

IRS Self Instruction Pack

The Social Fund for Pension Service Staff



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**Independent Review Service
for the Social Fund**

IRS Self Instruction Pack

The Social Fund for Pension Service Staff

Contents

Introduction		page 1
Unit 1	The Structure of the Social Fund	page 5
Unit 2	Community Care Grants	page 27
Unit 3	Community Care Grants: Budgets, Priorities & Amounts	page 62
Unit 4	Crisis Loans	page 93
Unit 5	Budgeting loans	page 108
Unit 6	Prohibitions & Restrictions on Awards	page 118
Unit 7	Putting it all Together	page 138
Evaluation Sheet		page 156

IRS Self Instruction Pack
The Social Fund for Pension Service Staff

Introduction.

This Self Instruction Pack has been designed and prepared by the Independent Review Service for the Social Fund (IRS).

The IRS is an independent statutory body. It is not part of JobCentre Plus. The Social Fund Commissioner, who is appointed by the Secretary of State for Work and Pensions, appoints Social Fund Inspectors. The Inspectors carry out independent reviews for people who are dissatisfied with the outcome of their applications to the discretionary part of the Social Fund.

Social Fund Inspectors at the IRS based in Birmingham serve England, Scotland and Wales. Northern Ireland is served by Social Fund Inspectors in the Office of the Social Fund Commissioner in Belfast.

Further information about the IRS can be found on our website:
www.irs-review.org.uk

This Pack has been designed for staff in The Pension Service. Whether you work in a Pension Centre or for the local service, people may contact you because they have needs that are not directly related to their weekly income. The Social Fund provides lump sum payment in a wide range of circumstances. Some payments are grants of money; others are repayable loans.

A sound basic knowledge of the Social Fund will help you advise your clients about what help may be available. They may not be aware the Social Fund exists, or may only have a vague idea that lump sums are available for certain needs. Alternatively, someone may already have an application form and have approached you for help in filling it in.

The Pack is intended to help you provide assistance to your clients so they can give the right information first time. This will help ensure they get the right outcome to their applications, and avoid delays. It will provide you with knowledge of the basic rules that govern how payments from the fund are decided.

IRS Self Instruction Pack
The Social Fund for Pension Service Staff

You will be able to advise your clients what they are, and guide them to the sort of information they need to give to enable the right decision to be made. However, you should remember that the decision will be given by a trained decision maker, who will have a more in-depth knowledge of the scheme. You should not be tempted to pre-empt that decision or discourage someone from making an application, even if you think it would be unsuccessful.

This Pack is designed to give you the information you need without being too technical. We have prepared other Self Instruction Packs giving more in depth instruction on various aspects of the Social Fund. If you are interested in knowing more about these Packs, they are available on our website or by contacting us at the address below.

The material in the Self Instruction Packs is copyright the IRS. However, we are happy for you make copies of Packs for use in-house.

The content of this Pack is accurate as at April; 2006. Users should be aware that subsequent changes in the law or directions might affect the content of the pack. We will update the pack from time to time to take account of major changes. Updates will be available on the IRS website, or we can supply hard copies on request. A record of these updates will be available on the IRS website.

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IRS Self Instruction Pack
The Social Fund for Pension Service Staff

IRS Self Instruction Pack
The Social Fund for Pension Service Staff

Unit 1

The Structure of the Social Fund

IRS Self Instruction Pack
The Social Fund for Pension Service Staff

1. The Structure of the Social Fund

The Social Fund is governed by the Social Security (Contributions and Benefits Act) 1992, as amended by the Social Security Act 1998.

The Social Fund is divided into two distinct parts: a **regulated scheme** from which payments are made in accordance with regulations and a **discretionary scheme** from which payments are made in accordance with rules known as directions issued by the Secretary of State for Work and Pensions, but are otherwise discretionary.

1.1 The regulated scheme.

The regulated scheme covers

- Maternity Expenses;
- Funeral Expenses;
- Cold Weather Payments; and
- Winter Fuel Payments.

Payments from the regulated scheme are made as a right if the conditions set out in the regulations are met. A person who is dissatisfied with a decision about one of these payments may appeal to a Local Appeal Tribunal.

1.2 The discretionary scheme.

The discretionary scheme covers “other needs” by way of:

- Community Care Grants;
- Crisis Loans; and
- Budgeting Loans.

IRS Self Instruction Pack The Social Fund for Pension Service Staff

This part of the Social Fund is cash-limited, so awards are decided at the decision maker's discretion, subject to following certain rules.

These rules are known as **directions**, which are issued by the Secretary of State for Work and Pensions. Directions are similar to regulations in that they are mandatory and must be complied with. However, unlike regulations, they do not have to be laid before Parliament before they can take effect.

Although the directions set out rules and conditions governing payments of community care grants, crisis loans and budgeting loans, there is no absolute right to an award, even if the conditions are satisfied. Because every award must be made from within a pre-set annual budget, decision makers have to consider which needs have the most priority for payment from the money available. In order to make sure there is always some money available for needs with higher priority, expenses with lower priority may have to be refused.

There are separate budgets for grants and loans. The Secretary of State allocates the budgets to Social Security districts.

The Secretary of State has issued guidance to help decision makers use their discretion to decide what payments are appropriate. Each district has an Area Decision Maker who issues guidance about the level of priority that the budgets are likely to be able to meet on a consistent basis. Guidance must be taken into account, but does not have to be complied with.

Social Fund applications are decided in Jobcentre Plus offices by Decision Makers who make determinations on behalf of the Secretary of State.

A person who is dissatisfied with a decision on an application to the discretionary part of the scheme can seek a review of that decision (see section 1.8). The first review takes place in the Jobcentre Plus office. If the applicant remains dissatisfied, he has the right to an independent review by a Social Fund Inspector.

1.3 Payments from the regulated scheme.

Maternity expenses.

The claim form for a maternity grant is an **SF100**.

A Sure Start Maternity Grant is a lump sum, which was set at £500 with effect from April 2002, payable for each child. Payment must normally be claimed during the period beginning 11 weeks before the baby is due and ending three months after it is born.

The mother or the mother's partner must make the claim. She is eligible for payment if she herself receives a qualifying benefit or if she is the partner of a person receiving a qualifying benefit. The qualifying benefits are:

- Pension Credit;
- Income Support;
- Income based Job Seekers Allowance;
- Working Tax Credit where a disability or severe disability element is included in the award, or
- Child Tax Credit at a rate higher than the family element.

The claim form includes a certificate to show that the mother has received advice about maternal health and the health needs of a new baby. This certificate should be completed by a health professional such as a doctor, midwife, health visitor or practice nurse.

Payment is made in respect of each child, including any who are stillborn. The Sure Start Maternity Payment can also be made in respect of children who are adopted when they are under age one and to the person who has, or whose partner has, been granted a parental order in relation to a surrogate birth.

Funeral Expenses.

The claim form for Funeral Expenses is an **SF200**.

A claim for funeral expenses must be made within the period beginning with the date of death and ending three months after the date of the funeral.

To qualify for the payment the person making the claim must:

- be responsible for the funeral arrangements, **and**
- be receiving, or be the partner of someone receiving, specified benefits. These are:
 - Pension Credit;
 - Income Support;
 - Income based Job Seekers Allowance;
 - Working Tax Credit where a disability or severe disability element is included in the award;
 - Child Tax Credit at a rate higher than the family element;
 - Housing Benefit and
 - Council Tax Benefit.

The deceased person must have been ordinarily resident in the United Kingdom at the date of death, and the funeral must take place in the United Kingdom or in certain circumstances in a European Union country. The grant covers the cost of a basic respectful funeral. Payment is made for specific expenses including:

- the cost of a burial plot;
- burial or cremation fees and any associated medical fees;
- the necessary cost of a return journey for the claimant to either arrange or to attend the funeral;

IRS Self Instruction Pack
The Social Fund for Pension Service Staff

- the cost of any part of the journey that necessarily exceeds 50 miles to move the deceased's body to the funeral director's or place of rest;
- the cost of any part of the journey that necessarily exceeds 50 miles to transport the coffin and bearers, and one additional vehicle; plus
- up to £700 for other funeral expenses.

The payment does not include the cost of any headstone or other memorial marker, or of clothes to attend the funeral.

If the claimant is not the surviving partner of the deceased, it must be reasonable for that person to have taken responsibility for the funeral arrangements. This will be judged by the extent of their contact with the deceased person. If there is another close relative or person who had equal or greater contact with the deceased and who does not receive a qualifying benefit, then payment may not be made.

Any award is usually made payable to the funeral director. The value of certain assets of the deceased, such as insurance, burial club or pre-paid funeral plan, may be deducted from any payment made. Funeral payments have to be paid back from the deceased's estate. However, the value of a home and personal effects left to a widow or widower are not counted for this purpose.

Cold Weather Payments.

There is no need to claim cold weather payments. They are sent out automatically to those eligible for a payment, when the weather-related conditions are met.

A person is eligible for cold weather payments if he or his partner is receiving:

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The Social Fund for Pension Service Staff

- Pension Credit, or
- Income Support or income based Job Seekers Allowance that includes a premium for being over 60 or one for being disabled or long-term sick.

Payments are made on a weekly basis when a period of cold weather has been recorded or forecast. A period of cold weather is defined as seven consecutive days where the average mean daily temperature is no higher than 0° Celsius.

There are 72 separate meteorological centres designated for cold weather payments, so people in some parts of the country may get payments when those in other parts of the country do not.

Winter Fuel Payments.

The Winter Fuel Payment is a lump sum paid once a year. It is paid to people who are at least 60 years old during a qualifying week in September each year and are ordinarily resident in Great Britain. People aged over 80 get an extra amount. A person whose partner receives benefit, such as Pension Credit, for them does not receive a separate amount. Some people – such as those in prison or long term hospital care during the qualifying week – are excluded.

The Pension Service administers the Winter Fuel Payment. It is paid automatically to those in receipt of Retirement Pension, Pension Credit or other social security benefit (except Child Benefit, Housing Benefit or Council Tax Benefit), so these people do not need to make a claim.

If payment is not made automatically, it has to be claimed before 31st March each year. A claim form can be obtained from the winter fuel payment hotline, 0845 9 15 15 15.

1.4 Payments from the discretionary scheme.

Relationship between different types of Social Fund payments.

Because this part of the Social Fund scheme is for “other needs” than those governed by regulations, it follows that no community care grant, crisis loan or budgeting loan may be awarded for any maternity or funeral expenses.

Decision makers would have to consider whether an application to the discretionary part of the Social Fund is for a funeral or maternity expense, in which case that expense could not be met from the discretionary scheme. However, anyone wishing to apply to the discretionary part of the Social Fund for an expense that may be a maternity or funeral expense should not be discouraged from doing so.

The Secretary of State’s directions allow an application for a community care grant to be considered for a crisis loan and *vice versa*. However, if someone may satisfy the conditions for both a community care grant and a crisis loan, it is probably better for them to make a separate application for each type of payment at the same time.

A budgeting loan can be considered only if application is made expressly for that type of payment, and an application for a budgeting loan cannot be considered for payment of a community care grant or a crisis loan.

Applications for payments from the discretionary scheme may be made on the forms provided by the Secretary of State for the purpose, or in such other way as may be considered sufficient for the purpose (such as by letter). As the application forms are designed to capture information relevant to the particular type of payment sought, it is generally preferable to use them.

1.4.1 Community care grants.

The application form for a community care grant is an **SF300**.

Community care grants do not have to be repaid. They may be awarded to help with expenses that will meet a need for community care in the ways specified in the Secretary of State's directions.

The directions allow payments to eligible people (see below) who need help with expenses that will help someone -

- return to the community after they have received care in institutional or residential accommodation; or
- stay in the community instead of going into institutional or residential accommodation where they would receive care; or
- who is part of a family under exceptional pressures; or
- who is looking after a prisoner or young offender who is on home leave; or
- who has had an unsettled way of life and is setting up home as part of a planned resettlement programme; or
- who needs to meet specified travelling expenses.

Eligibility for a community care grant

Eligibility for a community care grant usually relies on the person making the application receiving a qualifying benefit on the date the application is made (see Unit 2). People who are in institutional or residential care may apply up to six weeks before they leave care and will be eligible if they are likely to get a qualifying benefit once they are discharged.

Payment from the budget.

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The Social Fund for Pension Service Staff

If a person is eligible for a community care grant, and has qualifying expenses, then payment will depend on the relative **priority** of his needs and the state of the budget from which any awards will be made (see Unit 3).

The decision maker must use his discretion to decide whether to make a payment and if so the amount. The law requires him to have regard to all the circumstances of the case when he does so. He must also take account of the Secretary of State's guidance and guidance issued by the Area Decision Maker for his district.

1.4.2 Crisis loans.

The application forms for crisis loans are **SF400** and **SF 401**.

In addition, an application may be made by telephone in most areas. If a telephone application is successful, the applicant must formalize the application in writing before the payment is made.

Crisis loans have to be repaid. A crisis loan may be paid to meet immediate short term needs in the circumstances specified by the Secretary of State's directions.

The directions allow payment to an eligible person (see below) who needs help to meet expenses:

- in an emergency or a consequence of a disaster, providing
- the crisis loan is the only means to avert serious damage or risk to someone's health or safety.

Eligibility for a crisis loan.

The person making the application does not have to be receiving any benefit to be eligible for a crisis loan, but he has to be without sufficient resources for his immediate needs (see Unit 4).

Priority for a crisis loan.

If a person is eligible for a crisis loan and has qualifying expenses, then decision makers are obliged to consider the budget from which any award would be made.

However in practice, because crisis loans are by their nature for the most urgent needs, they are invariably given precedence over budgeting loans, which are paid from the same budget.

1.4.3 Budgeting loans.

The application form for a budgeting loan is an **SF500**.

Budgeting loans have to be repaid. The Act describes a budgeting loan as being to defray intermittent expenses in the circumstances specified in the Secretary of State's directions.

The directions specify a range of qualifying expenses for which payment may be made to an eligible person (see below), but impose no other conditions relating to the particular expenses.

Eligibility for a budgeting loan.

To be eligible for a budgeting loan, the person must, on the day the application is decided:

- be receiving a qualifying benefit; and
- have received a qualifying benefit, or have been the partner of a person receiving a qualifying benefit, for each of the preceding 26 weeks.

Priority for a budgeting loan.

Unlike community care grants and crisis loans, directions specify how priority for payment is determined.

IRS Self Instruction Pack
The Social Fund for Pension Service Staff

If the applicant is eligible, and has qualifying expenses, then whether he can receive a budgeting loan and if so the amount is determined by reference to:

- the length of time he has received qualifying benefits;
- how many people are in his household;
- a sum of money suggested in guidance issued by the Area Decision Maker; and
- whether he or his partner has any existing budgeting loan debt.

Budgeting loans are part of the discretionary scheme. The law requires decision makers to use their discretion over matters that are not mandatory, such as the monetary amount suggested in guidance. In practice, however, the process is computerised and most decisions are automated.

1.5 Some notes on evidence.

Decision makers will need to establish the facts of the case in order to decide if the conditions for payment set out in the Secretary of State's directions are met and, where appropriate, if payment should be made from the budget. Evidence is necessary for any decision to be reached. Decisions must be based on evidence not assumption or speculation. Decision makers cannot guess, for example, at how a person's circumstances affect him, and may need this to be explained.

Clear, succinct information provided at an early stage will help the Social Fund Decision Maker to make the right decision, first time, without having to delay in order to make enquiries. However, you may also be asked to assist an applicant to provide information in connection with a review (see 1.8).

The standard of proof.

As with any matter decided in civil law, the standard of proof required for Social Fund applications is a balance of probability. This means that if a proposition is more likely than not, the decision maker will accept it as fact. He will consider all the evidence available in order to establish the facts that impact on whether a payment should be made.

It is common to think of “proof” or “evidence” only in terms of some form of authenticated document, such as a birth certificate or a medical report. However, this is not the case. Anything that is said or written in relation to an application is capable of being evidence that establishes a balance of probability.

Generally, the applicant’s own account of his circumstances is sufficient to allow a decision to be reached, and it is not usually necessary for him to provide corroboration or independent proof to support his application.

There may be occasions when a decision maker requires additional proof to fill gaps in the evidence, to clarify something he does not fully understand, or to resolve an inconsistency or contradiction in the existing evidence. In this event, he should make clear to the applicant what the difficulty with the evidence is, and how it might be resolved.

Giving information to support an application.

Because of the largely discretionary nature of the Social Fund scheme, an applicant may have to give more detailed information about his individual circumstances than would be the case if he were claiming a regulated benefit. Some people might find this difficult especially where, as is often the case, the relevant circumstances are of a personal nature. Others might find it difficult to stick to the point, and tend to introduce information that is not relevant to their Social Fund application. You may need a deal of tact and sensitivity as well as interviewing skills to get the right amount of pertinent information to support the application. The application forms are designed to ask relevant questions to enable the decision maker to make an informed decision on the

IRS Self Instruction Pack
The Social Fund for Pension Service Staff

particular type of payment. However, the prompts on the forms cannot meet all eventualities. It is therefore important that the forms are completed as fully as possible.

The notes on the forms help applicants to provide the information necessary for their applications to be decided. But, it is important to remember that not all applicants have a level of literacy that makes this easy for them. Many will need guidance to provide the right level of detail to allow the right decision to be reached.

Applicants might assume that the person making the decision has ready access to information about their circumstances (such as about health or family) that, in fact, is held in other parts of the Department. Information provided in relation to earlier Social Fund applications may have been archived, and in any case would not be current. It is important that applicants give any information that may be relevant to their present Social Fund application, even if it may be duplicated elsewhere.

Evidence that is relevant to the issues that have to be decided is crucial to the decision making process. Understanding how payments are decided will help you to help applicants give the right sort of information at the earliest stage. The units in this Pack explain the basic conditions for the various payments and contain pointers about what the decision maker will need to know.

1.6 Applying to the discretionary Social Fund.

Except in the case of crisis loans, for which an application may be made other than in writing (i.e. by telephone), an application to the discretionary part of the scheme must be:

- made in writing, either on a form supplied for this purpose, or in such other way as the Secretary of State may accept; and
- delivered to a Jobcentre Plus office.

IRS Self Instruction Pack
The Social Fund for Pension Service Staff

In addition:

- if an application is made on behalf of a person, (unless it is made by someone appointed by the Secretary of State to act for that person in all Social Security matters) the customer should give his written consent to the third party acting on his behalf; and
- if the form has not been completed in accordance with the instructions on it, or a letter does not contain enough detail for a material question to be decided, then the Secretary of State may require the person making the application to give such details as may reasonably be required to complete the application.

In practice, the “Secretary of State” referred to above means a member of the Jobcentre Plus staff acting on the Secretary of State’s behalf. The person who decides whether an application has been correctly made may or may not be the same person that makes the decision about payment.

If a person has applied for a crisis loan by telephone, he will receive telephone notification in the first instance about whether his application was successful. If an award is made, the applicant must then formalise his application in writing, and agree how he will repay the loan, before the payment is made. Whatever the outcome, he will receive written notification of the decision and be given the opportunity to apply for a review.

1.7 Decision making.

The decision maker will first consider how the Secretary of State’s directions apply to the application. The order of consideration will usually be:

- whether this is a repeat application (see Unit 6);
- whether the item is excluded from that type of payment (see Unit 6);

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The Social Fund for Pension Service Staff

- whether the eligibility conditions are met (see Units 2, 4 and 5);
- whether the qualifying conditions are met (see Units 2, 4 and 5);
- the priority of expenses included in the application (see Units 3, 4 and 5);
- whether, given the state of the budget, payment should be made for those expenses (see Units 3, 4 and 5); and
- the amount of any award (see Units 3, 4 and 5).

