

DRAFT SCOTTISH WELFARE FUNDS - GUIDANCE – TO COME INTO FORCE APRIL 2016

Contents

1. INTRODUCTION.....	3
2. PURPOSE OF THE SCOTTISH WELFARE FUNDS	4
Local Authority Responsibility as Corporate parents.....	5
Other agencies	6
Links to DWP Benefits and other payments	6
Where an applicant is seeking to make an application for a Crisis Grant and has an outstanding benefit claim	7
Sanctions and Disallowances - Crisis Grants.....	7
3. FINANCIAL MANAGEMENT OF WELFARE FUNDS	8
4. ADMINISTRATION / APPLICANT JOURNEY	10
Residence of applicants	10
How applications are made	11
Support for Applications.....	11
Gathering Evidence and Demonstrating Proper Consideration	12
Appropriate, robust recording of decision and reasons.....	13
Communicating the decision	14
How grants are fulfilled.....	14
Supervised Spend.....	14
Food banks.....	16
Charging items to the budget	16
Data Sharing.....	16
Fraud / misuse of goods.....	16
Prisoners	17
5. THE DECISION MAKING PROCESS	18
Recording applications.....	18
Conditions which should be met for an applicant to be awarded a grant	18
6. QUALIFYING CONDITIONS / EXCLUSIONS	21
Exclusions for both Crisis Grants and Community Care Grants.....	21
Travel Expenses.....	21

Applicants subject to immigration control	21
7. CRISIS GRANTS	22
Circumstances in which a Crisis Grant may be awarded	22
Eligibility	23
Income and Capital	23
If the applicant has savings or capital	24
Exclusions for Crisis Grants	24
Rates for Crisis Grant awards for living expenses	25
What Constitutes an Emergency?	25
What Constitutes a Disaster?	26
What support will be given	26
Target Processing Times	27
8. COMMUNITY CARE GRANTS	28
Care and the threat of Care	28
Circumstances in which a Community Care Grant may be awarded	28
Eligibility	31
Income and capital	31
If the applicant has savings or capital	32
Exclusions for Community Care Grants	33
What support will be given	35
Target Processing Times	35
9. REVIEW	36
First tier Review	36
10 THE ROLE OF THE SCOTTISH PUBLIC SERVICES OMBUDSMAN (THE OMBUDSMAN) – INDEPENDENT REVIEW AND COMPLAINTS HANDLING	39
Independent review	39
SPSO Complaint Handling	40
11. DATA MONITORING	41
ANNEX A - EXCLUSIONS FROM CRISIS AND COMMUNITY CARE GRANTS	42
ANNEX B - PAYMENTS TO BE DISREGARDED FOR CALCULATING SAVINGS	45
ANNEX C - FACTORS THAT MIGHT INCREASE THE VULNERABILITY OF AN APPLICANT	46

1. INTRODUCTION

- 1.1** This guidance is issued by the Scottish Ministers under section 6 of the Welfare Funds Scotland Act 2015 (the Act). The guidance sets out duties placed on Local Authorities by sections 1 to 3 of the Act and by the Welfare Funds (Scotland) Regulations 2015 (the regulations).
- 1.2** The intention is that the Act, and regulations and guidance under the Act, will allow for welfare funds to take advantage of local delivery, while maintaining a national character. The legislation places some restrictions on how Local Authorities should operate their welfare fund, however it also allows for discretion.
- 1.3** The Scottish Government has sought to standardise the decision making and notification process for welfare funds by providing comprehensive guidance, a standard application form, and model documentation. However, Local Authorities have extensive discretion over local arrangements for delivery i.e. the arrangements for taking and processing applications and the arrangements for fulfilling grants. This allows Local Authorities to align their welfare fund with other relevant services, make effective links with local organisations and ensure that their delivery meets local needs, for example in terms of geography.
- 1.4** This guidance outlines how Local Authorities should approach decision making under the fund, to ensure a level of consistency across Local Authorities, and highlights areas where Local Authorities should use discretion in the decision making process.
- 1.5** The guidance cannot cover all eventualities. It is intended to provide a framework for decision makers to promote consistency in decision making. Decision makers should use their discretion to ensure that the objectives of welfare funds, set out at paragraph 2.1, are met. The absence of guidance on a particular situation does not necessarily mean that a grant should be refused.
- 1.6** The guidance highlights where the Act and the regulations require Local Authorities to carry out specific actions. However, Local Authorities should note the statutory nature of the guidance and their responsibility to have regard to it as required by section 6 of the Act.

