Redditch Borough Council

Essential Living Fund (ELF)

Contents

Redditch Borough Council Essential Living Fund (ELF) 1

Essential Living Fund - Mission Statement 2

1. Purpose of the Scheme 3

2. Start Date of the Scheme 3

3. Decision Makers 3

3. Purpose of the Fund 3

4. How Much to Award 5

5. Eligibility 6

6. Number of Awards and Repeat Applications 9

7. Applications 11

8. Evidence 11

9. Reviewing A Decision 13

APPENDIX A 14

Essential Living Fund - Mission Statement

The Essential Living Fund scheme is designed to help members of the community remain in their home and to assist residents in times of financial hardship whilst aiming to secure financial independence.

The Essential Living Fund team will endeavour to be:

- Efficient
- Understanding of the needs of the people claiming
- Fair and unbiased
- Easily accessible

We will undertake the above whilst putting people at the heart of everything we do, and supporting our local communities.

1. Purpose of the Scheme

The Essential Living Fund (ELF) is primarily intended to help vulnerable people live as independent a life as possible in the community.

Its prime objectives are to:

- Ease exceptional pressures on people or their families
- Help people who are unable to meet their immediate short term needs either in an emergency in relation to some expenses or as consequence of an unforeseen event.
- Help people establish in the community following a stay in an institution, care home, Local Authority care, hostel, prison or similar and also to support people to remain in the community.
- Helping our residents maximise their benefit entitlement and also exploring other income opportunities and signposting where appropriate.

For more on each of these see the explanations under 'Eligibility'.

2. Start Date of the Scheme

This version of the ELF scheme is effective from the 1st April 2020.

3. Decision Makers

An award under the ELF scheme will be made by a Decision Maker (DM). This is an employee of Redditch Borough Council who is acting within the principles of the ELF schemes policy to make a discretionary decision as to the eligibility of the applicant.

The DM will also liaise with other council departments and fully engage in partnership working to get the best outcome for the customer.

3. Purpose of the Fund

Careful consideration will be given to all the circumstances of an application before deciding whether or not to make a Essential Living Fund award.

Each case will be decided based on the details as presented and verified.
The flexibility of the scheme and wide variety of individual circumstances covered mean that a decision in one case does not constitute a precedent for others.

Regard must be given, in particular to:

- The nature, extent and urgency of the need.

- The existence of other resources from which the need may be met.

- The possibility that some other person or body may wholly or partly meet that need. In providing this help care must be taken to ensure the Essential Living Fund does not duplicate support provided by other agencies.

See **Appendix A** for a list of other schemes and funds to be considered and also the section 'Needs which are not covered by ELF'.

- The Councils Essential Living Fund budget – The ELF's budgetary position will vary throughout the financial year. Decision makers must control and manage the ELF budget so that priority needs are met first throughout the whole of the year and the allocation is not exhausted before year end.

In making a decision the decision maker should:

- Clearly and fully document the reason for their decision.
- Always use discretion.
- Use discretion sensitively and with imagination to ensure that the objective of the scheme is promoted.
- Avoid rigid interpretation of the guidance.
- Remember that the absence of guidance applying to a particular circumstance, item or service does not mean help should be refused.
- Consider all the circumstances of a case when they determine an application.
- Consider the consequences of refusing an award.

The decision maker should ensure the reasons for their decision is fully supported by evidence and recorded in their decision.

The way in which we will provide this help could be:

- Referral to sources for recycled goods/furniture.
- Provision of fuel vouchers.

- Food Parcels – by the issuing of a food bank referral.
- Signposting or providing advice and information.

This list is not exhaustive.

The groups of people most likely to require help from an ELF are:

- Frail elderly people.
- People with learning difficulties.
- People with mental health problems.
- People with a physical impairment, including those with sensory impairment.
- Chronically sick people/Terminally ill people.
- People who have (or still do), misuse alcohol, drugs or other substances.
- People released from prison or youth offending institute.
- Young people leaving Local Authority care or special residential schools.
- Families with complex needs or living in difficult circumstances.

This list is not exhaustive.

4. How Much to Award

An ELF award may be for a single item or expense or a number of items and expenses added together.

Decision makers should bear in mind that the scheme is cash limited. Paying more than the applicants needs would mean there is less funding for other applications. The ELF budgetary position may vary throughout the financial year. Decision makers must control and manage the ELF budget so that priority needs are met first throughout the whole of the year and the allocation is not exhausted before year end.

Therefore irrelevant of what the applicant requests the decision maker is advised to:

- Use, as appropriate, the agreed suppliers for the provision of certain items.
- If not using the prescribed suppliers, use national high street chain retailers and/or national catalogue outlets that are available locally to determine the amount to be awarded when awarding for furniture and household equipment, clothing and footwear.
- Make the best use of the ELF funding by awarding the lowest prices where that will still meet the applicants needs.
- Consider the use of Discretionary Housing payments (DHP) where appropriate.