The decision will be notified in writing. In most cases, the applicant will receive a computer-generated letter showing the outcome of the determination and the basic reasons for it. If the applicant is awarded a loan, he will be required to agree in writing to the terms of repayment before the payment is sent out. Payments are usually made by cheque.

1.8 Reviews.

An applicant who is dissatisfied with the decision on any application to the discretionary part of the Social Fund may apply for a review of that decision. The first review is conducted in the Jobcentre Plus office. A Reviewing Officer acting on behalf of the Secretary of State carries out the review.

If the applicant is dissatisfied with a decision made on review, he has the right of a further review by a Social Fund Inspector. Social Fund Inspectors can only review determinations that have already been reviewed.

The review is a two-stage process. It is fundamentally the same whether the review is conducted by a Reviewing Officer in Jobcentre Plus or by an independent Social Fund Inspector. However, the method by which the applicant is given an opportunity to put his case is different.

Stage one.

A review involves firstly examining the decision complained of to check if it was reached correctly in law. That is, that the decision:

- was supported by the evidence on which it is based;
- interpreted and applied the law, including the Secretary of State's directions, correctly;
- took all relevant considerations into account, and did not take irrelevant considerations into account;
- was based on a reasonable use of the decision maker's discretion;
- was reached fairly and impartially, giving the applicant sufficient opportunity to put his case and avoiding bias.

If the decision was not reached correctly, the reviewer will set it aside and make a new decision correcting any errors. In making the new decision, he will take into account any new evidence and any changes in circumstances since the decision under review was reached.

Stage two.

If the decision under review passes the tests of legality, the reviewer will himself consider all the circumstances, including any revealed by new evidence and any changes since the decision was made, to ensure the outcome of the decision is one with which he can agree.

Reviews in Jobcentre Plus offices.

Before he makes his decision on review a Reviewing Officer will usually offer the applicant an interview, either in person or by telephone. During the interview he will explain the reasons for the decision and give the applicant an opportunity to make representations about his case and supply new evidence in the light of that explanation.

Reviews by Social Fund Inspectors.

A Social Fund Inspector's review is usually conducted on the basis of the papers sent to the IRS from the Jobcentre Plus office. Only very exceptionally would the Inspector interview an applicant in person.

Before he makes his decision the Inspector prepares a statement of the important issues in the case, together with a summary of the facts derived from the evidence currently available and any enquiries the Inspector considers necessary. This is sent to the applicant with copies of the key documents and he is invited to respond within a set period, which may be extended if he needs more time. His response may be made in writing (including fax and email) or by telephone.

Applying for a review.

Applications for review must:

- be made in writing (even if the application was made by telephone);
- be sent or taken to a Jobcentre Plus office if the application is for a first review by a Reviewing Officer or sent directly to the IRS if the application is for a Social Fund Inspector's review);
- be made within 28 days of the date of the decision complained of (although the time limit may be extended if there are special reasons for doing so);
- contain specific grounds for seeking the review (although these do not have to be very detailed – the reviewer is required to consider all the aspects of the decision, not just those to which he is alerted by the review request).

Unless made by someone appointed by the Secretary of State to act on a customer's behalf, an application made by a third party

IRS Self Instruction Pack
The Social Fund for Pension Service Staff

should be accompanied by the Social Fund applicant's written consent for someone else to act for him.

The rules about applying for a review are the same whether the review is to be conducted by a Reviewing Officer or by a Social Fund Inspector.

Self assessment questions.

Note: the assessment will be more useful if you give reasons for your answers.

1. What payments are available from:
 - (a) the regulated Social Fund; and
 - (b) the discretionary Social Fund?

2. Can an applicant receive a payment from the discretionary part of the Social Fund to help with funeral expenses?

3. If an applicant is dissatisfied with the first decision he has received on an application to the discretionary Social Fund, can he have it reviewed by a Social Fund Inspector?

4. Do all applications to the Social Fund have to be made in writing?

5. Mr A receives a qualifying benefit and has been receiving care in institutional or residential accommodation. He is now returning home. What sort of Social Fund payment may help with any expenses that might help him do so?

6. Miss B has applied for a community care grant, but will accept a loan if she cannot have a grant. Should she make a separate application or applications?

IRS Self Instruction Pack
The Social Fund for Pension Service Staff

Answers.

1. (a) Maternity payments, funeral payments, cold weather payments and winter fuel payments.
(b) Community care grants, crisis loans and budgeting loans.

2. No. The discretionary part of the Social Fund is for “other needs” – that is, those that are not covered by the regulated part of the fund. As funeral expenses are included in the regulated fund, they cannot be met from the discretionary fund.

However, things that are not included as funeral expenses, such as headstones, or clothing required to attend a funeral, may be considered.

3. No. The law permits a Social Fund Inspector to review only decisions that have already been reviewed.

4. No. The law allows applications for crisis loans to be made other than in writing – i.e. by telephone. Applications for all other types of Social Fund payment must be made in writing, either on the form supplied by the Secretary of State or in such other way (e.g. a letter) as is sufficient.

5. Mr A may be able to receive a community care grant.

6. Miss B should make a separate application for a budgeting loan. A crisis loan could be considered on the community care grant application, but could only be paid for her most urgent expenses. A budgeting loan can only be considered if a separate application for this type of payment is made.

Unit 2

Community Care Grants

IRS Self Instruction Pack
The Social Fund for Pension Service Staff

Remember, this information is to help you advise your clients. You will not be making the decision, and should not anticipate what the decision maker might do.

2. Community Care Grants.

Community care grants are non-repayable grants of money. They are payable if certain eligibility and qualifying conditions are met, but are subject to budgetary control. This means that payment is not automatic, even if the person is eligible to receive a grant (see section 2.1) and the expense they need to meet qualifies for payment (see section 2.3).

2.1 Who is eligible for a community care grant?

A person is eligible if he is receiving a qualifying benefit on the date his application is made. The qualifying benefits are:

- Pension Credit;
- Income Support; or
- Income based Job Seekers Allowance.

A person who is receiving payments on account of these benefits (interim payments) on the date he makes his application is also eligible.

The applicant must personally meet the eligibility conditions. They cannot be satisfied by his partner receiving relevant benefits. If the partner of someone getting a qualifying benefit enquires about making an application, they should be advised that their partner should apply. An application may be made on someone else's behalf, providing that person gives his written permission.

In addition, a person

- who is in institutional or residential accommodation; and
- who applies up to six weeks before his planned date of discharge; and

- who is likely to get a qualifying benefit when he is discharged

will be eligible to receive a community care grant awarded to help him establish himself in the community following his stay in institutional or residential care.

2.2 What expenses can be met?

Except for expenses that are expressly excluded by the Secretary of State's directions (see Unit 6), a community care grant may be made to meet any expenses that satisfy the qualifying conditions.

This means community care grants can be made for a wide range of expenses. Payment is not limited to specialist items. A grant may be made for ordinary, everyday needs such as clothing, bedding, furniture or domestic appliances as long as helping with the cost promotes community care in one of the ways specified.

2.3 The qualifying conditions.

The Secretary of State has directed that a social fund payment may be awarded to promote community care by assisting an applicant with expenses, including expenses of travel within the United Kingdom, (except those excluded by the directions – see Unit 6) where such assistance will:

- help the applicant, a member of his family, or other person for whom the applicant (or a member of his family) will be providing care, to establish himself in the community following a stay in institutional or residential accommodation in which he received care; or
- help the applicant, a member of his family or other person for whom the applicant (or a member of his family) will be providing care, to remain in the community rather than enter institutional or residential accommodation in which he will receive care; or
- ease exceptional pressures on the applicant and his family; or

IRS Self Instruction Pack
The Social Fund for Pension Service Staff

- allow the applicant or his partner to care for a prisoner or young offender on home leave; or
- help the applicant to set up home in the community as a part of a planned resettlement programme following a period during which he has been without a settled way of life; or
- assist an applicant and one or more members of his family, or any of those persons, with expenses of travel including any reasonable charges for overnight accommodation within the United Kingdom in order to:
 - visit someone who is ill; or
 - attend a relative's funeral; or
 - ease a domestic crisis; or
 - visit a child who is with the other parent pending a court decision; or
 - move to suitable accommodation.

Travelling expenses may be awarded under any of the parts of the direction where they satisfy the relevant conditions.

2.3.1 Helping someone

- **who has been receiving care in institutional or residential accommodation; or**
- **who may need to go into institutional or residential accommodation where he would receive care.**

The first two parts of the Secretary of State's direction deal with providing care in the community to someone who has either already been in institutional or residential accommodation where he received care, or who may need to go into institutional or residential care.

Elderly people may be particularly vulnerable to needing care in institutional or residential establishments because of failing mental or physical health or general frailty. The purpose of the direction is

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The Social Fund for Pension Service Staff

to meet expenses that make it easier for people to return to the community if they have been in care, or to stay in the community rather than go into care.

What is meant by institutional or residential accommodation in which the relevant person receives care?

This is accommodation that provides its residents with a significant and substantial level of care or supervision, either because they cannot look after themselves adequately, or because they might pose a risk to themselves or others without supervision.

Accommodation whose rationale it is to provide this level of care or supervision will typically be places like hospitals, prisons or care homes.

A “care home”, which must be registered as such, is an establishment that provides accommodation and either nursing or personal care for people who:

- are or have been ill;
- have or have had a mental disorder;
- are disabled or infirm; or
- are or have been dependent on alcohol or drugs.

However, the level of care the resident receives is more important than the type or title of the place where the care is provided. Occasionally, a resident in a place such as a hostel for homeless people, whose primary purpose is not providing care, may receive a lot of care or supervision to cater for his individual needs.

The relevant person.

The person who needs help to establish in the community or to remain in the community may be:

- the applicant himself;

IRS Self Instruction Pack
The Social Fund for Pension Service Staff

- a member of the applicant's family; or
- another person (who does not have to be related to the applicant) for whom the applicant or a member of his family will be providing care.

The person does not have to live in the applicant's household.

Remember, though, that the person who makes the application must be receiving a qualifying benefit in order to be eligible to receive a community care grant.

People leaving institutional or residential care.

A community care grant may be paid if the applicant, a member of his family, or someone he or his family will be looking after:

- was living somewhere where he received a significant level of care; and
- is now returning to the wider community; and
- assistance with the expenses applied for will help the relevant person establish himself in the community.

For qualification, it does not matter

- how long the relevant person has received care in institutional or residential accommodation; or
- how much time has passed since he last received care in institutional or residential accommodation

providing he needs help to establish himself in the community following the stay.

What expenses can be met?

Providing the Secretary of State's directions do not exclude the expense (see Unit 6), an award may be made for any item or service that will help the relevant person establish himself in the community.

Whether an award is made will then depend on the importance of making the payment in terms of its impact on the relevant person's ability to establish himself in the community (see Unit 3).

Example 1.

Mr C is 82 and receives Pension Credit. He has lived alone since the death of his wife three years ago, and has managed to look after himself.

Six weeks ago Mr C had a fall and badly broke his arm. He remained in hospital until the plaster was removed and has just been discharged. He will need physiotherapy for some time until his arm becomes stronger.

Mr C has always used the twin tub washing machine he and his wife bought many years ago. However, he can no longer lift the wet washing from the washing tub to the spin dryer, and a friend has suggested an automatic washing machine would be helpful. She has shown Mr C hers, and he feels sure he could use one. However, he cannot afford to buy one and have it installed. Mr C should apply for a community care grant for an automatic washing machine. He is eligible to receive a grant, and the expenses of buying and installing an automatic washing machine would help Mr C to establish himself in the community following his stay in hospital.

Example 2.

After suffering a stroke, Mrs D was treated in hospital, and then spent almost a year in a care home. She has her own home, and receives retirement pension and a private pension from her late husband's company. She does not receive Pension Credit.

IRS Self Instruction Pack
The Social Fund for Pension Service Staff

Mrs D is now well enough to return home provided there is someone there to look after her. However, Mrs D's daughter, her only close relative, lives some distance away. There is room at Mrs D's house for her daughter and her children and they have agreed to come to live with Mrs D, but need help to pay removal expenses for their furniture and personal possessions. Her daughter is a lone parent who receives Income Support.

A payment to meet the cost of her daughter's removal expenses would help Mrs D to return to community, so would qualify for a community care grant.

Mrs D would not herself be eligible for a community care grant because she does not receive a qualifying benefit. However, her daughter could apply for the payment, and would meet the eligibility conditions as she receives Income Support.

Example 3.

Mr E is 65 and has been in hospital for ten days undergoing an operation on his left wrist. He has been discharged to his family home, which he shares with his wife and adult son. He does not yet have full function in his wrist, and will continue to receive physiotherapy for some weeks.

Mr E wants a community care grant to replace the worn and tatty carpet in his bedroom, and to buy a freezer as the family has never had one.

Mr E has had a stay in institutional care, but it did not affect the continuity of his life in the community. His home conditions are as they were when he went into hospital. The evidence does not show a connection between the things Mr E needs and any need to establish himself back into the community. The decision maker would be unlikely to award a community care grant. However, Mr E may be able to get a budgeting loan (see Unit 5).

Often, a payment to help someone to establish in the community after they have received institutional or residential care will also help them remain in the community afterwards, rather than return

IRS Self Instruction Pack
The Social Fund for Pension Service Staff

to institutional or residential accommodation in which to receive care.

However, someone leaving institutional or residential accommodation in which he received care cannot qualify unless he is establishing himself in the community. He cannot receive a payment if he is moving to another form of institutional or residential care, for example from hospital to a care home, even if the new regime provides a lower level of care or supervision.

Example.

Miss F has a long-standing mental disorder and has spent several years in a psychiatric hospital. Her Pension Credit is paid at the personal expenses rate. Miss F is now well enough to leave hospital and has a place in a staffed group home. There are five residents in the home, and four members of staff, who are on call at all times and are in charge of preparing meals, cleaning and laundry. Each resident is assigned a member of staff to help them with tasks like washing and dressing.

One aim of the home is to help residents have some contact with the wider community, such as making supervised visits to the local shopping centre, bingo sessions and occasional trips to the pub. Miss F has not had any new clothes for years. Her key worker has applied on her behalf for a grant for clothing, as Miss F feels embarrassed by her clothes when she goes on outings.

Although Miss F is leaving institutional care, she is moving to residential accommodation where she will continue to receive a significant and substantial level of care and supervision. She is not actually establishing herself in the community at large.

Information the applicant should give.

To help the decision maker decide if the applicant's expenses qualify for a payment he will need to know:

- the type of accommodation the relevant person is moving from;

IRS Self Instruction Pack
The Social Fund for Pension Service Staff

- the type and level of care and/or supervision he received there. Did he receive nursing care, personal care or both?
- how long was he in this accommodation?
- what, if any, differences are there in his circumstances now, compared to when he entered the accommodation?
- what type of accommodation is he moving to?
- will he have any care or assistance after his return to the community? If so, what, and by whom will it be provided?
- what expenses does the applicant need to meet and how did the need come about?
- how will the items he needs help the relevant person establish himself into the community?

Help to stay in the community rather than enter institutional or residential care.

An applicant's expenses may qualify for a community care grant if he, a member of his family, or someone he or his family look after:

- is at risk of entering institutional or residential accommodation in which he will receive care; and
- assistance with the expenses applied for will help that person remain in the community rather than go into institutional or residential accommodation to receive care.

If someone is experiencing difficulty living in the community because he is ill, disabled or infirm a community care grant may be awarded to help him stay in the community rather than receive care in specialised accommodation.

The decision maker will consider whether there is a present or reasonably foreseeable risk that the person will enter institutional or residential accommodation in which he will receive care.

The decision maker does not need to identify the exact type of accommodation in which that care would be provided. But, it must be possible for him to envisage that the relevant person would need to enter institutional or residential accommodation where he would be provided with a significant and substantial level of care, protection or supervision.

What expenses can be met?

Providing the Secretary of State's directions do not exclude the expense (see Unit 6), an award may be made for any item or service that will help the relevant person to remain in the community rather than go into care. This includes items that would help care providers to look after the relevant person in the community.

Whether an award is made will then depend on the importance of making the payment in terms of the immediacy and impact on the relevant person's ability to continue to live in the community (see Unit 4).

Example 1.

Miss G is 62 and receives Pension Credit. She has had serious asthma for many years. She has also recently developed angina. Any exertion makes her very breathless and she can walk only a few yards before she needs to stop to rest. She finds it increasingly difficult to get out of the house and to do ordinary household chores for herself. Friends and neighbours do what they can to help, but Miss G has no formal or regular carer. She has only recently claimed Attendance Allowance, as she thought this was only for people who have a live-in carer. She has not yet heard if her claim has been successful.

Miss G has daily steroid medication, receives regular visits from the community nurse and has a nebuliser and oxygen to use at home. Her doctor has told her that she has permanent lung damage as a result of having severe asthma for so long, and that her symptoms are unlikely to improve.

IRS Self Instruction Pack
The Social Fund for Pension Service Staff

Miss G needs to replace her worn out bed and bedding, including a new mattress cover as this helps protect the mattress and prevent dust-mite infestations. She has a small fridge, but a fridge/freezer would be more useful, as it would reduce the need for shopping trips, which Miss G finds very difficult, especially in cold or wet weather.

Miss G qualifies for a community care grant. Her asthma is serious and progressive. Together with her heart condition, it makes life in the community very difficult.

There is a foreseeable risk of Miss G needing institutional or residential care. There is a link between the items she needs and her vulnerability to needing care in institutional or residential accommodation. Her need to replace her bed and bedding has an impact on her continued ability to live in the community.

Example 2.

Mrs H is 55 and currently lives alone in a bungalow she owns. She has recently divorced, and receives income based Jobseeker's Allowance. Her sister Edna, who also lives alone, is in privately rented furnished accommodation.

Edna is a few years older than Mrs H and receives Pension Credit and Disability Living Allowance. She has suffered from rheumatoid arthritis for several years. The condition has grown progressively worse, and her mobility and ability to manage personal and household tasks are increasingly affected. She receives Disability Living Allowance, but does not actually have anyone to help her.

Edna's landlord will not be renewing her lease, and she and Mrs H have decided that she should move into Mrs H's home. This would be mutually advantageous, as Mrs H could continue to do the housekeeping chores and would receive her sister's contribution to the costs of running the home. However, the spare bedroom, which Edna would use, is not furnished.

Edna is in need of a significant and substantial level of care, which she does not presently receive. There is a foreseeable risk she may need to receive that care in institutional or residential accommodation if alternative arrangements cannot be made.

IRS Self Instruction Pack
The Social Fund for Pension Service Staff

Although her decision to move into her sister's bungalow is not entirely dictated by her medical condition, Edna's sister can provide the care she needs.

The expenses of furnishing a bedroom for Edna to use at her sister's would qualify for a community care grant.

As both ladies receive qualifying benefits, either of them could apply, although it would probably be more straightforward if Edna applied. Helping her to furnish a room in her sister's home would allow her to receive care there, so helping her to remain in the community rather than enter institutional or residential care.

Alternatively, helping Mrs H, as the applicant, to make provision for her sister to join her in her home will allow Mrs H to provide care to a member of her family, and thereby help that person remain in the community.

A person who is at risk of entering institutional or residential care will rarely be able to provide direct evidence, such as a letter from a health professional, indicating that this is the case. Nor is it necessary that they should do so. Decision makers judge the extent of someone's vulnerability to needing institutional or residential care from information they give about how their problems affect them.

Some people who are having difficulty living in the community may be reluctant to acknowledge that they may be at risk of going into care. They may have health problems that they find difficult to discuss. Or, they may say that they need help to avoid going into care, but give little information to support this assertion. However, decision makers need quite detailed evidence about the effects of health or other difficulties in order to evaluate the risk of the relevant person going into institutional or residential care.

Information the applicant should give.

