

Bromley Welfare Fund

1. Introduction

The Welfare Reform Act 2012 (the Act) ends the current provision of Community Care Grants (CCGs) and Crisis Loans (CLs) under the Discretionary Social Fund for living expenses provided by the Department for Work and Pensions (DWP).

Funding will be transferred from the DWP to Local Authorities (LAs) from 1 April 2013, to provide locally-administered assistance to vulnerable people.

There is no statutory duty requiring LAs to deliver a specific scheme for administering this funding but London Borough of Bromley (LBB) considers that it is in the best interests of the community to run a scheme for two years to provide LBB with an opportunity to understand and measure local demand. This scheme will be known as the Bromley Welfare Fund (BWF) scheme.

The scheme will be cash-limited to the amount of the funding provided by the Government. It doesn't replace the support mechanisms and budgets that exist elsewhere in the Council.

The purpose of this policy is to detail London Borough of Bromley's high level objectives in respect of Bromley Welfare Fund and detail how the Council will operate the scheme, including the factors that will be taken into account when considering if a BWF award can be made. Each case will be treated strictly on its merits and all applicants will be treated equally and fairly when the schemes are administered.

2. Statement of Objectives

The London Borough of Bromley will consider making a BWF award to applicants who meet the qualifying criteria, as specified in this policy, providing sufficient funding from the Government grant for this purpose is available at the time of the Council's decision. We will treat all applications on their individual merits. A BWF award will normally be an urgent, one off provision used as a short term fix to prevent a long term problem, and we will seek to:

- prevent serious risk to the health, well-being or safety of the area's most vulnerable and financially excluded residents;
- ease severe financial pressure on families in certain situations;

- help those, without the necessary means, to either establish themselves in the community as a transition from care or prison or to remain in their community;
- give flexible financial help to those in genuine need.

3. Background

The Act ends the current provision of CCGs and CLs under the Discretionary Social Fund for living expenses provided by the DWP.

The DWP is transferring funding to LAs under existing powers and LAs can decide for themselves how to use these funds. The DWP is keen that LAs do not replicate the DWP scheme but instead uses the funding in a way that more closely meets the needs of the community.

The Council intends to run a scheme that can monitor the demand and expenditure of the funds and measure the impacts of the change in provision, so that through time, the Council is able to target future funds most appropriately.

4. Policy

4.1. Main Features of the Scheme

The main features of the London Borough of Bromley BWF scheme are that:

- it is discretionary;
- an applicant does not have a statutory right to a payment;
- the total expenditure in any one year resulting from awards under this scheme will not exceed the value of the funding received from the DWP;
- the operation of the scheme is for the London Borough of Bromley to determine;
- the London Borough of Bromley may choose to vary the way in which funds are allocated according to community needs and available funds;
- other than the normal appeal against the application of a discretionary function by judicial review, there is no right to a statutory appeal of any application decision. In the interests of fairness the London Borough of Bromley will operate an internal review procedure for appeals.

4.2. BWF Applications

- An application for a BWF award must be made in a way that is acceptable to the Council. The application must be made by the person to whom the application relates (the applicant) but the applicant can ask a council officer or another person to complete the application.

- We may determine such other bodies, as we decide are appropriate, to be authorised to decide applications and they will have access the Council's secure web-based system for that purpose.
- Applications from people not meeting the minimum eligibility criteria will not be considered.
- We may request any reasonable evidence in support of an application for a BWF award. The applicant will be asked to provide the evidence and it must be provided within one month of the request although this will be extended in appropriate circumstances.
- We reserve the right to verify any information or evidence that the applicant supplies, in appropriate circumstances, with other council departments, government agencies and external organisations or individuals. We may also use the information for the detection/prevention of fraud.
- If the applicant is unable to or does not provide the required evidence, in the agreed time, we may treat the application as withdrawn by the applicant and we will not be under an obligation to decide it.
- We are under no duty to make a BWF award. Where funds are available from another source we will signpost the applicant to those sources rather than make an BWF award.

