

Walsall Council

The Walsall Local Welfare Provision Scheme

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The Walsall Local Welfare Provision Scheme

WLWPS

Section 1 – Purpose

1.1 The purpose of this document is to outline how Walsall Council will operate Local Welfare Provision within the borough and to indicate the factors that will be considered when deciding if an award can be granted. Each case will be treated strictly on its merits and all applicants will receive equal and fair treatment within a transparent process taking full account of the Council's responsibilities under all relevant government legislation, including but not limited to the Human Rights Act 1998 and the Equality Act 2010. Walsall Council is committed to working with the Local Voluntary Sector, Social Landlords and other interested parties where this is beneficial to customers and cost effective to both the Council and relevant sector.

1.2 Walsall Council will seek to help residents taking into account their full circumstances. There may be complex needs and we will strive to offer other options to support the resident that are outside this scheme. Awards may be complemented by alternative forms of support, for example debt advice, money management advice, working collaboratively with 3rd sector agencies such as food banks.

1.3 Walsall Council is committed to protect customer data under the General Data Protection Regulations 2018 and the Data Protection Act 2018. The privacy notice for Walsall Council will encompass the WLWPS. This policy will operate in accordance with the Information Governance Framework policy.

1.4 The scheme will encompass the Walsall Crisis Support Scheme (WCSS), the Household Support Fund Scheme (HSF) and any other government led initiatives designed to support households in the borough of Walsall.

1.5 The WCSS will offer support to families and individuals who are at risk of financial hardship either due to an emergency including but not limited to flooding, house fires and gas explosions, or having no funds available to meet basic daily living expenses.

1.6 The HSF will offer support to households financially who are in the most need, particularly those who will not be entitled to other support through government schemes.

1.7 For the purpose of this policy a child is defined as being 19 or under on date of application or a person aged 19 or over in respect of whom a child related benefit is paid or Free School Meals are provided.

Section 2 – Considerations for an Award

2.1 Walsall Council or any selected or commissioned third party, will consider making an award from the scheme to all residents who meet the eligibility criteria as specified in this document. The operation of the scheme is at the Council's discretion and applicants do not have an automatic right to an award. The scheme's budget position will be taken into account when making an award.

2.2 Awards will be made in the form of provisions specified in section 5.

2.3 The purpose of any WCSS award is to support an individual or family in emergency circumstances, for that reason repeat awards will not ordinarily be made.

2.4 As awards are determined on a discretionary basis, an application for the Walsall Local Welfare Provision Scheme may be treated as an application for either the WCSS or HSF.

2.5 The HSF will include an application process where the purpose of any award is to support an individual or family in hardship.

2.6 Applications will only be accepted from households who meet the criteria as set out in section 4.

2.7 The HSF scheme will include standard awards for the following:

- Low-income households in receipt of Council Tax Reduction where a dependent child is resident and included within the said claim
- Care-leavers who meet the criteria specified by the Care Leavers Team
- Those who meet the criteria for the Boiler Replacement Scheme
- Those who meet the criteria for support through Early Help
- Those who meet the criteria for support through the Discretionary Housing Payment fund
- Those who present with a financial need to Walsall Connected Hubs

These awards are excluded from the application process detailed in this policy.

Section 3 – Awards Made

3.1 WCSS awards cover scenarios where there is a severe risk to the health and safety of the applicant or an immediate family member or dependent which cannot be met from another source. Awards could be made but are not limited to cover the following risks:

- No access to essential needs (food, heating and clothing)
- Imminent deterioration in health
- Domestic abuse, neglect and harm
- Breakdown of the family unit

3.2 A crisis is an event of great or sudden misfortune such as major flooding, gas explosion or a house fire. A crisis could also cover having no financial funds available to meet daily living expenses. A crisis refers to an urgent need as a consequence of an emergency, disaster, unforeseen circumstance or a pressing need that is strikingly different from the pressures generally associated with managing on a low income.

