

A new scheme for local welfare provision

Local Welfare Provision

**Policy Document and
Operating Guidelines**

For instructing officers and others

Please read this document carefully and retain it for future reference

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1. Introduction

- 1.1 This document sets out Wiltshire Council's policy and operational guidelines for the delivery of a new scheme for locally based welfare provision.
- 1.2 The scheme is in line with the Council's objective to build sustainable communities and protect the most vulnerable in society. It aims to provide emergency support to people who have insufficient resources to meet their own or their family's immediate short term needs, which if not met would pose a serious risk to their health and well being, or would put at risk their ability to remain or establish themselves in the community.
- 1.3 In the longer term the scheme will continue to be developed. Working in partnership with other organisations the council will not only support applicants through a short term need but also help them to find long term solutions where appropriate, this will include understanding and attempting to address any underlying issues identified during the application process.

2. General principles of scheme

- 2.1 Each case will be treated on its own merits within the scope of this document. Applicants will receive equal and fair treatment taking account of the council duties and responsibilities under all relevant legislation to existing duties and responsibilities including the Child Poverty Act 2010, the Disabled Person Act 1986 and Housing Act 1996 as well as the public sector duties in section 139 of the Equality Act 2010.
- 2.2 The operation of the scheme will be at Wiltshire Council's discretion and applicants will not have automatic right to an award. Where a specific need is identified every effort will be made to signpost the applicant to the most appropriate support option. This may include other funds or services delivered by the council or other organisations
- 2.3 All applicants will be restricted to no more than two awards within a rolling 12 month period
- 2.4 Awards will **not** be made in respect of cash advances for benefit payments, lost cash or benefit sanctions. To enable as many people as possible to benefit from the service, where goods are required we will look firstly to provide second hand refurbished furniture and white goods rather than new items. The Council has referral arrangements in place with key provider's countywide, see Appendix A to this document for referral arrangements.

3. Financial constraints

- 3.1 Government funding of the scheme is finite and may not be adequate to support all eligible applications. It is also reliant on annual allocations which are not ring fenced and whilst the present decision of the council is to ear mark these funds for this support this could not be guaranteed unless a permanent ring fenced decision is taken.
- 3.2 If legitimate demand levels of applicants meeting the basic eligibility criteria significantly outweighs available funding the basic eligibility criteria is highly likely to be amended.

4. Presenting need

4.1 In principle there will be two broad categories of need that will be covered by the scheme, these are either a:

- crisis situation(referred to hereafter as crisis support) or
- support required to remain and become integrated in the community (referred to hereafter as community support).

Categories of need are covered in more detail in section 6 and 7 of this document respectively.

5. Crisis support

5.1 A crisis situation is defined as “***where a household has insufficient resources to meet an urgent need that poses an immediate and substantial risk to the health and well being of the applicant and/or a member of their family***”.

5.2 A crisis refers to “***an urgent need as a result of an emergency, disaster or unforeseen circumstance, not to be confused with the pressures generally associated with managing a low income***”. Examples of a crisis may include:-

- No access to essential items such as food, clothing and heating
- Imminent risk of homelessness
- A flood, fire or gas explosion

5.3 In considering the needs of the applicant the council will also take into account whether the need could be met by any other source or would abate without immediate support

6 Community support

6.1 Awards for community support are intended to help vulnerable people live independent lives and remain or become integrated within the community. ***To be eligible for support the applicant cannot reasonably be expected to fund items themselves***. Examples of the categories of people that will be considered for community support include:

- Help for people leaving care to establish themselves in the community
- Help for people to set up home as part of a resettlement programme
- Help to ease exceptional pressures
- Help for person leaving prison to readjust to life outside of prison
- Help for people to stay in the community rather than enter care

6.2 In considering the needs of the applicant the council will also take into account whether the need could be met by any other source or would abate without immediate support.