To decide if someone is at risk of going into care, and whether a grant would help reduce this risk, the decision maker will need information about:

IRS Self Instruction Pack
The Social Fund for Pension Service Staff

- what expenses does applicant need to meet and how did the need come about?
- if the relevant person has a chronic medical condition, to what extent are the symptoms controlled by medication?
- what are the effects on the relevant person of any health or other problems?
- what are his general living conditions like?
- what difficulties do his present circumstances cause him?
- how well does he manage his everyday life?
- have infirmity, a medical condition or his living conditions deteriorated?
- what, if any, help does he receive from other people or agencies?
- how will specific items help the relevant person stay in the community rather than receive the care he needs in institutional or residential accommodation?

2.3.2 Easing exceptional pressures on the applicant and his family.

An applicant may receive a community care grant if:

- he has a family; and
- their circumstances place both the applicant and at least one other member of his family under exceptional pressures; and
- help with his expenses will ease those pressures.

What are exceptional pressures?

There is no definition of the term “exceptional pressures”.

The Secretary of State’s guidance describes “exceptional pressures” as circumstances that place a family under greater pressures than might normally be associated with low income. The guidance gives examples of circumstances such as disability or chronic illness affecting a family member; family breakdown; or a catastrophe, such as a fire or natural disaster that has caused a sudden domestic upheaval as among those that might give rise to exceptional pressures.

Someone who is elderly, particularly if they are very frail or in poor health, may have requirements that adversely affect other members of their family, placing them under exceptional pressures. The death of a spouse may mean that the surviving partner has to rely more heavily on assistance from other family members than when the couple were together.

An accumulation of relatively minor difficulties, possibly together with financial pressures, might combine to place a family under exceptional pressures. People react differently to adverse conditions, and a person who is frail or infirm due to age may be less able to cope with situations that would present no problem to a younger, more robust person.

However, this does not mean that all families containing an older person, even one who has health problems, will be under

exceptional pressures as a result. Decision makers need to know about the effects of their circumstances on the family members.

What does “family” mean?

Family in this context is not confined to people caring for children or who are related by blood. It can include couples (married or unmarried, with or without children, heterosexual or homosexual), and extended families. The members of the family do not have to be members of the same household or living at the same address.

In some cases there may be a relationship of long-term inter-dependence between people that justifies regarding them as members of a family, even though they are not related by blood, marriage or adoption.

However, the exceptional pressures must affect both the applicant and at least one other of his family. The expenses of someone who has personally to cope with exceptional pressures, but who:

- does not have any family; or
- whose family is not placed under exceptional pressures by his personal situation

cannot qualify under this part of the direction.

What expenses can be met?

Providing the Secretary of State’s directions do not exclude the expense (see Unit 6), an award may be made for any item or service that will ease the exceptional pressures on the applicant and his family.

Whether an award is made will then depend on the nature and degree of the pressures and the importance of making the payment on easing those pressures.

Example 1.

IRS Self Instruction Pack
The Social Fund for Pension Service Staff

Mr and Mrs J are in their sixties and receive Pension Credit. Their daughter, a single parent, has been imprisoned and they have agreed to look after her 14- year- old son, Mark. He has the second bedroom in his grandparents' home, which they have furnished for him with a bed and a chest of drawers. He has brought his TV and games console from home and installed them in his room, where he spends much of his time.

Mark has an older brother, Sean, who lives in his own flat. He has convictions for drug dealing and the Social Services Department do not think that he is a suitable guardian for Mark.

Mark wanted to move in with Sean and resents having to live with his grandparents, whom he considers old fashioned and boring. He is exhibiting behavioural problems, and there are frequent rows between him and his grandfather, who is trying to instil some structure and discipline. Mark is encouraged to be "hard" by Sean, whom he admires. During a particularly unpleasant outburst Mark badly damaged Mr and Mrs J's sofa by slashing it with a kitchen knife. They do not have any funds to replace the sofa, and it is virtually useless in its present condition, leaving the couple with nowhere comfortable to sit.

Mr and Mrs J are placed under exceptional pressures by their general family circumstances. Their daughter is in prison. Their older grandson is an ex-offender and their younger grandson is also going off the rails. It is unusual for people of their age to have a parental role over a 14-year-old, and it is a particularly onerous responsibility in Mark's case. A community care grant to replace their damaged sofa would allow Mr and Mrs J some relaxation, and would ease the exceptional pressures on them.

Example 2

Mr K is 72 and has lived alone since the death of his wife two years ago. He receives Pension Credit. Although quite deaf, he is physically well, and has no real difficulty managing domestic chores or getting out to go shopping and so on.

However, Mr K never took much part in running the house when his wife was alive, and has not developed a routine since he has been on his own. He is also becoming more forgetful. If not encouraged, he allows his home to become very untidy, and lets

IRS Self Instruction Pack
The Social Fund for Pension Service Staff

washing up and laundry accumulate. He is inclined to run out of staples like bread and milk, or leaves foodstuffs in the fridge until they become stale and inedible.

Mr K's son and his family live about twenty minutes drive away. His daughter-in-law has been in the habit of calling in on Mr K regularly to check he is all right, help him tidy up and "organise" him. She jokes his house is like a student's and it's like having another teenaged son to look out for.

However, Mrs K, who has a part time job, has agreed to help with childcare for her married daughter, and will have less time to devote to her father-in-law. They have arranged a mutual exchange of local authority properties for Mr K, so that he will live a couple of streets away from his son. He needs to pay for removal expenses and to have his cooker and washing machine reinstalled.

Mr K is not at foreseeable risk of entering institutional or residential accommodation to receive care. However, he is not managing very well and his family is anxious to keep the situation from deteriorating. Mr K's predicament places exceptional pressures on him and, in particular, on his daughter-in-law. His move closer to his son's home will make it much easier for members of the family to keep an eye on him. A community care grant to meet Mr K's expenses would facilitate the move, and so ease the exceptional pressures on the family.

Information the applicant should give.

The decision maker will need information about:

- what expenses does the applicant need to meet and how has the need come about?
- what are the pressures or difficulties?
- what circumstances in addition to living on a limited income cause extra difficulties?
- who within the family is affected by the pressures or difficulties and how they are related to the applicant?

IRS Self Instruction Pack
The Social Fund for Pension Service Staff

- how are the family members affected on a day to day basis?
- what do family members have to do to cope that is out of the ordinary?
- has there been a deterioration in the family's circumstances? If so, how recently, and what has changed?
- how is the family managing at the moment? Do they have to adopt unusual strategies to overcome a difficulty?
- what is the connection between providing each item or service and easing the particular pressures?

2.3.3 Caring for a detainee who is on home leave.

“Home leave” is granted, usually to someone reaching the end of a custodial sentence, to assist him to adapt to life in the community when he is released. The direction applies only to people released on temporary licence during a custodial sentence. This does not include someone who is on bail, on probation, has been released on parole or is on home curfew.

Someone serving a custodial sentence cannot receive income related benefits, such as Income Support. The cost of providing for a person on home leave will therefore fall to the people he is staying with.

An applicant can qualify for a community care grant for expenses including, exceptionally, living expenses (which are usually excluded for community care grants), if he or his partner will be caring for someone who is on “home leave” from prison or a young offenders’ institution.

Information the applicant should give.

The decision maker will need to know:

- who is going to be staying with the applicant on temporary leave;

- where he is usually detained;
- how long will he be staying with the applicant; and
- what expenses the applicant will have to meet in order to accommodate him.

2.3.4 Helping people who have been without a settled way of life.

An applicant can qualify for a community care grant to help with the expenses of setting up home if:

- he has been without a settled way of life; and
- he is setting up home as part of a planned resettlement programme.

Without a settled way of life.

People who have been without a settled way of life may typically have spent time in a range of temporary addresses. They may have been sleeping rough or living in bed and breakfast accommodation or a hostel.

The fact that an applicant has been living in a certain type of accommodation, such as a hostel, does not automatically mean that he has been without a settled way of life. The important element the decision maker will be looking for is a lack of stability.

Setting up home.

“Home” means more than simply having a roof over one’s head. The intention, at least, should be that the applicant will stay in the same place for the foreseeable future. He will not be setting up home if he is moving to somewhere intended to be temporary.

Planned resettlement programmes.

Setting up a home must form part of a planned resettlement programme. That is, it must take place within the duration of the resettlement programme. By definition a planned programme must have some structure: a series of things that are intended to happen. It will commonly have a collection of set objectives that the applicant has to fulfil.

Setting up home cannot be the only purpose of the programme. It must have other elements intended to aid the applicant’s resettlement. These may be:

- addressing lifestyle issues such as drinking, drugs or lack of motivation;
- developing social or other skills;
- taking up education or training with a view to improving employment prospects.

The applicant must personally be actively participating in a programme. Help or advice that is simply available if and when the person needs it will not suffice.

Commonly, a local authority or charitable organisation will run the resettlement programme. However, someone should not be discouraged from applying for a community care grant because the programme they are following is not run by an organisation.

What expenses can be met?

Providing the Secretary of State's directions do not exclude the expense (see Unit 6), an award may be made for any item or service that will help the applicant to set up home. Typically, he will need furniture and household items, but may also need travelling expenses and in some circumstances other items, such as clothing, may impact on his ability to set up home.

Whether an award is made for an item will then depend on its importance to that applicant's needs when setting up home, and of its relevance to the process of resettling him in the community (see Unit 3).

Example 1.

Joan is 63 and has lived "on the streets" for many years. She cannot say how long, but her problems began when her husband threw her out and would not allow her any contact with their small children.

Joan was recently found collapsed in a shop doorway. A passer-by called an ambulance and she was taken to the A & E department of the local hospital. Joan has chronic bronchitis and a childhood injury, exacerbated by arthritis as she has grown older, has limited her mobility. However, she was mainly cold and hungry, and perhaps a little drunk. She recovered quickly and did not need to be admitted for in-patient treatment.

The hospital and local Social Services Departments liaised, and Joan is currently living in a homeless person's hostel.

Joan is of limited intellect, but has a strong personality. She is difficult to get on with and staunchly independent. She dislikes authority and regimentation, and is frightened she will be "put in a home". She is disruptive in the hostel, which is intended in any case only as short-term accommodation. After some persuasion, Joan has agreed to move into a warden controlled local authority bungalow.

Joan has not lived in a settled home for so long that she needs to learn how to care for herself and her home. The Homeless

IRS Self Instruction Pack
The Social Fund for Pension Service Staff

Person's Resettlement Team has set up a plan for her to follow. She has to make a shopping list each week, which will be examined to make sure it contains nutritious foodstuffs, and is within her budget. Her key worker will accompany Joan to do the weekly shopping. She has set out a schedule for Joan to follow to keep her home and herself clean, and the plan is that the warden will check periodically to see that it is being done.

However, Joan cannot move into the bungalow without some furniture and household equipment. With her social worker's help she applies for a community care grant for a bed, bedding, a cooker, cooking utensils, a fridge, carpets, curtains, seating, crockery, cutlery, a washing machine and a vacuum cleaner.

These expenses will help Joan to set up home in the community. She has evidently had a period without a settled way of life, and is following a planned resettlement programme. The qualifying conditions for a community care grant are satisfied.

Example 2.

Mr L has not had a settled home since retiring from the merchant navy seven years ago. He has lived in various bed and breakfast establishments and hostels and most recently in a seamen's mission. The aims of the mission are to promote the spiritual, moral and physical wellbeing of working and retired mariners. It offers only temporary accommodation.

Mr L is fit for his age and his habits, derived from his navy experience, are very clean and tidy. However, he is prone to occasional bouts of heavy drinking, and to becoming obstreperous. He has been arrested several times for being drunk and disorderly, and on one occasion he was convicted of affray and fined. Mr L admits he likes a fight.

Nevertheless, the members of staff at the mission hold Mr L in some affection. They have persuaded him that he should try to settle down. They have helped Mr L to secure the tenancy of a local authority flat, helped him to arrange for utilities to be connected and directed him to the appropriate departments to claim housing benefit and council tax benefit.

IRS Self Instruction Pack
The Social Fund for Pension Service Staff

In addition, with encouragement from the staff at the mission, Mr L has enrolled on an anger management course and sought help from the local alcohol abuse support and counselling centre. Mr L has resolved to do his best to stick with the regimes they suggest, and members of staff at the mission have promised to keep in regular touch with him and check on his progress once he has moved. He will, in any case, receive regular pastoral visits from the chaplain, with whom he enjoys a yarn and a game of chess.

One of the conditions of the tenancy is that Mr L should occupy the flat within two weeks. He has some personal possessions, but no furniture and household equipment.

Mr L would qualify for a community care grant to help him set up home. He has had a long period without a settled way of life. He is following a planned resettlement programme, even though it does not have a very formalised or rigid structure. The plan involves not only setting Mr L up in permanent accommodation, but also addressing the lifestyle issues that might impede his adopting a settled way of life. There will be follow-up by the mission staff, albeit on an informal basis.

Information the applicant should give.

The decision maker will need information about the applicant's needs, his new accommodation and his history:

- where is he living now?
- where will he be living if he has not yet moved to new accommodation?
- what sort of accommodation is this (furnished, unfurnished, local authority, privately rented, etc.)?
- what expenses does he need to meet in order to set up home?
- what accommodation has he had in the past?
- how long has he stayed at each place?

IRS Self Instruction Pack
The Social Fund for Pension Service Staff

- has he had spells sleeping rough, or staying temporarily in places such as night shelters, hostels, bed and breakfast or staying with friends and relatives?

The decision maker will also need to know in relation to the planned resettlement programme:

- what does it consist of –
 - what are the aims of the programme?
 - what assistance does the applicant receive as a component of the programme?
 - are there set goals and objectives to be met at different stages of the programme? If so what are they?
 - when did the programme begin, and how long will it continue?

2.3.5 Travelling expenses.

Travelling expenses may qualify under any of the foregoing parts of the Secretary of State's direction. In addition, a grant may be awarded to help with the expenses of travelling specifically to:

- visit someone who is ill; or
- attend a relative's funeral; or
- ease a domestic crisis; or
- visit a child who is with the other parent pending a court decision; or
- move to suitable accommodation.

Who can travel?

The applicant may receive help so that he and / or members of his family can make the journey. The direction places no restriction on the number of family members who can make the journey.

Some people cannot reasonably travel unaccompanied, for example because they are infirm or disabled. In such cases the travelling expenses of a companion, who does not have to be a member of the family, may also qualify for a community care grant.

Where can they go?

There is no restriction on the distance travelled. However, an applicant may only receive help with the expenses of travelling within the United Kingdom. The UK is Great Britain and Northern Ireland. It includes offshore islands like the Shetlands and the Isle of Wight, but not the Isle of Man or the Channel Islands.

If an applicant wishes to make a journey that will finish outside the UK, he can receive a grant for any part of the journey that falls within the UK. He may, for example receive payment to the point of embarkation, such as an airport or seaport, or to the border between Northern Ireland and Eire. However, if the traveller is unlikely to be able to reach his final destination, the decision maker may decide not to make any payment.

What expenses can be met?

Payment can be made for the actual costs of travelling and any reasonable incidental expenses.

These may include:

- train, bus, plane, ferry or taxi fares;
- fuel and incidental costs, such as parking fees, tolls or congestion charges, for car journeys;

IRS Self Instruction Pack
The Social Fund for Pension Service Staff

- the reasonable cost of overnight accommodation, including refreshments, if the return journey could not reasonably be completed in one day.

Overnight accommodation.

The cost of overnight accommodation for any or all of the family members, or other person accompanying the traveller to look after him, may be met by a community care grant providing the overnight stay and the charges made for it are reasonable.

The test of reasonableness will depend on the circumstances of the case.

It may simply not be possible to complete the return journey on the same day as the outward journey and allow adequate time for the visit to take place. Or, it may not be reasonable to expect a frail, elderly or disabled person to undertake the return journey without a night's rest.

Example.

Mr and Mrs M, who live in south Wales, want to visit their grandson who is seriously ill in hospital in Cambridge. Mr M is disabled and uses a wheelchair. The journey will be a long and difficult one involving changing trains twice. Neither Mr nor Mrs M feels they could make the return journey in one day.

Mr and Mrs M's son and daughter-in-law live in a cottage that has steep stairs and is unsuitable for Mr and Mrs M to stay in.

Mr M wants a community care grant for his and his wife's travelling expenses, including the cost of an overnight stay in a three-star hotel in Cambridge. It is quite expensive, but is the only one the couple could find with a lift to the bedrooms and wheelchair access to the dining room.

Mr M qualifies for a community care grant for his train and taxi fares and the overnight stay in the hotel he has selected. These are reasonable charges in Mr M's case. He could not reasonably

be expected to make such a long return journey in one day. Although there may be more economical accommodation available in Cambridge, it would not be suitable for Mr M unless it has adequate wheelchair access.

Visiting someone who is ill.

One of the commonest reasons for applications for travelling expenses is to visit someone who is ill. The ill person does not have to be related to the applicant, and does not have to be seriously ill, or in hospital, in order for the expenses of making the visit to qualify for a community care grant.

Example.

Mrs N has a childhood friend, Brenda, who has recently suffered a heart attack. She was in hospital, and has recovered enough to be at home, but is still feeling poorly and would be glad of some company. Mrs N has not seen her friend for some time, and would like to visit her.

Mrs N qualifies for a community care grant to visit Brenda, who is "someone who is ill". This is the only requirement that has to be met in order for the expenses to qualify.

The direction does not place any restriction on the number of visits to the ill person. If the applicant anticipates making regular visits for a future period, he can apply for a sum to cover all his journeys during this period. The decision maker has the power to make an award covering a prospective period, but may decide that the payment should be made in instalments.

Example.

Mr and Mrs O have been married for 55 years. He has suffered a stroke. His speech is severely impaired and he has lost much of the use in his left side. Mrs O is too frail to provide all the personal care her husband needs and he has been admitted to a care home about two miles from the couple's home.

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Mrs O travels every day by taxi to visit her husband. Each of these journeys qualifies for a community care grant.

In the last two examples, whether an award would be made for Mrs N to visit her friend, or to cover the full cost of Mrs O's daily visits to her husband is a matter for the decision maker's discretion (see Unit 3).

Attending a relative's funeral.

For payment to be made under this part of the direction, the deceased person must have been a relative of the applicant or of a family member. There is no restriction on the closeness of the relationship, though this may affect the priority of the need to attend the funeral.

Note: If the applicant is responsible for arranging the funeral, he should be advised to make a claim for funeral expenses under the regulated part of the scheme, on form SF 200, if he has not already done so. Payments under the regulations include the cost of one return journey either to arrange or to attend the funeral, so payment could not be made from the discretionary scheme for this purpose.

Information the applicant should give.

To deal with an application for travelling expenses the decision maker will need to know:

- the purpose of the journey(s);
- if the journey(s) are to visit someone who is ill, who is this person, and what is their relationship with the applicant?
- how many journeys will be made and over what period?
- the starting and finishing locations;
- how many people will travel?

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The Social Fund for Pension Service Staff

- how they will travel?
- if the journey is made by car, how many miles will be travelled?
- are there any special circumstances, such as infirmity, illness or disability affecting the method of travel, the need for a travelling companion or the need for an overnight stay?
- if there will be an overnight stay, how long will the return journey and the visit take?
- the cost of each leg of the journey and of any overnight accommodation.

Considering a crisis loan on a community care grant application.

In the event that a community care grant cannot be made because the applicant is ineligible or his expenses do not qualify for a community care grant, then the application may be considered for a crisis loan if it is appropriate to do so.

It will generally be appropriate for the decision maker to consider a crisis loan if the application reveals a very urgent need.

Self assessment questions.

Note: the assessment will be more useful if you give reasons for your answers.

