

WIRRAL COUNCIL

CABINET

24 JANUARY 2013

SUBJECT:	SOCIAL FUND REFORM LOCAL WELFARE ASSISTANCE SCHEME
WARD/S AFFECTED:	ALL
REPORT OF:	ACTING CHIEF FINANCE OFFICER
RESPONSIBLE PORTFOLIO HOLDER	COUNCILLOR PHIL DAVIES
KEY DECISION?	YES

1.0 EXECUTIVE SUMMARY

- 1.1 This report presents the proposed year one policy for a new local discretionary support scheme “Local Welfare Assistance” to be administered by the local authority from April 2013 to replace the crisis loans and community care grants currently administered by the Department for Work and Pensions. This report was previously considered by Council Excellence Overview and Scrutiny on 27 November 2012 (minutes 42) and their views are included here. Cabinet is asked to approve the scheme for consequential approval by Council to allow scheme to become operable.

2.0 BACKGROUND AND KEY ISSUES

- 2.1 The Government published the White Paper “Universal Credit: welfare that works” on 11 November 2010 which set out proposals to reform the welfare system and which included reform plans for the Social Fund. The subsequent Welfare Reform Act 2012 included powers to end the discretionary elements of the Social Fund.
- 2.2 With effect from April 2013 the discretionary Crisis Loans for Living Expenses and Community Care Grant elements of the Social Fund administered by the Department of Work and Pensions will be abolished. Funding is being transferred to Local Authorities for them to provide a replacement local scheme.
- 2.3 Crisis Loans were intended for people who were unable to meet their immediate short terms needs in an emergency or as a consequence of disaster, and they were awarded for immediate living expenses in order to avoid serious damage to the health and safety of the applicant or a member of their family. Community Care Grants were primarily intended to help vulnerable people live as independent a life as possible in the community and were dependant on receipt of income related benefit.
- 2.4 The Department for Work and Pensions will continue to administer the discretionary Crisis Loan Alignment and Budgeting Loans which they will be replacing with new national schemes for Short Term Advances and Budgeting Advances, as well as continuing to administer the regulated elements of the Social Fund (Funeral Payments, Cold Weather Payments, Winter Fuel Payments and Sure Start Maternity Grants).

- 2.5 The Department for Work and Pensions (DWP) does not want or expect Local Authorities to replicate the current Crisis Loan and Community Care Grant Schemes as provisions will need to be flexible to meet the needs of local communities. However they do anticipate that local provision will consider the scheme's original purpose when developing local schemes.
- 2.6 The funding provided for the scheme is less than the current DWP spend on Crisis Loans and Community Care Grants, and it will therefore be necessary to create a robust scheme that prioritises those most in need. The DWP expects the funding to be concentrated on those facing greatest difficulty in managing their income and to enable a more flexible response to unavoidable need.
- 2.7 Following consultation with key internal and external stakeholders a policy has been drafted, and members' are asked to approve this policy.
- 2.8 The policy is intended as a year one scheme that takes into account the need to stretch the finite resources of the budget to support as many people as possible and considers what is feasible to have in place by April 2013. The scheme will be closely monitored during year one to identify any changes and development for incorporation for year two.
- 2.9 The policy has been designed with a view to being able to continue to provide support for a wide range of needs which are currently supported by the DWP. To be able to do this we are proposing to change the way in which awards are provided. The DWP currently make a cash payment to the applicant under the existing schemes which will either be based upon a percentage of benefit payment for living expenses, or using a catalogue of items and values for items such as furniture and white goods. We will be looking to avoid cash payments where possible for two main reasons.
- Cash is attractive and more open to abuse and if this is removed then the scheme will be less appealing for any fraudulent applications.
 - If we purchase or can access good quality refurbished items then this can be more cost effective than providing cash to buy new items and those items are less likely to be sold on.

Where refurbished items are not available we will seek to purchase a new item on behalf of the applicant which ensures that the award is used on what it was intended for. We recognise that this would not eradicate fraudulent applications as items can be sold on, but it does mitigate it further than at present.

