

Middlesbrough Council

Community Support Scheme Policy

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Community Support Scheme

Section 1 – Purpose

1. The purpose of this policy is to specify how Middlesbrough Council Benefits Service will operate the Community Support Scheme (CSS) and to indicate the factors that will be considered when deciding if a CSS payment can be awarded. Each case will be treated strictly on its merits and all applicants will receive equal and fair treatment within a transparent process taking full account of the Council's responsibilities under all relevant government legislation, for example the Human Rights Act and Equality Act 2010. The Benefits Service is committed to working with the Council's Homeless Service and Welfare Rights Unit, Local Voluntary Sector, Social Landlords and other interested parties in the Town to facilitate this.

Section 2 – Considerations for an Award

2. The Benefits Service will consider making a payment from the CSS to all applicants who meet the qualifying criteria as specified in this policy. The operation of the scheme is at the Council's discretion and applicants do not have an automatic right to a CSS award.
3. There are two types of areas that will be considered when assessing applications:

In Crisis

4. Crisis Awards cover scenarios where, due to a crisis, there is a severe risk to the health and safety of the applicant or an immediate family member or dependent which cannot be met from another source. Payments could, for example, be made to cover the following risks:
 - No access to essential needs (food, heating and clothing)
 - Imminent deterioration in health
 - Children being taken into care (only in scenario's where the Council does not have a duty to support the child under section 17 of the childrens act 1989)
 - Breakdown of the family unit
5. What is a crisis? It is an event of great or sudden misfortune such as major flooding, gas explosion or a house fire. A crisis could also cover having no financial funds available to meet daily living expenses. Minor mishaps or damage/failure of a household item would not be deemed as crisis issue.
6. Unless there are exceptional circumstances applications from single people living with friends or other family members will not be awarded as they are likely to have access to assistance from such individuals.

In need of Community Support

7. Community Support Awards (CSA) are for people in receipt of Income Support, Income Based Jobseekers Allowance, Income Related Employment Support Allowance, the maximum rate of an individual's Universal Credit or any type of Pension Credit (currently known as "passported" benefits).
8. Applicants may be able to get a Community Support Award if they are leaving accommodation in which they received significant and substantial care and supervision and they expect to be discharged within 6 weeks. Such applicants must also be expecting to receive a "passported" benefit (as above) when they leave the accommodation. Examples of such accommodation that would fit this criterion are:
 - hospital or other medical establishment
 - care home
 - hostel
 - staff intensive sheltered housing
 - local authority care
 - Prison or detention centre.
9. CSA's will enable the Council to provide support for vulnerable people in financial crisis. The Benefits Section will treat all applications on an individual basis. When making a decision on any application, consideration will be given to the following priorities:
 - To support vulnerable young people in the transition to adult life;
 - Safeguard Middlesbrough residents in their homes;
 - Help those who are trying to help themselves;
 - Keep families together;
 - Help provide stability to children;
 - Support the vulnerable in the local community;
 - Help customers through personal crisis and difficult events.

Section 3 (a) – Making a claim – Crisis Award

Eligibility criteria

10. To be eligible for a crisis award all of the following conditions must be satisfied. Applicants must:
 - Be aged 16 or over
 - Be resident within the Middlesbrough Local Authority
 - Be without sufficient resources to meet their immediate short-term needs or those of their family
 - Not be an excluded person (see para 18)
 - Not be an person subject to immigration control

- Not be applying for an excluded item (see para 18)
- Not receive support with a value exceeding £1500 provided by the Community Support Scheme within the same financial year
- In addition, priority will be given to customers who can demonstrate that as a direct result of the inability to afford the goods or services requested, the health of the applicant or family member will immediately deteriorate.

To receive priority, the vulnerability of the applicant or a family member must also be accentuated by one of the following:

- A physical or mental condition that if not managed correctly will result in a serious health risk
- Treatment is being received for substance or alcohol misuse
- An individual is currently under probation or receiving specialist support for their offending history
- The risk or current experience of homelessness
- The risk or current experience of domestic abuse
- A learning disability support need
- A physical or sensory impairment support need
- An individual is leaving care
- An individual is over pension age and has support needs
- An individual acts as a carer

If an application is made due to the applicant spending their income before their next pay date / benefit due date, the applicant will be referred for Money Advice, normally through the Citizens Advice Bureau. Any subsequent application made for the same reason will be refused if money advice has not been sought. In addition, if an application is received from a resident who has claimed Universal Credit and they have not asked for a short term advance, the applicant will be referred back to the DWP to apply for such a payment before a crisis application will be considered.