7. Accessing the Scheme

- 7.1 Application to access the scheme will be accepted by referral from a range of partner organisations and council services. Applications for community support should be via an organisation that supports vulnerable people.
- 7.2 For essential immediate support needs the applicant or their designated representative will be able to apply direct for support without referral from a partner organisation or council service
- 7.3 Out of normal office hours access to the scheme will be available. The Emergency Duty Service (EDS) provides a Crisis Service for the County of Wiltshire outside normal office hours, at night, weekends and bank holidays. The scheme will be available via the EDS, although this will be a limited service, and may require a follow up appointment during normal working hour.
- 7.4 Applicants will be required to complete the prescribed form contained in Appendix C of this document and supply any relevant information requested by the determining officer at any stage of the process. The claim form will be available in hard copy or to download from the council's website, and if required made available in other formats including Braille and/or in other languages.
- 7.5 A list of excluded items and services which do not fall within the scope of the scheme are contained in appendix E of this document.

8. Eligibility and assessment criteria

- 8.1 The assessment and eligibility criteria for Crisis and Community support will be determined on a similar discretionary basis. Therefore an application for a crisis award may be treated as a community support award or vice versa depending on which award is deemed most appropriate by the determining officer.
- 8.2 Alongside the presenting need, the eligibility criteria for accessing the scheme will focus on two other key areas; these are the applicant's individual circumstances and level of exposure to risk if no assistance offered
- 8.3 To be eligible to access the scheme the applicant must satisfy **all** of the following criteria
 - 16 or over
 - A Wiltshire resident or, in the case of those who are homeless or leaving an institutional establishment, have local connections with Wiltshire (see appendix B to this document for further guidance).
 - Require immediate support to meet an urgent need that poses a serious risk to health and safety of the applicant or an immediate household member
 - Able to demonstrate that they have no other resources or alternative way of meeting this need
 - Recognised as having a particular category of need as specified in section 5 or 6 above
 - There are sufficient funds within the council's Discretionary Community Fund budget

8.4 Applications will need to be made on the prescribed form (see appendix C) and will need to provide:

- Evidence of identity
- Evidence that they meet eligibility criteria and presenting circumstances
- All relevant evidence and information requested by the determining officer at any stage of the process

8.5 If the basic eligibility criteria are met then any application will be risk assessed to quantify the level of priority of the need. The risk assessment will be based upon the severity of the likely impact if the need is not met.

9 Method of award

9.1 An award could be made in the form of:-

- A referral to a third party to purchase agreed items or goods
- A purchase order being raised for the agreed item/service

No cash awards will be made

9.2 Depending on the applicants circumstances an award may be made to:-

- The applicant
- The applicant's partner or immediate family member acting as an appointee
- An advocate service acting on behalf of the applicant

10. Appeals

10.1 Applicants will have the right to appeal if they do not agree with a decision made as to their eligibility.

10.2 All appeals will need to be made at the time of receiving the decision and can be made verbally or in writing to the operational manager.

10.3 Where the need is for immediate provision of food, heating, clothing, shelter etc the council will aim to make the decision on the same day the appeal is made provided it is made before 1.00pm. For appeals made after 1.00 pm the council will aim to make a decision by 1pm the following day.

10.4. Where the need is for essential items of furniture or electrical goods the council will aim to deal with the appeal within 5 working days.

10.5 Any disputes relating to the content of this policy will be treated as a complaint and handled in accordance with the council's complaints procedure.

11. Monitoring Arrangements

11.1 Information in respect of all applications will be held on the Northgate I.T. management system. The data held will include:

- the reason for the application
- the reason for refusal or acceptance
- Locality of applicant
- Age of applicant
- Gender
- Employment status
- Equality monitoring

The data held will help to inform the future development, design and delivery of the service in line with the council's document retention policy and with due regard to the Data protection Act 1998.

11.2 To ensure transparency and consistency, there will be regular monitoring of applications and their outcomes.

12. Fraud Statement

Wiltshire Council is committed to the fight against fraud in all its forms. An applicant who fraudulently claims a grant by falsely declaring their circumstances, providing a false statement or evidence in support of their application may have committed an offence under the Fraud Act 2006. Where it is alleged, or the authority suspects that such a fraud may have been committed, the matter will be investigated and if fraud is found action will be taken, including, if appropriate criminal proceedings.

Appendix B

Local Connection with the Wiltshire council area

In deciding whether you have a local connection with its area the council has to look at whether you (or anyone in your household):

- have lived in the area and for how long
- have family connections in the area
- work in the area
- have a connection with the area for another special reason.