- 2.10 It is hoped that through providing awards in a more cost effective way that the number of awards we are able to grant to people who meet the basic eligibility criteria will be maximised. However there is still a high probability that legitimate demand may exceed available funding. The policy makes reference that this will be addressed by prioritising eligible applications through a risk assessment based on the severity of the likely impact if the need is not met. The design of that risk assessment will take place as part of the next phase of the implementation and will form part of the operational procedures that will be produced to support this policy.
- 2.11 Another key consideration has been whether to provide the awards as a grant or as a repayable loan. DWP have the advantage of being able to recover the crisis loans

directly from ongoing benefits and so they are assured of recovery which they can then utilise for future awards. If we were to loan awards then we would not have this advantage and would need to recover any loans via an invoice which would be administratively costly, particularly given the relatively small value of awards for living expenses. The latest data available from DWP shows that the average award for living expenses in Wirral is £54.88. It is therefore proposed that for the year one scheme all first applications will be provided as a grant and so the applicant will not be expected to repay any amount.

- 2.12 The policy does however allow consideration to be given to providing an award as a loan in certain circumstances. Primarily this will be where financial circumstances are expected to change, for example where capital is not currently realisable. Latest DWP data shows that this type of application forms 16% of the current crisis loan awards (excluding alignment which is remaining with DWP) and amounted to £42.5k in the first six months of 2011/12. This approach ensures that those people with resources are still supported to meet their short term needs, but at the same time are not taking funding away from the scheme as they will be repaying their award.
- 2.13 The policy also allows for consideration to making an award as a loan for repeat applications within two years of any previous award. This provision has been included in the policy due to limitations in the data available from DWP to be able to understand the reasons for any repeat applications. We are therefore not in a position to explicitly say that all repeat applications would be denied at this time. Applications will need to be considered to understand whether there is any link to the previous award, why the applicant is in a situation of requiring support through the scheme again, and the implications if the application were refused. There may be circumstances where it is felt that the applicant has not taken steps to avoid the situation they are in but the implications of not providing any support would cause a significant risk to their health and wellbeing, and particularly that of any dependants. However we would expect the award to be repaid to the Council where it can be allocated back into the fund to benefit other applicants. Such loans will only be made where it is assessed that the applicant can make a repayment from their income. Data for any repeat applications will be closely monitored in order to be able to make informed decisions in this area for the year two policy.
- 2.14 We are working towards a fully accessible scheme that will meet the urgent needs of the most vulnerable quickly and effectively. By utilising existing resources we aim to minimise administrative costs as well as acknowledging the Council's financial situation.
- 2.15 Access to the scheme will be available via all Council libraries and one stop shops. Customers identified by library staff as being potentially eligible for support under the scheme will be helped to make an on-line application, or provided with telephone access if they prefer not to use the on-line tool. Those presenting themselves at a one stop shop will be helped through the application process.
- 2.16. Face to face interviews will take place in a number of one stop shops, all of which have private interview facilities. The privacy requirements are no different to those for the delivery of Housing Benefits and Social Services, which are already delivered via our website, one stop shops and call centre.

- 2.17. One stop shop appointments will be offered to address any underlying issues identified, for example money and debt management or benefits maximisation as well as signposting to partner organisations, for example for support in finding work or health issues such as stopping smoking.
- 2.18. The impact and implications of the scheme will be closely monitored in the initial stages to ensure that any issues are quickly addressed. Customers who make applications under the scheme will be surveyed to ensure that the process works effectively for them.
- 2.19. The impact of the scheme on staff working in the libraries, one stop shops and call centre as well as other customers will also be monitored to ensure that any negative impact on service standards is minimised. In order to provide a level of flexibility which allows for changes to be quickly implemented, only a small number of one stop shop staff will initially be involved in the delivery of the scheme. It is likely that face to face interviews will initially take place in a small number of one stop shops, where the service can be more easily controlled and monitored.
- 2.20. A communication plan for this project has been developed. The scheme has to be targeted at those most in need and those looking for support following a crisis will easily be able to find out about and access the scheme whether they go on-line, phone the call centre or visit a library or one stop shop. This will be achieved by:
- ensuring that the web content is clear and customer focussed, and using Voluntary and Community Action Wirral (VCAW) to carry out independent testing of the web navigation to ensure that the content is easy to find
 - ensuring that all library staff, one stop shop and call centre advisors are aware of the scheme and how to access it
 - ensuring that partner organisations including the Citizens Advice Bureaux, Job Centre Plus, the prison service, Connexions and Health colleagues are aware of the scheme and how to access it
- 2.21. As with other services delivered in the one stop shops and call centre, comprehensive guidance will be available to staff via the in house on-line customer service toolkit.
- 2.22. This report was presented to Council Excellence Overview & Scrutiny on 27 November 2012 (minute 42). Whilst approving the general principles and administration of the scheme the Committee's comments are noted to assist Cabinet in its consideration. Members were keen to see plain English information support available to applicants which will be provided along with staff training. The environment for dealing with these applications at One Stop Shop and Libraries was also an issue and the needs of all service users ensuring a secure, welcoming and supportive environment will be balanced to ensure they are reasonably met.
- 2.23. Members were also concerned as to the range of face to face access points for applicants to meet trained staff, set against the issue of travel costs of those who would generally be the most in need. Officers will keep this under review to maximise access points by use of face to face appointments as well as telephone support and website application support, utilising the co-ordinated range of contact points the authority has available.