How to apply – the applicant

11. A claim for a Crisis Award must be made by the applicant, by telephone as the need for a Crisis Award is immediate and any other method of contact would delay this. A free phone line is available, together with a dedicated telephone in Middlesbrough House. In exceptional circumstances, alternative arrangements will be put in place if necessary to meet identified needs of applicants.

12. Details of how the application process will be operated are as follows:

- Complete an application with a CSS officer
- The officer will confirm during the telephone call whether the applicant is eligible for an award and if so, the amount and what goods or services have been awarded. If this is not possible, the officer will aim

to make a decision within 2-4 hours of the call being received at which point a further telephone call will be made to advise the applicant of the decision.

- If successful, and the application is made before 1pm:
 - the applicant will be able to collect the relevant crisis award after 2pm, but before 4.30pm (4.00pm on a Friday) from Middlesbrough House.
 - If an application is made after 1pm, the applicant can collect the Crisis Award from Middlesbrough House after 10am the following day. If the applicant is disabled, and would prefer the award to be sent by post, this will be accommodated
- A letter will also be sent by post within 24 hours explaining the decision and the review process for both successful and unsuccessful applications. Alternative arrangements will be put in place as necessary for those who do not have a permanent contact address.

Application by a Recognised Service Provider

13. The Council will also consider applications submitted by Recognised Service Providers who on behalf of individuals routinely provide support and guidance for their clients. Such applications must be made with the individual's explicit written consent. If written consent cannot be provided in urgent situations, consent will be assumed having verified the clients identity by telephone through alternative methods. Providers include, for example, the Women's Refuge, Homeless Hostels and Independent Living providers.

14. The Council will take into consideration any information provided by Service Providers in support of their clients' applications.

Forms of Support

15. Awards will be made for the provision of:

- Food (vouchers or referral to a foodbank)
- Clothing and nappies (voucher)
- Heating (via barcoded paypoint letter)
- Access for hospital visits within the Tees Valley (via taxi if unable to receive assistance direct from hospital)
- Other forms of non-excluded support in exceptional circumstances.

Award Values

16. Period of awards will be considered dependant on an applicants individual circumstances although such awards should not routinely exceed 14 days.

17. Applicants will receive a maximum of two awards in any one financial year. In exceptional circumstances, a further application may be considered. Applicants making repeat claims for crisis awards will be signposted to relevant advice services (such as Welfare Rights or Citizens Advice Bureau).

Exclusions

18. The following people are excluded from Crisis Support in all circumstances

- people in hospital and care homes (independent or local authority), unless their discharge is planned to take place within the next two weeks following their application being made.
 - Prisoners and people lawfully detained, including those released on temporary licence (but not those released on parole or on bail pending a court hearing)
 - Members of a religious order who are fully maintained by the order
 - People in education who are not entitled to Income Support, Income Based Job Seekers Allowance, Income Related Employment Support Allowance or the maximum rate of Universal Credit
- The following people are excluded from crisis support except in very limited circumstances
 - full-time students not on Income Support, Income Based Job Seekers Allowance, Income Related Employment Support Allowance or Pension Credit (including payments on account) – they can only receive support for expenses arising out of a disaster.
 - Someone who is a 'person from abroad' (i.e. who fails or would fail the habitual residence test for the purpose of Income Support, Pension Credit, Income-based Job Seekers Allowance or Income Related Employment Support Allowance) they can only receive support for expenses arising out of a disaster.
 - People subject to disallowances or sanctions to their Job Seekers Allowance, Employment Support Allowance, Income Support or Pension Credit.

