

CABINET MEETING – 11 FEBRUARY 2015

EXECUTIVE SUMMARY SHEET – PART I

Title of Report:

Local Welfare Provision Schemes – Crisis Support and Community Care Support

Author(s):

Director of Finance

Purpose of Report:

To provide Cabinet with an overview of the current Local Welfare Provision Schemes (Crisis Support and Community Care Support), to provide feedback on consultation, and to recommend that the Local Welfare Provision Schemes 2015/16 as set out in Paragraph 7.5 and Appendix A of the report, be implemented from 1 April 2015.

Description of Decision:

That Cabinet be recommended to:

- a) Consider feedback received during the consultation, including representatives/ representative groups of, voluntary organisations and community groups.
- b) Approve the Local Welfare Provision Schemes of Crisis Support and Community Care Support for 2015/16, as set out in Paragraph 7.5 and Appendix A of the report.
- c) Authorise publication of the Schemes on the Council's website and in any additional manner determined by the Director of Finance in consultation with the Leader of the Council and Cabinet Secretary.

Is the decision consistent with the Budget/Policy Framework? *Yes

If not, Council approval is required to change the Budget/Policy Framework

Suggested reason(s) for Decision:

The council must have the revised Local Welfare Provision Schemes approved by 31 March 2015, to ensure the Local Welfare Provision Schemes for 2015/16 are in place by 1 April 2015.

Alternative options to be considered and recommended to be rejected:

There alternative options would be to :

Continue with the current Local Welfare Provision Schemes in their present format without the proposed amendments as set out in Paragraph 7.5 and appendix A of the report

Cease the current Local Welfare Provision Schemes with effect from 1 April 2015.

Impacts analysed;	
Equality <input checked="" type="checkbox"/>	Privacy <input checked="" type="checkbox"/> Sustainability <input checked="" type="checkbox"/> Crime and Disorder <input checked="" type="checkbox"/>
Is this a “Key Decision” as defined in the Constitution? Yes	Scrutiny Committee
Is it included in the 28 day Notice of Decisions? Yes	

LOCAL WELFARE PROVISION SCHEMES

REPORT OF THE DIRECTOR OF FINANCE

1. Purpose of the Report

- 1.1 Under the Welfare Reform Act 2012, Government localised some elements of Welfare provision through the introduction of the Local Welfare Provision Schemes (Crisis Support Scheme and Community Care Support Scheme). These Local Welfare Provision Schemes transferred from Central Government to Local Government with effect from 1 April 2013, with initial funding agreed for 2 years. The purpose of this report is to confirm Cabinet support for the continuation these Local Welfare Provision Schemes as set out in Paragraph 7.5, and Appendix A of this report, from 1 April 2015.
- 1.2 The report also sets out responses to the consultation exercise.

2. Description of Decision

- 2.1 That Cabinet be recommended to:
- a) Consider feedback received during consultation, including from representatives/representative groups of voluntary organisations and community groups.
 - b) Approve the Local Welfare Provision Schemes of (Crisis Support Scheme and Community Care Support Scheme) for 2015/16, as outlined Paragraph 7.5 and Appendix A of this report.
 - c) Authorise publication of the Schemes on the Council's website and in any additional manner determined by the Director of Finance in consultation with the Leader of the Council and Cabinet Secretary.

3. Background

- 3.1 On 8 March 2012, the Welfare Reform Act received Royal Assent. The Act legislated for the biggest change to the welfare system in decades and included the abolition of two elements of the Social Fund, which was administered by Department of Work and Pensions (DWP) and delivered by Jobcentre Plus (JCP). From 1 April 2013, funding for these two elements of the Social Fund (Crisis Loans and Community Care Grants) was transferred, at a reduced rate, to local authorities. The remaining Social Fund elements were retained by DWP, for example short term benefit advance payments for customers awaiting their benefit being paid and budget loans.

3.2 Specifically the two DWP Schemes that transferred were:

Crisis Loans

Provide for immediate help that is required as a result of a crisis, emergency or disaster. Loans were repaid via attachment of benefit.

Community Care Grants

Provide support for those moving into the community, to help people to stay within the community, to prevent serious deterioration of health within the home, and provide for families under extreme pressure. This support was a grant that was not repaid.

