

Commissioner's Advice to Inspectors

Direction 4(a)(v)

Direction 4(a)(v):

A social fund payment may be awarded to promote community care by assisting...with expenses... where such assistance will help the applicant to set up home in the community as part of a planned resettlement programme following a period during which he has been without a settled way of life.

This Advice deals with the approach to take when considering applications under Direction 4(a)(v).

1. Setting up home in the community

The aim of the Direction is to help the applicant to "set up home" in the community following a period during which he has been without a settled way of life. The implication is that the "home" should enable the applicant to establish a settled way of life.

Setting up home primarily involves finding somewhere to live, related tasks such as applying for housing benefit and arranging for connection of utilities, as well as furnishing the property and making it habitable. As well as allowing for things related directly to the home such as furniture, the direction is wide enough to encompass a range of needs. For example, an award for clothing would come within the terms of the direction if the applicant's lack of suitable clothing was having an adverse impact on his ability to successfully set up home.

2. Being without a settled way of life

The intention of the Direction is to help people who do not have a stable or settled place to live. Examples in the Secretary of State's guidance (for example, night shelter, hostel, sleeping on the streets) support this. However the list of examples in the Guidance is not exhaustive. An applicant moving between the houses of friends and relatives could also be said to have been without a settled way of life.

The fact that someone lacks settled accommodation does not automatically mean they have an unsettled way of life. The Direction does not specify a minimum period for which an applicant must have been without a settled way of life. However, their unsettled state must have lasted long enough to become their way of life. How long this is will depend on the circumstances of the case.

3. Planned resettlement programme

A "programme" should consist of a series of things that are intended to happen. The requirement that an award must "help the applicant to set up home in the community *as part of* a planned resettlement programme" indicates that the programme should:

Both help the applicant set up home in the community...

and help him/her with resettlement in some other way beyond merely setting up home.

The Direction does not indicate who should be running the planned resettlement programme. The planner could, for example, be a probation officer, social worker, key worker at a hostel or the applicant themselves. The status of the planner is less important than the fact that there is a planned programme.

4. The timing of the programme

The applicant must be setting up home as part of the planned resettlement programme. As setting up home involves more than simply moving into the property, an applicant can still be setting up home after he has been occupying the property for some time. If, for example, there was no (or very little) furniture in the flat, it would be difficult to say that he had completed the process of setting up home.

Inspectors must use their judgement to decide whether the applicant still needs help to set up home in the community. This means that applicants who begin resettlement programmes after moving into their property can meet the conditions of the direction. Equally, moving into the property may be the very last stage of the resettlement programme.

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