2. PURPOSE OF THE SCOTTISH WELFARE FUNDS

2.1 Scottish Welfare Funds are intended to offer grants or in kind support for two purposes.

Crisis Grants to:

- provide a safety net in a disaster or emergency, when there is an immediate threat to health or safety

Community Care Grants to:

- enable people to live independently or to continue living independently, preventing the need for institutional care;
- Community Care Grants include the provision of assistance to families facing exceptional pressure.

2.2 The grants should be available to people who do not have alternative means of paying for what they need. The Act specifies that they do not need to be paid back and that grants are intended to meet one-off needs rather than on-going expenses.

Crisis Grants

2.3 A grant can be awarded in case of crisis to meet expenses that have arisen as a result of an emergency or disaster in order to avoid serious damage or serious risk to the health or safety of the applicant or their family. In the case of an emergency, only living expenses should be awarded, and in the case of a disaster, both living expenses and household goods may be awarded.

Community Care Grants

2.4 A Community Care Grant can be awarded where it appears to the Local Authority that the grant will:

- help people establish themselves in the community following a period of care or imprisonment where circumstances indicate that there is a risk of the person not being able to live independently without this help;
- help people remain in the community rather than going into care where circumstances indicate that there is a risk of the person not being able to live independently without this help;
- help people set up home in the community, if they have just received or are about to receive support to sustain a tenancy (formerly referred to as a re-settlement programme), following an unsettled way of life;
- help families facing exceptional pressures;
- help people to care for a prisoner or young offender on temporary release.

2.5 We anticipate that likely users of Welfare Funds (though not an exhaustive list) will be:

- disabled people;
- people with mental health problems;
- lone parents;
- unemployed people;
- older people;
- care leavers;
- homeless people;
- offenders and ex-offenders;
- people experiencing addiction problems;
- carers.

A HOLISTIC APPROACH

2.6 It is not intended that Crisis and Community Care Grants should duplicate other provision. In particular, grants should not be substituted for support provided under established community care arrangements. Local Authorities will need to consider how the grants fit with their existing services where these offer help to similar client groups. In particular, they will need to consider social work services, including crisis payments made under section 12 of the Social Work (Scotland) Act 1968, support for young people leaving care and through care and aftercare for ex-offenders, to ensure that the support provided is complementary.

2.7 They will also need to ensure consistency with tackling homelessness, housing and housing adaptation services, and any support provided by registered social landlords. Local Authorities should make links with Community Planning Partners, Citizens Advice Bureaux, third sector organisations, advice agencies, credit unions and other sources of affordable credit, to connect with the services and support they provide.

Local Authority Responsibility as Corporate parents

2.8 While delivering their Welfare Funds, Local Authorities should be mindful of their role as corporate parents, as defined in Part 9 of the Children and Young People (Scotland) Act 2014 (CYP Act), and ensure that their arrangements for their welfare fund will help them discharge their corporate parenting duties.

2.9 The CYP Act specifies that corporate parenting duties apply to: (1) looked after children, at any age; (2) care leavers between the ages of 16 and 26; (3) *persons who between their 11th and 16th birthdays were, but are no longer, looked after by a local authority for periods of time which, when aggregated, total not less than 2 years, between the ages of 16 and 26.*

2.10 Local Authorities should make sure that their processes take account of their own policies relating to their role as corporate parents which, in turn, should take into account Scottish Government guidance on corporate parents.

{NOTE – insert link to the guidance the Scottish Government is consulting on when published – the consultation is available at - <http://www.gov.scot/Publications/2014/12/2912/1> }

Other agencies

2.11 Local Authorities should make connections with other agencies to link to other relevant services for applicants which may build their capacity in the longer term. Citizens Advice Bureaux offer a holistic service which may be particularly useful in this regard. By working in partnership with other local agencies, Local Authorities will be able to facilitate contact for applicants with other support agencies, in some cases for the first time. This wider support may help to prevent repeat applications in the longer term. Applicants may benefit from:

- Financial advice (including budgeting, financial education, debt advice, ways of saving money);
- Support to maximise income (including benefits advice and support in applying for benefits);
- Support for housing and tenancy issues including, but not limited to, housing support services for tenancy sustainment, advice on landlord/tenant disputes and home ownership issues;
- Signposting to other services and other information (including information about fuel efficiency, loft insulation, safer homes, the value of home contents insurance etc.);
- Mediation and advocacy support (including citizens advice and welfare rights);
- “Resilience” support (including befriending, building local networks, education training and employability support).