You live in the area

- The council will usually consider that you have a local connection if you have lived in the area for a total of six months out of the last 12 months, or three years out of the last five years. If you live in the area, or you lived there in the past because you were posted there by the armed forces, the council should accept that you have a local connection.
- You must have lived in the area by choice in order to have a local connection. You may not have a local connection if you have only lived in an area because you have been in prison or in a hospital.

You have family in the area

- The council will usually consider that you have a local connection with an area if you have close family who have lived in the area for at least five years. Close family includes parents, children, adult brothers or sisters. It may also include other family members if you have a very close relationship (for example, if you were brought up by an aunt, uncle or grandparent).

You work in the area

- If you work in the area you should automatically be considered to have a local connection with that area. However, if your employment is of a casual nature, it may not be enough to establish a local connection. Employment doesn't have to be full-time and self-employed people can have a local connection if they mainly work in the council's area.

You have a connection for another reason

- You may be able to show you have a local connection for other special reasons. For example, you may need to live in an area to receive specialist health care, or for religious reasons.

APPENDIX C

**Local Welfare Provision
Application Form**

Name:

Current Address:

Previous Address:

Telephone Number:

Date Issued:

Date received (office use only)

WILTSHIRE COUNCIL CONTACT DETAILS

The Wiltshire Council Benefits Service will be happy to discuss any issues. Please telephone, email or visit your local Revenues and Benefits office shown below to make a claim or to ask for advice.

Revenues & Benefits Service Contact hours

Monday to Friday.....8.30am – 5.30pm

Telephone Number: 0300 456 0110

Email: benefits@wiltshire.gov.uk

24 Hour Service – to be confirmed

Office Locations

North: Monkton Park, Chippenham SN15 1ER

South: 27-29 Milford Street, Salisbury SP1 2AP

East: 3 – 5 Snuff Street, Devizes SN10 1FG

West: County Hall, Bythesea Road, Trowbridge BA14 8JN

ELIGIBILITY CRITERIA FOR LOCAL WELFARE PROVISION

- Your application is because of a personal one off event/crisis
- You / your partner have no other means of support from friends/family
- You / your partner have no other support available from any other individuals or organisations
- You / your partner are a Wiltshire resident or meet the local connections criteria
- You / your partner are 16 or over and not in full time education
- You / your partner have no capital or savings – **proof of this may be requested**
- You / your partner have not made more than two claims in a 12 month period

ABOUT YOU / YOUR PARTNER

Do you have a partner who normally lives with you?

You must answer all the questions about yourself.

If you have a partner, you must answer all the questions about them

You

Your Partner

Full Name	Full Name
Date of Birth	Date of Birth
National Insurance Number	National Insurance Number
Current Address	Current Address
Previous Address	Previous Address
Telephone Number	Telephone Number

How many times in the last 12 months have you applied for support either via the DWP social fund / community care grant or through a council run scheme? Please give the date you applied and the amount of any award.

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YOUR NEEDS

What do you need help with and why?

Please write the reason(s) why you need help in the box below. Please also tell us what may happen if you do not receive help.

Have you asked any other individual or organisation to help you?

Yes If yes, why could they not help you?

No If no, why?

Please write your answer in the box below

Do you have any other means of support, including family or friends or savings / capital assets?

Please write the details in the box below

LOCAL CONNECTIONS

Are you resident in Wiltshire? If you do not have a permanent address in the Wiltshire Council area, please answer the following questions:-

1. Have you or your partner lived within the Wiltshire Council area before? If so, please write the address(s) and state how long you lived at each address. Please also state if it was due to an armed forces posting.

2. Do you or your partner have family connections in the Wiltshire Council area? By this we mean, do you or your partner have close family who have lived in the area for at least five years. Close family includes parents, children, brothers or sisters. It may also include other family members if you have a very close relationship (for example, if you were brought up by an aunt, uncle or grandparent).

3. Do you or your partner work in the Wiltshire Council area? If yes, how many hours a week do you work and at what address(es)

4. Do you or your partner have a local connection for any other reason? e.g. you may need to live in this area to receive specialist health care, or for religious reasons. Please give details below

LEAVING CARE / OTHER INSTITUTIONS

Have you or your partner left or will be leaving in the next 6 weeks accommodation in which you received significant and substantial care?

This includes hospital or medical establishment; care home; hostel; sheltered housing; local authority care; prison or detention centre

You must answer the question about yourself.