5. Eligibility

To claim an ELF the applicant must be aged 16 or over and a 'resident' in Redditch Borough Council area and on a low income or with little or no resources. For the purpose of this scheme 'resident' means someone who lives in a property in the Redditch Borough Council area or are accessing services such as the Job Centre as if a resident of the area.

When assessing an applicant's entitlement to an ELF the amount of resources the applicant has available to them should be taken into account.

Resources include

- Capital assets.
- Earnings.
- Any other income.
- Cash in hand.
- Funds in banks, building societies, post office or credit union accounts.
- Any sources of credit such as cash cards, store cards, credit cards, overdraft facilities or loan schemes (unless they are receiving Income Based Jobseekers Allowance, Income related Employment and Support Allowance, Income Support or Pension Credit)
- Help which might be available from any other source to meet or partly meet the need if there is a realistic expectation that help would be available in time such as charities and benevolent funds, friends and family.

The decision maker can disregard certain resources where it would be reasonable to do so, for example, Housing Benefit and Council Tax Reduction could be disregarded as they are intended for use in covering rent and council tax charges.

The following people are ineligible from claiming for an ELF:

- People in care homes or hospital – unless they are due to be released within the next 6 weeks and are applying for an ELF grant to help them set up in the Community. See further guidance below.

- People who are members of and fully maintained by a religious order.

- Prisoners – unless they are due to be released within the next 6 weeks and are applying for an ELF to help them set up in the Community. See further guidance below.

- People in education – except those that receive Income Support, Income Based Jobseekers Allowance or Income Related Employment and Support Allowance or Pension Credit OR those who do not have access to the Student Loans and Grants intentioned to help with living costs whilst a student.

- People who fail the Habitual Residency Test / Subject to Immigration Control i.e. those that have no recourse to public funds.

Help people establish in the community following a stay in an institution, care home, Local Authority care, hostel, prison or similar.

Examples of accommodation this refers to are:

- Hospitals.
- Care homes.
- Hostels for homeless people, alcohol misusers or drug misusers.
- Prisons and Youth Offender Institutions.
- Foster Care.
- Staffed Group Homes.
- Supported Lodgings.
- Staff intensive sheltered housing providing a substantial level of personal care.

This list is not exhaustive.

Each case must be looked at as an individual case; as even residents within the same hostel may receive a different level of support

An ELF may also be awarded if an applicant moves to a larger or more suitable accommodation so that they, or a member of their family can take care of a person discharged from institutional or residential care who will be living in the same household and is unable to live freely in the community without some provision of care under this rule.

This could include people who have been without a settled way of life and have been placed in accommodation as part of a planned resettlement programme.

Help people remain in the community rather than enter an institution or care home in which they will receive care

There does not need to be an immediate threat of being taken into care for a payment to be made. The award should however be ensuring the applicants independent life in the community will improve and the risk of admission will lessen.

The ELF award may help to improve an applicant's existing living conditions with the provision of certain goods or enable them to move to accommodation which is more

suitable, for example by providing them with furniture if moving from a furnished to an unfurnished property.
An ELF award could also be claimed under this rule for applicants who are moving nearer to relatives/close friends who will provide support OR applicants moving nearer or into the house of a vulnerable person to provide support. The decision maker should try and check that the new care arrangement is meant to be permanent by talking informally the person who will be providing the care. If that is not possible they could seek advice from other interested parties such as the Social Services Department. The decision maker should have particular regard to the nature, extent and urgency of the need.

Ease Exceptional Pressures On People And Their Families

All families, especially those on low incomes, face pressures at various times so that in itself is not a reason to award an ELF payment. However, they may be awarded to ease exceptional pressures on a family, i.e. circumstances which put a family under greater pressure than might normally be associated with low income.

Examples of exceptional pressure could be:

- The breakdown of a relationship (especially where domestic violence is involved) – this is for when a relationship has recently ended. However the decision maker should give consideration to what happened since the relationship broke down; for example if the applicant had spent time in a refuge or other temporary accommodation until permanent accommodation could be found it could still be considered despite the fact the relationship had not recently ended. It will not normally be appropriate to make an ELF award more than once for the breakdown of the same relationship.
- The onset of or deterioration in, a disability of a member of the family. This could include repair or replacement of items damaged by the behavioural problems within the family or where new or better items are needed since the deterioration occurred
- Sudden domestic upheaval imposed by an unforeseen calamity such as a house fire, natural disaster such as flooding

Help people who are unable to meet their immediate short term needs either in an emergency in relation to some expenses or as a consequence of a disaster.