2.12 The Department for Work and Pensions (DWP) is key component in the local network for the provision of mainstream benefits and short term benefits advances, as is the Flexible Support Fund for applicants who are moving into work.

Links to DWP Benefits and other payments

2.13 DWP will continue to deliver a range of complementary support dependent on the circumstances of the individual, for example Hardship Payments which may be paid to people in vulnerable groups who are more likely to suffer hardship if Jobseekers Allowance is not paid; Budgeting Loans or budgeting advances for those on Universal Credit, including for alignment. There will be no effect on any other benefit from having a Community Care Grant or Crisis Grant.

2.14 Local Authorities will need to maintain a good working relationship with DWP in order to avoid confusion, repeated cross referrals and poor service to applicants. There are identified DWP single points of contact in each area and Welfare Fund teams should maintain regular contact, highlighting issues as they arise. Local Authorities may wish to provide publicity materials to local Job Centres to ensure that applicants are aware of who to contact.

2.15 Welfare Fund Community Care Grant and Crisis Grant payments are disregarded for calculation of Council Tax Reduction and Legal Aid and will be treated as not liable to income tax. In the case of bankruptcy, [guidance for Trustees](#) states that awards are

provided for reasons of hardship of the debtor and that the trustee should consider this before taking them into the sequestration.

Where an applicant is seeking to make an application for a Crisis Grant and has an outstanding benefit claim

2.16 Local Authorities and local DWP offices should seek to make sure that entitlement to a DWP payment is realised before recommending an application for a Crisis Grant for living expenses, where this arises as a result of non-payment of benefits. However, applicants are not required to have made an application for a Budgeting Loan before they apply for a welfare fund grant. Budgeting Loans are not provided to cover living costs.

2.17 DWP can provide short term benefit advances when an applicant is eligible for an advance on benefit before it is paid.

2.18 Where the Local Authority considers that the need is severe, it should make an exception and make a Crisis Grant payment while an application to the DWP is still in progress. This may arise, for example, when an application has been lost in the DWP system and an applicant has to re-apply.

Sanctions and Disallowances - Crisis Grants

2.19 Welfare Funds grants are intended to meet one-off needs and cannot provide an alternative source of regular income for those subject to DWP sanctions or disallowances. Applicants should be encouraged to engage with DWP to find a sustainable longer term solution, for example appealing the sanction, applying for a hardship payment or meeting the requirements attached to the sanction.

2.20 However, applicants subject to a suspension, disallowance or a sanction by DWP can apply for Crisis Grants and Community Care Grants, in the same way as any other applicant.

2.21 Local Authorities should consider eligibility and prioritisation in the normal way, as set out in the decision making process at section 5 of this guidance. The reason for the sanction or the way it has been applied should not be taken in to consideration in assessing the application.

2.22 The DWP target time for making a decision on a suspension is 48 hours, therefore any award for a suspension should not extend beyond that timescale in the first instance. If an applicant is subsequently sanctioned, or disallowed and they make a further immediate application for assistance this should be treated as being one application for the purposes of calculating the number of times an award has been made.

3. FINANCIAL MANAGEMENT OF WELFARE FUNDS

3.1 In order to achieve consistency of service provision across Scotland, Local Authorities should apply a financial management approach to managing Community Care Grant and Crisis Grant budgets that is based on similar principles across Scotland.

3.2 It is expected that Local Authorities should manage expenditure in such a way as to ensure effective budgetary management of funds over the financial year.

3.3 Local Authorities should establish and monitor at least two budget headings for “Community Care Grant Provision” and “Crisis Grant Provision”; further derivatives of these may also be of benefit to a service provider and be appropriate and helpful to individual Local Authorities. The original budget for Community Care Grants and Crisis Grants will be the baseline allocation for each individual Local Authority.

3.4 Local Authorities are free to vire between Community Care Grants and Crisis Grant budget headings without restriction. It is, however, an aim of the national scheme over time to seek a real terms reduction in expenditure on crisis and witness an increase in proportion of such expenditures as are necessary on preventative spend in terms of Community Care Grants.