1. Mr P is applying for a community care grant. He has been a hospital in-patient for the last four months. He is moving into warden-controlled accommodation and has applied for a community care grant to furnish his new home.

Do you think the decision maker will need to know any more about the care Mr P received in hospital?

2. Mrs Q lives alone. She is applying for a community care grant for a washing machine. She says she has epilepsy and may need to go into care. She produces a print-out from the pharmacy showing she takes a considerable amount of medication.

Do you think the decision maker needs to know anything else in order to decide if Mrs Q qualifies for a community care grant?

3. Mr R has just left hospital. He was there for six weeks. He is applying for a community care grant for £250 for clothes “to keep him warm”.

What else do you think the decision maker will need to know to decide if Mr R qualifies for a community care grant?

4. Mr S receives Pension Credit. He is applying for a community care grant for furniture and household items.

Mr S was in hostel accommodation run by a charity for the homeless, and left a month ago. His present address is his son's home. Mr S says he cannot live there any more and now has an unfurnished local authority flat, but has no furniture for it. The people at the hostel arranged for him to live with his son, but it just isn't working out. It was too crowded, he isn't used to having kids around, and they were all getting on each other's nerves. The

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charity has now helped him find a new flat. He says he fit and healthy for his age, but is sick of living in hostels and wants to settle down.

What additional information do you think the decision maker would need to decide if Mr S's expenses qualify for a community care grant?

5. Mrs T is a 69-year-old widow who receives Pension Credit. She lives with her son, his wife and their three children. She has oedema in her legs and finds standing for long periods uncomfortable. Her daughter-in-law does all the housework and cooking for the whole family.

The family's cooker has broken down and is very old, so cannot be repaired because the parts are no longer available. Mrs T is applying for a community care grant to replace the cooker.

Would the decision maker need any additional information to decide if the expense qualifies for a community care grant?

Answers.

1. No. A hospital is intrinsically institutional or residential accommodation providing a significant level of care.

2. The decision maker will need detail about how Mrs Q's epilepsy affects her day-to-day life, so he can decide if she is at risk of entering institutional or residential care. Of itself, the fact that she takes a lot of medication does not help very much.

The decision maker will also need to know about the relationship between the need for a washing machine and reducing any risk that Mrs Q may need to go into institutional or residential care.

3. There is no doubt that Mr R has left institutional care. But, it is not clear that a payment for clothing will help him establish himself in the community following this stay. The decision maker will need to know:

- if Mr R's circumstances, e.g. his living conditions, are significantly different now from when he went into hospital;
- whether he has an illness, or is receiving treatment, that might increase his need for clothing;
- what clothes he has;
- what happened to any clothing he already had;
- what he wants to buy; and
- how much each item will cost.

4. The evidence available suggests that Mr S may have been without a settled way of life and could be following a resettlement programme run by the charity that runs the hostel. But, it is not conclusive. The decision maker will need to know:

- where Mr S lived prior to the hostel accommodation he left to go to his son's;

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- how long he has been at each address;
- what other assistance, if any, he will receive from the charitable organisation that runs the hostel?
- is he following a plan with other elements to help him settle in the community, aside from setting up home? If he can provide one, the decision maker would no doubt find a copy of any resettlement programme helpful. Otherwise, Mr S should be asked to describe what the plan entails.

If Mr S is not following a planned resettlement programme, the decision maker would consider if any other part of the qualifying conditions were met. It may be that helping Mr S to leave his son's household would ease exceptional pressures on him and his family. The decision maker would need more detailed information about the situation in his son's home.

5. Yes. The evidence available at present does not establish whether Mrs T is at any risk of entering institutional or residential care, or if she and other members of the family are under exceptional pressures.

The decision maker would need to know:

- Whether Mrs T has any other medical condition aside from the oedema.
- What is Mrs T able to do for herself? Could she care for herself adequately if necessary?
- Does her daughter-in-law do all the housework because this is the way she prefers to run the household, or because Mrs T needs to be looked after?
- Do other members of the household have to perform any personal tasks for her?

Unit 3

Community Care Grants:

Budgets, Priorities & Amounts

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Remember, this information is to help you advise your clients.

You will not be making the decision and should not try to anticipate what the decision maker might do.

3.1 What is priority?

The law requires that, subject to deciding in accordance with the Secretary of State's directions and taking into account his guidance, when a decision maker determines

- whether to award a community care grant; and if so
- the amount or value of the award,

he must have regard to all the circumstances of the case and, in particular:

- the nature, extent and urgency of the need;
- the existence of resources from which the need may be met;
- the possibility that another person or body may wholly or partly meet the need; and
- the budget from which the award will be paid.

The discretionary Social Fund scheme is discretionary *because* it is budget based. It is unlikely that all qualifying needs can be met from within the budget, so decision makers have to select which payments should be made and the amounts of those payments.

Priority is a comparative. It signifies degree, an order of precedence or ranking. Decision makers decide which of the qualifying expenses should be met by determining which are the most important – have the highest priority – and may refuse applications for lower priority expenses.

3.2 The role of the budget in decision making.

The budget does not impact on determining the level of priority of a particular expense. The relative importance of providing help with an expense is not dependent on the amount of money available to pay for it.

Essentially, the legal structure to support decisions about whether to award a community care grant works as follows:

- In accordance with the Secretary of State's directions, decision makers determine which applicants are eligible and which expenses qualify for community care grants.
- Parliament makes a sum of money available to the Department for Work and Pensions from which community care grants may be awarded.
- The Secretary of State apportions out the total budget to Jobcentre Plus districts.
- The Secretary of State's directions set out the rules about budget management. They require that Decision Makers in a district:
 - must control and manage their budgets so that they can give priority to high priority needs for community care grants; and
 - must not make an award that, in aggregate with other awards, exceeds the budget allocation.
- The Secretary of State issues guidance to help decision makers decide which needs should be given high, medium or low priority. They take into account this guidance and, by considering all the applicant's circumstances, decide a level of priority for each of the qualifying expenses.
- The Area Decision Maker issues guidance suggesting the level of priority that can be met from the budget. This guidance helps decision makers, once they have determined

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the level of priority to assign to an expense, to decide whether it is among those that should be met.

3.3 Budget management.

Decision Makers in the district, several of whom may share responsibility for managing a district's budget, must do so in such a way as to meet the most important needs for community care grants during the financial year. If the budget runs out before the end of the financial year, then no further payment may be made, regardless of how important the need is.

The rate of expenditure from the budget is controlled mainly by making awards only to meet needs represented by a specific level of priority. Additionally, decision makers may restrict the sums of money awarded to meet individual expenses.

The Area Decision Maker will recommend a level of priority (e.g. "high") that he believes can be met from the budget on a consistent and sustainable basis: that is, which would ensure the budget would last the whole of the financial year, but without leaving unused funds at the end of the year. The aim is to make awards to meet the same level of need whenever during the year the application is decided, rather than to vary the level of need being met to suit the current state of the budget. However, the level may be adjusted from time to time.

The Area Decision Maker's guidance will help decision makers decide what award, if any, to make. It will inform the decision, but should not be followed blindly. The decision maker will make an informed decision about the state of the budget and how it impacts on the application under consideration.

Other aids to budget management.

The Area Decision Maker has a duty to issue information to Decision Makers from which they can judge the state of the budget. This will enable them to judge the effectiveness of budget management, and make informed decisions on that basis.

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One of the Area Decision Maker's tasks is to make a profile of the rate of expenditure he expects during the year. This is the outline of how much of the budget he expects will be spent during each month of the financial year. It will usually be based on historical data and experience of fluctuations in demand or other factors that might influence the rate of expenditure month by month.

Profiling anticipated expenditure monthly is a tool to aid effective budget management. It does not mean that there are monthly budgets.

Any variance from the profile gives an indication of the success or otherwise of budget management. Actual expenditure can be compared with the planned profile, variations can be investigated and their impact assessed in the light of any known conditions, such as arrears of work.

If there is a significant divergence between actual and anticipated expenditure, the Area Decision Maker might adjust the level of priority suggested in his guidance. The phrase "high priority needs to the extent the budget allows", for example, would suggest to decision makers that the budget is unlikely to be able to meet all high priority needs in full.

Information about the state of the budget together with the guidance issued by their Area Decision Maker is used by decision makers to inform their decisions about whether to make an award to meet a need and, if so, the amount.

3.4 Deciding priority levels.

Assigning a level of priority to an applicant's expenses is probably the most difficult part of a decision maker's job. It requires sound judgement, common sense and attention to the detail of all the circumstances of the case.

This section contains examples to help you understand the sort of issues that affect the level of priority that may be given to expenses, so that you can explain to your clients. But remember that these decisions are discretionary. The examples should not

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be taken to suggest that the items illustrated would achieve any particular level of priority.

The broad level of priority of an applicant's expenses is decided by reference to the impact on him personally and the relationship between meeting the need and fulfilling the aims of the qualifying conditions.

The Secretary of State's guidance suggests that it will normally be appropriate –

- to give **high priority** to a need, if an award for the item requested will have a substantial and immediate effect in resolving or improving the circumstances of the applicant and in meeting the aims of the qualifying conditions.
- to give **medium priority** to a need, if an award for the item requested will have a noticeable effect, although not substantial and immediate, in resolving or improving the applicant's circumstances and in meeting the aims of the qualifying conditions.
- to give **low priority** to a need, if an award for the item requested will have only a minor effect in resolving or improving the applicant's circumstances or in meeting the aims of the qualifying conditions.

The aim of community care grants is not to help with expenses in the sort of ordinary situations in which anyone might have to buy something or pay for a service. Priority for community care grants is all about the relationship between the specific expenses the applicant needs to meet and meeting a need for community care in one of the ways expressed in the Secretary of State's direction. Among the qualifying expenses some will achieve this more than others. They are the ones that will be given higher priority for an award.

When he looks at the priority of the expenses, the questions the decision maker considers will be similar to those he looked at to determine that those expenses qualify for payment.

But, instead of looking at bald facts –

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“Will paying for this item play any part in meeting the conditions of the direction?”

he will look at questions of degree -

“To what extent will making a payment for this item help meet the qualifying conditions?”

He will focus on the primary aim(s) of the branch(es) of the direction under which the applicant’s expenses qualify.

Remember that when considering priority the decision maker has a duty, subject to taking into account the Secretary of State’s guidance, to have regard to all the circumstances of the case. The relative importance of an award to meeting the aims of community care grants will always depend on the circumstances of each individual case. No one item automatically has higher priority than another. Something may be high priority in one person’s circumstances, but medium or low priority in another person’s circumstances.

Example.

Mr U has been in prison for 14 weeks. He was previously living with his girlfriend, but she no longer wants anything to do with him. He has been allocated a local authority flat. Mr U is 26, articulate, fit and healthy and is looking for work now he has been released.

Mr V has also been allocated a local authority flat. He has been released from prison after serving three years of a five-year sentence. This is his fourth prison sentence. He is 67 years old and is receiving treatment for depression and psychosis. He is wary of mixing with people, becomes agitated in crowds, and has difficulty dealing with authority. He also has a duodenal ulcer that requires him to be careful about his diet and arthritis that restricts his dexterity and mobility.

The men have each applied for the same list of items to help them furnish their new tenancies. As well as necessities like a bed and

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a cooker, their lists each include a washing machine and a fridge/freezer.

Both men's expenses qualify for a community care grant to help them establish in the community following their spells in prison. But Mr V is likely to find the process of establishing himself in the community more difficult than Mr U will find it. He has been out of the community for much longer. He has health problems that significantly affect his day-to-day life. These crucial differences will impact on the priority findings for the items the men need in order that they can successfully establish themselves in the community.

Neither man is likely to be able successfully to establish in the community without basic items, such as cooking and sleeping facilities. However, Mr V is less likely to be able to manage to do his laundry by hand than Mr U, and even if a launderette is available is likely to have more difficulty using it. His limited mobility and mental state will affect his ability to go to the shops regularly, so his need for a fridge/freezer is greater than Mr U's.

Mr U will find it easier successfully to establish himself in the community without a washing machine and fridge/freezer than Mr V. Mr V's application for these items would receive higher priority for payment.

A person's circumstances may reveal him to be among the most vulnerable members of society. However, it does not follow that all his needs will automatically receive higher priority than the needs of less disadvantaged people. The emphasis should remain on the extent to which meeting the specific expenses will resolve or improve difficult circumstances and meet the aims of community care grants.

Example 1.

Mrs W is 75 and in generally poor health. She has glaucoma and her vision is very limited. Joint pain restricts her mobility and dexterity, and she quickly becomes breathless on exertion as a result of a heart condition. She uses a walking stick outside her home, but rarely goes out. When she does go out, her daughter-in-law usually accompanies her. She lives some distance away

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and has a full time job and is unable to visit regularly. Mrs W has a neighbour, also elderly, who brings her a small amount of shopping occasionally, and her milk and bread is delivered.

Mrs W lives in her own home and receives Pension Credit. She has recently had to pay several large maintenance bills, and now has no savings. Her fridge/freezer is about 20 years old and the compressor has ceased working. Mrs W has enquired with the local electrical shop and been told that it is unlikely that repair would be viable. She has never had a washing machine at home, having always managed just a spin dryer. However, her failing health makes doing the laundry increasingly difficult.

The carpet in Mrs W's living room is old and faded, and there is an unsightly stain under a radiator that leaked. Mrs W finds the shabbiness of the carpet rather depressing. At her daughter's insistence Mrs W has applied for a community care grant to replace her fridge/freezer and living room carpet and to buy a washing machine.

Arguably, all the items Mrs W needs qualify for a community care grant. Each will have some impact on helping her stay in the community rather than enter institutional or residential care.

In view of Mrs W's disabilities, she cannot get out to do her own shopping, and the level of help she receives is unlikely to provide her with sufficient foodstuffs for a healthy diet. It is reasonable to suppose that without a fridge/freezer she will be unable to feed herself adequately. And, that without a washing machine she will not be able to manage her laundry for much longer. Either of these situations would seriously compromise Mrs W's ability to remain in the community.

However, the evidence does not suggest the present condition of the carpet poses any hazard. A new carpet will have much less impact on Mrs W's being able to stay in her own home than will a fridge/freezer or a washing machine. The decision maker would probably give Mrs W's need for a carpet lower priority than her need for a fridge/freezer or washing machine.

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Example 2.

Mr and Mrs Y are both in their eighties and live in a ground floor flat. Mr Y is suffering from congestive heart failure. He is very weak and unsteady on his feet, and can get around only with the aid of a walking frame. He never goes out, except to hospital appointments by ambulance. Recently, Mr Y has had a number of falls in the home. Only last week he fell against the fireplace and cut his head badly. Mrs Y, with the help of a neighbour, got Mr Y to bed, but he refused medical attention, as he was afraid that he would be admitted to hospital. The wound bled copiously and stained Mr Y's bedding and the clothes he was wearing.

Mrs Y is becoming increasingly frail and struggles to look after herself and her husband, but they are determined to stay together in their own home. She receives Pension Credit for both of them, and has applied for a community care grant to replace the bedding and Mr Y's shirt and the couple's living room carpet.

The bedding and Mr Y's shirt have been washed, but the bloodstains are still visible. The living room carpet is in very poor condition. It is threadbare to the point where loose threads are forming loops across the carpet surface. Mrs Y has cut some of these off, but the result is a hole. The flat has concrete floors.

In this case, the condition of the carpet poses a tripping hazard. Mr Y has already had several falls and has sustained an injury. On this occasion he managed without medical treatment, but there is a clear danger of more serious consequences from further falls. The underlying risk that Mr Y might need to go into institutional or residential care is increased by the possibility of injury. A new carpet would have a substantial and immediate effect in meeting the aims of the qualifying conditions.

However, the same cannot be said of the need to replace the stained bedding or shirt. There is no suggestion the items cannot be used in their present condition, or that stocks of clothes or bedding are otherwise inadequate.

3.5 Resources and help from other bodies or people.

The decision maker has a duty to consider whether the applicant has resources in the form of capital or income from which the need may be met. He must also consider the possibility that some other body or person may meet the need.

This does not mean, though, that the fact that

- the applicant has some savings; or
- he has income (such as Attendance Allowance) over and above his weekly Pension Credit; or
- where there is the chance of his needs being met elsewhere (such as by a charity)

will automatically lead to his needs being given lower priority.

The decision maker must be satisfied as to the resources the applicant actually has available to use, or whether help from another source would actually be forthcoming.

In the case of additional benefits, such as Attendance Allowance, the presumption is that they will be used for the purpose for which they are intended. The decision maker would need evidence that there is a residue that could be diverted to meet other needs.

An applicant should never be referred to another source, such as a charity, as an alternative to a community care grant.

Example 1.

Mr and Mrs Z receive Pension Credit. Among other conditions, Mrs Z suffers from urinary incontinence. This results in additional laundry and consequent wear and tear on her underclothes and bedding. Mr Z has applied for a community care grant of £90 for replacements. Mrs Z receives the lower rate of attendance allowance. Mr Z provides all the personal care his wife needs. As Mrs Z does not have to pay for care, there may be some capacity to buy the underwear and bedding Mrs Z needs.

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However, the decision maker could not assume that all the Attendance Allowance is available to meet other needs. He would have to establish what expenses are associated with providing care for Mrs Z – such as the extra laundry, or heating and other household expenses that may be unusually high.

The decision maker would also have to establish the urgency and extent of her need for underwear and bedding. He would need to establish what stocks are available and what condition they are in.

Example 2.

Mrs A has applied for a grant for a washing machine. There is a local charity, devoted to promoting the interests of the elderly, which will sometimes help with appliances to make independent living at home easier.

There is a possibility that this charity could help Mrs A. But, she should not be referred to the charity as an alternative to the Social Fund. If she has already approached the charity, details should be included with her application.

3.6 Reasoning.

Determinations about priority are discretionary and are based on a series of judgements by a trained decision maker. It is not necessary, or even possible, for an individual's conclusions about the priority of needs to be ones with which everyone would agree. But, they must be rational judgments based on weighing up all the relevant circumstances, and applying logic and common sense. The decision maker should be able to explain his reasons for each decision he makes.

Example.

Ernie is 66 and has been without a settled way of life for over a year. He is generally fit, but has learning difficulties. He is illiterate and is generally poorly organised. He needs help managing money and dealing with official matters. In the past he has lost accommodation because he has failed to pay rent and utilities.

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Ernie is pleasant and cheerful, but is very shy and has poor social skills. He has little self-esteem and lacks confidence.

His planned resettlement programme includes developing social and budgeting skills, learning how to provide himself with nutritious meals and learning how to keep his home and himself clean and tidy. His social worker thinks he will be better in accommodation where someone can keep an eye on him, and where there are people around with whom he can socialize.

Ernie is moving into a warden-controlled bungalow. It has a small private garden to the rear and side, and the frontage faces similar bungalows across a quiet walkway. The accommodation includes a fitted kitchen with a breakfast bar and stools. It has a cooker and fridge fitted and there is a communal laundry area residents can use free of charge. The floors are tiled throughout.