4.3. Eligibility Criteria

An application will only be considered where the applicant satisfies each of the following 8 criteria and at least criterion A or B. The applicant must:

- be aged 16 or over;
- be able to demonstrate a settled residence in London Borough Bromley or have been placed in housing outside the area by London Borough of Bromley or, in the case of someone leaving prison or care, be about to move into London Borough of Bromley;
- not have savings that can be relied upon to meet the need to which they are presenting;
- not be excluded from applying for public funds on the basis of immigration status;
- not have received a BWF award in the past 6 months, unless they can demonstrate significant exceptional need;
- not have been refused a BWF award for the same need in the past 6 months, unless they can demonstrate exceptional circumstances;
- be without sufficient resources which would in turn cause serious risk to their own, or their family's health or safety or well-being;
- not be eligible to receive or have received assistance for the requested funding or loans from other public funds;

And

A. must require essential assistance to establish, or to remain, in the

community;

Or

B. must require essential assistance with an emergency (eg: illness/emergency travel costs)

4.4. Awarding a BWF

In deciding whether to make a BWF award we will have regard to the applicant's circumstances including:

- any sources of credit such as cash cards, store cards, credit cards, cheque cards, cheque accounts, overdraft facilities, loan arrangements;
- any help which is likely to be available from other funds, such as Short Term Advances and Budgeting Advances issued by the Department for Work and Pensions;
- the financial circumstances of the applicant, any partner, their dependants and other occupiers of their household;
- the income and expenditure of the applicant, any partner, their dependants and other occupiers of their household;
- the level of indebtedness of the applicant and their family;
- any medical issues, or other exceptional needs, of the applicant, partner or dependants, or other members of their household;
- whether the circumstances of the applicant are such that a BWF award would alleviate the problems of the applicant;
- being mindful of the amount available in the BWF budget;
- the possible impact on the Council of not making such an award, e.g. the applicant becoming homeless and the costs associated with this;
- any other special circumstance of which we become aware of during the application process.

We will decide how much to award based on all of the applicant's circumstances and the BWF funds available and we will be mindful of the likely total calls on the BWF fund.

4.5. Payment of a BWF award

We will decide the most appropriate method of payment based on the circumstances of each case. The methods may include:

- vouchers;
- provision of goods or services by the Council or third party provider;
- bank account credit to the applicant or some other person as appropriate;
- PayPoint payment.
- credit directly to a landlord.

4.6. Provisions and Exclusions

BWF is intended to help vulnerable persons who are;

- Leaving long term care
- Leaving prison or detention and have a strong local connection to Bromley and were previously resident
- Fleeing domestic violence
- Moving to supported living or independent living
- Young people leaving care
- Leaving institutional or residential care
- Families experiencing exceptional pressures
- The purpose of the grant shall be to enable the person to;
- Establish themselves in the community
- Remain in the community
- Assist with the care of a prisoner or young offender on release on temporary licence
- Maintain a home in the community where the family is under exceptional pressure.

For the purposes of this policy:

‘Families’ shall normally be considered to be individuals or couples with a dependent child or children, or a woman who is over 24 weeks pregnant. A child is a person under the age of 18 years.

‘Exceptional pressures’ are considered to be acute needs arising from circumstances that may be eased by financial means.

Exceptional pressures may include acute domestic difficulties for example;

- the breakdown of a relationship (especially where domestic violence is involved);
- or
- the onset of, or deterioration in, a disability of a member of the family.

Exceptional pressures may also arise from unforeseen calamities or natural disasters for example;

- a house fire;
- or
- a natural disaster such as flooding.

BWF will help with household items that are essential for basic living, health, safety or sanitation. This includes, but is not limited to:

- Beds & bedding
- Washing machines, cooker or microwave, fridge freezer
- Cooking and eating essentials (crocery, pots and pans, utensils, cutlery)
- Essential furniture (table and chairs, upholstered chairs or sofa)
- Basic floor coverings
- Portable heating appliances

- Items essential for cleanliness and sanitation (basic vacuum cleaner, brooms, mop and bucket etc)
- Goods essential for the health and safety of a dependent child (fireguard, stair safety gates etc)
- Emergency house repairs that will if not repaired present an immediate threat to health safety or security (available for owner occupiers only)
- Exceptional travelling expenses where they are essential to the applicant's well-being and assist them in establishing or maintaining a home in the community and where assistance is not provided from another source
- Any other item or service at the Council's sole discretion considered essential to assist a family experiencing exceptional pressure establish or maintain a home in the community and that is not an excepted item
- Where grants are provided for household goods the grant will be calculated as the amount required to purchase a basic model of the item.
- Expenses except where the person would not be able to establish or maintain a home in the community without assistance with travelling costs.

