



Derby City Council

Local Assistance Scheme Award Policy Aug 2024

V4.2

Resources Directorate

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	1.2	Draft	Combined comments of Heads of Service – RBES & Customer Services
	1.3	Draft	Draft to Head of Customer Engagement for final review
	1.4	Draft	Draft version for consultation finalised
	1.5	Final for consultation	Agreement that no consultation needed as DHP & CTH policy is not changing
	1.6	First draft after EIA	Agreement that no DPIA/EIA needed as no change to actual DHP & CTH policy
	1.7	Final	Version 'To Note' Cabinet

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Introduction

Prior to Aug 2024 Derby City Council provided support to those residents most in need through the Single Discretionary Award policy. This scheme included Local Assistance (LAS), Discretionary Housing Payments (DHP) and Council Tax Hardship (CTH).

These three Schemes have been partially funded by the Department of Work and Pensions through ring-fenced and non-ring-fenced funding.

Derby City Council has full discretion to determine locally how best to support the needs of residents and to establish the criteria for the provision of this discretionary assistance to residents.

Following a further consultation, the Policy was changed with effect from 1 April 2020 to reflect recent changes in Government funding and our learning over the previous three years of managing SDA. A further change has been made from 1 April 2022 for the 2022/23 financial year to ensure those households participating in the Homes for Ukraine Scheme are not financially disadvantaged by their decision to provide a temporary home for people fleeing the current crisis in Ukraine.

Following a decision by Derby City Council, the Policy was changed with effect from August 2024 to reflect the needs of the customer, the service, the cost of provision and to maximise the digital offer available for each discretionary scheme decision reached to separate the LAS element of the scheme from the DHP and CTH element of the scheme.

This Policy must be read in line with the Local Assistance Award (LAS) Local Assistance Policy Guidance which can be found on our website www.derby.gov.uk.

Purpose and aim

- To proactively support the residents of Derby and in line with efficiencies, The current single Discretionary policy will be split into separate discretionary payment schemes from July 2024, these will be Local Assistance (LAS), Discretionary Housing Payments (DHP) and Council Tax Hardship (CTH).
- To describe Derby City Council's arrangements for a LAS Policy covering the LAS schemes with a single need assessment.
- To support the aims and objectives of the city's Welfare strategy and the Council Plan.
- To ensure that this LAS fund is targeted for those vulnerable Derby residents who demonstrate financial hardship, which is defined for this purpose as more allowable expenditure than income.
- To manage the awards of support within the cash limited provision.
- To control duplicate payments from a range of funding streams for which the Council and other key partners have delegated responsibility to administer – as detailed in Appendix 1.
- Develop a programme of financial, digital, and generalist advice and access to education, training, and employment support to help LAS applicants address the underlying reasons for financial hardship in a sustainable way.

To seek external sources of funding to purchase white goods, basic furniture items, clear energy arrears, reduce current utility costs and fund one-off essential items.

1.Scope

Derby's LAS scheme is targeted to support vulnerable people, resident in Derby, who present a need that cannot be met from another source because of the recent Welfare Reform changes and, where appropriate, to prepare them for Universal Credit. Support may be provided if the resident's application indicates that:

- Their financial hardship presents underlying issues such as:
 - Health and wellbeing,
 - Safeguarding,
 - Money management (Personal Budgeting Support and Debt Management)
 - Dependency issues,
 - Welfare rights and
 - Housing.
- The situation prevents an intended return to, or the continuation of, independent living in the community.

The scope of this Policy covers the following key areas:

What the Council may award the resident from the LAS Scheme

One, all or a combination of the following:

- White goods, electrical goods, general furniture, and goods for the home.
- Vouchers to purchase food items, redeemable for cash.
- Payments for utilities will be made by topping up payment cards/keys – these must belong to the tenancy holder.

2. Eligibility criteria

For the general eligibility criteria of all awards included in the LAS payment a combination of the following conditions, depending on the type of award, must be satisfied.