3.3 The main features of the transferred Local Welfare Provision Schemes were that:

- a) the design and delivery of the Local Welfare Provision Schemes was at the Council's discretion
- b) people do not have a statutory right to support from the Local Welfare Provision Schemes

4. The Local Welfare Provision Schemes (Crisis Support Scheme and Community Care Support Scheme) – Overview and Eligibility

4.1 In February 2013, the Council approved the Local Welfare Provision Schemes to be adopted which provided for two forms of means tested support offered by the new Service, the Crisis Support Scheme (previously Crisis Loans), and Community Care Support Scheme (previously Community Care Grants). Appendix A shows the policy documents, including the details of the Local Welfare Provision Schemes that were implemented on 1 April 2013, and also include proposed additional eligibility as set out later in this report, at Paragraph 7.5

4.2 The aims of the former DWP Schemes were carried forward to the Local Welfare Provision Schemes and are shown below:

Crisis Support Scheme

Available for applicants who are unable to meet their immediate short term needs either in:

- an emergency (a situation which causes the applicant to have a pressing need, or an unforeseen circumstance which requires immediate action or remedy, which the applicant could not have taken reasonable steps to avoid)
- as a consequence of a disaster (sudden calamitous event or misfortune causing loss of or damage to possessions or property – for example fire or flood resulting in a health and safety risk)

Crisis Support Scheme items

For Crisis support the main items of support provided were:

- A food parcel and/or prepaid energy top up cards for gas and/or electricity dependent upon the size of the household and the time of year
- Provision for emergency travel in exceptional circumstances
- If the applicant becomes homeless as a result of an emergency/disaster additional provision is considered at the councils discretion
- Any essential item at the councils discretion

Community Care Support Scheme

Available to help vulnerable people enter the community (for example young people leaving care), re-enter the community, or remain in the community (for example to prevent serious deterioration of health within the home), and families under exceptional pressure

Community Care Scheme items

For Community Care support the main items of support provided were:

- Essential items of Furniture/White goods/Bedding etc as defined by the council, and taking into account the size and needs of the household
- Any essential item at the councils discretion

- 4.3 Eligibility criteria was carried forward from the DWP Scheme and was supplemented by the council's eligibility criteria, for example, to prove residency in the city. The eligibility criteria is shown in the local Welfare Provision Schemes policies at Appendix A.
- 4.4 The eligibility criteria in the Local Welfare Provision Schemes, are, by necessity complex, and require interpretation. Whilst there are different criteria for each, both the Crisis Support Scheme and Community Care Support Scheme, have commonality with regard to secondary qualifying conditions which were largely based upon the DWP scheme. Where the two Local Welfare Provision Schemes do differ significantly is the front end of the process. For example whilst the Crisis Support Scheme can be dealt through a Customer Services Network single triage/phone application, the Community Care Support Scheme involves many agencies (e.g Probation Service) and on-going secondary contact, evidence/dialogue, and is currently dealt with by a specialist team attached to the Benefits Service. It is intended to review the current end to end processes to ensure they are the most appropriate delivery option going forward.

5 Delivery of the Schemes

- 5.1 An 'Asset Based' approach to delivery of the Schemes that recognised the strengths that already exist in our communities was taken in order to future proof the Local Welfare Provision Schemes for the Council who do not have the resources to deliver the agenda on a sole basis. By involving partners such as Sunderland Community Sustainability Services in areas such as supply and delivery of good quality reconditioned furniture, and the Council only providing the elements that could not be provided easily by anyone else, such as the provision of prepaid gas/electricity payment cards, a pragmatic approach has been taken with the intention being that elements of service delivery will continue to be developed with VCS partners who can grow their capacity.
- 5.2 Numerous items and products are provided through the Local Welfare Provision Schemes, including:
- Food parcels
 - Prepaid gas and electricity cards, and exceptionally, expenses for emergency travel
 - Good quality recycled household goods (sofas, chairs, dining tables, wardrobes, drawers and beds with a new mattress), electrical/white goods (including cookers and fridges) and clothing vouchers.
 - New smaller item household goods, including bedding, crockery, cutlery, iron/ironing board etc.
 - Exceptionally where good quality recycled products are not available, a cost effective new product is provided
- 5.3 Appendix B shows that 1252 awards were made in 2013/2014, and also illustrates take up across the city

6. Financial Implications

- 6.1 The Provisional Revenue Support Settlement for 2015/16 has confirmed that specific government funding for the Local Welfare Provision Schemes has ceased and must now be met from within core council funding. This is as anticipated within the Budget Planning Framework reported to Cabinet in October 2014.
- 6.2 A sum of £0.250m has been provided for within the Budget Planning from 2015/16 to reflect the historic annual spend by the Council on the Schemes since responsibility transferred from DWP. This will enable continuation of the Schemes as set out in this report.

