

# BATH AND NORTH EAST SOMERSET COUNCIL

## Welfare Support Policy

### **Introduction**

The Welfare Reform Act 2012 provided for the abolition of the Social Fund and the localisation of discretionary support for individuals through introduction of The Social Security (Miscellaneous Amendments) Regulations 2013 (SI/2013/443), which included the definition of Local Welfare Provision;

The funding for Local Welfare Provision is not ringfenced and it is for each individual Local Authority to decide how its scheme is to be financed. It is also for the Local Authority to decide what support and assistance is to be provided to individual residents.

This policy document gives guidance to Officers administering applications to Local Welfare Provision under the discretionary powers allowed under SI 2013/443.

### **The Welfare Support Scheme**

The Local Welfare Provision scheme for Bath and North East Somerset Council is known as the Welfare Support Scheme, and there are 3 categories of support within the scheme. Applications will be accepted by telephone, electronically or in writing.

### **Living Expenses**

This is short term assistance with living costs which may be required as a result of a sudden emergency or disaster where the resident no longer has access to funds to meet their basic needs. Examples of situations when this might apply are where they have been the victim of a burglary or have suddenly lost their job or are awaiting the outcome of a claim to welfare benefits.

### **Qualifying Criteria – all must be satisfied:**

Resident in Bath and North East Somerset,

Is experiencing financial hardship,

Cannot meet their immediate basic living needs,

The situation has not arisen because of action which the applicant has deliberately taken or through unreasonable financial mismanagement.

### **How the support will be provided:**

This will be at the discretion of the Welfare Support Officer making the decision and will normally be through provision of shopping vouchers to be redeemed for food or essential items as specified by the Officer, shopping and items purchased online by the Officer, payment of bills or invoices or the provision of a pre-payment card, which must be used specifically for purposes determined by the Officer. The Welfare

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Support scheme is Cash-less, and support will only be provided through the methods set out in this section.

### How much support will be provided;

The amount of support which will be provided to each applicant will depend on the circumstances of each case, however, generally awards of shopping vouchers will not normally exceed the following amounts;

£100 for a household of four or more

£70 for a household of two to three

£50 for a single person.

This level of support is intended to last the applicant's household for one week but there may be occasions where the Officer can determine that there are exceptional circumstances where it will be appropriate to make higher awards. Vouchers will be provided electronically wherever possible direct to applicants however in special circumstances residents may collect printed vouchers from the Council's One stop shops.

If an applicant is awarded a pre-paid card for a specific purpose the amount of the award may exceed the level set out in this section.

### **Discretionary Support**

This is assistance with Council Tax, Housing costs which cannot be met through a Discretionary Housing Payment and help with other debts and bills.

### Qualifying Criteria;

Resident in Bath and North East Somerset and experiencing financial hardship,

Has rent arrears which are putting their tenancy in jeopardy or are preventing a move to more suitable accommodation;

Has council tax arrears owed to Bath and North East Somerset Council;

Has household bills which they are unable to afford;

Requires rent in advance to secure a tenancy into suitable accommodation;

Cannot reasonably afford to clear their arrears or pay their bills within the required timescales;

Their liability or debt is not unreasonably high and is usually within the resident's ability to manage;

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And the situation has not arisen because of action which the applicant has deliberately taken or through unreasonable financial mismanagement or behaviour.

### How much support will be provided;

This will depend on the circumstances of each case; however, the following maximum limits will usually apply;

Rent arrears where a Discretionary Housing Payment is not payable - £2000

Council Tax – the lower of 3 instalments or £350.00.

Rent in advance; 1 week rent in advance for Housing Association tenants and up to 1 months' rent in advance for private landlords, limited to the applicable Local Housing Allowance rate for the applicant, or their eligible rent; whichever is the lower figure.

The Welfare Support Officer may also consider making awards for other bills and costs where it is reasonable and possible to do so, up to a limit of £500 per applicant. The Welfare Support Officer will specify what costs these awards may cover and may include Utility bills and insolvency fees. The Welfare Support Officer will also decide on the payment method for awards. Awards will not always be made for the full amount of help requested and on occasion the resident may be required to make a financial contribution.