Applicants must:

- Be aged 16 or over;
- Be in receipt of one of the following qualifying benefits*:
 - Income Support;
 - Job Seekers Allowance;
 - Pension Credit;
 - Employment Support Allowance;
 - Disability Living Allowance (DLA) (middle to high rate care and/or high rate mobility);

- Universal Credit (to be eligible for a DHP, the claimant must be receiving the Housing Costs element of UC, for rental liability);
 - An advance payment of Universal Credit;
 - Incapacity benefit (for those applicants who have not had this replaced by ESA);
 - Working Tax Credits;
 - Housing Benefit;
 - Council Tax Support (CTS);
 - Attendance allowance;
 - Bereavement allowance;
 - Carer's allowance;
 - Constant attendance allowance;
 - Contributory employment and support allowance;
 - Contribution-based jobseeker's allowance;
 - Maternity allowance;
 - Personal Independence Payment (Both Daily Living Components and/or the Enhanced Rate Mobility Component);
 - Statutory Sick Pay;
 - War disablement pension;
 - War widow's and widower's pension;
 - Widowed parent's allowance.
- Demonstrate financial hardship using the Council's online Income and Expenditure calculator as part of the LAS application;
 - Be fleeing domestic violence or hate crime, leaving long term hospital care or prison or re-settling after a period of homelessness;
 - Make an application via the approved e-form and complete an online income and expenditure form;
 - Agree to take up and remain engaged with the programme of support offered at time of award;

* Not all benefit types and criteria will qualify the applicant for all award types. A combination of eligibility criteria is applicable to each award under this Scheme.

Applicants who are aged 16 or 17 and who are not entitled to a Leaving Care Grant and can demonstrate a need for support may apply for assistance from the LAS Scheme.

Assessments on need will be based on individual circumstances which can include (but not exclusive to) consideration of the following factors:

- At risk of or affected by domestic abuse or hate crime.
- A mental health problem for which treatment or support is being received.
- A risk to the health and safety or wellbeing of the applicant.
- At risk of homelessness.
- Being unable to meet your immediate needs e.g., not being able to afford food/utility top ups.

The Council will set the value and period of the award that will be paid and where appropriate, successful applicants to the Scheme will be offered support to address

their current financial hardship as well as the underlying issues that are contributing to their financial position which may include:

- Offering referrals to money advice.
- Budgeting support.
- Access to banking products;
- Access to digital skills support;
- Better off calculations (assessments of income and outgoings to help applicants better manage their money);
- Access to job clubs;
- Training and
- Housing advice.

Applicants must be willing to take up and remain with the most appropriate support recommended by the Council, which may include money advice; budgeting support; access to banking products; access to digital skills support; better off calculations (assessments of income and outgoings to help applicants better manage their money); access to job clubs and training and housing advice. Certain groups (including pensioners) will be excluded from any closer to work requirements.

We may not ask you to engage with 'towards work' activity where you:

- Are in receipt of Employment and Support Allowance and are in the Support Group;
- Are in receipt of Disability Living Allowance at either the highest rate of Care or the higher rate of the Mobility Component but do not fall in to a protected group above;
- Are in receipt of Personal Independence Payment at the enhanced rate of either the Daily Living component or the mobility component and do not fall in to a protected group above;
- Are a carer, and either in receipt of Carer's Allowance; or have an underlying entitlement to Carer's Allowance, or the Carer element is in your Universal Credit award.

In addition to these general eligibility criteria the applicant:

- May be asked to be living at the address they are claiming for;
- Must have a local connection; living in Derby for three of the last 12 months OR for at least three of the last five years, except in cases where applicants are fleeing violence or hate crime. The local connection criteria will not be applied to awards for DHPs.

3. When the Council may not make an award via the LAS Policy

Applications for assistance may be declined if one or more of the following apply:

- a. Support is available through other statutory or discretionary provision;
- b. Other support has been granted for this need or situation;
- c. Eligibility criteria not met;
- d. A need for support is not evidenced;

- e. Exceptional financial circumstances not evidenced;
- f. Applicant/circumstances/items are excluded;
- g. The Applicant has access to capital or savings;
- h. Council unable to support the application within allocated funds;
- i. Applicant does not have recourse to public funds;
- j. Applicant refuses to engage with the support that may be offered as part of this Scheme or complete the recommended measures/advice.

4. Internal Administration

All services engaged with vulnerable applicants have a responsibility to ensure the principles of this Policy are fully supported; that demands on the fund are genuine.

Where the Council holds a duty to fulfil the support needs under its range of statutory functions the applicant is required to explore these support services at the earliest opportunity.

All departments work collaboratively to ensure that the Scheme is run in the most economical and effective manner for applicants and wider Derby residents.