This is referred to as help with ‘general living expenses’. Any need that would be expected to last more than 14 days is not ‘short term’.

Examples of when this would apply include:

- An unexpected disaster. A disaster is an event of great or sudden misfortune or sudden calamitous event. Examples being flooding, gas explosion, chemical leak or fire.

- Had an emergency which is defined as a situation which caused them to have a pressing need or unforeseen circumstance either of which requires immediate remedy or action, and the expense of that has left them with no funds to live on.

There is **no** provision within the scheme to assist people:

- In the situation where their money has been lost or stolen. The applicant must accept some personal responsibility for taking care with their monies
- Affected by the Governments Welfare Reform Programme, unless the Decision Maker feels they meet an exception and fit the other eligibility criteria as above
- Affected by delays with the Department for Work and Pensions processing benefit applications, unless a short term benefit advance has been applied for and refused AND they meet the other eligibility criteria as above

The Decision Maker must give consideration to the resources the applicant still has available to them. See the section on 'Eligibility' for more.

6. Number of Awards and Repeat Applications

For help with furniture, furnishings, household equipment, clothing, footwear and other items not covered under the title of 'general living expenses' it will not normally be appropriate to make an award for the same expense if it has been less than 12 months since the last application. Unless the applicant has had a relevant change in circumstances that require them to reapply for the same expense – for example an application is made and agreed for a bed, the bed is destroyed in a house fire and the applicant applies for another bed.

For help with 'general living expenses' an award is at the discretion of the decision maker. If an applicant makes multiple claims under this rule the decision maker should take account of what the applicant will do and has done to resolve the issues that have caused them to claim. Ultimately the maximum number of awards allowed will be no more than 3 in any 12 month rolling period.

An exception to this could be made in extreme circumstances at the discretion of the decision maker. So long as the claim is not in consequence of an act or omission for which the applicant or their partner is responsible, or could have taken reasonable steps to avoid an example of an applicant causing the emergency is having no money because they have gambled or misspent it.

An emergency generally means a situation causing the applicant to have a pressing need or unforeseen circumstance either of which requires immediate remedy or action.

A disaster is an event of great or sudden misfortune or sudden calamitous event.

Examples being flooding, gas explosion, chemical leak or fire.

Needs which are covered by the Essential Living Fund

- Furniture – such as a bed, settee, armchair, wardrobe, table.
- Furnishings – such as curtains, bedding, curtain poles.
- Household Equipment – such as a cooker, fridge, washing machine.
- Clothing and Footwear.
- General Living Expenses – these are day to day living expenses such as groceries, nappies, toiletries, cleaning/hygiene products which will be provided by a food bank referral, vouchers to use in pay as you go fuel meters.

Needs which are NOT covered by the Essential Living Fund

- Maternity Expenses as covered by the Sure Start Maternity Grant which is designed to pay for the immediate needs of a new baby.
- Funeral Expenses as covered by the Funeral Payment regulated element of the Social Fund Scheme.
- Needs and costs which the Local Authority has a statutory duty to meet, for example the Disabled Facilities Grant.
- Repairs and improvements (both the cost of materials and labour) to the dwelling occupied as the home, including any garage, garden and outbuilding.
- A need which occurs outside the UK.
- An educational or training need including clothing and tools, distinctive school uniform or sports clothes for use at school or equipment to be used at school.
- Travelling Expenses.
- Expenses in connection with court (legal proceedings) such as legal fees, court fees, fines, costs, damages, subsistence or travelling expenses.
- Removal or Storage Charges.
- Domestic assistance and respite care.
- A medical, surgical, optical, aural or dental item or service.
- Work related expenses.
- Debts to government departments.
- Investments.
- Costs of purchasing, renting or installing a telephone and of any call charges. Council Tax and Rent.

-
- Items which can be met by the award of a Discretionary Housing Payment.

7. Applications

The date of a written application to the Essential Living Fund is the date it is received by the Councils offices.

Applications can be made:

- On a form approved by the Council in accordance with instructions on the form.
- By letter if sufficient information is included.
- By telephone.

An application that does not meet the requirements as above will be deemed defective.

However, the application could be treated as made on the date it was originally received if the applicant complies with any request made to supply further information as necessary.

The normal time limit allowed to provide any further information requested will be 1 calendar month. This can be extended where it is reasonable to do so.

Telephone Applications

An applicant will be able to make a claim for 'general living expenses' by telephone.

Where a need is to be met, they must agree to the terms and conditions but will not need to do so in writing. They will be informed that if they require immediate support that they will have to attend a designated office/building at a designated time with sufficient proof of identity to confirm their statement.

Where the decision is negative they will be informed by telephone and will also receive by post a full written confirmation of the decision with a right to review.

8. Evidence

It is the applicant's responsibility to provide all the evidence necessary to determine an application.