In addition, Crisis Awards will not be awarded for the following:

- a need which occurs outside the United Kingdom
- an educational or training need including clothing and tools
- distinctive school uniform or sports clothes for use at school or equipment to be used at school because funding is available from other sources
- travelling expenses to or from school because funding is available from other sources
- school meals
- expenses in connection with court (legal) proceedings such as legal fees, court fees, fines, costs, damages, subsistence or travelling

- expenses
- removal or storage charges if you are being re-housed following a compulsory purchase order, a redevelopment or closing order, a compulsory exchange of tenancies, or under a housing authority's statutory duty to the homeless, except where this is cheaper than replacing essential furniture
- the cost of domestic assistance and respite care
- any repair to property owned by public sector housing bodies including housing associations , housing co-operatives and housing trusts
- a medical, surgical, optical, or dental item or service (these needs 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 (which includes the guarantee credit))
- work related expenses including fares when seeking work and the cost of work clothes because help is available from other sources
- debts to Government Departments
- investments
- purchase, installation, rental and call charges for a telephone
- mobility needs
- holidays
- a television, radio, a TV licence, aerial or rental charges for a television or radio
- garaging, parking, purchase, and running costs of any motor vehicle except where the payment is being considered for emergency travel expenses
- housing costs, (other than intermittent costs not met by Housing Benefit, Income Support, income-based Jobseeker's Allowance, Employment and Support Allowance (income-related) or Pension Credit, certain rent in advance payments, certain boarding charges, and minor repairs and improvements)
- council tax, water charges
- an applicant living at home with family
- applicants who have no recourse to public funds in the United Kingdom.
- any expense which the Council has a statutory duty to meet
- maternity and funeral expenses (clothing for a pregnant woman, clothing for a growing baby are exceptions)

Section 3(b) Making a claim – Community Support Award

Eligibility Criteria

19. Applicants must be moving into a property within the Middlesbrough Local Authority area and be receiving Income Support, Income Based Jobseekers Allowance, Income Related Employment Support Allowance, the maximum

rate of Universal Credit or any type of Pension Credit, and one or more of the following applies:

- a) they are leaving accommodation in which they received significant and substantial care and supervision and expect to be discharged within 6 weeks and be expected to receive one of the benefits indicated above (examples of such accommodation are indicated in para 7). Not only must the applicant be leaving such an establishment, but also establishing themselves in the community. Both the time spent in the accommodation and the level of individual care and supervision provided will be taken into consideration when making a decision, or
- b) if this will help with costs to ease exceptional pressures for the applicant and their family. Some examples of situations that may give rise to exceptional pressure are:
 - Someone in the family suffers from a disability or chronic sickness which gives rise to an exceptional need and where that need cannot be met by another support fund e.g. Disability Living Allowance.
 - there is, or has been, a breakdown of relationships within the family, (including domestic violence)
 - there is a serious problem with the accommodation, such as overcrowding or structural problems
 - domestic upheaval because of unforeseen circumstances such as house fire, flooding or other disaster.

The above is not an exhaustive list.

20. What causes exceptional pressure can cover a very wide range of personal circumstances. When considering applications, assessors will look at all the factors causing pressures on the family and will decide:

- whether any of them individually or collectively when looked at as a whole, constitute exceptional pressure, and:
- If so, whether the items applied for will ease that exceptional pressure.

21. A Community Support Award may also be made if this will help the applicant to stay in the community rather than enter accommodation to receive care. One of the factors considered is how immediate the likelihood is of going into such accommodation, and whether the type of item or service asked for would prevent this happening. Some examples are:

- Help with expenses for improving the home to maintain living conditions
- Help to move to a more suitable place to live or to be nearer someone who will provide care and support.

22. Applicants will be signposted to other relevant departments if applicable, such as Children Families and Learning (as an example if applicants fall within the remit of section 17 of the Children Act 1989). In addition, details of any other sources of funding will be provided to the applicant where appropriate. Due to the vulnerable nature of the client group, where appropriate, adult social care referrals will be encouraged. In such circumstances, if evidenced and supported by a care manager, applications will, in the main, be considered favourably.

How to apply - claim made by the Applicant

23. Applicant completes and submits CSS application form, either on-line or by telephone. CSS team review application and:
- If the application is complete, the Council will aim to write to both successful and unsuccessful applicants within 2 – 4 weeks of the application being received with the reasons for the decision and details of the review process.
 - If the application is incomplete or further supporting evidence is required, the team will call relevant services or the applicant for the necessary information. Once all relevant data has been collected the CSS team will aim to contact the applicant with a decision by post within 2 – 4 weeks of receipt of the required information
 - A visit may be required to verify the information submitted on the application form and if so, the date and time will be mutually agreed with the applicant

