

## **1. Background**

**1.1** Prior to 1 April 2013, the Department of Work and Pensions (DWP) Social Fund scheme consisted of a regulated scheme made up of Sure Start Maternity Grants, Funeral Payments, Cold Weather Payments and Winter Fuel Payments, and a discretionary scheme made up of Community Care Grants, Budgeting Loans and Crisis Loans. The Welfare Reform Act 2012 abolished Community Care Grants and Crisis Loans from 1 April 2013 and replaced them with a new Local Welfare Provision (LWP) administered by local authorities.

**1.2** From 1 April 2013, Crisis Loan alignment payments and other Crisis Loans paid due to issues with benefit were replaced by a new national scheme of Short Term Benefit Advances (STBAs) administered by the DW P. Budgeting Loans continue for 'legacy' benefit claimants only, i.e. recipients of Jobseeker's Allowance (Income-based), Employment and Support Allowance (Income-related) and Income Support). Universal Credit (UC) claimants are able to apply for a Budgeting Advance.

**1.3** The Government allocated the Council a grant to deliver a local scheme to meet local priorities. There was no requirement to replicate the current Crisis Loan or Community Care Grant schemes. The Council was provided with the funding and flexibility to design emergency provision for vulnerable groups according to local circumstances, in order to meet severe hardship in the most appropriate way.

**1.4** The Council was encouraged to:

- i) work in partnership with local third sector organisations to develop their scheme;
- ii) explore a range of in-kind support, and to link to advice, information and advocacy;
- iii) explore a full range of models for delivery.

**1.5** In the development of CSG the Council fulfilled its duty to consult with all major stakeholders. The service is committed to continuing to work with the local voluntary sector, social landlords and other key stakeholders in the City to maximise entitlement to all available state benefits, charitable funds and grants; this is reflected in the administration of CSG. It will also continue to work closely with money and welfare benefits advice services across the city to provide budgeting and income maximisation advice, and will continue to consult with all stakeholders on the effectiveness of this policy.

**1.6** In January 2014, the government announced that it would no longer provide central funding for local welfare assistance schemes operated by local authorities from April 2015. This decision was confirmed following further consultation in November 2014.

**1.7** The Council will continue to operate the scheme on the basis of reserves accumulated from previous grants being available.

**1.8** From 6 April 2016, Local welfare funds were designated as 'public funds' for immigration purposes. This means that CSG cannot be used to support any person from abroad without recourse to public funds.

**1.9** While an assessment of habitual residence is pending, CSG may assist those with a presumption of eligibility with a short-term award of food and essential items only.

## **2. Finance and Monitoring**

**2.1** The financial management of the budget will be undertaken through the corporate financial audit procedures. The purpose is to ensure the CSG decision making is robust, meets the intention of the policy, is transparent and is making decisions that allow for sufficient funds to meet demands on the CSG budget throughout the financial year.

**2.2** The Council will undertake monitoring of the number, amount and period of CSGS awards in relation to the available CSG budget. The Council's Quality Assurance Team Leader will ensure that an audit check is conducted of 5% of the decisions made to ensure consistent decision-making.

**2.3** The policy will be reviewed annually or at such time or occurrence where a review is appropriate.

**2.4** Each application will be treated strictly on its own merits. You will receive equal and fair treatment within a transparent process taking full account of the Council's responsibilities under all relevant government legislation and to meet our standing statutory duties under Homelessness, Equality, Human Rights, Child Poverty and Child Protection legislation. Decisions under the scheme are made in accordance with the principles of good decision making and decision makers will act fairly, reasonably and consistently. Details of the legislative framework and equality monitoring arrangements of the scheme are provided in section 3.

**2.5** The Council will also monitor cases where a CSG application has been refused or supported to ensure decisions are being made fairly and consistently.

2.6 The Council is subject to the general equality duty. This means that steps will be taken to monitor implementation of this policy to ensure no one is subject to disproportionate adverse treatment because they had a protected characteristic. The Council's equality duty requires that the Council has due regard to the need to:

- i) Remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
- ii) Take steps to meet the needs of persons who share relevant protected characteristic that are different from the needs of persons who do not share it; and
- iii) Foster good relations.

### **3. Legislative framework & equality monitoring arrangements**

3.1 The Council has taken all relevant legislation into account when devising the Community Support Grant policy, including but not limited to:

- i) The Welfare Reform Act 2012
- ii) The Localism Act 2011
- iii) The Equality Act 2010
- iv) The Local Government Finance Act 2012 and 1992
- v) The Local Government Act 2003
- vi) The Leicester City Council Tax Reduction Scheme 2015/16
- vii) The Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012 Default Scheme

- viii) The Social Security Act 1992
- ix) The Universal Credit Regulations 2012 and accompanying legislation
- x) The Local Government Act 1972 section 222
- xi) The Fraud Act 2006, section 2
- xii) The Data Protection Act 1998
- xiii) The Housing Act 1996
- xiv) The Social Security Act 1986
- xv) The National Assistance Act 1948
- xvi) The Child Poverty Act 2010
- xvii) The Chronically Sick & Disabled Persons Act 1970
- xviii) The Disabled Persons (Services, consultation and representation) Act 1986
- xix) The Mental Health Act 1983
- xx) The Children Act 1989
- xxi) The Localism Act 2011
  - xxii) The Care Act 2014
  - xxiii) Statement of changes to the Immigration Rules: HC877, 11 March 2016

**3.2** In addition to the above requirements, the Council also takes account of current guidance and advice which has been published by the DW P and local policy which includes:

- i) Local support to replace Community Care Grants and Crisis Loans for living expenses in England, June 2011;
- ii) Social Fund Community Care Grants – Department for Work & Pensions (DWP) Customer Insight Research Report 2, 2011;
- iii) Local Authority field work summary report, December 2011;
- iv) The Leicester Child Poverty Commission (2013) (Recommendation 18).

**3.3** The Council has engaged extensively with stakeholder groups on this policy and is supported by a comprehensive Impact Assessment.

#### **4. Priority groups**

#### 4.1 The following circumstances may place you in a priority group:

- i) Whether you are fleeing domestic abuse;
- ii) Whether you are a care leaver;
- iii) Whether you or another household member is subject to Social Services intervention;
- iv) Whether you or another household member is undertaking care duties for relatives in the area;
- v) Whether you are a returning ex-offender who is having difficulty in finding suitable accommodation;
- vi) Whether you are a former member of the armed forces who is having difficulty in finding suitable accommodation;
- vii) The exceptional nature of you and your family's circumstances;
- viii) Any reasons which make it necessary or especially desirable for you to occupy the dwelling you currently reside in the view of the assessor;
- ix) Whether the payment of a CSG award keep you and your family together;
- x) Whether it support a young person in the transition to adult life, or will it assist in the safeguarding of a vulnerable adult or child;
- xi) Whether you have a physical or mental condition that if not managed correctly will result in a serious health risk.