7 Consultation Response/Amendments to the Local Welfare Provision Schemes

- 7.1 Informal consultation has been carried out with the voluntary and community sector from November 2014 to January 2015
- 7.2 The format of the consultation included various VCS meetings, including organisations such as the Carers Association. Informal feedback from customers, for example, attendance at job clubs to gain feedback. Regular discussions have also taken place with DWP representatives to gain insight into their experiences, and to understand future pressures/changes that may require support, such as the introduction of Universal Credit.
- 7.3 The Responsive Services and Customer Care Scrutiny Panel considered the Local Welfare Provision Schemes on 18 November 2014. The Panel approved the Schemes, and made some suggestions regarding further development of the recycling of furniture, which is currently being taken forward.
- 7.4 Results of a customer satisfaction survey for 70 customers who had received support with food parcels and utility vouchers showed that only 4 customers had minor comments to make, for example the suggestion that shampoo and frozen fish should be included in the food parcel. Shampoo is now included in the food parcel, and consideration is being given to the use of frozen products. Overall, the comments on the Schemes have been very positive, and it is considered that the Schemes are working generally as intended.
- 7.5 The Local Welfare Provision Schemes have been kept under review, and further consultation has taken place prior to any suggested revisions to the Local Welfare Provision Schemes being implemented on 1 April 2015. It is proposed that the current Local Welfare Provision Schemes continue as is, with the addition of the following eligibility criteria:
 - 7.5.1 All applicants (including couples and single persons) where there is a risk to their health and safety
 - 7.5.2 All applicants in the first tranche of Universal Credit implementation, where no support is available
 - 7.5.3 All applicants who have a sanction that is appealable (a sanction is a loss of Benefit imposed by DWP, and may be eligible for appeal/overturn of decision, if there is some doubt over the evidence used in the decision making process).

8 Impact Analysis

- 8.1 A comprehensive Equality Impact Assessment has been undertaken, taking into account analysis of consultation and comments received. Further work will continue to be undertaken to understand any further actual impact upon Sunderland's more vulnerable residents.
- 8.2 Work will continue, to assess the impact of this scheme alongside the related impacts of the significant number of welfare and benefit reforms either already introduced or still being planned by Government. Any unintended consequences of the Local Welfare Provision Schemes will continue to be closely monitored and considered during review and implementation of the revised Local Welfare Provision Schemes in 2015/16.

9 Reasons for the Decision

- 9.1 The council must have the revised Local Welfare Provision Schemes approved by 31 March 2015, to ensure the Local Welfare Provision Schemes 2015/16 are in place by 1 April 2015.

10 Alternative Options

- 10.1 To continue the Current Local Welfare Provision Schemes in their present format, without the proposed amendments set out in Paragraph 7.5 of this report. However, this would not reflect the revised and enhanced support required, that has been identified as part of the review of the Local Welfare Provision Schemes and the consultation feedback.
- 10.2 To cease the current Local Welfare Provision Schemes from 1 April 2015, however, this would not provide the appropriate level of support required, that has been identified, as part of the review of the Local Welfare Provision Schemes and the consultation feedback.

11 Other Relevant Considerations

- 11.1 Legal Implications
- 11.2 This report has been written using information provided by Government to date

12. Background Papers

Welfare Reform Act

<http://www.legislation.gov.uk/ukpga/2012/5/contents/enacted/data.htm>

Sunderland City Council
Local Welfare Provision
Community Care Support

2015/2016

www.sunderland.gov.uk

1. Introduction

- 1.1 From 1st 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. 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.
- 2.5 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 become more apparent.

2.7 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.

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 Credits 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 1st 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)
- They are in the first tranche of Universal Credit implementation, where no support is available
- They have an appealable sanction

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 hours 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 Bureau, 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.

Sunderland City Council

Local Welfare Provision

Crisis Support

2015/2016

www.sunderland.gov.uk

1. Introduction

- 1.6 From 1st 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.
- 1.7 The two elements of the DWP Social Fund that were abolished were:
- Crisis Loans
 - Community Care Grants
- 1.8 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.

- 1.9 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.
- 1.10 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.

3. Crisis Support

3.1 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 (please refer to paragraph 3.8.3)
- 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 1st tier advice/professional agencies for those 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. Are in the first tranche of Universal Credit implementation, where no support is available.
 - m. Have an appealable sanction

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 The food parcel and/or pre payment energy voucher or travel voucher will be delivered to the applicant in order to provide to ensure there is no additional cost to the claimant, and to prevent fraud and error.

3.8.2 The service is open Monday to Thursday 8.30am to 5.15pm and Friday 8.30am – 4.45pm. The Council will continue to provide the existing out of hours services.

3.8.3 The Council will endeavour to deliver 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 Bureau, 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.

3.10.2 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 ongoing 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.

Appendix B**Crisis/Community Care Support Schemes to 31/3/14**

Area	Total Packages
Barnes	21
Castle	40
Copt Hill	44
Doxford	23
Fulwell	5
Hendon	202
Hetton	79
Houghton	54
Millfield	78
Pallion	64
Redhill	71
Ryhope	12
St Annes's	24
St Chad's	16
St Michael's	33
St Peter's	51
Sandhill	68
Shiney Row	53
Silksworth	31
Southwick	61
Washington Central	33
Washington East	12
Washington North	124
Washington South	26
Washington West	27
Total	1252