How to apply – claim made by Recognised Service Provider

24. For service providers the following process will be followed:

- Applicant contacts the service provider asking for assistance in claiming a CSA
- Service providers complete their internal assessments
- Service provider identifies that client may be eligible for Community Support Award
- Service provider supports client to complete CSA application and emails this to CSS assessment team
- CSS team review the application, confirming that the service provider is one of the recognised service providers whose applications will be accepted and:
 - If the application is complete, the Council will aim to write to both successful and unsuccessful applicants within 2 – 4 weeks of the application being received with the reasons for the decision and details of the review process.
 - If the application is incomplete or further supporting evidence is required, the team will call relevant services or the applicant for the necessary information. Once all relevant data has been collected the CSS team will aim to contact the applicant with a

decision by post within 2 – 4 weeks of receipt of the required information

- A visit may be required to verify the information submitted on the application form and if so, the date and time will be mutually agreed with the applicant

25. The Benefits Service may request any reasonable evidence in support of an application for a CSS payment. Such requests will normally be made in writing although if an urgent application is being considered (such as an applicant potentially being made homeless), this will be requested by phone. The applicant will be asked to provide the evidence within 5 working days of a request being made although this will be extended in appropriate circumstances.

26. The Benefits Service reserves the right to verify any information or evidence provided by the applicant in appropriate circumstances. Any such request will be essential to the decision making process and will only be used in connection with the CSS application. If the applicant is unable to or does not provide the required evidence, the Benefits Service will still consider the application and will take into account any other available information.

27. The Benefits Service will seek to maximise the applicant's income by checking the availability of state benefits and other sources of financial assistance that may be available to the applicant and refer applicants to the relevant agencies.

Forms of support

28. Awards will be made for the provision of items such as:

- Beds
- Bedding
- Utensils
- Furniture
- Additional items as necessary to meet the criteria set out above (dependant on an applicants health, age or disability)

Award Values

29. Award values will be at the discretion of the Council but will be based on standard prices for items required including the cost of delivery and installation.

30. The value of a Community Support Award will be reduced, on a pound for pound basis, by any savings the applicant or their partner has over £500 (£1000 if the applicant or their partner is aged 60 or over).

Section 4 - Awarding a Community Support Scheme Award

31. The decision-maker will consider the full circumstances before deciding whether or not to award a CSS payment. In deciding whether to award a CSS payment, the CSS assessor will take into account the following as applicable to the application:

- Proximity of essential services relied upon by the applicant and their partner to their home;
- The exceptional nature of the applicant and / or their family's circumstances;
- Any reasons which make it necessary or especially desirable for the applicant to occupy the dwelling they currently reside in the view of the assessor;
- Will the payment of a CSS award keep the family together, will it support a young person in the transition to adult life, or will it assist in the safeguarding of a vulnerable adult or child;
- The financial, medical and social circumstances of the applicant and their household, if they are relevant to the CSS request;
- The income and essential expenditure of the applicant and their household when considering the applicants income. All income will be taken into account, for example Disability Living Allowance or child maintenance. When considering the applicants expenditure consideration will be given as to whether or not expenditure is considered as above the basic living requirements. If expenses seem high, the CSS assessor will make enquiries with the applicant to clarify the details;
- Any savings and investments held by the applicant and their household, which could be used to help their financial situation;
- Whether other family members external to the household help in any way towards the applicants financial expenditure;
- Whether the applicant and their household could reduce expenditure on non-essential items;
- Whether the applicant and their household are entitled to other welfare benefits but are not claiming them;
- The level of indebtedness of the applicant and their household;
- Whether the applicant and their household are taking long-term action to help their problems in meeting their housing costs;
- Whether a CSS payment would prevent homelessness;
- Whether a CSS payment would help the applicant being able to access or maintain employment, education or training;
- Whether a CSS payment would prevent a move that would have detrimental effects on the applicant and their household, for example children's schooling, health, support networks or employment;
- Whether the applicant is fleeing domestic abuse;
- Whether the applicant is a care leaver;
- Whether the applicant or other household member is subject to Social Services intervention;

- Whether the applicant or other member of their household is undertaking care duties for relatives in the area;
- Whether the applicant is a returning ex-offender who is having difficulty in finding suitable accommodation;
- Whether the applicant is a former member of the armed forces who is having difficulty in finding suitable accommodation;
- Any steps taken by the applicant to help themselves;
- Financial advice they have sought to alleviate their situation, such as from Citizens Advice Bureau or Welfare Rights.

