

Commissioner's Advice to Inspectors

Direction 7: Previous applications

The Secretary of State directs that:

A decision maker shall not determine an application for a crisis loan or grant from the social fund made within 26 weeks of a previous application for a crisis loan or grant for the same item or service for which a payment has already been awarded or refused unless there has been a relevant change in the applicant's circumstances.

This Advice deals with what is meant by the phrase "...made within 26 weeks of a previous application for a crisis loan or grant... for which a payment has already been awarded or refused..."

1. "Within 26 weeks"

This phrase relates to the length of the interval between the dates on which the current and the previous applications were treated as made. This means that even if, by the time of the Inspector's decision, more than 26 weeks have passed since the previous application was made, Direction 7 could still apply.

2. Types of previous application to be disregarded

The following types of application should not be regarded as "previous applications... for which a payment has already been awarded or refused."

- (i) Incomplete applications (as defined by the *Social Fund (Applications) Regulations 1988*).
- (ii) Applications withdrawn before a decision was made.
- (iii) Extinguished awards (as defined by the *Social Fund (Miscellaneous Provisions) Regulations 1990*).
- (iv) Applications to which Direction 7 has been applied.
- (v) Any application made by someone other than the current applicant (e.g. his partner).
- (vi) Previous applications that were still awaiting an initial decision at the time the current application was made.
- (vii) "Previous" applications that were made on the same day as the current application.

3. Crisis loans and community care grants

For the purposes of Direction 7, it does not matter whether the previous application was for a grant or a crisis loan. If an applicant applies for a grant for a particular item or service and then, within 26 weeks, applies for a crisis loan for the same item or service, Direction 7 could prevent determination of the second application. The same would apply if the grant and crisis loan applications were made in reverse order.