3.5 Although the application of virement can be helpful for monitoring purposes, Local Authorities should take decisions to apply priorities and cap spend at Welfare Funds level within the Authority. (i.e. Community Care Grants & Crisis Grants collectively). This means that expenditure on Crisis Grants cannot be suspended whilst resources remain within the Community Care Grant budget heading.

3.6 It is envisaged that budget holders will assess the demand pattern of actual activity against budget profile on a month to month basis throughout the financial year and make a monthly decision accordingly on whether it is possible to make awards for high priority applications only, high and medium or high, medium and low.

3.7 The priority can be set at different levels for Community Care Grants and Crisis Grants. We would not expect Local Authorities to reject any application which has been judged to match the priority level applying at the time the application is considered, if funds remain in either the Community Care Grant or the Crisis Grant budget headings.

3.8 In particular, it is expected that Local Authorities should manage expenditure to ensure that high priority Crisis Grants can be met over the financial year in accordance with the priority ratings at paragraph 5.7.

3.9 If a Local Authority were to encounter very high levels of demand, such that there is a real risk that the fund will be exhausted before the end of the financial year, they may make use of a “high most compelling” priority rating. Under this rating, in order to be successful:

- the applicant’s need would be judged to be immediate and extremely severe;
- the applicant is judged to be highly vulnerable and at immediate risk;

- an award for the item or money requested would have a substantial, immediate and sustained effect in resolving or improving the health and wellbeing of them or their family; and
- there will be significant and immediate adverse consequences if the item or money is not provided.

3.10 Local Authorities are expected to manage their budget throughout the year in line with the principles outlined in this guidance. The high most compelling priority rating should not be used throughout the year. It should only be adopted late in the financial year or potentially after an event which has increased demand on Local Authority budgets e.g. flood causes demand to rise significantly in a particular area, in order to be able to maintain payments until the end of the period.

3.11 Local Authorities who adopt the high most compelling rating should make stakeholders in their area aware of the adoption of this priority level and how long this is likely to be in place, to ensure customers are adequately supported.

3.12 The Act provides for Local Authorities to augment their Welfare Fund budget should they choose to do so. In so doing, Local Authorities would require to establish a further budget heading(s) as there will be a need to monitor and report on the monies provided by the Scottish Government separately.

3.13 If appropriate, Local Authorities should carry forward unused budgetary resource or overspend within the Welfare Fund within the context of their own arrangements.

4. ADMINISTRATION / APPLICANT JOURNEY

4.1 The Local Authority will determine where the application and processing of the Welfare Fund should sit in relation to other services, taking any steps deemed appropriate to ensure separation of duty and integrity of award. Local Authorities should take steps to ensure that relevant organisations in their area are aware of their approach and processes for administering their welfare fund. This includes a presence on the Local Authority website.

Residence of applicants

4.2 The regulations specify that, subject to the exceptions noted in Section 6 below, a Local Authority may provide assistance out of its Welfare Fund only to a person who is resident in the Local Authority area, is about to become resident in the Local Authority area, or a person who is homeless.

4.3 Local Authorities can also provide assistance from their Welfare Fund, in the form of a Crisis Grant to assist the applicant to return home, where a person is stranded in the Local Authority area, or provide assistance where exceptional circumstances justify this.

4.4 It is for Local Authorities to determine and record the exceptional circumstances that they have considered when making an award to someone who does not fit the criteria described in 4.2 above.

4.5 If a person from outwith the Local Authority area seeks to make an application, the Local Authority can refer them to their home Local Authority.

4.6 Where an applicant is moving to a different Local Authority area and applies for removal costs, or Community Care Grant items, the Local Authority that they are moving to should consider the application.

4.7 Prisoners, young offenders or applicants leaving other institutions to set up a new home should apply to the Local Authority where they intend to reside rather than the one where the prison or institution is located. If the person is homeless, they should be treated as though they live in the Local Authority.

4.8 Where a person has been assessed as homeless by a Local Authority, they are legally entitled to be provided with accommodation by that Local Authority and therefore likely to have an address in that area. If the person has been assessed as unintentionally homeless by a Local Authority they are entitled to settled accommodation in that area if they have a local connection with the area (but may be waiting for this in temporary accommodation). If assessed as intentionally homeless, they will be entitled to temporary accommodation. In either case they will have an address.