The decision maker has decided the priority of items Ernie has applied for as follows:

<i>High priority</i>	<i>Reasons</i>
<i>Bed and bedding</i>	<i>Ernie is unlikely to be able to move into his new home, occupy it in a reasonable degree of comfort, or keep it clean and tidy without these items.</i>
<i>Chest of drawers</i>	
<i>Sofa & chair</i>	
<i>Pots, pans, utensils</i>	
<i>Mop, dustpan & brush</i>	<i>Keeping his home clean and tidy is an element of his resettlement plan, so should not be delayed.</i>

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Medium priority	Reasons
<i>Rug for bedroom</i>	<i>These things are not essential to Ernie's being able to move in and begin to settle in his new home. The flat has tiled floors, so can be kept clean without a vacuum cleaner. The breakfast bar reduces any need for a separate table and chairs. A chest of drawers will meet Ernie's immediate need for storage space for his clothes, so he has less need for a wardrobe as well. Although they will make his new place more homely, curtains and additional floor covering is not immediately necessary for Ernie to begin to set up home.</i>
<i>Wardrobe</i>	
<i>Iron</i>	
<i>Table and chairs</i>	
<i>Rug for living room</i>	
<i>Curtains and rails</i>	
<i>Vacuum cleaner</i>	
Low priority	Reasons
<i>Fridge</i>	<i>Ernie's flat is provided with a fridge and he has access to free laundry facilities. A television, coffee table and ornaments would add to Ernie's enjoyment of his home, but would have only a minor effect on his ability to achieve a settled way of life.</i>
<i>Washing machine</i>	
<i>Television</i>	
<i>Coffee table</i>	
<i>Ornaments</i>	

It is quite possible that another decision maker would conclude that Ernie's need for, say, a wardrobe, a bedroom rug, an iron or curtains were also high priority, because that individual placed more emphasis on providing a comfortable environment in which Ernie would be more likely to settle, and maintaining a tidy appearance to boost his confidence and help him socialize.

3.7 Information the applicant should give.

The information the applicant gives to help the decision maker decide if his expenses qualify for a community care grant should also reveal the relative importance of meeting those expenses.

To determine the priority of the applicant's needs, the decision maker will need to relate the importance of paying for each item the applicant is seeking help with to:

- resolving the relevant person's difficulties or improving his circumstances; and

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- fulfilling the aims of community care grants as specified in the qualifying conditions.

Sometimes it will be clear how the circumstances dictate the priority of the need; for example, someone leaving residential care and moving to unfurnished accommodation for the first time will urgently need at least basic items of furniture.

However, the extent to which the particular item relates to the qualifying conditions, or the urgency of the need for help, may not be immediately apparent.

The decision maker will also need specific information about the item or service required.

The applicant's circumstances.

The decision maker will be asking himself about the extent to which providing the item or service will resolve or improve the individual's circumstances and:

- help the relevant person establish himself in the community;
- help the relevant person stay in the community rather than go into care;
- ease the exceptional pressures on the applicant and his family;
- help the applicant set up home and adopt a settled lifestyle in the community;

and /or

- how important it is that the applicant and / or members of his family should receive help to make specific journeys.

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Expenses that will help someone coming out of institutional or residential care.

The applicant should give information to help the decision maker consider:

- How difficult will it be for the relevant person to establish himself in the community without the item or service?
- Is this affected by the length of time he has been in institutional or residential care: has he lost touch with life in the community at large?
- What is the situation to which the relevant person is returning, compared to when he last lived in the community?
- Have there been any changes in his circumstances that affect his ability to establish himself in the community?
- Will he have support from family, friends, or an agency, or will he have to achieve establishment on his own?
- If help is available, what does it entail?
- Do health, social or other problems affect his ability to establish himself successfully in the community?
- How do those circumstances relate to specific items the relevant person needs?
- If the applicant or a member of his family is providing care for someone who has left institutional or residential care, what part do the specific items play in providing that care?
- Does the applicant have resources from which the need may be met?
- Can someone else help to meet the need, either by providing financial help or practical assistance?

Expenses that will help someone stay in the community rather than enter institutional or residential accommodation.

The applicant should give information to help the decision maker consider:

- How do the relevant person's age, infirmity, health or other problems affect him?
- What particular difficulties do his present living conditions or other circumstances cause him?
- What is the relationship between the person's particular problems and the item requested?
- How difficult will it be for him to remain in the community unless a grant is paid for the item?
- How well is he managing everyday life at the moment? Is the situation deteriorating?
- How would the specific item improve things?
- Is there an immediate or imminent risk of the person going into institutional or residential care?
- What, if any, help does the relevant person receive from other people or agencies.
- What role would payment for the item play in helping the relevant person receive the care he needs in the community rather than in institutional or residential accommodation?
- If the applicant or a member of his family is providing care for someone who may otherwise need institutional or residential care, what part do the specific items play in providing that care?
- Does the applicant have resources from which the need could be met?

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- Can anyone else help meet the need, either by providing financial help or giving practical assistance?

Expenses that will ease exceptional pressures on families.

The applicant should give information to help the decision maker consider:

- What are the exceptional pressures the family has to cope with?
- How serious are any health or social problems?
- How do their difficulties affect the family members on a day-to-day basis?
- Is the situation deteriorating?
- How many members of the family are affected? To what extent?
- How are they managing at present?
- What does the family have to do in order to cope with the situation that is different or out of the ordinary?
- How easy or difficult would they find this without a grant for the specific item?
- Does the applicant have resources from which the need may be met?
- Can anyone else help meet the need, either by providing financial help or by giving practical assistance?

Expenses of caring for a detainee on home leave.

The applicant should give information about:

- How long will the detainee be staying in the applicant's home?

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- Does he have any special needs?
- If the applicant requests items, as well as living expenses, can the home leave go ahead without them?

The expenses of setting up home as part of a planned resettlement programme.

The applicant should give information to help the decision maker consider:

- How easy or difficult it will be for the relevant person to set up and maintain a settled home without the specific item?
- Does the applicant have resources from which the need may be met?
- Can anyone else help meet the need, either by providing financial help or by giving practical assistance?
- Does the applicant have health or other problems that affect his need for the item?
- Does providing the item help with any specific objective of the planned resettlement programme the applicant is following?

Travelling expenses.

The priority of a need for travelling expenses will depend largely on the purpose of the journey and the importance of making that journey to the overall aims of the direction.

decision makers may also consider proportionality: an isolated, short journey is unlikely to have the same financial impact as repeated journeys or travelling a long distance. But, it does not follow that every single journey made by the same person for the same purpose will have equal priority.

Visiting someone who is ill.

The most common reason for requests for travelling expenses is to visit someone who is ill, particularly if they are in hospital or care home. Often, the applicant and/or his family want to make several visits over a period of time.

The applicant should give information to help the decision maker consider:

- How close is the relationship between the person who is ill and his visitor(s)?
- What level of contact do they usually have?
- How important is it to the applicant that each visit should be made?
- How important are the visits to the sick person? -
- Is he in a hospital or similar institution?
- If so, how long is he likely to be there?
- Might the sick person be isolated from the community if the applicant or his family did not visit?
- Does he have other visitors? Who, and how often do they visit?
- Do the visits have any therapeutic benefit for the patient?

Information about the items or services applied for.

The applicant's circumstances help determine whether an expense qualifies for a payment and the priority of the need. But, applications are made for sums of money to meet specific items of expense. Decision makers therefore need information about the particular expenses the applicant needs to meet.

The decision maker may need to know:

- Is this a newly required item the applicant has not had before?
- If so, why does he need it now? Have his circumstances changed recently? In what way?
- How is the relevant person managing without the item? What difficulties is this causing?
- In what way would providing the item improve matters?
- If the applicant or a member of his family is providing care for someone else, what role will the item play in providing that care?
- If the applicant or relevant person has had the item previously, what happened to the old one?
- If he has an item that is worn or broken, what is its exact condition? Has he investigated whether the existing item be repaired, and if so at what cost?
- Are any alternatives available?
- What useable stocks of items like clothes and bedding are available?
- How much will the item cost? What is the source of this estimate? Does the cost reflect any special features that are necessary in the applicant's particular circumstances?

3.8 Deciding whether to make an award.

Having considered all the applicant's circumstances, and decided the level of priority to assign to each qualifying expense, the decision maker then has to decide whether to award a community care grant to meet that expense, and if so the amount to award.

At this point he will take into account his Area Decision Maker's guidance about the level of need he expects the budget can meet on a consistent basis. He will look at the evidence about expenditure from the budget and the circumstances in which that level of expenditure has been achieved. He will then reach a conclusion about what needs should be met, while complying with the Secretary of State's directions about budget management (see section 3.3 above).

Example.

Remember Ernie from the example in section 3.6? The decision maker had decided the priority of items he had applied for. He must now decide which items should receive an award.

High priority	Medium priority	Low priority
<i>Bed and bedding</i>	<i>Rug for bedroom</i>	<i>Fridge</i>
<i>Chest of drawers</i>	<i>Wardrobe</i>	<i>Washing machine</i>
<i>Sofa & chair</i>	<i>Iron</i>	<i>Television</i>
<i>Pots, pans, utensils</i>	<i>Table and chairs</i>	<i>Coffee table</i>
<i>Mop, dustpan & brush</i>	<i>Rug for living room</i>	<i>Ornaments</i>
	<i>Curtains and rails</i>	
	<i>Vacuum cleaner</i>	

The Area Decision Maker's guidance indicates that the budget can meet high priority needs and some medium priority needs. This has been the case throughout the financial year so far, and expenditure from the budget is only slightly higher than planned.

The decision maker concludes he can pay all of the high priority needs, none of the low priority needs and those medium priority needs that, while not having a substantial and immediate effect on

allowing Ernie to set up home or follow his planned resettlement programme, will have the most impact on those aims.

Of the medium priority needs, the decision maker decides that an iron, a living room carpet and some curtains are most important. His thinking is that an iron will be significant to the aim of encouraging Ernie to be clean and tidy, and because his appearance might affect his self-esteem. A rug for the main living area, and some curtains, will add to the comfort of Ernie's new home, which in turn might encourage him to invite people in.

3.9 How much will be paid?

Once the decision maker has decided which expenses should be met, he then has to decide if it is appropriate to award the amount the applicant has requested, or some other amount. Usually, the amount the applicant has estimated for the item will be accepted as the probable cost of meeting his need. This amount will generally be awarded, providing it is appropriate for an item of serviceable quality.

The decision maker may award a different amount if:

- the amount requested is unlikely to be enough to buy a suitable item of serviceable quality; or
- the amount requested is more than would be considered appropriate for a suitable, serviceable item, bearing in mind that the social fund is financed by public funds and must be used in a responsible way; or
- budget limitations mean that a lower amount is appropriate, even though the requested amount is a reasonable one for a suitable item of serviceable quality.

The amount awarded for each item has an impact on the number of awards that can be made. Controlling the amounts awarded can make a legitimate contribution to managing expenditure from the budget.

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However, decision makers should not routinely award the smallest amount for which an item is available. The award should always be sufficient to provide an item that is suitable for the individual's needs, taking into account any special features that are necessary in his case.

Example.

Mrs B has applied for a community care grant of £460 for a double bed. She wants a bed with a bedstead, as these are higher than divans and easier for her to get in and out of. She also needs a firm, "orthopaedic" type of mattress because of back trouble. She has seen a bed she would like in a local furniture store and has specified the make and model.

The decision maker has decided that Mrs B's need for a bed is high priority. The Area Decision Maker's guidance suggests that high priority needs can be met and this has been the case throughout the financial year. At the end of last month expenditure from the budget was 7% higher than planned, and this has been the trend over the last three months. Expenditure so far in the current month is also higher than would be the case if it were to be on target.

The decision maker decides that Mrs B's need for a bed should be met. He must also consider what amount to award.

The amount Mrs B has requested is not unreasonable. However, by looking at a national store's catalogue, the decision maker finds a bed costing £280. It is a divan, but the top of the mattress, which is orthopaedic, is at the same height as the one on the bedstead. The decision maker concludes £280 is sufficient to meet Mrs B's need for a new bed that is suitable in her case. It would be appropriate to award this amount in order to preserve funds for other high priority needs.

Where the award is a different amount from that requested, it will commonly be based on prices for which goods are available in reputable national outlets or high street stores such as Argos, Index, Comet, BHS and so on. Applicants are not expected to

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use these retailers, but they provide a reliable source of evidence about the cost of a wide range of items.

Other issues that affect the amount of the award.

Capital resources the applicant has may also affect the amount (see Unit 6), and the decision maker cannot award a community care grant for less than £30 unless the payment is for travelling or living expenses.

Self assessment questions.

Note: the assessment will be more useful if you give reasons for your answers.

1. Mr C is 67 and is setting up home in a local authority flat as part of a planned resettlement programme. He is in generally good health, but has had problems with alcohol abuse in the past. He is applying for a community care grant for a bed, a cooker, a three-piece suite, carpets, curtains, a washing machine and a fridge/freezer.

What information do you think a decision maker will need to determine the priority of Mr C's needs?

2. Mrs D is a 62-year-old who has emphysema. She becomes breathless on only minor exertion and receives the lower rate of Attendance Allowance in addition to Pension Credit. She has regular visits from the community nurse, and has oxygen for use at home. She is applying for a community care grant of £50 for some bedding because what she has is worn.

What additional information would a decision maker need to decide the priority of Mrs D's needs?

3. Mrs E is an 84-year-old widow who lives alone in her own home. She has high blood pressure, heart disease and arthritis in her hands and knees. She is quite infirm and unsteady on her feet, and does not get out of the house very much. She relies on her daughter to take her to appointments and shopping, and to do the heavier housework and most of the washing, although she manages the lighter jobs, such as dusting and laundering small items like underwear and blouses.

Mrs E has difficulty getting upstairs and for the last year has had her bed in what was the dining room. She has a downstairs lavatory. Her daughter has just found out about community care

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grants and has suggested her mother should apply for a grant for a stair lift and for a tumble dryer.

What additional information do you think a decision maker will need to decide the priority of Mrs E's application?

4. Mr F's wife has been admitted to hospital. He wants help with the cost of visiting her. At weekends, their daughter will collect him in her car, but she works during the week and he will go by taxi. The return journey from home to the hospital is 20 miles.

Mr F has said he will make five visits a week for the next four weeks, and the cost of each return journey is £25.

What other information do you think the decision maker will need?

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Answers to the self assessment questions are overleaf.

Answers.

1. The decision maker should be able to conclude that Mr C's need for a cooker and a bed are high priority without any additional information. However, he will need information about any special circumstances that might relate to Mr C's need for other items. For instance:

- Why does Mr C need a three-piece suite? This would provide seating for up to five people. Would an alternative form of comfortable seating be suitable?
- Why does Mr C need curtains? Is the flat overlooked, or does Mr C have a particular need for privacy or warmth that affects the importance of this need? How many windows does he need curtains for? What are the dimensions?
- Are there any circumstances that affect his need for carpets? What sort of floors does the flat have? How many rooms does Mr C need to be carpeted? What are their dimensions?
- Does Mr C have any special circumstances that affect his need for a fridge/freezer? Where is the flat located? Are there shops nearby?
- Does Mr C have any special circumstances that affect his need for a washing machine? Is he able to do any laundry by hand? Is there a launderette he could use for larger things if necessary?

2. Mrs D should be asked to describe the condition of her bedding. What does she mean by "worn"? What usable bedding does Mrs D have? What items of bedding are included in the application?

Has the community nurse expressed any concern that Mrs D may need institutional or residential care, or made any connection between this and the state of her bedding?

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Does Mrs D have any expenses associated with her care needs? If so, what are they and approximately how much does she spend on them each week?

3. The decision maker will need to consider what impact the items would have on helping Mrs E stay in the community, given that she has adopted a strategy to overcome her inability to use the stairs, and has assistance from her daughter. He would need to know:

What are the consequences of Mrs E using the dining room as a bedroom. Has this caused any difficulties during the past year?

How has she kept herself clean during this time?

Does Mrs E have a bathroom upstairs? If she had access to it, could she use the facilities – e.g. get in and out of the bath? How often does Mrs E's daughter visit her?

Does her daughter do Mrs E's laundry in her own home or her mother's? Could she do it in her own home if she does not already?

Why does Mrs E do some of her laundry herself? Could her daughter do this with the other laundry?

4. It is not clear whether Mr F will travel five times a week in total, or five times on his own, plus twice with his daughter. This would need to be clarified.

The decision maker would also need to know why Mr F proposes to travel by taxi. Most hospitals are served by regular bus services. Is this not the case with the hospital Mrs F is in? Is Mr F unable to use the bus?

The decision maker will also need to know what impact Mr F's visits will have, and how long they are likely to continue. Why is Mrs F in hospital? How long is she likely to be there? Will anyone else be visiting Mrs F during the week?

Unit 4

Crisis Loans

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Remember, this information is to help you advise your clients.

You will not be making the decision, and should not anticipate the decision maker's conclusions.

4. Crisis Loans

An applicant may be able to receive a crisis loan to help with immediate expenses if he meets the eligibility conditions and qualifying conditions set out in the Secretary of State's directions. In some circumstances the applicant's eligibility is restricted (see section 4.1). Some expenses do not qualify for crisis loans (see Unit 6)

4.1 The eligibility conditions.

The applicant does not have to be in receipt of benefits, or to have claimed any benefit, to be eligible for a crisis loan.

In most cases he needs only to satisfy the following conditions:

- that he is over 16 years of age; and
- that he is without sufficient resources to meet his immediate short term needs and those of his family if he has one.

These conditions must be met on the date the application is determined.

Some people are not eligible for a crisis loan, even if the conditions mentioned above are met. In other cases, there are restrictions on the expenses that can be met. The rules are quite involved, but such cases will be rare. They are covered briefly in Unit 6.

4.2 The qualifying conditions.

The cost of buying an item, paying for a service or meeting daily living expenses may qualify for a crisis loan. An applicant may receive a crisis loan to meet expenses:

- providing
- the crisis loan is the only means serious damage or a serious risk to his health or safety, or that of a member of his family may be prevented; **or**
- to pay rent in advance to secure accommodation if the applicant is leaving institutional or residential care, and qualifies for a community care grant (see Unit 2).in an emergency or as the consequence of a disaster;

Emergencies.

The applicant must need to meet expenses **in** an emergency, not as a consequence of an emergency. It follows that the emergency must be present when an award is considered.

An “emergency” in this context does not just mean some sudden catastrophe, but includes any very important need that requires immediate attention, however that need arose. The working definition of emergency is that it is

“an unforeseen circumstance or a pressing need, either of which requires immediate remedy or action”.

It follows that a pressing need requiring immediate remedy will be classed as an emergency for crisis loan purposes, even if the need arose as the result of normal wear and tear, or from some circumstance that the applicant could anticipate.

If the need for the item or service is very pressing, and the consequences of being without the item sufficiently grave, the lack of the item may of itself amount to an emergency.

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Example.

Mrs G has had her electric cooker for 25 years. It has been becoming increasingly unreliable, and she has not been able to use the grill or two of the boiling rings for some months. She has now applied for a crisis loan because the remaining elements have broken, leaving her without any cooking facilities.

The fact that Mrs G has no cooking facilities is itself an emergency. She has a pressing need that requires immediate relief. The fact that the cooker has had years of wear and tear and come to the end of its useful life does not affect the urgency of Mrs G's immediate need for cooking facilities.

The fact that an applicant could anticipate a situation does not mean that it is not an emergency. Nor does his part in precipitating a situation have any bearing on whether an emergency exists. An applicant who has spent all his money on something relatively trivial, leaving him without funds for essentials, still has an emergency, even though he could have foreseen it and has brought about the situation himself.

Example.

Mr H has spent almost all his pension buying Christmas presents for his grandchildren and posting them to their home in another part of the country. He thought he might be able to manage, but after a few days he has virtually run out of food and fuel (he has prepayment meters) and has over a week to wait until his next pension payment is due.

Mr H needs to meet expenses in an emergency. It is irrelevant that he should have been aware when he spent so much money that he would be short of funds for essential living expenses.

An applicant who has no income, or whose normal source of income has been interrupted, and who as a result cannot meet his normal living expenses will generally need to meet those expenses in an emergency.

A person may need to act immediately to avert a situation that would result in serious risk to his or his family's health or safety if

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he did not take action now. This sort of situation will be treated as an existing emergency. It would not be reasonable to wait until the risk becomes an actuality.

Disasters.

