



**BEDFORD**  
BOROUGH COUNCIL

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# Local Welfare Provision Policy

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November 2014

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## 1. Introduction

This document sets out the Council's Policy for the provision of Local Welfare payments to those residents of the Borough that are considered to be in need of financial assistance. The purpose of these grants is to help vulnerable individuals and families who are in receipt of, or would be entitled to, a means tested benefit or state pension who have been met with exceptional one-off difficulties in life.

The Council will provide two forms of payment to residents in need under this Policy:

### 1. Crisis Grants

These grants will provide immediate assistance to qualifying residents experiencing an emergency that jeopardises their health or safety.

### 2. Home in the Community Grants

These grants will provide assistance to qualifying vulnerable persons in setting up or maintaining a home in the community.

The award of grants will only be made in accordance with the criteria set out in this Policy.

## 2. General Criteria

### Availability of Resources

1. Grants will only be awarded where sufficient financial resources allocated for that purposes by the Council are available. The Council may limit awards at any time in order to effectively manage the available resources to ensure that the Council retains the means to assist those most in need at any time throughout the financial year. The overall funding for the purpose of Local Welfare Provision grants will be limited to the amount of the grant received for this purpose from central Government.

### Eligible Persons

2. Grants will only be awarded to persons habitually resident in Bedford Borough or those persons who meet the criteria below. Where a person is a resident of the Borough because they are under detention (e.g. in prison) the period of residency whilst in detention will not be considered to be residency in the Borough for the purpose of this Policy. Periods of residency in the Borough of less than two months will not be considered to be residency in the Borough for the purpose of this Policy. Any periods during which a person was not resident in the Borough due to service in the armed forces shall be disregarded for the purposed of determining residency.

### Eligible persons who are not habitually resident in Bedford Borough

- a. Persons that were previously resident in the Borough have strong connections to the local area and are currently living elsewhere other than by their choice and who wish to set up home in the Borough (Home in the Community Grants only).
- b. Homeless persons who were previously resident in the Borough immediately prior to becoming homeless and who have strong connections to the local area.\*
- c. Persons who are temporarily resident in the Borough in order to escape domestic violence or abuse.
- d. Persons in detention who were resident in the Borough immediately prior to being detained and who have strong connections to the local area.
- e. In very exceptional circumstances a grant may be made to a person who is not habitually resident in Bedford Borough where there is an immediate and serious risk to the person's health or safety that would be alleviated directly by the award and where there is no prospect of other forms of assistance being received in adequate time to prevent the risk.

For the purpose of this Policy a "strong connection to the local area" will be determined in accordance with the definition set out in the Housing Act 1996 Part VII and the Bedfordshire Homefinder Allocation Scheme.

3. The purpose of these grants is to help vulnerable individuals and families who are in receipt of a means tested benefit, or would be entitled to a means tested should they apply, or pension credit and who have been met with exceptional one-off difficulties in life. Young people in independent living and care leavers under 18 years of age who do not have access to means tested benefits and are experiencing exceptional one-off difficulties may also be assisted under this Policy. Grants may also be awarded to assist persons who have started employment within the last two months and were previously in receipt of welfare benefits for at least three months prior to the start of employment, and are experience temporary financial hardship due to differences in the timing of payment of their earned income and previous benefits.
4. Grants will only be awarded where applicants are able to demonstrate that they have no recourse to savings, reasonable form of credit, or financial help from family and/or friends.
5. Grants will not be awarded in circumstances where provision is made elsewhere through public funds, including other funding available from the Council, to provide assistance for those circumstances.

### **Provision of Grants**

6. All awards will be in the form of grants. The Council will not operate a system of loans for Local Welfare Provision.
7. Grants of over £50.00 will not be made in the form of cash, bank credit or Giro cheque except in very exceptional circumstances and subject to appropriate authorisation where it is considered to be the only practicable means to assist a person in immediate crisis. Grant up to £50.00 may be provided as a cash withdrawal through a third party provider where this is the only practicable means of meeting an urgent need.
8. Grants may be provided in the form of vouchers or tokens. The Council may limit the places at which vouchers or gift tokens may be redeemable and the items for which the redemption of the voucher or gift tokens is valid.
9. Where a grant is awarded for the purchase of a household item the award will be calculated on the basis of the cost of purchasing the item in reasonable used condition except where it is considered by the Council to be more economical in the longer-term for a new item to be purchased (e.g. electrical goods).
10. Grants will not normally be made available for collection in person. Vouchers or tokens will be issued by post.
11. The Council may choose to have items or services provided direct to the applicant by a supplier of its choice and will pay the supplier direct on behalf of the applicant. Where this option is operated the grant will include any cost of delivery and where appropriate installation, but the applicant shall be responsible for making all arrangements for delivery and installation direct with the supplier. The Council will act as an agent between the applicant and the supplier and the Council's role will be limited to providing the funding for the purchase of the item by the applicant who will become the owner of the item upon delivery. The Council will not offer any form or warranty nor accept any responsibility for the item once it is delivered and installed.

