



**Sandwell Metropolitan Borough Council
Local Welfare Provision (LWP) Policy**

2022/23

Meeting Ambition 10



POLICY STATEMENT

The Local Welfare Provision (LWP) scheme is to assist and support vulnerable residents of Sandwell in meeting their day to day needs for subsistence or financial support or where they require assistance to maintain their independence within the community. This will be aligned to the Council's key principles of tackling inequality and reducing poverty.

1. INTRODUCTION

Local Welfare Provision

LWP will enable the Local Authority to provide assistance / support to vulnerable people in hardship situations. The overall intention is to use LWP to complement the existing support that the Council and its partners give to residents.

When making a decision on assistance, consideration will be given to the following priorities:

- To support vulnerable young people in the transition to adult life
- Safeguard Sandwell 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
- Prevent homelessness for those at risk of losing their home
- Help customers through personal crisis and difficult events

- Support people affected by domestic violence

2. GENERAL PRINCIPLES

Considerations for an award

- The scheme is purely discretionary; a resident does not have a statutory right to an award
- The process will be based on application being made and will be dependent upon a need and eligibility-based assessment.
- Awards will be made by way of vouchers or goods. Generally, no cash awards will be made

The LWP will consist of 2 key aspects of support:

Planned Support

Intended to help vulnerable people over the age of 18 (young adults aged between 16 and 18 may also be considered where they are unable to receive assistance through Section 17), live as independent a life as possible in the community. This form of support can be considered where the applicant is in receipt of benefit and is moving into independent living.

Planned support is also available to people if they are leaving accommodation in which they received significant and substantial care and supervision and they expect to be discharged within 6 weeks. Examples of such accommodation:

- hospital or another medical establishment
- care home
- hostel
- staff intensive sheltered housing
- local authority care
- Prison or detention centre

Unless there are exceptional circumstances such as someone who lives at home and receives support from their family or family members are unable to assist due to the demands of their own financial, health or general circumstances, applications from

single people living with other family members will not be awarded as they are likely to have access to assistance from other family members.

Responsive / Emergency Support

To meet a need that has arisen as a consequence of an emergency, disaster, exceptional circumstances or a pressing need that is strikingly different from the pressures generally associated with managing a low income and is the only way of preventing or mitigating serious risk to health or safety to the claimant or a member of their immediate family, which cannot be met by another source.

Forms of Support

- *Planned / Responsive support* will be the direct provision of furniture subject to meeting the eligibility criteria and the need assessment. The following items may be provided:
 - Second-hand furniture
 - White goods
- Emergency Support will be the direct provision of:
 - Food Bank Vouchers
 - Pre-payment cards for fuel and travel

3. PROCESS FOR SERVICES

Eligibility

Consideration will be given when the person or family has a reasonable need for an item or items to support or sustain independent living, subject to the availability of the items and the budget has sufficient resources to meet the need.

In cases where DWP or other Government departments have a primary responsibility to residents, The Local Authority will first advocate for residents to secure entitlements.

Individuals may receive support if they are age 18 and over and in receipt of:

- Income Support
- Income based Jobseekers Allowance; or
- Income related Employment and Support Allowance
- Pension Credit Guaranteed
- Contribution based Job Seekers Allowance*
- Contribution based Employment and Support Allowance*
- Universal Credit (means tested maximum award rate/where the award does not include an earnings disregard)

**Claims will only be considered under these circumstances where the claimant and/or their partner has no dependants*

Exclusions

Local Welfare Provision will not be awarded for any items that a government department or Council service has a statutory responsibility to provide.

The following people are excluded for support in all circumstances:

- 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

The following people are excluded from support except in very limited circumstances:

- Full-time students 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, Universal Credit) they can only receive support for expenses arising out of a disaster
- Customers who are subject to the Benefit Cap. As it deemed that they have an income in excess of more than £20,000

Benefit Sanctions

People subject to certain disallowances or sanctions to their Job Seekers Allowance, Employment Support Allowance, Income Support, Pension Credit or Universal Credit or equivalent welfare benefits will not normally be eligible for support.

However because of the nature of benefit sanctions each case will be considered on its own merits and where it is clear that failing to provide support would present significant risk to the claimant or, their immediate family or dependant which cannot be met by another source then support may be provided.

Universal Credit – Waiting period

People who have made a claim for Universal Credit (UC) and are waiting for their first payment will not normally be eligible for support through LWP.

However, because of the actual time taken for the first payment of UC to be made there may be circumstances where support through LWP is required. Each request will be considered on its own merits and where it is clear that support cannot be obtained from any other source (such as payments in advance from the Department for Work and Pensions, savings or lieu of notice pay) and failing to provide support would present significant risk to the claimant or their immediate family, support through LWP will be considered.

How to request Support

Referrals can be made via the online claim form on www.sandwell.gov.uk. Sufficient information will need to be submitted to the LWP Team to enable an assessment of eligibility and need.

Decision making process

Decision making for any request for support will be processed by the LWP Team in the Revenues and Benefits service area.

- Once all relevant data / information has been collected and the eligibility has been satisfied. An officer from the team will contact both successful and unsuccessful residents. If successful, the awards will be provided in line with the resident's needs.
- If unsuccessful the resident will be given the reasons for the decision and details of the appeals process. Also, what other options are available to them i.e. advice and information on other services.
- If the information is incomplete or further supporting evidence is required, an officer will contact the resident for the necessary information. Once all relevant data has been collected a decision will be made.

- Local Authority may request any reasonable evidence in support of an application. Such requests may be requested by phone/in person or in writing.
- Local Authority reserves the right to verify any information or evidence provided by the resident in appropriate circumstances.
- If the resident is unable to or does not provide the required evidence, the local authority will still consider the request and will take into account any other available information.

Value of Awards

Each case will be assessed on individual circumstances. The value of the items provided will be at the discretion of the Local Authority but will be based on standard prices for items including the cost of delivery and installation where appropriate.

Awards will be limited to 2 awards within any 12-month period.

Capital Limits

In order to retain consistency in the approach taken in the administration of Local Welfare Provision, there will not be a capital limit for awards made.

Outcome

Once all information to support a request has been received, the referral will be processed within 14 working days.

The LWP Team will provide written notification of an award of support to the Resident or the officer representing the individual and the supplier of goods.

Written notification will include details of:

- The support to be provided
- How, when and where the award can be accessed

To avoid unnecessary delay, residents may be asked for alternative contacts methods such as email or telephone to speed up the outcome confirmation.

Out of Hours Arrangements

Local Welfare Provision will not operate outside of normal office working hours.

Review / Reconsideration

A resident can ask for reconsideration if they can demonstrate there has been a factual error based on the decision made, an oversight on a significant piece of evidence or where new evidence has come to light, that was not provided with the original request form. In either circumstance, the resident must provide the relevant details.

Such requests must be made in writing to the LWP Team.

This review will be carried out by the Revenues and Benefits Service Appeals team. Their decision will be final with no other right of appeal.

Monitoring Arrangements

The central coordinating function sitting with the Revenue and Benefits service area will monitor the number and amount of awards / refusals in relation to planned and emergency support on a monthly basis to ensure decisions are being made fairly and consistently and in line with the Council's equality duties.

4. POLICY REVIEW

The policy will be reviewed annually, or sooner if appropriate, to take account of operational adjustments and or changes to legislation.

5. EQUALITIES

This policy has been produced in line with the Council's obligation to the Public Sector Equality Duty provided by the Equality Act 2010. No adverse impact on any protected characteristic has been identified as a result of this policy.