If you have a partner, you must answer the question about them

You

Your Partner

The address of the accommodation	The address of the accommodation
Date on which you left the accommodation	Date on which you left the accommodation

Have you or your partner left the British Armed Forces?

This includes Army, Navy, and Air Force

You must answer the question about yourself.

If you have a partner, you must the question about them

You

Your Partner

Details	Details
Date on which you left	Date on which you left

INCOME

Please give information about your current income below. This includes all money that you receive

Type of Income	4-Weekly Amount
Wages/Salary You / Your Partner	
Statutory Sick Pay (SSP)	
Income Support	
Job Seekers Allowance Income Based / Contribution Based – please specify	
Employment and Support Allowance Income or Contribution Based – please specify	
Employment and Support Allowance Components – Working Related or Support – please specify	
Incapacity Benefit	
Disability Living Allowance – Component Care and/or Mobility – please specify	
Personal Independence Payment	
Attendance Allowance	
Severe Disablement Allowance	
Carers Allowance	
Statutory Maternity / Paternity Pay (SMP / SPP)	
Maternity Allowance	
Industrial Injuries Benefit / Industrial Disablement Benefit	
State Retirement Pension	
Pension Credit – Savings Credit or Guarantee Credit – please specify	
Private / Occupational Pension	
Superannuation and/or Service Pension	
Annuity	
War Disablement Pension / War Widows Pension	
Bereavement Allowance	
Other – please specify	

EXPENSES / OUTGOINGS

Please give information about your current expenses / outgoings below

Type of Expense / Outgoing	4-Weekly Amount
Mortgage payments	
Second Mortgage	
Rent	
Council Tax	
Water Rates	
Ground Rent/Service Charge	
Buildings/Contents Insurance	
Life Insurance/Pension	
Gas	
Electricity	
Other Fuel	
Housekeeping	
TV Rental/Licence	
Maintenance Payments	
Travelling Expenses	
School Meals/Meals @ home	
Clothing	
Laundry	
Telephone	
Prescriptions/Health Costs	
Childminding	
Car Insurance	
Other – please specify	

APPOINTEE

If you are the appointee of the person claiming please tell us your name and address.

Postcode:	Telephone number:

Can we discuss your claim with your landlord	<input type="checkbox"/>	No	<input type="checkbox"/>	Yes	<input type="checkbox"/>
Please sign here to confirm we can do this	Signature:				

Do you need help with your claim?

We cannot discuss your claim with anyone else but you, unless you tell us who we can talk to.

If there is someone you would like us to discuss your claim with please tell us their full name and address.

First Person / Organisation

Postcode:	Telephone number:				
Can we discuss your claim with them?	<input type="checkbox"/>	No	<input type="checkbox"/>	Yes	<input type="checkbox"/>

DECLARATION

Even if someone else has filled in this form for you, you must sign this declaration if you can. If you have a partner, it would be helpful if they sign below to confirm all the details about them are correct. But they do not have to sign.

**Please read this declaration carefully before you sign and date it.
I/we understand the following**

- If I/we give information that is incorrect or incomplete, you may take action against me/us. This may include court action.
- You will use the information I/we have provided to process my/our claim for Housing Benefit or Council Tax Benefit, or both.
- You may check some of the information with other sources within the council, rent offices or other councils and Department for Work and Pensions/Jobcentre.
- You may use any information I/we have provided in connection with this and any other claim for social security benefits that I/we have made or may make. You may give some information to other government organisations if the law allows this.

We will keep and use your personal information in line with the requirements of the Data Protection Act 1998. For the purpose of processing your claim, to check information and prevent and detect fraud, we may pass information to other agencies or organisations, such as the Department for Work and Pensions, the Job Centre, Rent Service and HM Revenue & Customs. The council participates in data matching exercises through the Housing Benefit Matching Service and National Fraud Initiative. These exercises match the data held by the council with that of other agencies including credit reference agencies, other Local Authorities and government departments to:

- prevent or detect benefit fraud or any other crime
- support national fraud initiatives; and
- protect public funds

I know, I/we must let the council know about any change in my/our circumstances which might affect my/our claim and confirm that I/we understand that the council may pursue the collection of overpaid amounts through external bodies.

I declare the information I/we have given on this form is correct and complete and I/we have not had any other changes in my/our circumstances.