The Policy (and therefore all awards) will be reviewed annually to ensure that it continues to be operated economically and effectively for the residents of Derby, with the funding and resources that it has available to it. This will include consideration of new and developing issues such as Universal Credit migration welfare reform changes where and when they may impact the Policy, when more information is known on those subjects.

5. Legislation, guidance and standards

There is no statutory obligation to run a LAS Scheme but in order to provide the best value to the residents of Derby and to provide a resilient support structure for our most vulnerable residents Derby City Council is committed to:

- Work in partnership with the local Third Sector to develop Schemes;
- Explore a range of in-kind support, and to link to advice, information and advocacy;
- Explore a full range of models for delivery.

6. Disputed decisions

Local Assistance Awards

This award is not subject to a formal appeal process by virtue that any decision to make a payment is of a discretionary nature.

Where an application is declined and a decision is disputed for a reason other than one relating to exclusions from the Scheme, an officer independent of the original

decision maker will review the decision. Matters relating to exclusions are not open to review.

The reviewing officer's decision is final and binding.

7. Data Access and Sharing

Derby City Council will treat all information provided in confidence and in accordance with the Data Protection Act 2018.

Full details of how data will be treated are contained in the Welfare Reform Team Privacy Notice at <https://www.derby.gov.uk/privacy-notice/>.

8. Evaluation and review

The Council will review the Scheme arrangements and amend as necessary based on emerging needs and demands.

We are committed to reviewing this Scheme every calendar year to ensure that it:

1. Offers best value for money for the local taxpayer;
2. Is meeting the needs of our most vulnerable residents;
3. Reflects any new statutory requirements upon the Council;
4. Is helping to prepare our residents for the impact of national welfare reform and Universal Credit transition over the coming years.

Appendix 1

Alternative Options

The Council has a wide range of statutory duties to address exceptional vulnerable needs and to support independent living. In addition, Government Departments and the Third Sector provide support for vulnerable citizens. The Council's LAS Scheme will compliment these duties and will avoid duplication or replication of existing support.

The following lists alternate support for guidance purposes. It is not intended to be exhaustive.

DWP

The DWP retains responsibility for administration of a series of one-off grants and loans to assist people on benefits who are experiencing short-term financial pressures or difficulties. These include:

- a. Maternity Expenses;
- b. Funeral Expenses;
- c. Daily Living Expenses;
- d. Cold weather payments;
- e. Winter Fuel Payments;
- f. Budgeting or alignment loans to bridge short-term financial pressures
- g. New claim advances which are repayable over a stated period of time

Budgeting Advances for residents on Universal Credit will provide valuable access to an interest-free advance for one-off items, for claimants that have been continuously receiving an income related benefit for a period of 6 months and have no, or very low, income. A Budgeting Advance might be required to:

- a. Buy furniture or household equipment;
- b. Buy clothing and footwear;
- c. Pay rent in advance, in order to secure a new tenancy or removal expenses;
- d. Pay for essential home improvements;
- e. Help with travel to work costs;
- f. Help with maternity and funeral expenses;
- g. Help cover the cost of obtaining work or remaining in work (in particular, upfront child care costs).

Prison Service

People leaving prison are provided with a discharge grant of £50.

Charitable Funds

What is a charitable fund?

Charitable funds give grants to a range of people who have a financial need and meet the criteria of the fund. The fund is an amount of money that has been set aside by the grant giving charity for a particular purpose. They are run by charities that often have grant giving as part of their aims and objectives. See <http://www.turn2us.org.uk/default.aspx>

Some charities run only one fund however others will have several for different purposes. You will often find that the fund or funds will reflect the work that the charity does and will often have a particular focus, for example:

- Particular disabilities or illnesses;
- Jobs or industries that the person applying has either worked in previously or works in currently;
- Faiths;
- Nationalities;
- Living in particular areas of the UK;
- Trying to manage on a low income;
- A specific age group (older people, children and young people etc.);
- Partners/children of people applying to the fund.

Using resources to find charitable grants for the people that you work with can be done via Turn2us.

Turn2us is a free service that helps people in financial need to access welfare benefits, charitable grants and other financial help. Support can be accessed online, by telephone and face to face through partner organisations. The Turn2us website has a quick and easy grant searching tool that uses criteria to establish what grants might be available to the person you are working with: <http://www.turn2us.org.uk/default.aspx>