### **Application Process**

12. There will be no provision for applications for grants to be made in person.
13. All requests for Crisis Grants must be made by telephone to the number provided for that purpose by the Council, in writing using the Council's official form, or via the Council's website (should the facility be made available). The Council will ensure that the telephone number is a Bedford number. Applicants will be responsible for meeting the cost of calls made to this number. The Council will not routinely return calls to applicants for the purpose of the applicant to make an application by telephone.
14. Applications made by telephone may be recorded.

15. All requests for Home in the Community Grants must be made in writing using the Council's official form or via the Council's website (should the facility be made available).
16. The Council may, at its discretion, consider an application received for a Crisis Grant as an application for a Home in the Community Grant and vice versa where the application would be more appropriately considered as such an application.
17. Applications for Home in the Community grants may be made up to six weeks in advance of the date that the grant is required.
18. Where the crisis has arisen due to a crime no consideration will be given to the application until the applicant has demonstrated that the crime has been reported to the Police.
19. The Council will ask each applicant to provide information to support their application. The information required will vary dependent on the amount applied for and the reason for the application. The Council will only ask for information that is relevant to assess the merit of the application and that is proportionate to the value of the application. Applicants must be co-operative in providing information requested in order to evaluate their application. Where any information that is requested is not provided no further consideration will be given to the request.
20. Supporting information may be accepted verbally where it is considered reasonable to do so in consideration of the amount applied for and the reason for the request.
21. To be eligible for a grant applicants must be able demonstrate need and provide proof of income and residency in Bedford Borough.
22. Applications should normally be made by the intended recipient of the grant. However, applications may, at the discretion of the Council, be accepted from a representative of the intended recipient (for example a social worker, appointee, support worker etc).
23. Where it is considered necessary to enable a decision to be made a Council Officer, or another appointed person, may visit the applicant at their home. Advanced notice will be given of an intended visit and visits will be made during reasonable day time hours.
24. Applicants may withdraw their application at any time before a decision is made by notifying the Council that they wish to withdraw the application.
25. Applications shall be deemed to be withdrawn where supporting evidence has been requested and has not been provided within:
  - Three working days in the case of a Crisis Grant application;

- Twenty working days in the case of a Home in the Community Grant.
26. Where an application is withdrawn or is deemed to be withdrawn before a decision is made regarding the award a further application may be submitted for the same purpose at a later date.

### **Decision Making**

27. In making a decision under this Policy the decision maker shall give consideration to the following:
- The requirements of this Policy;
  - The nature, extent and urgency of the need;
  - The existence of resources from which the need may be met;
  - The possibility that some other person or body may wholly or partly meet the need;
  - Any guidance or procedures provided by the Council.
28. A person making a decision under this Policy shall:
- Clearly and fully document the reasons for the decision;
  - Exercise respect for the applicant;
  - Use discretion to the extent allowed by the Policy;
  - Be sensitive to circumstances which may justify the provision of a grant but which are not explicitly referred to in the Policy or explicitly excepted by the Policy.
29. Decisions may be notified to the applicant in writing by electronic communication where available or otherwise by letter. In addition decisions may be notified verbally where it would assist the applicant to do so.

### **Signposting**

30. Where an application is rejected in whole or in part under this Policy and the Council has knowledge of other sources of funding or other organisations that may be able to provide assistance, the applicant will be provided with this information.

### **Requests for Review of a Decision**

31. An applicant dissatisfied with a decision under this Policy may request that the decision be reviewed.
32. Requests for a review must be made in writing, which may include electronic format, and shall only be considered if received within:
- Five working days of the date the written decision is issued in the case of a Crisis Grant application;

- Twenty working days of the date the written decision is issued in the case of a Home in the Community Grant.
33. Requests for review must set out the reason for requesting the review and any new supporting information.
  34. The Council will publish the address that requests should be submitted to and it shall be the responsibility of the applicant to ensure the request is received at that address within the time set out above.
  35. Reviews shall be conducted by a Council Officer other than the officer making the original decision.
  36. Reviews in respect of Crisis Grants shall be completed within two working days of receipt and in respect of Home in the Community Grants within twenty working days of receipt.
  37. The outcome of a review shall be final and there shall be no further right to request a review or to appeal against the decision.
  38. There shall be no right of appeal where the application is in respect of the same purpose as a previous application that was rejected and was the subject of an unsuccessful appeal, and the application is rejected for the same reason.
  39. Requests for review shall be conducted in accordance with this Policy and will not be considered under the Council's Complaints Policy. However, a person dissatisfied with the administration of an application, rather than the decision, may make a complaint in accordance with the Council's Complaints Policy.