Signature of person claiming

D	D	M	M	Y	Y	Y	Y

Date

I HAVE READ THE DETAILS IN THIS FORM AND CONFIRM THAT THEY ARE CORRECT AND COMPLETE AND I HAVE READ AND UNDERSTOOD THE DECLARATION ABOVE.

If this form has been filled in by someone other than the person claiming: (For example your landlord, your warden, a member of the benefit team, your carer or a councillor)

Please tell us why you are filling in this form for the person claiming and your relationship to them

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Full name and Signature of person who filled in the form

--	--	--	--	--	--	--	--

Date

							Y
--	--	--	--	--	--	--	---

EQUALITIES MONITORING SURVEY

To comply with The Equality Act 2010, it is recommended that, as a service provider Wiltshire Council considers monitoring all of these categories, known as 'protected characteristics', sensitively and in confidence, to show that our services are fair. This information is confidential and will be stored in line with the requirements of the Data Protection Act. We will only use it to improve access to Local Welfare Provision and help provide equal opportunities for everyone.

These questions are to make sure you are getting a good service – we are surveying all service-users to find out who is using our services – so we can improve what we do by making our services better for different people.

Equality Monitoring Form

Age (date of birth asked on census)

- | | |
|-----------------------------------|--|
| <input type="checkbox"/> Under 25 | <input type="checkbox"/> 45 - 54 |
| <input type="checkbox"/> 25 - 34 | <input type="checkbox"/> 55 + |
| <input type="checkbox"/> 35 - 44 | <input type="checkbox"/> Prefer not to say |

Disability

Do you consider yourself to have a disability or to be a disabled person?

- Yes No Prefer not to say

If Yes, please tick which of the following best describes your disability

- | | | |
|---|---|--|
| <input type="checkbox"/> Blind or partially sighted | <input type="checkbox"/> British Sign Language user | <input type="checkbox"/> Physical disability |
| <input type="checkbox"/> Deaf or hard of hearing | <input type="checkbox"/> Mental health | <input type="checkbox"/> Learning disability |

Do you look after, or give any help or support to family members, friends, neighbours or others because of long-term physical or mental ill-health / disability or age? This will identify carers – is this the definition used in new Act?

- No Yes, 20 - 49 hours a week
 Yes, 1 - 19 hours a week Yes, 50 or more hours a week

Gender Reassignment

Is your gender identity the same as at birth?

- Yes No Prefer not to say

Marriage or Civil Partnership

- Single (never married and never registered a same sex Civil Partnership)
- Married
- Separated but still legally married
- Divorced
- Widowed
- Same sex Civil Partnership

- Separated but still legally in a same sex Civil Partnership
- Formerly in a same sex Civil Partnership which is now legally dissolved
- Surviving partner from a same sex Civil Partnership
- Prefer not to say
- I think this section is too detailed?

Pregnancy and Maternity

- Pregnant
- On maternity leave

- Neither pregnant nor on maternity leave
- Prefer not to say

Ethnicity

White

- British
- Irish
- Gypsy or Irish Traveller

- Eastern European
- Any other white background (please write in)

Dual Heritage ()

- White and Black Caribbean
- White and Black African
- White and Asian

Any other mixed / multi ethnic background (please write in)

Asian or Asian British

- Indian
- Pakistani
- Bangladeshi
- Chinese

Any other Asian background (please write in)

Black or Black British

- Caribbean
- African

Any other black background (please write in)

Other ethnic group

- Arab
- Prefer not to say

Any other (please write in)

Religion/belief

- No religion
- Christian
- Buddhist
- Muslim
- Hindu

- Jewish
- Sikh
- Other (please write in)
.....
- Prefer not to say

Sex

- Male
- Female
- Prefer not to say

Sexual orientation

- Bisexual
- Gay
- Heterosexual
- Lesbian
- Prefer not to say

Appendix D

Excluded items and services This list is not exhaustive

- Payment whilst waiting a first or increased DWP benefit payment(formerly budgeting or alignment loans) These should be available from the DWP
- Cold weather payments, funeral grants, sure start grants and maternity grants are available from DWP
- Cash for general living expenses
- Lost or spent money
- Housing repairs and improvements
- Short term cash needs as a result of benefit disallowances or sanctions
- The cost of domestic assistance and respite care
- Where there is insurance available
- Purchase, installation, rental and call charges for a telephone