and supporting information in an accessible way.

5.5 The Council may request reasonable evidence in support of an application for an LWP award.

- The applicant will be asked to provide the evidence within 10 working days of the request although this will be extended in appropriate circumstances.
- If the applicant is unable to or does not provide the required evidence within the timeframe stipulated, then the application will be treated as withdrawn by the applicant.
- The Council reserves the right to verify any information or evidence that the applicant supplies with third parties including other Council departments, Government agencies, other Local Authorities, external organisations or individuals. The Council may also use the information for the detection and prevention of fraud.
- Under data sharing powers contained within the Welfare Reform Act 2012, those administering the scheme will have access to DWP data in relation to benefits to support decision making.

5.6 Dependent upon the circumstances, the Council may signpost or refer the applicant to other sources of funding and assistance rather than or in addition to making an LWP award.

5.7 The Council will also undertake proactive exercises to determine specific categories of resident or group of vulnerable residents who may be eligible for LWP support.

6. Decision Making

6.1 In determining an LWP award, the Council will take a holistic look at the applicant's needs and circumstances, as well as the amount of funding available in the LWP fund.

6.2 The Council will consider:

- the financial circumstances of the applicant, their partner, their dependents, and anyone else who lives with them
- any savings or other available finances
- any other help which is likely to be available from other funds or schemes
- any expenditure of the applicant, any partner, their dependents and anyone else who lives with them
- the level of debt of the applicant and their family
- any medical issues, or other exceptional needs, of the applicant, their partner, their dependents, or anyone else who lives with them
- whether an LWP award could address the needs of the applicant
- whether granting an award would help prevent further or additional needs.

6.3 If the Council decides that an LWP award can be made they will determine the type of support to be awarded.

6.4 The Council may retrospectively enhance a 2020/21 award if it is felt that the provision of additional essential items will assist the resident in moving out of crisis and in establishing or maintaining a home in the community.

7. Types of Support

7.1 Types of support available include but are not limited to:

- **Beds**
- **Washing machine**
- **Cooker**
- **Fridge**
- **Sofa and chairs**
- **Carpets**
- **Clothing**
- **Food**

- **Kitchen pack** including kettle, toaster, saucepan set and frying pan, crockery set, cutlery and cleaning products
- **COVID protection pack** including hand sanitiser, anti-bacterial wipes and spray and reusable face mask (this will be included with every successful application)
- **Single and double bedding packs** including quilt and quilt cover, pillows and pillowcases, sheets, hand and bath towels

This list is not exhaustive

7.2 LWP awards would not normally be given for:

- A television or satellite cost or repair
- Installation of a telephone or telephone line
- Housing costs or arrears of rent
- Costs which can be met from other sources
- Debts
- Motor vehicle expenses
- TV license
- Costs associated with care provision

This list is not exhaustive.

7.3 The Council has the discretion to determine which goods or services are essential and will consider the circumstances of each claim.

8. **Methods of Support**

8.1 The Council will determine the most appropriate method of support to be provided to successful applicants. The decision will be made based on the type of support required and the individual's circumstances.

8.2 The Council may make awards of support to:

- the applicant
- their partner
- an appointee or authorised representative

8.3 The Council will make awards in the following ways:

- Vouchers for food
- Order and payment by the Council to suppliers of suitable goods or services
- Pre-payment cards for goods and utilities
- Cash payments will only be awarded in exceptional circumstances.

This list is not exhaustive.

9. Notification

- 9.1 The applicant and any other interested party such as representative or trusted referrer will be notified of the outcome of the application within 2 working days of the date of application.
- 9.2 The Council will notify the applicant of the decision by the most appropriate method. This may be by telephone call, letter or email.
- 9.3 Where the application is successful, the notification will include details of:
- the amount of the award;
 - the purpose for which the award should be used;
 - the method of support
 - signposting to websites and contacts for other support agencies.
- 9.4 Where the application is unsuccessful or the award does not meet the full level of support that the applicant requested, the notification will include:
- an explanation of the reasons why the application was unsuccessful
 - details of the right to request a review
 - signposting to websites and contacts for other support agencies.

10. Rights of Review

- 10.1 LWP awards are not subject to a statutory appeals process.
- 10.2 An applicant (or their representative) who disagrees with a decision may request a review of the decision within 14 days of the date of the decision
- 10.3 The review will be undertaken by an officer who was not involved in determining the original decision.
- 10.4 The request can be made
- On line via e-mail
 - By telephone through a dedicated telephone line
 - In writing
- 10.5 The applicant (or their representative) will be notified in writing of the outcome of the review.
- 10.6 There is no further right of appeal. However, the resident or their representative will have the right to make a complaint to the Local Government and Social Care Ombudsman.www.lgo.gov.uk. Telephone 0300 061 0614

11. Fraud and recovery of awards

- 11.1 If the Council becomes aware that the information contained in an application for an LWP award was incorrect or that relevant information was not disclosed either intentionally or otherwise, the matter will be investigated.

- 11.2 Any applicant who tries to fraudulently claim an LWP award may be committing a criminal offence under the Fraud Act 2006 and could lead to criminal proceedings.
- 11.3 The Council will seek to recover the value of any LWP award made as a result of a fraudulent application.

12. Monitoring

- 12.1 The scheme is subject to monthly reporting and review.
- 12.2 ICT systems have been implemented which provide detailed and robust management information to allow continuous monitoring and real time information in relation to:
- payment of awards
 - methods of payment
 - projected allocation of funds
 - awards made
 - equalities data
 - speed of awards
 - number of reviews
 - outcome of reviews
 - referrals or signposting to other agencies
- 12.3 Where funding has been allocated to groups / organisations who provide support to Oldham residents, separate monitoring processes will be implemented specific to that arrangement.

13. Publicity

- 13.1 The Council will publicise the scheme and provide information to relevant agencies, stakeholders, the community, faith and voluntary sector and other services in Team Oldham, including a list of trusted referrers.

14. Policy Review

- 14.1 In addition to an annual review, the policy will be reviewed in the light of any budget changes, legislative changes; trends or other factors that impact on the effectiveness of the policy.
- 14.2 The Council reserves the right to review and revise the scheme at any time based on information gained as a result of operating the scheme.
- 14.2 The Deputy Leader and Cabinet Member for Finance and Green in conjunction with the Director of Finance are authorised by Cabinet to agree any revisions to the scheme.
- 14.3 The latest version of the policy is available on the Council website