4.9 In some cases, temporary accommodation may be provided outwith the Local Authority area where the assessment has been made, in which case they should apply to the Local Authority where that address is. If the applicant is sleeping rough, they may be able to use a contact and care of address from a local third sector organisation. An application should not

be rejected solely on the basis that the applicant does not have an address; further investigation is required to determine eligibility.

How applications are made

4.10 The Scottish Government website provides contact details for Welfare Funds in each Local Authority. Local Authorities have discretion on where in the organisation they process applications and how they link the scheme to existing services. Where possible, Local Authorities will work with applicants to identify any other support they may need or be entitled to and refer them to relevant services to help solve any underlying problems.

4.11 The process for application will depend on the Local Authority's approach to wider service delivery and the infrastructure it has in place. Local Authorities will need to weigh up the cost of providing services with the benefits of each channel, for example in assessing need and identifying underlying issues.

4.12 Local Authorities should make provision for applications to be taken via three delivery channels – online, on the phone and face to face, in order to meet varying needs, for example in terms of literacy, access to and skills to use the internet and the ability to travel to appointments. At a minimum, Local Authorities should provide a face to face option for more vulnerable individuals and people who have support needs or impairments.

4.13 Paper applications should be accepted from people, such as prisoners who do not have access to online or phone application processes.

4.14 The Scottish Government would like to draw the attention of Local Authorities to the Principles of Inclusive Communication <http://www.scotland.gov.uk/Publications/2011/09/14082209/0> and encourage them to use these in planning and reviewing their channels for delivery, with a view to reducing the barriers to access and meeting the needs of all applicants. This would include the appropriate range of formats for various documentation, including decision letters.

Support for Applications

4.15 Ideally, applications should be made by applicants themselves in order to promote individual responsibility but local advice agencies may provide support in the process.

A supported application may be appropriate in a situation such as, where children are on compulsory supervision orders at home due to parental neglect. In this example a person supporting the family would assist with the application (albeit in the parents name) for assistance via the Welfare Fund. An award could then be made by way of a supervised spend to the person supporting the family (cash pay-out) and/or delivery organised via support person for goods.

4.16 Where an applicant has been supported in making an application, a Local Authority should establish with the applicant if they wish a decision letter or other correspondence to be copied to the agency/person that provided support to the applicant.

4.17 The regulations also allow for applications to be made on behalf of another person. If an application is made on behalf of a person, by someone other than an appointee, that

person should be required to give their consent to the application being made on their behalf in writing. Local Authorities may make an exception if this is an unreasonable demand on the applicant.

Gathering Evidence and Demonstrating Proper Consideration

4.18 Decision makers should clearly document the reasons for their decisions. This includes how they have used or evaluated the evidence to decide on the eligibility and priority of the application. The Welfare Funds are discretionary and decision makers should document their reasons for making decisions in case a review is requested, recording any reasons for deviating from the guidance.

4.19 Decision makers should make sure that they:

- have considered the Welfare Funds regulations, guidance and any local policies relating to it (i.e. – payment of cash only, provision of vouchers etc.);
- have followed any local processes relating to the processing of applications, for example in notifying the applicant of the outcome of an application;
- base their decisions on accurate and up to date information;
- have taken all the relevant information into account and have not taken any irrelevant information into account;
- seek information to fill any gaps in evidence;
- give the applicant an opportunity to make their case and respond to any apparent conflict in evidence;
- have properly used their discretion to consider the case rather than following guidance or policy or administrative rules of thumb, in an unquestioning way;
- make a reasonable and fair decision, based on all the facts of the case, in keeping with the laws of natural justice;
- keep an open mind and focus on the need identified by the applicant and the overall objectives of the Welfare Funds.

4.20 It should be possible to make a decision based on the information gathered in the application process. Further relevant information may need to be gathered if there is not enough information on the form or there is reason to clarify or question the information. If there is reason to doubt what is written on the application form, for example because of inconsistencies in the information given or the pattern of previous applications, the decision maker may need to gather additional information to decide whether, on the balance of probability, the information provided during the application process is true.

There are questions in the Consultation on Regulations and Statutory Guidance under the Welfare Funds (Scotland) Act 2015 relating to the standard application form. Please consider this section in light of part 4 of the consultation document, and provide your views in the consultation questionnaire.

4.21 A decision maker may contact the applicant for more information or check with third parties such as social workers, landlords and doctors, subject to agreement from the applicant. When this type of contact takes place, it should be recorded.