#### **Access to, Use of and Disclosure of Information**

40. The Council will access any and all information and data that it available regarding the applicant and their household, within any limitations imposed by law, in order to assist with evaluating entitlement to a grant. This may involve accessing data held by third parties where the law allows it to do so.
41. Where it is considered necessary to enable the application to be properly considered the Council may seek supporting information, with the applicant's permission, from other organisations or persons including, but not limited to the following:
  - Social workers
  - Probation officers
  - Medical practitioners
  - Housing officer
  - Landlords
  - Department for Works and Pensions employees
  - Advice agency employees or volunteers



42. Where permission is not given to contact another organisation or persons without reasonable cause the application may be rejected.
43. All personal data relating to applications will be stored securely. Access to the personal data will be limited to employees with a need to access the data in performance of their official duties. Personal data will only be processed in accordance with the Data Protection Act.
44. The Council may participate in data matching activities for the purpose of the prevention and detection of fraud or other criminal offences. Data processed for the purposes of Local Welfare Provision may be used for the purpose of data matching where the law allows.
45. Applicants will be advised at the time of making the application of the clauses in this Policy relating to the use of and disclosure of personal data.

### **Requirement to Repay Grants**

46. In the event that it comes to the Council's 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.
47. 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.
48. 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.
49. 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.
50. The Council and its employees will treat applicants with courtesy, dignity and respect at all times. Where practicable, grants will be provided in a manner that maintains confidentiality regarding the source of the grant. Applicants are expected to treat the Council's employees with courtesy, dignity and respect at all times. Should an applicant be abusive, aggressive or violent towards an employee the application will immediately be discontinued and no further applications will be accepted for a minimum of one year.

### 3. CRISIS GRANTS

The persons that may apply for a Crisis Grant are those persons whose circumstances are as follows;

- There is an immediate and serious risk to the health or safety of the applicant, their partner, or a dependent child (including a foster child); and
- The risk arises as the result of a crisis, emergency or disaster.

**Crisis Grants may be provided to assist with:**

- The purchase of food (including food for a pet);
- The purchase of fuel or energy for heating;
- The purchase of goods for infants or children that are immediately essential for their health or safety;
- The purchase, in an emergency, of essential clothing or shoes for a dependent child;
- The purchase, in an emergency, of essential sanitary or health items;
- The purchase of replacement items not covered by insurance that have been lost, damaged or destroyed by an emergency or disaster beyond the applicant's control (e.g. fire, flood, theft) and that are essential for the immediate health and safety of the applicant, their partner or their dependent children;
- Any other item which at the Council's sole discretion it is considered to be reasonable to provide to prevent an immediate threat to health and safety;
- Emergency travelling expenses (for example when a person is stranded away from home due to unforeseeable circumstances, or to visit a close relative who is seriously ill, or to attend the funeral of a close relative). Travel expense reimbursement should normally be limited to a cost equivalent to undertaking the journey by bus and coach services unless there are particularly exceptional circumstances justifying the use of more expensive forms of transport. Assistance will not be provided with the cost of travel outside the United Kingdom.

#### **Value and Duration of Crisis Grants**

Crisis Grants should normally be no more than £200.00. In exceptional circumstances only a Crisis Grant may be awarded up to a maximum of £500.00.

Where a Crisis Grant is provided for immediate living expense the value of the grant shall be limited to a maximum of 60% of the applicant's normal daily benefit or pension credit entitlement (excluding housing related benefits e.g. housing benefit and council tax benefit) and the award shall be calculated only for those days from the date of the application until the day before the next payment of benefit, pension credit or wages (where the person has recently commenced paid employment) is due. Where a person is in receipt of Universal Credit the maximum amount shall be the same as that for a person in the same

circumstances in receipt of the benefits that applied immediately prior to the introduction of Universal Credit.

Where a crisis grant is awarded no further applications will be considered within 3 months and no more than two applications from the same person or household will be considered in any rolling 12 month period.

## 4. HOME IN THE COMMUNITY GRANTS

Home in the Community Grants are intended to help vulnerable persons who are:

- Leaving long term care;
- Leaving prison or detention and have a strong local connection to Bedford Borough and were previously resident;
- Fleeing domestic violence or abuse;
- Moving to safeguard themselves from serious and imminent risk of other forms of violence or abuse;
- 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 exceptional 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 or abuse 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.

Home in the Community Grants 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 (crockery, 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.

Home in the Community Grants will not provide assistance with travelling expenses except where the person would not be able to establish or maintain a home in the community without assistance with travelling costs.

Only one application for a Home in the Community Grant will be considered in any 12 month rolling period. The maximum amount that will be awarded in any 12 month rolling period shall be £1,500.00.

## 4. EXCEPTED ITEMS

Crisis Grants and Home in the Community Grants 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** any purpose for which a Home in the Community Grant was previously given to the same family within in the last two years;

- or costs met by other form of financial support including state support (e.g. Council Tax Support, Housing Benefit, Universal Credit or other local provision (see below)).

This list is not intended to be exhaustive and the omission of an item from this list does not imply that a Community Care Grant 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.