Funding for the Welfare Support scheme is limited, and the council will restrict awards as necessary depending on the overall level of funding available.

### **Items**

This includes essential household items which will help residents to establish and maintain decent living standards within their home and will help to relieve families under exceptional pressure. Examples of items which will be considered include white goods and carpets.

### Qualifying Criteria

Resident in Bath and North East Somerset Council;

Has recently moved and requires items for their new home;

Current appliance or item has broken, or is in a very poor state and is not insured;

Is experiencing financial hardship;

AND the applicant cannot reasonably afford to replace the appliance or purchase a new item.

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### How much support will be provided

This will depend on the circumstances of each case, having regard to the Financial Means Test carried out by the Welfare Support Officer, but awards for Items will not normally exceed £500 per household.

### **General**

#### Exceptional Circumstances

Bath and North East Somerset Council may vary the terms of this policy at any time during an extraordinary event such as a World Health Organisation declared Pandemic which is affecting the area. In particular, the amounts which may normally be awarded to individual applicants and the method in which support is delivered may be varied at the discretion of the Director of Finance.

#### Participation in the scheme

Elements of the scheme may be delivered by third sector organisations at the discretion of the Director of Finance, where this will allow for more efficient use of funds or to enable better provision of Welfare services. In such cases the third sector organisation will be acting independently, and the council accepts no liability for any actions taken by the third sector organisation

#### Responsibilities of recipients

Recipients of Welfare Support must not

- Sell or give their vouchers to a third party
- Use their vouchers to buy cigarettes/tobacco, alcohol or gambling
- Sell any items purchased for them by the Welfare Support team.

The Welfare Support Officer will clearly specify the items or costs for which awards will be made and should the recipient not adhere to these instructions they may be excluded from the scheme. The council will not normally make more than three separate awards to residents in each financial year. Any recipient who makes false statements in relation to a claim may be excluded from the scheme indefinitely and may be prosecuted by the council or required to return goods or the value of goods to the council. Recipients who are in receipt of any ongoing support or assistance must advise the Welfare Support service immediately if their circumstances change and they no longer require assistance.

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### Conditionality

The Welfare Support scheme exists as a safety net for residents of Banes who are in crisis. It is not intended to provide long term support or solutions to residents who require help with their finances. In order to address the longer term needs of residents it may be necessary to impose conditions for granting any awards under this scheme. These may range from the resident agreeing to look for more affordable accommodation to accessing advice services around debt and spending. Any conditions which will be applied to awards are at the Discretion of the Welfare Support Officer. Failure to comply with conditions may result in help and support being withdrawn and future awards being declined.

### Financial Hardship

For the purposes of this policy a person will be in financial hardship if they are unable to meet basic living costs for food, shelter and clothing, taking into account the resources they have available to them.

Whether the applicant is experiencing hardship and to what degree will be a decision made by the Welfare Support Officer based on the circumstances of each applicant and their household. This will involve a financial means test to calculate the applicant's disposable income. All income will be counted in full for the purpose of the means test except for the Mobility component of Disability Living Allowance and Personal Independence Payment. This will be compared against items of reasonable expenditure. Reasonable expenditure will be determined by the Welfare Support Officer and consideration will be given to the household size and the individual needs of household members, the location and condition of their home and whether their financial liabilities may be adjusted. The Welfare Support Officer will decide whether the applicant has any disposable income to be able to contribute towards their needs, and whether it is reasonable that the resident use any available savings or capital to meet their immediate needs.

Each household will be restricted to no more than three applications for support in each financial year.

### Dispute resolution

Any decision made under this scheme is discretionary and there is no formal right of appeal, however an applicant can ask for a decision to be reviewed within one month of a decision being notified to them. The review will be conducted by a different officer who will make a final decision to uphold or revise the earlier decision. This second decision does not carry the right of review.

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### Applications

Applications may be made by telephone or email by individual residents or by third party organisations on behalf of residents.

### Evidence

Applicants must provide such evidence, items and information as may be required by the Welfare Support officer in connection to their application or ongoing award. Failure to do so will result in a negative decision or adverse inference being drawn. The Welfare Support Officer will check the evidence and information provided in relation to any application with third parties including partner organisations to check the accuracy of statements made in connection with the application.