4.22 Decision makers should be mindful of using social media sites such as Facebook to gather information. It is possible that the account they propose to access, and the information it contains, may or may not have been put there by the individual and therefore

the amount of weight you can attribute to it is limited. Information given on the phone should be written up for inclusion in the record. Decision makers may also arrange a home visit to gather more information if they think it is necessary. Where there is a change of circumstances or new information becomes available during the course of an application, decision makers should follow the guidance under section 9.13 – 9.16 as change of circumstances or new information may become available without application going to First Tier Review.

4.23 Applicants should be treated fairly and openly. It is important that they understand what evidence they need to provide to support their application. It is also important that, where evidence is counting against their application, they are told what it is and have an opportunity to explain further.

4.24 Applicants should not be asked for evidence which would cause them to incur an unreasonable expense. They should not be asked for evidence if it is not essential or if it is already evident that the application will not succeed even with that evidence in place. If the applicant refuses to give further information, a decision should be made on the basis of information that has been gathered during the initial application. If the decision maker forms the impression that the application is not properly completed or evidence is not being provided because of a chaotic lifestyle or other vulnerability, efforts should be made to provide appropriate support so that the necessary information can be gathered and a well informed decision can be made.

4.25 If the information could be obtained from another source, such as a support worker or nurse, the decision maker could, with the applicant's permission, approach other such people to obtain supporting information.

4.26 "Right First Time", produced by the Scottish Government, looks at how public bodies can save money and improve service to applicants by making fewer mistakes or poor decisions. It also sets out a checklist of questions for decision makers and managers at each stage of decision making. The full report is available at: <http://www.scotland.gov.uk/Publications/2010/02/23134246/0>

Appropriate, robust recording of decision and reasons

4.27 The regulations require that the following should be recorded during the consideration of an application:

- details of the application;
- application date;
- decision date;
- a summary of the key facts taken into account in making the decision;
- any information gathered that was actively disregarded;
- any contact with the applicant in addition to the application form;
- decision made;

- and the reason for the decision.

4.28 Decision making documentation should be retained for 6 years in addition to the current financial year, in line with current retention policies for Housing Benefit and Council Tax Benefit, and made available if there is an application for review. Decision makers may also wish to gather supporting documentation from applicants, for example a police report where the need arises because of a crime.

Communicating the decision

4.29 The regulations require that all applications should receive an official decision that is communicated to the applicant in writing unless the applicant requests otherwise. The decision in writing must include information on:

- details of the application;
- the date of the application;
- the date of the decision;
- the reasons for the decision;
- details of any assistance awarded;
- and how the applicant can ask for the decision to be reviewed.

4.30 Crisis Grant decisions should be given as quickly as possible, by phone, if possible to ensure that the applicant knows the outcome. Text and email may be used if there is a way of ensuring that the applicant is receiving the message sent. Decisions given by phone should be followed up with a letter.

4.31 If an applicant has particular needs due to a disability or an impairment, for example vision, cognitive or hearing impairments or a learning disability, efforts should be made to communicate the decision in a way that meets their needs.

4.32 It is very important that applicants are given an accurate reason for their application being rejected, even if this touches on sensitive issues. Staff delivering bad news to applicants should bear in mind the severity of their circumstances, treat them with respect and seek to understand the position that they are in. The information offered should be clear and concise. Where possible, alternative forms of support available locally should be suggested but only where there is some probability of success.

How grants are fulfilled

4.33 It is up to Local Authorities to decide how best to fulfil Community Care Grants. This can be by providing cash, cash alternatives or goods. The regulations require Crisis Grants to be made in cash, or cash equivalent, unless there is evidence to suggest that it would be to the advantage of the applicant to have an award made in a different way.

4.34 The Act allows Local Authorities to pay third parties to arrange for them to provide goods or services to successful applicants for assistance.

Supervised Spend

4.35 In certain circumstances, decision makers may make awards on the basis that spending should be supervised by an appropriate agency. This may be appropriate where the applicant needs help with decision making or where there is evidence that previous awards have not been spent on the items intended.

Consistency in Awards

4.36 Local Authorities may use a standard list of prices to identify the costs of commonly applied for items, including a guideline amount for a starter pack for those setting up home. Local Authorities may wish to construct their own lists based on their contracts or prevailing prices in their local economies taking into account varying costs of delivery.