By minimum requirement all applications will need supporting evidence of bank statements detailing the last 2 months transactions and balances.

Where it is necessary to seek further information to clarify an aspect of the application this could be done by either:

- Contacting the applicant.

- Checking departmental records.
- Contacting a third party where appropriate, and either permission is given or the data protection laws would allow.
- Arranging for clarification to be provided at a pre-award visit.

Evidence can be documentary, verbal or physical. It may be derived from such sources as:

- The current application form.
- Supporting documents and correspondence.
- Telephone or interview records.
- A record of observations on visit.
- Previous applications.
- Computer systems.
- Local knowledge.

Evidence may be provided by, for example:

- Applicants and/or their representatives.
- Social workers.
- Probation officers.
- Medical doctors.
- Housing departments.
- Landlords.
- Decision makers.

Exceptionally, it may be appropriate to ask the applicant for any supporting evidence they may have, such as relevant evidence of a medical condition, e.g existing doctors note or a letter from a hospital.

If the evidence provided is inconsistent, improbable or contradictory, the applicant should be given the opportunity to clarify or comment on any aspect of the evidence that is causing doubt.

The decision maker should ask for as much supporting evidence from the applicant for validation as is reasonable and necessary to substantiate the application but should **not**:

- Ask for evidence which would incur any expense to the applicant.
- Insist that the applicant provides supporting evidence, particularly from a third party.

If the applicant does not provide the requested evidence then a decision should be made based on the completed application and any other evidence already held.

9. Reviewing A Decision

Applicants can request a review of ELF decision if they disagree. They must do this in writing within one month of the date they are notified of the decision. The applicant must sign the review request letter.

Late requests will be considered at the discretion of the Decision Maker where he/she considers that there were good reasons for the delay.

If a review is requested regarding the decision this will be looked at by a member of the Benefits Management Team who will then determine the final decision.

APPENDIX A

Other Grants/ Funds/ Schemes for consideration in the award of an ELF:

- The Prison Service is responsible for ensuring a discharged prisoner has suitable and adequate clothing (Prison Services Manual V). This is for both convicted prisoners upon release and prisoners held on remand (if their own is not fit to wear). It is therefore recommended that the Decision Maker checks with the prison/probation services if the application is for clothing. The normal rule is the applicant should have a change of clothing and sufficient protective clothing.

  The ex-prisoner may also be given a travel warrant to pay for travel back home or anywhere else in the British Isles or Republic of Ireland where they are going to settle down.

  Most prisoners are also given a discharge grant to cover living expenses for the first week after they leave prison.

- The Family Fund – This provides discretionary grants for families caring for a severely disabled child or children aged 17 or under. It is an independent Government funded organisation registered as a charity.

- Items for severely disabled children that are the responsibility of a statutory agency such as the health authority, local government, social services, housing or education department. This would include;

  - Medical services such as equipment and continence supplies including nappies, buggies and wheelchairs – responsibility of health trusts or authorities

  - Equipment for daily living such as ramps, hoists and bath aids – responsibility of social services

  - Education equipment – responsibility of Children and Learning Department.

- Benevolent Funds.

- Other sources of help as cited by websites such as **Turn to Us.**

- Maternity Expenses as covered by the Sure Start Maternity Grant which is designed to pay for the immediate needs of a new baby.

- Funeral Expenses as covered by the Funeral Payment regulated element of the Social Fund Scheme.

- Expenses which the Local Authority has a statutory duty to meet, for example the Disabled Facilities Grant.

- DWP Cold Weather or Winter Fuel Payments.

- Expenses that could be covered by the DWP Budgeting Advance if the applicant meets the qualifying conditions.

- The Short Term Benefit Advance. This is an advance of some of a claimants benefit made where they declare a financial need which may result in a serious damage to their health and/or welfare of them or their family, either at the start of a new claim or when a change means their benefit will significantly increase.

- NHS Healthy Start Scheme – provides vouchers to buy cow's milk, fresh or frozen vegetables and instant formula milk and Healthy Start vitamins. It is for people who are pregnant or have a child under 4 if they are in receipt certain means tested benefits.

- NHS Low Income Scheme – If a person has a low income they may be able to get help with the costs of prescriptions, dentists, eye care, healthcare travel, wigs and fabric supports through this scheme. The application form is available from the Job Centre, Hospital and most doctors, dentists and opticians.

- Jobcentre Flexible Support Fund – A discretionary fund where a person can claim up to £120 over the lifetime of their benefit claim with the Jobcentre for:

    - Travel warrants to attend interviews and refunds for travel costs to attend interviews

    - Clothing for interviews

    - The cost of relevant checks to work in certain industries, such as the Construction Skills Certificate Scheme (CSCS) to work on a building site

This list is not exhaustive.