3.0 RELEVANT RISKS

3.1 A number of key risks associated with the design and implementation of a new scheme have been identified. These are:

- The value of eligible applications could exceed the allocated budget. The DWP currently refuses all applications once the budget has been spent; the aim of this scheme is to continuously monitor and scrutinise spending, and adjust the eligibility criteria to fit the budget available. This may mean that those items that are lower down the list of priorities, such as travel and some items of furniture (eg wardrobes) may no longer be included in the scheme if the budget cannot accommodate them.
- The number of applications for the new scheme could escalate as other welfare reforms are rolled out.
- The lack of meaningful data on existing DWP awards mean that we have not been able to model options for the scheme and identify key areas to be addressed.
- There is a limited budget, and we cannot anticipate demand against that budget until the scheme goes live.
- Unable to accurately estimate resources required to administer the scheme.
- As demand levels are not fully anticipated then staff resources could be insufficient to process applications within required timescales.
- Timescales for implementation are very tight.
- Access to the service could present a risk to frontline staff, as Job Centre Plus experience indicates that applicants can become aggressive when requests are declined.
- Capacity for other service areas and external organisations to support the scheme e.g. ability of organisations to support referrals into the scheme, ability for the scheme to make referrals for support such as food bank.

4.0 OTHER OPTIONS CONSIDERED

4.1 Another delivery option considered was to divide the funding between existing services and duties such as Section 17 payments and the Housing Priority fund in order to increase their capacity. However we do not have the data available to be able to determine how the funding would be allocated, or the capacity to co-ordinate this level of delivery within the timescales.

4.2 We are not required by law to have a scheme, however offering no support at all would significantly impact on other areas of the Council e.g. homelessness, crime, child welfare and mental health services.

4.3 A further option could have been to outsource the scheme and delivery, however at this time it felt that the Council is best placed to deliver and keep close control of the scheme as we can provide a range of support options which are already in place across the Council.

4.4 We could have also replicated the existing schemes by only awarding cash payments, however this is considered to not be suitable as detailed in 2.9 above which is also supported by consultation feedback.

5.0 CONSULTATION

5.1 Consultation has taken place through an event held with a number of key external

stakeholders from the community and voluntary sector and other organisations such as NHS and Job Centre Plus. An event was also held with a range internal Council staff from related service areas such as Housing, Adult Social Services, Children's and Young People's Department. Subsequently a survey along with a draft policy was made available to external stakeholders and a mix of staff from Council departments. 34 people completed the survey, the results of which are provided in Appendix 2.

5.2 Survey results show that the areas of unanimous agreement were:

- That the best way of prioritising need is to carry out a risk assessment based upon the individual circumstances of the applicant and their needs.
- To provide good quality refurbished items rather than new items in order to stretch the budget further and help as many people as possible
- That financial support should not normally be considered for people who have income or savings which they could use to meet their needs

5.3 Other areas highly supported were:

- That the eligibility criteria should be dependent upon evaluation of need and level of risk, rather than focusing on eligible groups of people (94%)
- That the scheme should only be accessible to Wirral residents, or in the case of those who are homeless or leaving an institutional establishment, have established links in Wirral, i.e. it would not support people who live outside of Wirral (94%)
- To provide goods rather than cash to meet the needs of applicants where possible (91%) (3% had no opinion)

5.4 There was significant divide in whether essential travel costs should be provided through the scheme, with 34.4% saying they should not be included. With a higher share (65.6%) agreeing that they should be included and taking into account comments provided against this question this provision has been left in the policy. However, when prioritising applications such requests will be given a lower priority.

6.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS

6.1 The authority has engaged with representative bodies as part of the consultation exercise detailed above.

6.2 The welfare reforms are likely to impact on the capacity of voluntary groups, and the Wirral Foodbank has already indicated that it will not be able to enter into a formal partnership with the Council to deliver the scheme due to the anticipated level of demand for support. Work is under way with colleagues in housing related services to develop a framework for the provision of reconditioned furniture and white goods at low or no cost via the voluntary sector, social enterprise and faith groups.