4.37 If the applicant demonstrates a need for a specialist product to meet their needs, for example where an item needs to be of a specific type or be adapted, the Local Authority should exercise discretion. For example: an award of a higher amount may be appropriate where a disabled person needs a cooker with special adaptations; the size of the family means that their needs will be better met by goods of a higher specification; or delivery and/or fitting is included in the price and this would be cheaper than providing for these separately.

Goods or Cash

4.38 Local Authorities will decide what support will be given and the amount of any grant, with the aim of achieving best value for money and providing support to the maximum number of applicants.

Crisis Grants

4.39 For Crisis Grants the regulations require Crisis Grants to be made in cash, or cash equivalent, unless there is evidence to suggest that it would be to the advantage of the applicant to have an award made in a different way. This means that Crisis Grants must be made in cash, or cash equivalent. A cash equivalent is something that does not limit the recipient as to where they can spend an award or what they can spend it on. Examples of cash equivalents could be – prepaid debit cards, payments directly into bank accounts.

Community Care Grants

4.40 Local Authorities have discretion on the type of support offered for Community Care Grants, i.e. Local Authorities can offer assistance in kind rather than cash – this may enable them to gain economies of scale from bulk purchasing or re-use schemes etc. Applicants may be awarded money or another form of support, for example travel vouchers, fuel cards, furniture or white goods.

4.41 In making these decisions, the Local Authority will need to balance the needs of the applicant against the money remaining in the budget. Factors to take in to consideration are:

- Balancing quality, cost and the projected life of the item to make sure that the decision represents best value;

- The capacity of the applicant to travel to make purchases or collect an award and the delivery costs associated with delivery of bulky goods;
- What infrastructure or contracts the Local Authority has in place to make bulk purchases and other local services available e.g. furniture re-use schemes;
- The likely wear on the item and the effect of that on its life as this may have an impact through repeated applications e.g. if a washing machine is going to have heavy use, a second hand machine may not last as long;
- Any specific needs due to equalities considerations for example a need for adapted furniture because of a disability;
- Energy efficiency of the products being chosen – where possible, white goods should be A rated.

4.42 In making any sort of award that is not cash, Local Authorities should be aware of the stigma attached and take any steps they can to minimise this.

Food banks

4.43 Local Authorities should not use food bank referrals to fulfil a grant award. If an application has been unsuccessful, Local Authorities may consider signposting to local food banks to meet the applicant's immediate need as part of the wider holistic service.

Charging items to the budget

4.44 If a Local Authority chooses to award goods rather than cash, the goods should be charged to the budget at their actual cost, the actual cost of any vouchers, or the cost to the Local Authority, or a reasonable market value for any second hand goods.

Data Sharing

4.45 Local Authorities should validate the information that is collected in the application process by checking data provided by DWP. Personal information about individuals should be held in confidence, in keeping with local data protection policy and practice. Information provided in connection with an application should not be passed on without consent.

4.46 Local Authorities should consider the legalities and practicalities of using data they already hold on applicants, to streamline the application and verification process.

Fraud / misuse of goods

4.47 Local Authorities will be pro-active in preventing fraud, sharing practice with other Local Authorities and drawing on guidance from COSLA. Where a local authority identifies evidence of fraud or misuse of the fund they may record this and take it into account in future applications. The applicant must be made aware if this is the case and be given the opportunity to explain. Local Authorities should also make appropriate links to their processes for audit, risk assessment and detecting fraud.

Prisoners

4.48 Local Authorities should consider the needs of prisoners in accessing their Welfare Fund and meet them where they can. There is a high incidence of literacy problems in the prison population and telephone and on-line applications are likely to be problematic. Prisoners do not have access to the internet and, while they may get access to a phone, prisons may not be able to provide the necessary supervision for the duration of the application call.

4.49 Prison Officers, third sector organisations, social workers and other prisoners with more experience of form filling may be able to offer support. Where there are strong links with a local prison, Local Authority staff may wish to make an arrangement to provide support for applications, particularly if they have a support arrangement in place for other Local Authority services. Scottish Government has issued a stock of generic application forms to prisons so that they can be submitted to any Local Authority. Local Authorities may also want to supply their own forms where they receive a high volume of applications from one or more prisons.

4.50 The Scottish Prison Service has agreed to meet the cost of the postage of Welfare Fund application forms to allow prisoners to submit their applications to Local Authorities. To allow for consistency of service for prisoners, the two private prisons at Addiewell and Kilmarnock have also agreed to do this.