A disaster is likely to be a recognisable event, more calamitous in nature than the suggested definition of emergency given above. A disaster may be:

- a natural catastrophe, such as a severe storm, a landslide, or flooding covering a wide area; or
- an event that has affected only a limited locality such as a serious house fire, a gas explosion or subsidence confined to a single property.

Serious damage or a serious risk to health or safety.

The applicant may receive a crisis loan only for expenses related to preventing serious damage or serious risk to his health or safety, or that of a member of his family.

A risk means a chance, a possibility, hazard or a danger. The decision maker does not have to find that the relevant person's health will probably be damaged, only that there is a recognisable chance or possibility that this could happen.

The risk to health or safety must be serious. That is, there must be a reasonable chance of significant consequences. The conditions will not be met if the risk is very remote, or if the consequences would be trivial. Mere discomfort or inconvenience is not enough. However, the applicant does not have to show that the consequences would be serious illness, or that he would need medical intervention. Health is not merely an absence of illness. Any situation that might compromise the relevant person's existing state of health may qualify for a crisis loan.

Whether the applicant's or family member's health or safety is at serious risk will depend on their circumstances. A situation that

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would be quite manageable in one person's circumstances may cause or risk significant harm to a person whose health is already fragile.

"Safety" in the context of crisis loans means the personal well-being or security of the applicant or family member. A person's safety may be at serious risk if a situation presents a hazard or risk of injury appreciably greater than the common risks that exist in everyday life.

Example 1.

Mr J is a 26-year-old jobseeker. He is in good health, and lives alone in a flat. His upstairs neighbour allowed her bath to overflow, causing water to flood into his flat. Mr J was away from home visiting relatives, and by the time he returned his living room carpet was smelly and going mouldy. Mr J has lifted the carpet and thrown it away. The floor is tiled, but the tiles are cracked in places.

Mr J needs to meet expenses in an emergency. But, the evidence does not show that the lack of a carpet in his living room poses a serious risk to Mr J's health or safety. He is unlikely to be at significantly increased risk of injury even though his floor is not in perfect condition.

Example 2.

Mrs K is a 79-year-old pensioner who lives with her 84-year-old husband. They have private pensions and do not receive Pension Credit, so are not eligible for a community care grant. They are both unsteady on their feet and Mr K, who is in the early stages of Alzheimer's disease, can walk only with the aid of walking sticks or a frame. They live on the ground floor of a block of flats. Their upstairs neighbour's washing machine broke, and caused a flood in their flat. The living room carpet has shrunk and buckled. The floors beneath the carpet are wooden boards that are rather uneven.

Like Mr J, Mrs K needs to meet expenses in an emergency. In her case, the evidence shows a serious risk to the couple's health or safety. Neither Mr nor Mrs K has a good level of mobility and is

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far more likely to trip, and to lose their balance and fall, than a young fit person. And, in older people, there is a greater risk of serious injury in the event of a fall. Either the buckled carpet or the uneven floorboards present a significantly increased risk of a fall resulting in injury.

Whether a crisis loan may prevent the serious damage or serious risk.

The crisis loan does not have to eradicate serious damage or serious risk to health or safety. Nor do the positive effects of awarding a crisis loan have to be certain. But, a reasonable person should be able to conclude that meeting the need would be effective in preventing the risk in most circumstances.

Something that has already occurred, such as a person's health or safety suffering damage or being at risk, cannot be prevented retrospectively. So, the qualifying conditions will not be met where the need has past, for example because the applicant has obtained an item by other means, or he is seeking living expenses for a past period.

Other means.

The crisis loan must be the only means serious damage or a serious risk to health or safety may be prevented. Any other means that are available to the applicant will preclude payment. "Means" in this context may be any reasonable way in which the applicant may avert the risk. This could be by:

- using money set aside for other purposes;
- using other financial resources, such as credit;
- financial help available elsewhere, such as charity or family members;
- practical help available from other sources, such as friends or family;

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- obtaining help in kind; or
- by employing any sensible strategy to prevent damage or risk to his or his family's health or safety.

However, the applicant must be able to employ the other means to resolve his situation. Money that is not immediately accessible, such as some savings accounts requiring notice, or shares that have to be sold to realise their value, may not be available quickly enough to prevent the risk.

It is for the decision maker to show that other means are available and that it is reasonable for the applicant to use them.

Example 1.

Mr L is 69 and lives alone. He has applied for a crisis loan for a new cooker as his has broken and is too old for parts to be available. He has an ulcer and needs to avoid greasy foods. He was using a local chip shop, but this aggravated his ulcer.

His daughter lives about five minutes walk away, and has been cooking meals for him. He buys the food and gives her something towards her fuel bill. However, Mr L feels this is an imposition on her as she has a husband and children to look after. Mr L also prefers to be independent. He does not feel he will be able to continue to eat at his daughter's indefinitely.

Although Mr L would prefer not to continue eating at his daughter's, it is nevertheless a means of preventing any serious risk to his health because he has no cooking facilities. The solution is not an unreasonable one for Mr L to adopt.

Example 2.

Mr M and his wife are in their sixties. They are in reasonably good health. Last Friday their house was burgled while the couple was visiting neighbours only a few doors away. Mr M's wallet and Mrs M's handbag were stolen. They have lost all their cash, their bank and credit cards and their building society passbook. They have reported the losses, but it will be some time before replacements can be issued.

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They have now eaten all the food they had in the fridge and larder, as they were just about to do their big monthly shop. Mr and Mrs M do not have a car. They have only recently moved to the neighbourhood, and do not have any friends in the area they could rely on for meals. Their children live some distance away.

The nearest town is about three miles away. There are several places in the town, including a Gurdwara and Salvation Army soup kitchen, where hot food is available free to anyone who needs it.

It would not, however, be reasonable to expect Mr and Mrs M to rely on these sources of food to avoid the serious risk to their health. It is too far to expect them to walk, even though they have no obvious health problems.

Whether it is reasonable for someone to obtain credit will depend on the costs incurred and his financial circumstances. No one should be expected to resort to moneylenders or “loan sharks” who might charge excessive rates of interest. But, it might be reasonable for a person who does not rely on income-related benefits to use a credit card to buy goods or to obtain a small amount of cash to tide them over an emergency, even though interest would be payable.

The applicant should not be expected to sell possessions, or to seek or adopt a solution that would be offensive to his religious beliefs, or seriously disrupt his family life, or to engage in illegal activities, such as begging or theft, to meet his needs.

If the applicant has access to sufficient financial resources to meet all his immediate, short term needs, then he will not be eligible for a crisis loan (see section 4.1).

4.3 Budgeting loans.

Crisis loans are a safety net, intended to meet very urgent needs in the specific, unusual circumstances described by the direction. Budgeting loans serve a different purpose. They are intended to help people receiving income-based benefits to budget for larger, ordinary expenses that arise intermittently.

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An applicant who otherwise meets the qualifying conditions for a crisis loan should not be expected to apply for a budgeting loan to provide “other means” to prevent serious damage or risk. However, if he has funds available from a budgeting loan for which he had already applied, these may be taken into account.

If the applicant has already sought a budgeting loan, but has been refused, decision makers must consider whether the refusal of a budgeting loan has contributed to an emergency or disaster.

4.4 Rent in advance.

A crisis loan may be paid for rent in advance in order to help an applicant to secure accommodation in an emergency - if obtaining the accommodation is the only way serious damage or a serious risk to the applicant’s health or safety, or that of a member of his family, may be prevented.

A person who is leaving institutional or residential care, and who as a result qualifies for a community care grant to help with other expenses, can receive a crisis loan for rent in advance and does not have to show he needs to meet this expense in an emergency.

A person who applies while he is in hospital or a care home is eligible for a crisis loan only if he is within two weeks of being discharged (see section 4.1).

In neither case, however, can any type of payment be made from the Social Fund to pay a deposit to secure accommodation.

4.5 Considering a community care grant.

A community care grant should be considered if an application for a crisis loan suggests the qualifying conditions for a grant may be met. The decision maker does not have to be *certain* that a community care grant would be paid for him to treat the crisis loan application as an application for a community care grant.

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Example.

Mr N, who receives Pension Credit, applies for a crisis loan for a new bed. He has had a fire in his bedroom and his bed, among other items, was damaged to the point it cannot be used. Mr N thinks he may have left an electric fire on close to the bed. He admits he is becoming increasingly forgetful. Since the fire, Mr N has been sleeping downstairs in a chair, but he has severe osteoarthritis of the spine, and is in considerable pain as a result.

As it stands, the evidence does not show a foreseeable risk that Mr N may need to go into institutional or residential care. However, the indications are that his health is poor. It would be appropriate for the decision maker to consider a community care grant on this application, though more enquiries would be necessary to establish whether the qualifying conditions are met.

Mr N could be awarded a crisis loan in the meantime to meet his urgent need for a bed.

If a crisis loan is refused because the applicant already owes the Social Fund £1,500 (see Unit 6), then it may be appropriate for the decision maker to consider a community care grant.

A grant may be awarded for daily living expenses, which are otherwise excluded for community care grants (see Unit 6) if an application for a crisis loan is refused because of the £1,500 overall limit on Social Fund loans.

The eligibility and qualifying conditions for a community care grant must be met in addition to those for a crisis loan before such a payment can be made.

Self assessment questions.

Note: the assessment will be more useful if you give reasons for your answers.

1. Mr O is not claiming any benefits, as he has carried on working after pension age.

Can he meet the eligibility conditions for a crisis loan?

What information will he need to supply to show the eligibility conditions are met?

2. Mrs P is an elderly woman who lives alone. She does not receive Pension Credit, so is not eligible for a community care grant. However, her income is only slightly above the guaranteed minimum and she struggles to make ends meet. She has £35 saved towards her gas bill, but no other savings. Her cooker, which was many years old, has finally stopped working altogether. She has called an engineer in to look at it and he says it is so old the parts are obsolete.

Mrs P has no alternative cooking facilities and cannot get out to buy prepared food. She is diabetic and needs to eat regularly. Mrs P has applied for a crisis loan of £290 to buy a new cooker and have it connected. Do you think her expenses qualify for a crisis loan?

3. Mrs Q was frying bacon when the fat spat onto the gas flame and set the contents of the pan on fire. She was eventually able to extinguish the flames with a wet tea towel, but not before the pan was ruined, flames had damaged the extractor hood above the hob, and the heat and smoke had damaged the wall behind the cooker. The electrical socket adjacent to the cooker, which Mrs Q uses to plug in her toaster and kettle, is blackened and blistered, and Mrs Q thinks it would be dangerous to use it.

She is applying for a crisis loan to buy a new frying pan and have repairs made to the cooker hood, the wall and the socket.

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Is any additional information required before Mrs Q's application can be decided?

4. Mr R is a retirement pensioner in general good health. He has applied for a crisis loan for living expenses until his next pension payday in a fortnight's time. His pension is paid into his bank monthly.

He withdrew his remaining money yesterday and spent it all because a bloke in the pub offered him a television, and it was too good a bargain to miss. He has no savings, no food in the house and his gas and electricity meters are running on the emergency portion. Do you think Mr R qualifies for a crisis loan?

Answers.

1. Yes. Mr O does not have to be claiming or receiving benefit to be eligible for a crisis loan. However, he does have to show that he is without sufficient funds for his immediate needs.

2. Yes. Mrs P has a pressing need that requires immediate relief. Her health is at serious risk unless she has adequate regular meals and for this she needs cooking facilities in her own home. The evidence is that her existing cooker cannot be repaired and that Mrs P does not have sufficient resources to meet her need for a new one.

3. Yes. There is no doubt Mrs Q needs to meet expenses in an emergency. Although there is a potential risk to Mrs Q's safety from the cooker hood and socket, her description of the condition of these fittings is not sufficiently detailed to conclude that they are unsafe. Nor is it clear whether they would be unsafe only if used, or if any risk could be avoided simply by avoiding using the extractor and the damaged socket.

It seems unlikely that Mrs Q's health would be at risk in the absence of a frying pan or because of the damaged wall. Or, on the evidence available, if she could not use the extractor or socket. Mrs Q should describe the damage to the extractor and socket in some detail. Is it necessary to use the extractor or the socket? Why does she feel they are hazardous if she does not have to use them? Has an electrician looked at them? If so, what did he say?

4. Yes. Mr R is without sufficient resources to meet his immediate needs. And, he has pressing needs that require immediate relief. His health would be at serious risk if he were to go for nearly a fortnight without food or. The facts do not show that there are any other means of meeting the need. The conditions for a crisis loan are satisfied. That Mr R knew when he spent all his money that he would then be in dire straits is immaterial.

Unit 5

Budgeting Loans

IRS Self Instruction Pack
The Social Fund for Pension Service Staff

5.1 What are budgeting loans for?

The Act provides that budgeting loans are loans awarded in circumstances specified by the Secretary of State for the purpose of defraying an intermittent expense. In other words, they are intended to help people to budget for expenses that arise only occasionally, as distinct from regular, everyday expenses.

Budgeting loans can be a useful resource for people living on a limited income. They are interest free, and can be used to buy a wide range of goods and services. They should not, though, be awarded as an alternative to community care grants or crisis loans where the circumstances of the case dictate that these types of payment should be made.

5.2 Are they discretionary?

Budgeting loans are unlike community care grants and crisis loans in several important respects. Although the basic structure is similar, the Act does not require decision makers to consider all the facts of the case. Instead, only those personal circumstances specified in the Secretary of State's directions are considered. The applicant's priority for a loan is calculated from these circumstances.

The Area Decision Maker's guidance does not suggest a level of priority based on high, medium or low. Instead, it suggests a monetary figure on which the outcome of the application will be based.

The limit on the matters that go to determine a budgeting loan allows the system to be largely automated. Most decisions are made by entering the basic data into a computer, which then calculates any award.

However, the legal structure remains essentially discretionary. Decision makers have discretion over whether the monetary amount suggested by guidance is the right one to use.

5.3 Qualification for a budgeting loan.

As budgeting loans are intended to meet ordinary, intermittent expenses, there are no qualifying circumstances. All that the applicant has to show is that he has intermittent expenses, the need for which occurs in the United Kingdom, that are to pay for:

- Furniture and household equipment;
- Clothing and footwear;
- Rent in advance and/or removal expenses to secure fresh accommodation;
- Improvement, maintenance and security of the home;
- Travelling expenses;
- Expenses associated with seeking or re-entering work;
- HP and other debts (for expenses associated with the categories shown above).

Only items falling into these categories qualify for a budgeting loan. If the applicant specifies a different expense that does not fit into one of the generic bands, or which is a maternity or funeral expense (see Unit 2), he cannot receive a budgeting loan for it.

5.4 Eligibility for a budgeting loan.

The applicant is eligible for a budgeting loan if, on the date his application is determined:

- he is in receipt of a qualifying benefit, or interim payments of a qualifying benefit; AND
- for each of the 26 weeks immediately before that date, he was in receipt of a qualifying benefit or interim payments or was the partner of a person receiving a qualifying benefit or interim payments. Short breaks are disregarded (see below).

The qualifying benefits.

The qualifying benefits are:

- Pension Credit;
- Income Support; and
- Income based Job Seekers Allowance.

Payments made on account of these benefits (interim payments) also count towards meeting the eligibility conditions.

The person who makes the application must be receiving a qualifying benefit, or a payment on account of a qualifying benefit, on the date his application is determined. The eligibility conditions are not met if the applicant's partner is receiving a qualifying benefit on this day.

Only rightful receipt of a qualifying benefit counts to eligibility for a budgeting loan.

The partner of someone receiving a qualifying benefit.

Where eligibility relies on the applicant having had a partner in receipt of a qualifying benefit, this refers to a partnership in existence during the relevant period.

The person who was receiving a qualifying benefit does not have to be the applicant's partner currently, as long as they were partners at the relevant time. If the applicant's current partner received a qualifying benefit in the 26-week period, but they were not partners at that time, this period will not count.

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The Social Fund for Pension Service Staff

Example 1.

The decision maker is deciding Mrs S's application today. Mrs S has received Pension Credit in her own right since separating from her partner eighteen weeks ago. Before their separation, he had received Income Support for both of them for fifteen weeks.

Mrs S is eligible for a budgeting loan because for each of the preceding 26 weeks she has either received a qualifying benefit in her own right, or was the partner of someone receiving a qualifying benefit.

Example 2.

Mr T has received Pension Credit for himself and his partner, Mrs U for the eight weeks since they moved in together. He was a single person previously and received Incapacity Benefit until fifteen weeks ago. Mrs U has received Income Support continuously for some years.

Although Mrs U has received a qualifying benefit for each of the preceding 26 weeks and Mr T is now her partner, their partnership did not exist throughout each of the weeks in the relevant period. Mr T is not eligible for a budgeting loan.

Breaks in benefit.

There can be any number of breaks, providing none of the breaks is more than 28 days in length and there is a period either side of the break during which a qualifying benefit was in payment. The period either side of the break can be a period during which either the applicant or the applicant's partner was receiving a qualifying benefit.

If, counting backwards 26 weeks from the day before the date of determination, there is a period of more than 28 days during which the applicant was neither receiving a qualifying benefit nor the partner of someone receiving a qualifying benefit, he will not be eligible for a budgeting loan.

5.5 Priority for budgeting loans.

In relation to budgeting loans the term “priority” relates to the amount of money the applicant could receive as a budgeting loan, subject to other directions. It is not discretionary. Directions govern how priority is determined.

Only the number of people in the applicant’s household contributes to the priority of his application.

Weighting.

Weighting is applied to the applicant’s household:

- A single applicant has a weighting value of one.
- An applicant who has a partner has a weighting value of one-and-one-third;
- A household including a child (regardless of whether the applicant has a partner) has a weighting value of two-and-one-third;

5.6 Deriving a sum of money from the priority value.

This is done by multiplying the applicant’s numerical priority value by a sum of money suggested in the Area Decision Maker’s guidance. This guidance usually suggests a figure that is appropriate to a person with the lowest priority value of one. It is sometimes referred to as the “threshold”. The priority value is multiplied by the guidance figure to give a sum of money that is referred to as the applicant’s “maximum amount”.

Example.

Mr V has a partner and a six-year-old child. He therefore has a priority value of two-and-one-third.

The figure specified in the Area Decision Maker’s guidance is £300.

Mr V therefore has a maximum amount of £700.

Provided the applicant and his partner have no existing budgeting loan debt, the award may be either:

- the applicant's maximum amount; or
- the amount he applied for if this is lower; subject to
 - the amount being at least £100; and
 - directions about capital, ability to repay and overall minimum and maximum amounts (see Unit 6).

5.7 Existing budgeting loan debt.

Once the applicant's maximum amount has been established, the amount he can receive will depend on whether he and /or his partner has any existing budgeting loans outstanding.

If an applicant has existing budgeting loan debt, this will be deducted from his maximum amount to arrive at the amount he can be awarded, subject to other directions (see Unit 6).

Example.

The application is for £900. The applicant has a maximum amount of £800. The applicant has an existing budgeting loan debt of £140. The most this applicant can receive is £660, subject to other directions.

Other directions affect the amount of budgeting loan that may be awarded. They are applied after the amount of the budgeting loan has been decided by reference to weighting values and existing budgeting loan debt. These directions are covered in Unit 6.

Self assessment questions.

Note: the assessment will be more useful if you give reasons for your answers.

1. Mrs X lives alone. She is 67 and has received Pension Credit for some years. She is in good health. She has no savings and wonders if she can get any help to replace her three-piece suite, which is very tatty and bedraggled. She would need about £1,500 for a new one. What should you advise Mrs X?

2. Mrs Y receives Pension Credit. She retired from work nine months ago and was awarded Pension Credit at that time. Four months ago she returned to her old job for a six-week period as a favour to her former employer, as the person who had taken over from her was off sick. Mrs Y's Pension Credit was stopped during the time she was working. Is she eligible for a budgeting loan?