3.3 In determining the nature and complexity of a crisis, the following will be considered:

- Circumstances that place the household or immediate family members under greater pressure than might generally be associated with managing on a low income
- It could be either one incident or the cumulative effect of a number of less significant pressures, which may not be exceptional if taken individually. It is the overall impact on the household's circumstances that is important
- The individual or households resources and skills for coping with the crisis

3.4 The HSF fund aims to support households in the most need particularly those who may not have be eligible for other government support including but not limited to:

- Amended Energy Price Guarantee from April 2023
- Up to £900 in cost of living payments to those on eligible means tested benefits
- £150 disability cost of living payment
- One off £300 pensioner cost of living payment (through the Winter Fuel Payment)

3.5 HSF awards can be made but not limited to the following groups:

- People who are entitled to but not claiming qualifying benefits
- People who are claiming Housing Benefit only or people who begin a claim or return to payment of a benefit after the relevant qualifying date
- Groups who are vulnerable to rising prices even though they are supported through other government schemes. This includes but is not limited to large families and single income families
- Families with children of all ages

- Pensioners
- Unpaid carers
- Care Leavers
- Disabled people
- Those subject to immigration control

Section 4 – Eligibility and Making a Claim

4.1 To be eligible for a WCSS award all the following conditions must be satisfied. Applicants must:

- Be aged 16 or over
- Be without sufficient resources to meet their immediate short-term needs or those of their family
- Not be an excluded person (see 4.)
- Not be a person subject to immigration control
- Ordinarily you must be a resident of Walsall for the past 6 months or 3 years out of the past 5 years. If you are a member of the Armed Forces then a strong connection to the Walsall area is required.

4.2 To be eligible for a HSF award all the following conditions must be satisfied. Applicants must:

- Be aged 16 or over and a resident of Walsall
- Be suffering financial hardship
- Not be receiving adequate support through another government scheme
- Be responsible for payment of rent, mortgage, gas, electric or water bills for the property where they are resident
- Hold combined household capital totalling under £6000
- For single applicants in gainful employment have a total household income of under £25,000 gross
- For joint applicants in gainful employment have a total household income of under £30,000 gross

4.3 To consider an award a claim must be made by supplying information that validates need, circumstances and eligibility.

4.4 You can apply in the following ways:

- An online application form
- A referral via an advocate, agency or statutory authority acting on the applicant's behalf
- By telephone
- Visit a Walsall Connected centre who can support you to submit your application online <https://go.walsall.gov.uk/people-and-communities/walsall-connected-get-help-get-online>

4.5 How will we assess your application?

- A decision will be made based on the information provided through the online application form
- The decision maker may speak to the applicant in person or via telephone
- A decision maker will decide during the process whether the applicant is eligible to be considered for an award

- The decision maker may contact other agencies, carry out a home visit or an interview in order to obtain or confirm information if required
- The application will be considered promptly
- If successful the applicant will be told how the award will be made. This will either be via telephone or in writing

4.6 Application by a Service Provider or Third Party

The Council will also consider applications submitted by Service Providers or third party agencies who on behalf of individuals routinely provide support and guidance for their clients. Such applications must be made with the individuals explicit consent. Providers include but are not limited to the Women's Refuge, Homeless Hostels and Independent Living providers. The Council will take into consideration any information provided by key service providers in support of their clients applications.

4.7 Exclusions

The following people are excluded for WCSS awards in all circumstances:

- Prisoners and people lawfully detained, including those released on temporary licence (but not those released on parole or on bail pending a court hearing)
- Members of a religious order who are fully maintained by the order

The following people are excluded from a WCSS award except in very limited circumstances:

- Full-time students can only receive support for expenses arising out of a disaster
- Someone who is a 'person from abroad' (i.e. who fails or would fail the habitual residence test for the purpose of Income Support, Pension Credit, Income-based Job Seekers Allowance, Income Related Employment Support Allowance or Universal Credit) they can only receive support for expenses arising out of a disaster
- People subject to certain disallowances or sanctions to their Job Seekers Allowance, Employment Support Allowance, Income Support, Pension Credit, Universal Credit or equivalent welfare benefits

4.8 Automatic passport to a HSF award will be granted for applications where financial hardship has been demonstrated by the following:

- Schools or educational providers
- Social workers
- Key workers delivering Early Help and Family Support
- Health Visitors

Section 5 – Provision of Award

5.1 WCSS awards will be made for the provision of:

- Food
- Energy costs (payment of pre-payment meter)
- Electrical white goods including but not limited to cookers, fridges or freezers.
- Washing machines for households with children under 5
- Carpets for households with children under 5 to include living room and child's bedroom
- Beds
- Other forms of support in exceptional circumstances

5.2 HSF awards will be made for the provision of:

- Food
- Energy costs
- Water rates
- Costs associated with a disability
- Prescription costs
- Insulation of water tanks
- Fitting draft excluders
- Replacing inefficient light bulbs or white goods
- Housing costs where existing housing support schemes do not meet the need, excluding mortgage costs
- Broadband or phone costs
- Transport related costs
- Any other wider essential cost

Section 6 - Method of Award

6.1 Depending on individual circumstances, awards may be made to:

- The applicant
- Their partner
- Any third party to whom it might be most appropriate to make payment for example, directly to the supplier of goods or services.

