

# Commissioner's Advice to Inspectors

## Direction 7: Previous Applications (CCGs and CLs for items)

This advice covers applications made on or after 4 July 2011 for grants and for crisis loans for items only. Separate Commissioner's Advice deals with applications made for crisis loans for living expenses.

The Secretary of State directs that:

Direction 7 – Repeat Applications

(1) A decision maker shall not determine an application in the circumstances set out in this direction.

(2) ...*Omitted, as this relates to crisis loans for living expenses only.*

(3) A decision maker shall not determine any other crisis loan application, or a grant application, made within 12 months of a previous application by the same person for the same expenses for which a payment has already been awarded or refused unless there has been a relevant change of circumstances.

**This Advice deals with what is meant by the phrase "...made within 12 months of a previous application ..... for which a payment has already been awarded or refused..."**

### **1. "Within 12 months"**

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 where, by the time of the Inspector's decision, more than 12 months 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 and Miscellaneous Provisions) Regulations 2008*).

(ii) Applications withdrawn before a decision was made.

**(iii)** Extinguished awards (as defined by the *Social Fund (Applications and Miscellaneous Provisions) Regulations 2008*).

**(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(3), 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 expense and then, within 12 months, applies for a crisis loan for the same expense, 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.

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Effective from 02/11/2011

Agreed at Quality Forum 01/11/2011