3. Mr Z has an existing budgeting loan debt of £150. Based on the people in his household he has a maximum amount of £600. Mr Z wants a further budgeting loan of £500. Will he be able to receive this amount?

Answers.

1. You should advise Mrs X to apply for a budgeting loan. There is no suggestion that she would qualify for a crisis loan or for a community care grant. However, you should also warn her that, although budgeting loans of up to £1,500 may be awarded in some circumstances, the most she could receive as a single person is the amount suggested by the Area Decision Maker's guidance, and this is likely to be less than the £1,500 she wants to buy a suite.

2. No. Mrs Y has not been receiving qualifying benefits for each of the last 26 weeks. The break when she was working exceeded 28 days, so could not be disregarded.

3. No. The most Mr Z could have is £450. His existing budgeting loan debt of £150 will be taken off his maximum amount of £600, leaving a maximum £450 available to Mr Z.

Unit 6

Prohibitions and Restrictions on Payments

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The Social Fund for Pension Service Staff

Remember, this information is to help you advise your clients. You will not be making the decision, and should not anticipate what the decision maker might do.

6. Prohibitions and restrictions on payments.

The Secretary of State has issued a number of directions that effectively prohibit payment being made in some circumstances, or which place restrictions on the payments that may be awarded. These relate to:

- ❖ Repeat applications (see 6.1);
- ❖ Restricted eligibility (see 6.2);
- ❖ Excluded expenses (see 6.3);
- ❖ The treatment of capital (see 6.4);
- ❖ Maximum and minimum amounts of awards (see 6.5);

There are differences in the rules for the different types of Social Fund payment.

6.1 Repeat applications.

This restriction applies to community care grants and crisis loans, but not to budgeting loans.

If a previous application for a community care grant or for a crisis loan has been made:

- by the same person;
- for the same item or service;
- within 26 weeks; and
- payment for that item or service has been awarded or refused; and

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The Social Fund for Pension Service Staff

- there has been no relevant change of circumstances since the earlier application was made,

then the present application for either a community care grant or a crisis loan that item cannot be determined. As the application cannot be determined, this means the applicant cannot receive a payment.

Example.

Mr A applies in mid-June for a crisis loan for emergency repairs to his lavatory and to replace his bathroom carpet, which was affected by an overflow of effluent. He had sought a crisis loan as payment would be made quickly, and he needed to pay the plumber some money for materials immediately before he would start work. The decision maker awarded Mr A a crisis loan for the repairs, but refused payment for the bathroom carpet on the grounds that the absence of a carpet would not pose a serious risk to Mr A's health or safety.

Mr A is elderly and has significant mobility and other health problems. He has been advised to apply for a community care grant, as payment might help him remain in the community rather than enter institutional or residential care. He makes the application in early July, and seeks the cost of repairs, replacing the bathroom carpet and also for a new carpet in the hall, as this was also affected by the overflow.

Mr A's application for a community care grant for the repairs and bathroom carpet can be determined only if there has been a relevant change of circumstances since he applied for a crisis loan for these items in June. However, there are no restrictions on consideration of his application for help to replace his hall carpet as no previous application was made for this item.

Note. *Because a community care grant may be considered on an application for a crisis loan (and vice versa) if it is appropriate to do so, the decision maker could have considered awarding a grant on the first application if the evidence available revealed Mr A's health problems. If he did not consider a community care grant, this*

could be remedied on review of the decision on the crisis loan application.

6.2 Restricted eligibility.

The basic eligibility conditions for each type of payment are included in the units referring to those payments. However, the Secretary of State's directions place restrictions on eligibility in certain circumstances.

Community care grants.

If the applicant or the applicant's partner is involved in a trade dispute, then the applicant is eligible to receive payment only for travelling expenses in a restricted range of circumstances. This occurs very rarely.

Crisis loans.

Some people, notwithstanding that they may be without sufficient resources for their immediate short term needs, are not eligible for a crisis loan, or have eligibility restricted to specified circumstances or expenses.

People who are not eligible for a crisis loan.

A crisis loan cannot be awarded to a person:

- who is a resident in a nursing home, residential care home or who is a hospital in-patient, unless it is planned that the person will be discharged within the following two weeks
- who is a prisoner or person who is lawfully detained or is on release on temporary licence;
- who is a member of and fully maintained by a religious order;
- who is not, or would not be if he were to claim, entitled to Income Support because he is in full time relevant education unless he is receiving Pension Credit;

IRS Self Instruction Pack
The Social Fund for Pension Service Staff

- who is not, or would not be if he were to claim, entitled to Income based jobseeker's allowance because he is in relevant education, unless he is receiving Pension Credit.

People eligible for a crisis loan for a limited range of expenses.

A crisis loan may be awarded only in order to alleviate the consequences of a disaster to a person who is:

- a full time student, except where he is actually in receipt of Income support, Income based Job Seekers Allowance or Pension Credit; or
- a person who is not, or would not be were he to claim, entitled to Income Support, or Income based Job Seekers Allowance because he is, or would be, treated as a person from abroad; or
- a person who is not, or who would not be if he were to claim, entitled to Pension Credit because he is, or is treated as, a person who is not in Great Britain.

Work related benefits.

Although you will not be dealing with people who are directly affected by these issues, you may receive enquiries from pensioners who are indirectly affected, perhaps because they live in the same household as a jobseeker.

People claiming State Benefits have always had to meet certain conditions to establish and preserve entitlement to those benefits. In relation to Jobseeker's Allowance, claimants are required to meet certain labour market conditions. Claimants to other benefits may also be required to attend a Work Focussed Interview at the beginning of their claim or as a condition of continued entitlement.

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The Social Fund for Pension Service Staff

Benefit penalties may be imposed if the claimant does not comply with certain conditions. Weekly benefit is disallowed, withdrawn or paid at a reduced rate for specified periods. The restriction on access to crisis loans, particularly for living expenses, is intended to deny claimants a route whereby they can avoid or lessen the effects of a benefit penalty.

During specified periods (ranging from two weeks to an indefinite period ending only when the jobseeker complies with the required conditions) a crisis loan may be awarded only for:

- expenses which are the consequence of a disaster; and
- where the application has not been made because of a disaster, expenses in respect of items required for the purpose only of cooking or space heating (including fireguards).

This means that, for a period that broadly matches that during which he is not receiving any weekly benefit, the applicant has no access to a crisis loan for living expenses, unless he needs living expenses as the consequence of a disaster (see Unit 4).

Persons in hardship.

A person who is a person in hardship may receive a crisis loan for any qualifying expenses, notwithstanding that they may be subject to a Jobseeker's Allowance disallowance or sanction. Regulations define who will be treated as a person in hardship, to whom Income based Jobseeker's Allowance may be awarded at a reduced rate, despite the imposition of a disallowance or sanction. This will usually be the case where, unless a jobseeker's allowance is paid, a relevant person will suffer hardship. In particular:

- the applicant or the applicant's partner is pregnant, and the adjudication officer is satisfied that the woman will suffer hardship; or

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The Social Fund for Pension Service Staff

- the household includes a child or young person, and the adjudication officer is satisfied that the child or young person will suffer hardship; or
- the household includes a chronically sick or disabled person who would suffer hardship or whose condition would worsen; or
- the household includes someone who is caring for a person who is receipt of Disability Living Allowance or Attendance Allowance, and the adjudication officer is satisfied that the person providing care would be unable to continue doing so.

6.3 Excluded expenses.

The Secretary of State's directions specify some expenses that do not qualify for community care grants and / or for crisis loans.

The list is extensive and applications for excluded expenses are relatively rare, so we have not explained each one.

Some of the exclusions appear straightforward and self-explanatory, but may be more difficult to apply than they look. It is best if you do not try to give advice about the interpretation of exclusions. However, if you think an expense may be excluded, it may be helpful if you get as much information about the expense as possible.

There are some differences in the lists of excluded expenses for community care grants and crisis loans.

Exclusions that apply to both community care grants and crisis loans.

Neither a community care grant nor a crisis loan may be awarded to meet the cost of:

- any need which occurs outside the United Kingdom;

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The Social Fund for Pension Service Staff

- an educational or training need including clothing and tools;
- distinctive school uniform or sports clothes of any description for use at school or equipment of any description to be used at school;
- travelling expenses to or from school;
- school meals taken during school holidays by children who are entitled to free school meals;
- expenses in connection with court (legal) proceedings such as legal fees, court fees, fines, costs, damages, subsistence or travelling expenses;
- removal or storage charges if someone is re-housed
 - o following the imposition of a compulsory purchase order;
 - o because of a redevelopment or closing order, or a compulsory exchange of tenancies, or
 - o pursuant to a housing authority's statutory duty to the homeless;
- domestic assistance and respite care;
- any repair to property of any body mentioned in the Housing Acts [public sector housing, such as local authority or housing association property];
- a medical, surgical, optical, aural or dental item or service;

“Medical” means something that is manufactured for the purpose of diagnosing, preventing or treating illness.

It does not apply to items in ordinary use, even if the applicant only needs the item because of infirmity or a medical condition. For example, an electrically adjustable reclining bed or chair may be helpful to someone with certain disabilities, and may ease the effects of their symptoms. But

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The Social Fund for Pension Service Staff

the primary purpose of such items, like any other bed or chair, is to sleep on or to sit on.

The exclusion of optical and dental items and services means that people cannot get help with the cost of spectacles or dentist's bills, even if they have to pay residual (non-NHS) charges.

- work related expenses;
- debts to government departments;
- investments;
- the costs of purchasing, renting or installing a telephone and of any call charges;

This applies to any type of telephone, including cell phones.

- council tax, council water charges, arrears of community charge, collective community charge contributions or community water charges;
- housing costs, including
 - o repairs and improvements to the dwelling occupied as the home;
 - o deposits to secure accommodation;
 - o mortgage payments;
 - o water rates, sewerage rates;
 - o service charges;
 - o rent and analogous charges for accommodation.

This is wide reaching provision excluding all housing costs from crisis loan and community care grant payments. However, there are some important exceptions (see below).

Additional exclusions that apply to community care grants.

Some expenses are excluded only for community care grants. They are:

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The Social Fund for Pension Service Staff

- any expenses which the local authority has a statutory duty to meet;

Legislation places certain duties on local authorities, and gives them certain discretionary powers. The exclusion applies only if the authority has an express statutory obligation to meet the expenses, or has accepted that it has a duty to do so. An item that may, for example, be provided by a Social Services Department at its discretion will not necessarily be excluded.

- costs of fuel consumption and any associated standing charges;

This applies to all types of fuel, not just mains gas and electricity.

- any daily living expenses such as food and groceries.

Living expenses include all the ephemerals, such as toiletries and cleaning materials. Grants may be made for living expenses in some exceptional circumstances (see below).

Additional exclusions that apply to crisis loans.

Some expenses are excluded only for crisis loans. They are:

- mobility needs;
- holidays;
- a television or radio, or licence, aerial or rental charges for a television or radio;
- garaging, parking, purchase, and running costs of any motor vehicle (but see exceptions).

Exceptions from exclusions.

In some cases, although an expense does not generally qualify for payment, there are exceptions for which payments may be made.

Exceptions for community care grants.

Awards **may** be made for:

- minor repairs and improvements to the dwelling occupied as the home;

There is no list of what constitutes minor repairs or improvements. The test of “minor” is based on the type of work to be undertaken; the scale or extent of the work; the amount of labour involved; the time it will take to complete the work and its cost.

Anyone seeking a payment for a repair or improvement to their home should be asked to provide as much information as possible about the works to be undertaken.

- accommodation charges, if part of travelling expenses;
- daily living expenses incurred in caring for a prisoner or young offender on release on temporary licence; and
- daily living expenses if a crisis loan cannot be awarded for such expenses because the maximum Social Fund debt of £1,500 has been reached (see section 6.5).

Exceptions for crisis loans.

Awards may be made for:

- minor repairs and improvements to the dwelling occupied as the home (see above);
- intermittent housing costs, such as emptying cess pits or septic tanks;

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The Social Fund for Pension Service Staff

- rent in advance where the landlord is not a local authority;
- charges for board and lodging accommodation and residential charges for hostels, but not deposits, whether included in the total charge or not;
- running costs for a car where payment is being considered for emergency travelling expenses;
- emergency travelling expenses where the applicant is stranded away from home following court proceedings.

6.4 Treatment of capital.

Capital resources affect community care grants and budgeting loans. This restriction applies after the decision maker has considered eligibility, qualification and priority and, in the case of budgeting loans, the effect of any existing budgeting loan debt.

For a community care grant, if the applicant or his partner is over 60, and they have capital resources over £1,000, any payment that would otherwise be awarded is reduced, pound for pound, by the excess.

Example.

The amount of the payment that would be awarded is £300. The applicant and his wife have capital resources of £1,200. The award is reduced by £200, leaving an award of £100.

If both the applicant and his partner are under 60, then the amount of capital they can have before it affects the payment is £500.

For budgeting loans, the limits are £2,000 for those over 60 and £1,000 if both the applicant and his partner are under 60. Any deduction is made after the applicant's maximum amount has been calculated and adjusted to take account of any existing budgeting loans.

6.5 Maximum and minimum amounts of awards.

The directions impose a number of restrictions on the amounts that may be awarded, depending on the type of payment being made.

6.5.1 Maximum amounts

Community care grants.

There is no upper limit on the amount that can be awarded as a community care grant.

Crisis loans.

Items.

The maximum crisis loan for items is the lower of

- in the case of an existing item, the cost of repair; **or**
- the reasonable costs of replacing an existing item, or purchasing a new item or service (including delivery and installation).

If it is not necessary to replace a broken item with a new one, then any award should be based on the cost of repairing the existing item. This is consistent with the requirement that the crisis loan should be the only means available to prevent serious damage or a serious risk to health or safety. A repair to allow the existing item to function is sufficient to achieve this.

If an important household item or appliance has broken, the applicant may reasonably be expected to have explored the possibility of repair before making his application. If he has not,

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The Social Fund for Pension Service Staff

the decision maker may ask him to do so, unless the existing evidence shows the item is probably beyond repair. This may be because the description of the item shows its condition is beyond repair, or its age suggests spare parts will no longer be available.

An applicant seeking a crisis loan to replace a broken item, who has not had it examined by a qualified person with a view to repairing it, should be asked to give details of make and describe its age and condition in as much detail as possible.

Living expenses.

The maximum crisis loan for living expenses is:

- 75% of the appropriate Income Support personal allowance, Income-based Jobseeker's Allowance personal allowance or, as the case may be, the standard minimum guarantee rate of state Pension Credit for the applicant and any partner; plus
- for each child, an amount equal to the lower rate of child increase for income support (or Income based Jobseeker's Allowance).

The maximum is based on the rates of Income Support, Income based Jobseeker's Allowance or Pension Credit, regardless of whether the applicant is actually receiving or would be entitled to such benefits.

Maximum total loans.

Any crisis loan or budgeting loan award is restricted to the difference between any amount already repayable to the Social Fund and £1,500.

This means that there is an absolute maximum of £1,500 on the total amount that the applicant and / or his partner can owe to the Social Fund at any time, whether this is made up of crisis loans, budgeting loans or a combination of both.

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The Social Fund for Pension Service Staff

Example.

Mr B had a budgeting loan of £700 some months ago, and still owes £570. He had a crisis loan of £120 a month ago, and still owes the full amount so he owes £690. He and his wife had separated for a time, and she had received benefit in her own right. She had taken out a budgeting loan of £430, which she had not started to repay, and still owed £157 of an earlier crisis loan, so her debt to the Social Fund was £587.

Their debts are aggregated, so Mr and Mrs B together owe £1,277.

The maximum crisis loan or budgeting loan that Mr B may now receive is £223 - the difference between £1,277 and £1,500.

There may be occasions when the total debt is already £1,500 or more. This may be because a partnership has been formed between people whose individual debts, when aggregated, amount to £1,500 or more. If this is the case, no crisis loan or budgeting loan may be awarded.

Ability to repay a loan.

The decision maker may not award a crisis loan or a budgeting loan in excess of the amount the applicant is likely to be able to repay.

When he considers how much to award, the decision maker must be satisfied that the applicant is likely to be able to repay that amount. He judges this by reference to the applicant's income, his existing commitments and other regular outgoings.

Officers acting on behalf of the Secretary of State decide the terms on which repayments are made. These decisions are not subject to review, because they are not determinations of whether to make an award or the amount of the award. When a decision maker considers the amount an applicant is likely to be able to repay, he will have regard to the terms that are likely to be set.

The Secretary of State has issued recommendations about repayment terms. It is a principle that funds should be returned to

the loans budget quickly, so that they can be re-utilised. Generally, all Social Fund loans should be repaid within 78 weeks, although exceptionally up to 104 weeks may be allowed. Weekly repayments will commonly be based on 5%, 10% or 15% of the applicant's income, although exceptionally this may go up to 25%.

6.5.2 Minimum amounts.

Community care grants.

The minimum amount that can be awarded as a community care grant is £30, unless the application is for travelling expenses or living expenses.

Crisis loans.

There is no minimum amount that can be awarded as a crisis loan – though the decision maker would have to be satisfied that a very small amount of money would have a realistic impact on preventing serious damage or a serious risk to health or safety.

Budgeting loans.

The minimum amount that can be awarded as a budgeting loan is £100. This applies after any other calculations, such as the maximum total loans or treatment of capital.

Self assessment questions.

Note: the assessment will be more useful if you give reasons for your answers.

1. Mr C is applying for a community care grant of £1,300 to have the flat roof over his kitchen extension replaced. What would the decision maker need to consider in relation to the qualifying conditions for a grant?
2. Mrs D is applying for a community care grant for help with the cost of some spectacles costing £150 and some underwear costing £20. Is she likely to be awarded a community care grant?
3. Mr E is applying for a crisis loan of £150 for living expenses following the theft of his wallet. He is married and his wife is severely disabled. Mr E has existing budgeting loans and crisis loans amounting to £1,470.

Can Mr E have the crisis loan he needs?

What other matters should the decision maker consider?

4. Mrs G applied for a community care grant of £200 for a new bed two months ago. She was awarded a payment, but her daughter offered her the chance of a holiday, and she accepted. Mrs G is disabled by arthritis and thought the chance of a break, where she would be looked after, was too good to miss. She spent a good portion of the £200 while she was away, and now cannot afford the bed.

Mrs G wants to apply for a further community care grant for a bed. She would settle for a crisis loan, as she realises she should not really have misused the money. What restrictions would affect this later application?

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The Social Fund for Pension Service Staff

Answers.

1. The Secretary of State's directions exclude housing costs, including repairs to the applicant's home, from payments of community care grants. Payment may be made for minor repairs, but it seems unlikely this would apply to replacing a large section of roof.

Mr C should not be discouraged from making the application, but should be made aware of the conditions that might result in refusal.

2. No. Community care grants cannot be made for medical, surgical, optical, aural or dental items. This includes spectacles. And, the smallest amount that can be awarded as a community care grant is £30. As Mrs D needs only £20 for underwear, no award could be made.

3. No. The maximum total debt to the Social Fund is £1,500, so Mr E could only have an additional £30 crisis loan towards his living expenses.

However, his wife is severely disabled, and it is quite possible that a payment for living expenses would help her remain in the community rather than enter institutional or residential accommodation to be looked after. The decision maker should consider a community care grant.

Although living expenses are generally excluded from community care grants, there is an exception when a crisis loan cannot be awarded for living expenses because of the limit on total loans.

4. Mrs G's application for either a community care grant or a crisis loan could be considered only if the decision maker were satisfied that there had been a relevant change in circumstances since she applied for a community care grant two months ago.