6.2 Walsall Council will make a WCSS award usually in the form of a voucher, alternatively Walsall Council may decide to purchase an item on behalf of the applicant where required.

6.3 Walsall Council will make an HSF award usually in the form of a direct payment to a bank account. Arrangements can be made for vulnerable customers without a bank account to receive a voucher.

Section 7 – Notification

7.1 Applicants will be notified of an award electronically via the email address they provide when making their claim.

7.2 Where appropriate, applicants will be contacted by telephone including but not limited to arrangements to deliver white goods or fit carpets.

Section 8- The Right to Seek a Review

Reviews

8.1 Reviews of any WLWPS decision can be requested via email to HousingandWelfareSupport@walsall.gov.uk within one calendar month. This can be extended at the discretion of the decision maker in exceptional circumstances.

8.2 In order to request a review the applicant or relevant party must demonstrate how their circumstances meet the eligibility criteria set out in this policy. This includes but is not limited to factual errors and submission of new information. Walsall Council must be provided with all relevant evidence requested to enable this process.

8.3 Any review will be conducted by an independent decision maker within 14 working days.

8.4 When a request is made, the Council will conduct a review of the decision and contact the applicant to advise whether the decision will be amended, and if so, details of the award. If the decision is confirmed, details will also be provided of how to Appeal.

Appeals Process

8.5 An appeal can be made if the applicant or relevant party remains dissatisfied with the review decision. An appeal must be submitted via email to HousingandWelfareSupport@walsall.gov.uk.

8.6 An independent decision maker will conduct a full review of the decision. A decision will be made as soon as possible and within one calendar month of the appeal being received. The outcome of the appeal will be notified in writing to the applicant and the person submitting the appeal where relevant.

8.7 If the applicant remains dissatisfied with a WCSS decision, the applicant has the right to contact the Local Government Ombudsman after receiving the final appeal decision.

8.8 If the applicant remains dissatisfied with a HSFS decision, the applicant has the right to apply for a Judicial Review or contact the Local Government Ombudsman.

Complaints

8.9 Any complaints relating to decision making or the contents of this policy can be made at [Make a complaint - Custom Portal \(walsall.gov.uk\)](#)

Section 9- Monitoring Arrangements

9.1 For HSF Walsall Council is required to comply with the Department for Work and Pensions (DWP) management information requirements. Authorities are required to make statements of grant usage and Management Information (MI) returns within each financial year.

9.2 Walsall Council will monitor cases where a request under the WLWPS has been refused to ensure decisions are being made fairly and consistently.

9.3 For the purpose of monitoring the HSF a pensioner is defined as any household containing any person who has reached state pension age by date of application.

9.4 The Council is subject to the general equality duty set out in Section 149 of the Equality Act 2010. This means that steps will be taken to monitor implementation of this scheme to ensure no one is subject to disproportionate adverse treatment because they had a protected characteristic. The general equality duty requires that the Council has due regard to the need to:

- Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010
- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it

Section 10- Publicity

10.1 Walsall Council will publicise the WLWPS and work with all interested parties to achieve this. The scheme will be publicised on the Council's website and with the local Citizens Advice Bureau, local registered social landlords, local voluntary sector organisations and local job centre/pension service offices.

10.2 The WLWPS will be actively promoted through Connected Walsall at all local hubs and library sites.

10.3 Social media will be utilised to actively promote the scheme to a wider audience of potential applicants.

10.4 Walsall Council will proactively publicise the scheme through local centres, the Migrant Centre, schools and other educational providers to reach the most vulnerable members of the community.

Section 11 - Fraud

11.1 Walsall Council is committed to the fight against fraud in all its forms. An applicant who tries to fraudulently claim through the WLWPS by falsely declaring their circumstances, providing a false statement or evidence in support of their application, may have committed an offence under the Fraud Act 2006. Where it is alleged, or the authority suspects that such a fraud may have been committed, the matter will be investigated and if fraud is found to have occurred, action will be taken including if appropriate criminal proceedings.

11.2 The council may seek recovery of any awards that are found to have been paid fraudulently.

11.3 If the authority has any grounds for suspecting financial irregularity in the use of any grant paid through the HSF the Council is required to report this to the DWP.