BWF will **NOT** be given for any of the following:

- a need which occurs outside the United Kingdom
- **or** an educational or training need including clothing and tools
- **or** distinctive school uniform or sports clothes for use at school or equipment to be used at school
- **or** travelling expenses to or from school
- **or** school meals taken during school holidays by children who are entitled to free school meals
- **or** expenses in connection with court (legal proceedings) such as legal fees, court fees, fines, costs, damages, subsistence or travelling expenses
- **or** removal or storage charges if you are being rehoused following a compulsory purchase order, a redevelopment or closing order, a compulsory exchange of tenancies, or under homelessness legislation
- **or** domestic assistance and respite care
- **or** a medical, surgical, optical, aural or dental item or service (note that needs under all of these headings 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)
- **or** work related expenses
- **or** investments
- **or** costs of purchasing, renting or installing a telephone, broadband Connection, cable television or satellite television and any associated charges
- **or** any expense which any public body has a statutory duty to meet

- **or** housing costs or arrears of rent other than minor repairs and improvements to the applicant's own property essential for health, safety or security.
- **or** taxes or other statutory payments
- **or** debts or insolvency costs
- **or** home decoration
- **or** TV licence
- **or** care provision
- **or** holidays
- **or** garaging, parking, purchase, and running costs of any motor vehicle except where the payment is being considered for emergency travel expenses
- **or** where the customer has sufficient income, savings or access to a reasonable source of credit
- **or** costs met by other form of financial support including state support (e.g. Council Tax Support, Housing Benefit or Universal Credit (see below))

This list is not intended to be exhaustive and the omission of an item from this list does not imply that a BWF will be provided for such an item.

In applying this Policy, the decision maker will take into account any alternative funding provision including but not limited to, Discretionary Housing Payments, Disability Care Allowances within Adult Social Care, state benefits (Housing Benefit, and Universal Credit etc), and Disabled Access Grants.

4.7. Notification

We will notify the applicant of the outcome of their request on the day the decision is made. This may be by letter, email, SMS (text) or a combination of these methods.

Where the application is successful, we will tell the applicant:

- the amount of the award;
- the purpose for which the award should be used;
- the method of payment.

The applicant will then need to decide whether to accept the award.

Where the request for a BWF award is unsuccessful or not met in full we will explain the reasons why the decision was made, and explain the applicant's right of appeal.

We may, with the applicant's permission, also inform a support worker or advice agency of a decision.

4.8. The Right to Appeal

BWF awards are not subject to a statutory appeals process. Appeals will therefore be decided by the Council.

We will operate the following policy for dealing with appeals about either the decision not to make an award or the amount of an award:

- An applicant (or their representative) who wants an explanation of a BWF application decision may request one in writing within 21 days of notification of the decision.
- An applicant (or their representative) who disagrees with a decision may appeal the decision.
- Any appeal must be made in writing or electronically, but must be made within 21 days of the BWF decision being notified to the applicant.
- Where possible we will try to resolve the matter by explaining the reasons for the decision to the applicant or their representative either verbally or in writing.
- Where agreement cannot be reached, we will review the decision. The officer reviewing the decision will not have been involved in the making of the original decision. The review will be suspended if more information is needed from the applicant.
- The applicant will have 21 days to respond to the request for further information, thereafter the review will be undertaken on the information held.
- If we decide that the original decision should not be revised, we will provide full written reasons to the applicant.

4.9. Overpayments

In the event that it comes to the London Borough of Bromley attention that a grant has been awarded as a result of misleading information, deception or fraud the Council will seek repayment of the monetary value of the grant from the recipient.

The Council may take action to recover the sum through the appropriate legal processes and in accordance with its Fair Debt Collection Policy. Punitive action may also be undertaken in accordance with the Council's Anti-Fraud Strategy.

Where it comes to the Council's attention that the applicant has received a grant, payment or loan from another source for the same purpose as that for which a grant has been awarded under this Policy the Council may seek repayment of the monetary value of the grant.

Where it comes to the Council's attention that the applicant has used a grant for a purpose other than that for which the grant was awarded the Council may seek repayment of the monetary value of the grant.

Where it comes to the Council's attention that the applicant has sold an item for which a grant was provided (except where the item can reasonably be expected to be at the end of its useful life) the Council may seek repayment of the monetary value of the grant.

4.10. Fraud

The Council is committed to the fight against fraud in all its forms. Any applicant who tries to fraudulently claim a BWF award might have committed an offence under the Fraud Act 2006.

If we suspect that fraud may have occurred, the matter will be investigated as appropriate and this could lead to criminal proceedings.

4.11. Publicity

We will publicise the scheme and provide information to relevant agencies, stakeholders and other Council services.