Repeat applications for the same item or service, made within 26 weeks of an earlier application for either community care grants or

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The Social Fund for Pension Service Staff

crisis loans, cannot be considered unless there has been a relevant change in circumstances. It is unlikely that the decision maker would treat Mrs G having gone on holiday and spent the money as a change in circumstances relevant to her need for a bed.

Unit 7

Putting it all Together

IRS Self Instruction Pack
The Social Fund for Pension Service Staff

Hints, Tips and Reminders.

- Anyone has the right to make a Social Fund application and to have it determined appropriately.
- The Secretary of State's directions must be followed. decision makers have no discretion to vary or disregard what they say. However, they use their judgement to interpret the directions and apply them to the facts.
- decision makers do have discretion to decide if a payment should be made from the budget. This discretion is much broader for community care grants than for crisis loans, where qualifying expenses are naturally urgent, or budgeting loans, where priority relies on a set formula.
- Decisions must be based on **facts**, which are found from **evidence**. A decision maker cannot base a decision on guesswork or assumption, and will only know what he is told about a person's circumstances. It is very important that people give the right amount of relevant detail to support their applications.
- Put yourself in the decision maker's shoes. What would you need to know if you had to decide the application? But remember that you do not have to make the decision.
- Decisions do not call for judgements about what someone could or should have done; whether something should have happened or could have been avoided. What-ifs and might-have-beens are not relevant. The thing to focus on is the situation that is actually in place.
- You will be able to advise people about how applications are decided. You may be able to speculate about the likely outcome of the application. You will not be in a position to say with any certainty whether or not an application will be successful.

Case Studies.

On the pages that follow there are six Case Studies, followed by the suggested answers. They draw on the information given in the units you have already worked through. Each Case Study is about someone seeking your advice on a Social Fund matter, and is fairly typical of the sort of issues that arise.

Most of the Case Studies deal with several elements. To do the exercise, indeed when you come to deal with real cases, you will need to keep your mind open to all the possibilities and to think in the round.

When you check against the answers you may find you have missed something. If so, don't worry: this is part of the learning process.

Remember, this Pack is to help you advise your clients. Obviously, it is important that they should have good quality advice at the outset. But, a trained decision maker will decide the application. Dissatisfied applicants can seek a local review in the first instance. And the IRS is here for anyone who remains dissatisfied.

Case Study 1 – Mr Porter

Mr Porter has been in receipt Pension Credit for two years. He was made redundant when he was 59 and received Income based Job Seekers Allowance for four years. He is married and has an adult son, who is in full time employment, living at home. All the family are in good health.

Mr and Mrs Porter furnished their home when they were newly married nearly 40 years ago. They have replaced various items over the years while Mr Porter was working. However, their wardrobes are now falling apart, and the three-piece suite is showing signs of wear.

Mr Porter would like to buy some new furniture, but cannot afford to do so. He has not applied for any type of Social Fund payment before.

Would you advise Mr Porter to apply for a Social Fund payment?

If so, what type and why?

What could you tell him about the conditions for payment?

Case Study 2 - Mr Baker

Mr Baker has been in prison for four years. He is due to be released on licence in a month's time. He turned 65 while he was in prison and will claim Pension Credit when he is released. Mr Baker has previously had several lengthy spells in prison.

While he was away this time, his wife divorced him and moved away from the former marital home, which has been re-let by the council. All his clothing and possessions have either been cleared from the house and destroyed or taken by his ex-wife. Mr Baker has no other family he can go to when he is released.

The Probation Service has provisionally arranged for him to have the tenancy of a privately rented, unfurnished flat when he is released from prison in four weeks' time.

His Probation Officer has contacted you about Mr Baker's claim for Pension Credit and to see if there is any other help available for when he leaves prison.

What can you tell her about ways the Social Fund may be able to help Mr Baker?

Case Study 3 - Mrs Cooper

Mrs Cooper is a widow aged 85. She lives on her own in a local authority bungalow. She has arthritis in her legs, arms, hips and spine, which affects her mobility. She walks with the aid of sticks or a walking frame.

Mrs Cooper has been in receipt of Pension Credit for over 6 years. Ten years ago they had carpet fitted throughout the bungalow, which has tiled floors that can be slippery under her sticks or frame. Her husband was still alive then and he had a budgeting loan to help with the cost of the carpet.

The carpet in the living room is now very worn and frayed. Holes have started to appear in the most worn areas. Mrs Cooper is afraid that she will trip and fall.

Mrs Cooper contacts you and asks if you think she would be able to get another budgeting loan to help her replace the worn carpet. She has heard there are new rules, but does not understand what they are.

What would you advise her?

Case Study 4 - Mr Smith

Mr Smith is aged 66 and he is severely disabled. He lives on his own, but is totally dependent on his carers to do his shopping, cooking, cleaning and laundry.

His daughter comes to his home once a week to prepare and cook meals to store in the freezer. She lives 10 miles away and has to catch two buses. She buys the food she needs for the meals and any other shopping Mr Smith needs en route. Mr Smith is able to heat these prepared meals in the microwave, but is unable to use the cooker himself. Mr Smith pays for someone to come in to clean and do his laundry.

Mr Smith's freezer has broken down and is beyond economical repair. He cannot afford to replace it himself. He has no savings and the amount he receives by way of retirement pension and a small private pension is only very slightly above the limit for Pension Credit.

What would you advise Mr Smith about help from the Social Fund?

Case Study 5 – Miss Fletcher

Miss Fletcher receives Pension Credit. She lives with her widowed sister Mrs Wright, who receives retirement pension and a widow's pension from her late husband's employment. They have shared a home for several years since Mr Wright passed away. It is a cottage on the outskirts of a village in a largely agricultural area.

Both ladies are in their seventies. They are in reasonably good health for their ages, although they both have mild arthritis, Mrs Wright has psoriasis and Miss Fletcher has grown increasingly deaf over the years.

They manage to keep house between them, and there is a mobile shop that calls twice weekly and will take orders over the phone, so shopping isn't a problem. They do have some problems, though. They have recently spent all their savings having some repairs done to the roof. They are having difficulty with the laundry since their washing machine broke down. The local odd-job man says it is likely to be too old to repair and they can't afford a new one. Neither lady is fit enough to do the washing by hand, especially larger items like bed linen.

Their septic tank is full and the warning indicator is on. It urgently needs to be emptied or it will overflow. As it is, they are restricting the number of times they flush the loo.

And, they need to get a new tank of liquid petroleum gas (L.P.G.) as it is virtually empty. They had their winter fuel payments, but had to put the money towards the roof repairs. They cook by gas and the fire and central heating are also gas. They have one small electric fire, but this is hardly enough now it is winter and the wind blows very cold off the moors.

What can you advise Miss Fletcher?

Case Study 6 – Mrs Shepherd.

Mrs Shepherd is 71 and receives Pension Credit. She has had her grandsons living with her for just over two months. The arrangement will be permanent because their mother, who was injured in a car accident, has since died. The boys' father lives abroad and there is no one else who could look after them. If Mrs Shepherd had not agreed to give them a home they would have gone into local authority care and might have been separated.

When the boys first came to live with her Mrs Shepherd applied for a crisis loan to buy them beds. She did not know about community care grants then, but was told that crisis loans were for very urgent things, so this seemed the right sort of payment to apply for. She has since been advised that she should have had a community care grant. She asks if it is too late to do anything about it, as paying back the crisis loan is a bit of a struggle.

Mrs Shepherd also needs bedding for the boys' beds. She made do initially but they really need their own now, especially as the younger one, who is nine, has started wetting his bed. She could really do with extra bedding because of the bed-wetting, and something to protect the mattress.

Both the children are very unruly and difficult to handle. The older one, who is 12, was suspected of having attention deficit /hyperactivity disorder (ADHD), but Mrs Shepherd is not sure what the outcome of the investigations was. Naturally the children are very disturbed by their mother's death. Mrs Shepherd makes allowances and hopes things will improve in time.

Meanwhile, she really wishes she had a television. She has never bothered with one for herself, but the children miss it. She is getting too old to play games to occupy them all the time, and in any case kids these days aren't as easy to amuse as they used to be. She realises she couldn't get help with something like a TV, though.

What can you advise Mrs Shepherd about the Social Fund?

Answers to the Case Studies

IRS Self Instruction Pack
The Social Fund for Pension Service Staff

Case Study 1 – Mr Porter.

Mr Porter should be advised to apply for a **budgeting loan**. He has received a qualifying benefit for about six years, so he will be eligible for a payment and the items he needs are among the categories that qualify (furniture and household equipment).

The calculation for a budgeting loan award will take into account the size of Mr Porter's family (himself and his partner, but his son would not be included as he is not a dependent child).

This is the first time he has applied for a Social Fund award, so Mr Porter will not have any outstanding debt. Therefore, he is likely to be offered a budgeting loan. The amount would depend on local guidance and the budget position.

Although he would be eligible for a community care grant or a crisis loan, the facts given do not suggest Mr Porter will satisfy any of the qualification criteria for these payments.

You would be able to explain to Mr Porter that a community care grant may be paid only if payment for wardrobes and a three-piece suite would:

- Help someone returning from, or at risk of going into, institutional or residential accommodation where care is provided; or
- Ease exceptional pressures on Mr Porter and his family.

And, that a crisis loan could only be paid if it were the only way that serious damage or a serious risk to Mr Smith's health or safety, or that of his wife or son, may be prevented.

However, while you would not suggest to Mr Porter that he should apply for a community care grant or crisis loan, you should not deter him if he wishes to do so.

Case study 2 - Mr Baker

You will be able to advise Mr Baker's Probation Officer that:

Mr Baker may be able to receive a **community care grant** to help with the cost of clothing and furnishing his new home, and a **crisis loan** for rent in advance, if he needs to pay this to secure the accommodation. (Rent is a housing cost, excluded from community care grants).

Mr Baker has had a stay in institutional accommodation in which he has been receiving care. Meeting his expenses would help him to establish in the community following his stay in prison, so would qualify for a community care grant.

Depending on the priority levels being met from the district budget, Mr Baker is likely to be awarded a community care grant for basic items of furniture for his flat. He may also be able to have a grant for clothes if he has inadequate clothing when he leaves prison.

His several spells in prison will probably have affected Mr Baker's contribution record and it is likely that he would be awarded Pension Credit. His planned release date is within six weeks, so he would be able to apply for the community care grant now. He would be eligible to receive any grant paid to help him establish himself in the community.

As Mr Baker is likely to be awarded a community care grant to help him return to the community he may be able to have a crisis loan if he is required to pay rent in advance to his landlord. He would not have to show a need to meet this expense in an emergency.

Even though Mr Baker is likely to be in receipt of a qualifying benefit when he is released, he will not be eligible for a budgeting loan until he has received benefit for 26 weeks.

Mr Baker's Probation Officer should be advised that any application should give full details of what he needs, any special circumstances that affect those needs and, if he needs more clothing, what he will have available when he leaves prison.

Case Study 3 – Mrs Cooper

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The Social Fund for Pension Service Staff

You can advise Mrs Cooper that the rules for a **budgeting loan** are

- that she must have received a qualifying benefit for 26 weeks - which she has, and
- that she must be applying for expenses in one of the designated categories – which she would be.

After that, the amount that could be paid would depend on the figure suggested in the Area Decision Maker's guidance (Mrs Cooper does not have any existing loans that might affect the award).

However, you should advise Mrs Cooper to apply for a **community care grant**.

Mrs Cooper would be eligible to receive a grant as she gets a qualifying benefit. She is elderly and clearly in poor health. The state of the carpet in her living room suggests it poses a tripping hazard and a fall could have serious consequences. A decision maker would be likely to conclude that a community care grant to replace the carpet would help Mrs Cooper remain in the community rather than enter institutional or residential care.

You should advise Mrs Cooper to give the dimensions of her living room and say whether the cost of the carpet includes underlay and fitting.

She should be advised that payments are discretionary and made from a fixed budget, and that the success of her application would depend on the level of priority the decision maker decided was appropriate to her need, and the level of priority the district's budget is able to meet.

However, you can surmise that her application is likely to be given high priority. The risk of her falling over the frayed carpet is such that replacing it would have a substantial and immediate effect on her circumstances and in helping her remain in the community.

Case study 4 - Mr Smith

The only Social Fund award that Mr Smith might be able to have is a **crisis loan**.

There is little doubt that Mr Smith needs help to remain in the community. Or that, given his daughter's involvement, an award would help ease exceptional pressures on Mr Smith and his family. However, Mr Smith is not eligible for a community care grant because he is not in receipt of a qualifying benefit.

Mr Smith satisfies the eligibility criteria for a crisis loan as he does not have sufficient resources to meet his immediate short-term needs.

The evidence suggests a freezer is necessary for Mr Smith to be able to have cooked meals during the week. There is likely to be a serious risk to his health or safety if his freezer is not replaced, and he cannot afford to do this himself. The decision maker is likely to award Mr Smith a crisis loan.

Mr Smith can obtain an application form for a crisis loan from his Jobcentre Plus office. Alternatively, he may make an application by attending the office in person. If your Jobcentre Plus accepts telephone applications, Mr Smith may be able to apply in that way.

You should advise Mr Smith that if an award is made it would be a reasonable amount to buy a new freezer. It would be subject to his ability to repay the loan and, if he has existing Social Fund loans, to the maximum amount of £1,500.

Case Study 5 – Miss Fletcher

You could tell Miss Fletcher that she may be able to get a **community care grant** for a new washing machine. Miss Fletcher would be eligible for a community care grant because she receives a qualifying benefit. The decision maker could take the view that she and her sister are under exceptional pressures because of a combination of their health problems (although relatively minor), their financial difficulties and the fact that the location of their home means there are no alternative ways of tackling the laundry. Replacing the washing machine would ease those pressures and so qualify for a community care grant.

Whether a grant would be paid would then depend on the priority the decision maker decided was appropriate to Miss Fletcher's need, and the level of need the district can meet from its budget.

However, it is very unlikely a grant could be paid to meet the cost of emptying the septic tank or buying L.P.G. Both these expenses are excluded from payment of community care grants. Emptying the septic tank is a housing cost and fuel costs are expressly excluded for community care grants.

A **crisis loan** could be paid to meet the cost of emptying the septic tank and buying L.P.G. Intermittent housing costs are excepted from the general exclusion of housing costs from crisis loans, and fuel costs are not excluded for crisis loans.

The decision maker would probably conclude that these expenses are pressing needs that require immediate remedy, so are needs that have to be met in an emergency. And, that the full septic tank and the absence of fuel for cooking and heating pose a serious risk to the sisters' health or safety.

Either of the ladies could apply for a crisis loan. The evidence is that neither of them has sufficient resources for her immediate, short term needs. The fact that Mrs Wright does not receive a qualifying benefit is immaterial. Any loan would be subject to the overall £1,500 limit and the debtor's ability to repay it.

Case Study 6 – Mrs Shepherd

You should advise Mrs Shepherd she can seek a review of the decision to award her a crisis loan for the beds for her grandsons. Her application for review will be made outside the 28-day time limit. But, this limit can be extended for special reasons. The critical illness and subsequent death of her daughter would probably be accepted as special reasons.

Although Mrs Shepherd applied for and received a crisis loan, the Decision Maker was under a duty to consider a community care grant on that application if it was appropriate to do so. The circumstances in which the need for beds arose suggest it would have been appropriate to consider a community care grant. The failure to do so would be addressed on review.

As an alternative, Mrs Shepherd could apply for a community care grant for all the things she needs now, including the television and the beds for which she had received a crisis loan. This would be a repeat application for the beds, but there has been a relevant change of circumstances as the death of the children's mother means they will now live permanently with their grandmother.

You would be able to advise Mrs Shepherd that there is nothing in the rules to prevent payment for a television. Any item that would ease exceptional pressures on her and her family could qualify for a community care grant.

It would be a matter for the decision maker's discretion to consider whether an award for any of the items, including the television, would have a substantial and immediate impact on improving the family's circumstances and easing the exceptional pressures on Mrs Shepherd and the children. If he decided it would, then payment would depend on the level of priority the budget can meet.

If the decision maker decided not to award a community care grant for a television, Mrs Shepherd would have the right to seek a review of that decision. She could also apply for a budgeting loan. A television is household equipment, so the expense would qualify.

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The Social Fund for Pension Service Staff
Evaluation**

Please score the following on a scale of 1 (not very) to 10 (extremely)

Unit 1 – An Overview	
How useful did you find the explanations?	
How useful did you find the self-assessment questions?	

Unit 2 – Community Care Grants	
How useful did you find the explanations?	
How useful did you find the examples in the text?	
How useful did you find the self-assessment questions?	
How well do you feel you understand the eligibility and qualifying conditions for community care grants?	

Unit 3 –Community Care Grants: budgets, priority & amounts	
How useful did you find the explanations?	
How useful did you find the examples in the text?	
How useful did you find the self-assessment questions?	
How well do you feel you understand priority for grants?	

Unit 4 – Crisis Loans	
How useful did you find the explanations?	
How useful did you find the examples in the text?	
How useful did you find the self-assessment questions?	
How well do you feel you understand crisis loans?	

Unit 5 – Budgeting Loans.	
How useful did you find the explanations?	
How useful did you find the examples in the text?	
How useful did you find the self-assessment questions?	
How well do you feel you understand budgeting loans?	

Unit 6. Prohibitions and Restrictions on Awards	
How useful did you find the explanations?	
How useful did you find the examples in the text?	
How useful did you find the self-assessment questions?	

**IRS Self Instruction Pack
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Evaluation**

How well do you feel you understand the restrictions?	
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Unit 7. Putting it all Together	
How useful did you find the case studies?	

Please rate on a scale of 1 (hardly any) to 10 (good working knowledge) your level of knowledge about the Social Fund:

Before you worked through the Self Instruction Pack

And now

Please delete the Statements that do **not** apply.

Content

I thought the Pack was
too technical / not technical enough / about right.

I thought there was
too much detail / not enough detail / about the right amount of
detail.

I thought the sequence in which the topics were dealt with
followed logically / was confusing.

I thought the self-assessment questions were
too easy / too difficult / about right.

Tone

I thought the Pack was
easy to read / hard to read / interesting / boring

**IRS Self Instruction Pack
The Social Fund for Pension Service Staff
Evaluation**

About you

I have had
no previous contact with the Social Fund / a little previous contact
with the Social Fund / a lot of previous contact with the Social
Fund.

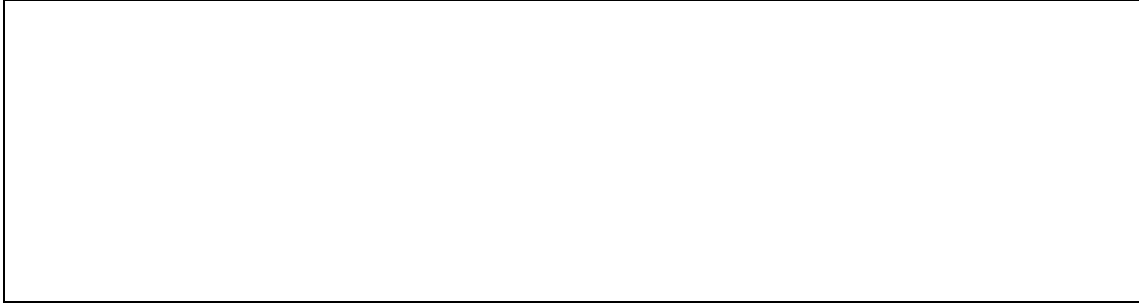
I had previously had
no training in the Social Fund / Social Fund training provided by
the Department of Work and Pensions / training at an IRS
Workshop.

I now feel
I will be able to give customers better advice in future / that I have
not gained much from going through this Pack.

**Do you have any comments or suggestions for improving the
Self Instruction Pack?**

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**IRS Self Instruction Pack
The Social Fund for Pension Service Staff
Evaluation**



Thank you for completing this evaluation. Please return it to:

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