6.3 To further support the scheme working is ongoing with Voluntary and Community Action Wirral to develop an on-line directory of support services available to those in need. This will be used by advisors to signpost to other support available, and further work will be undertaken with a number of key organisations to develop referral mechanisms into their services.

7.0 RESOURCE IMPLICATIONS: FINANCIAL; IT; STAFFING; AND ASSETS

7.1 The programme funding for the years 2013/14 and 2014/15 is £1,345,925 per

annum which is £229,575 less than the DWP's full year expenditure against Crisis Loans and Community care Grants in 2011/12.

- 7.2 Should awards exceed the DWP grant this money would have to be found from the Council current budgets, and while all applications will be considered under this policy, officers will be mindful of the impact of awards exceeding grant.
- 7.3 The budget will be closely monitored, and the Capita system provides budget monitoring functionality which replicates that used successfully for the Discretionary Housing Payment scheme. Numbers of applications and budget spend will be closely monitored, particularly in the initial stages, to ensure that the scheme is meeting its stated intention to provide support to the most vulnerable.
- 7.4 Set up funding of £13,459 has been provided, along with £284,404 administrative funding for 2013/14 and £260,687 for 2014/15.
- 7.5. A specific software solution is required for delivery of the scheme. Having evaluated the IT options available, the Capita solution has been chosen to support the delivery of the scheme. The Council already uses the Capita products to support the delivery of the Housing Benefits and Discretionary Housing Payments schemes, and the Local Welfare Assistance add on module will provide linkages to these existing systems.
- 7.6. The scheme will be managed and administered within the Finance Department utilising the Benefits section for processing and the Customer Service units in the Call Centre and One Stop Shops for front line claim handling. The quantity of staff resources required is not yet defined and will be scoped over the coming months.

8.0 LEGAL IMPLICATIONS

- 8.1 There is no duty on local authorities in respect of the new provision as government views that authorities need to be able to be flexible to provide this support in a way that is suitable and appropriate to meet the needs of local communities.
- 9.2 We anticipate that the scheme will be high profile and therefore legal opinion will be sought as we draft the scheme delivery processes.

10.0 EQUALITIES IMPLICATIONS

- 10.1 A specific Equality Impact Assessment (EIA) has been undertaken as part of Wirral's scheme development and design, and is appended / can be accessed through the following link <http://www.wirral.gov.uk/my-services/community-and-living/equality-diversity-cohesion/equality-impact-assessments/eias-2010/finance>
- 10.2 A national EIA for Welfare Reform can be assessed through the following link: - <http://www.dwp.gov.uk/policy/welfare-reform/legislation-and-key-documents/welfare-reform-act-2012/impact-assessments-and-equality/>

11.0 CARBON REDUCTION IMPLICATIONS

- 11.1 There are none arising out of this report.

12.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS

12.1 There are none arising out of this report.

13.0 RECOMMENDATIONS

13.1 That Cabinet approves the policy as outlined in Appendix 1 as the authority's year one Local Welfare Assistance Scheme for 2013/14.

13.2 That a further report be submitted reviewing the first six months of the 2013/14 scheme providing analysis and recommendations for the year two policy.

14.0 REASONS FOR RECOMMENDATIONS

14.1 The recommended policy provides a scheme that continues to consider applications for a wide range of support needs. Given the uncertainty of demand levels the policy allows for prioritisation of applications in order to protect the finite funding available for the scheme.

14.2 Operation of this policy will allow meaningful analysis and interpretation of data from applications received, the reasons why those applications are made, the type of awards being made, and the reasons why any applications are refused. This will allow us to develop and refine the scheme policy for future years.

FN/2012

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APPENDICES

Appendix 1 *Wirral Local Welfare Assistance Scheme Policy 2013/14*
Appendix 2 *Consultation survey results*

REFERENCE MATERIAL

None

SUBJECT HISTORY

Council Meeting	Date
Council Excellence Overview & Scrutiny (min 42)	27/11/12
Cabinet (min 51)	19/07/12
Council Excellence Overview & Scrutiny (min 98)	26/03/12
Council Excellence Overview & Scrutiny (min 138)	17/11/11
Cabinet (min 118)	22/09/11
Council Excellence Overview & Scrutiny (min 64)	16/03/11