32. The CSS assessor will record the reasons as to why a decision to award or refuse an application has been made.

Section 5 - Method of Payment

33. The Benefits Service will decide the most appropriate person to pay based upon the circumstances of each case.

34. Depending on individual circumstances, awards may be payable to:

- The applicant;
- Their partner;
- An appointee;
- Any third party to whom it might be most appropriate to make payment i.e. directly to the supplier of goods or services.

35. The Benefits Service will pay a CSS award usually in the form of a voucher or whatever other method is most appropriate.

Section 6 – Notification

36. If an application is unsuccessful, the Benefits Service will set out the reasons why this decision was made and explain the right of review/appeals. Notifications will include details of where an applicant may seek assistance (such as the Council's Welfare Rights Unit or Citizens Advice Bureau) if they wish to discuss the decision further. Where the application is successful, or partly successful, the Benefits Section will advise:

- The amount of CSS payment awarded;
- How, when and to whom the award will be paid;
- The right to request a review and how further assistance can be obtained;

Section 7- The Right to Seek a Review

Reviews

37. Reviews of any CSS decision can be requested using the procedure below:
38. An applicant (or their appointee or agent / representative) who disagrees with a CSS decision may challenge the decision. An applicant can ask for a review if they can demonstrate there has been a factual error based on the decision made or has new evidence which has come to light which was not provided with the original application. In either circumstance, the applicant must provide the relevant details. Such review requests must be made in writing and received by the Council within one calendar month of the written CSS decision being issued to the applicant.
39. When a request is made, the Council will conduct a review of the decision and contact the applicant by post within 5 working days of the review request being received to advise whether the decision will be amended, and if so, details of the award. If the decision is confirmed, or only partially revised in the applicant's favour, details will also be provided of how to Appeal.

Section 8 - Appeals Process

40. An appeal can be made if the applicant remains dissatisfied with the review decision. An appeal must be made in writing and received by the Council within one calendar month of the review decision letter being issued stating why they disagree with the review decision.
41. The Council's Benefit Manager, will conduct a full review of the decision. A decision will be made within 10 working days of the appeal being submitted. The outcome of the appeal will be notified in writing to the applicant and / or the person submitting the appeal.
42. If the applicant remains dissatisfied, the applicant has the right to contact the Local Government Ombudsman after receiving the final appeal decision.

Section 9 - Monitoring Arrangements and Managing the Community Support Scheme Fund

43. The Benefits Service will undertake monitoring of the number, amount and period of CSS awards in relation to the available CSS budget. The purpose is to ensure the CSS has sufficient funds to meet demands on the CSS budget throughout the financial year.

44. The Benefits Service will also monitor cases where a CSS request has been refused to ensure decisions are being made fairly and consistently. 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 general equality duty requires that the Council has due regard to the need to:

- Remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic
- 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
- Foster good relations.

Section 10 - Publicity

45. The Benefits Service will publicise the CSS and will work with all interested parties to achieve this. CSS will be publicised on the Council's website and the Benefit Service will ensure the Council's Homeless Team, Welfare Rights Unit, Citizens Advice Bureau, local registered housing associations and voluntary sector organisations are made aware of the CSS, the relevant criteria for a payment to be made and how claims can be made. Both the Council's main website and the Middlesbrough Partnership website will also be used to publicise the scheme.

Section 11 - Fraud

46. Middlesbrough Council is committed to the fight against fraud in all its forms. An applicant who tries to fraudulently claim a CSS 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 to have occurred, action will be taken including if appropriate criminal proceedings. In the majority of legitimate awards, repayment will not be sought. However, recovery would be sought from the applicant if a fraudulent claim or significant abuse of the system has been identified and it is considered economical to recover. Where misuse has been identified, this will be taken in to account in any future consideration of any claim made by the applicant in question

Section 12 - Accessibility

47. Hard copies or alternative versions of any document can be made available where necessary to meet an individual's needs. Please contact Middlesbrough Council, Middlesbrough House, PO Box 98, 50 Corporation Road, Middlesbrough, TS1 2YQ or telephone the benefit office directly on 01642 726005.

Date 1 April 2015