4.51 The Scottish Government and COSLA have produced an advice note for Local Authorities and people who might be supporting prisoners in making an application, setting out how the Welfare Funds can contribute to reducing re-offending. This includes a suggested applicant journey for prisoners and points to consider in processing an application. The note can be found at: <http://www.scotland.gov.uk/Topics/People/welfarereform/scottishwelfarefund/socialfund/Briefingnotes/Briefingnoteforprisons>

4.52 Key points to remember for Local Authorities are:

- Involve the prisoner's named contact or mentor in the process if possible, so that they have support;
- Consider the individual circumstances of the applicant and avoid rule of thumb measures in making awards;
- Applications should not be rejected on the basis that the applicant does not have an address. Applicants should apply to the Local Authority they intend to live in;
- Consider decision in principle (see paragraph 8.33) where possible to allow applicants to plan ahead;
- Ensure awards are timely and accessible for people leaving prison in order for the grant to have the best effect;
- Send decision notices to the single point of contact in the prison in time for the applicant to ask for a review or make an alternative plan;
- Make links with local reducing re-offending projects and include relevant advice in decision letters.

5. THE DECISION MAKING PROCESS

Recording applications

5.1 Screening questions or eligibility checkers should not be used to deter applicants from making an application for Welfare Funds. Even if it seems unlikely that the application will be successful, the applicant should not be prevented from applying. A record should be kept of each application and the customer notified of the outcome and how a review can be requested. This ensures that each attempt to apply is captured in the statistical data collected and a decision maker has the opportunity to consider the case and apply discretion.

Conditions which should be met for an applicant to be awarded a grant

5.2 The key test of eligibility for a **Crisis Grant** is the severity of the applicant's situation and the likely impact on them and their family.

5.3 The key test of eligibility for a **Community Care Grant** is retaining or establishing a settled way of life in the community.

5.4 Crisis Grants and Community Care Grants can cover a wide range of personal circumstances. Whether a grant can be awarded should depend on four separate stages:

5.5 Stage 1 – Initial eligibility checks:

- Verify identity and establish that the home address, or the address the applicant intends to live at, is in the Local Authority, or that the applicant is homeless;
- Check whether the applicant is on a low income or does not have access to their money;
- Check that the applicant or their partner does not have any savings or capital that excludes them for being awarded a grant (only relevant to CCGs);
- Check that the applicant or their partner does not have savings or capital or some other source of help that they could use instead. (only relevant to Crisis Grant applications);
- Check that the applicant is not being considered for a DWP hardship payment, or has an application pending for a short term benefit advance (only relevant to Crisis Grant applications);
- Check that the application is not for an excluded item, for which the regulations preclude awards being made (see Annex A);

The list of excluded items is under review as part of the Consultation on Regulations and Statutory Guidance under the Welfare Funds (Scotland) Act 2015. Please consider this section in light of part 1(f) of the consultation document, and provide your views in the consultation questionnaire.

- Check that the application is not excluded because the application history precludes a repeat application, including in another Local Authority area. This includes checking that there has not been a change in circumstances since the last application;
- Check that the application is not excluded for any other reason;
- Having a National Insurance number is not in itself a requirement for eligibility for a grant, however decision makers should be mindful of sections 6.5 and 6.6 which cover applications from people that are subject to immigration control.

5.6 Stage 2 – Meeting the requirements of the grant:

- Gather evidence to check whether the applicant's personal circumstances meet the conditions for the grants;
- Check whether there is more appropriate support available to meet this need for example through other Local Authority services;
- Check whether other Local Authority services have already undertaken any assessments which might inform the decision making process.

Stage 3 – Prioritisation of items applied for:

5.7 Assess whether, taking the applicant's situation and needs into account, the items applied for are of sufficient priority to warrant a payment from available funds (see section 3 regarding financial management of welfare funds). Each application should be considered on its own merits:

5.8 First, an application should be assessed taking into account the **nature, extent, severity and urgency** of the need, and the impact that an award would have on the circumstances of the applicant. Each item in the application should be considered in the context of the applicant's needs and should be given one of three priority ratings:

- **high** priority should be given to an item if the nature of the applicant's need is judged to be immediate and severe, they are judged to be highly vulnerable, an award for the item or money requested will have a substantial or immediate sustained effect in resolving or improving the health and wellbeing of them or their family and there will be significant adverse consequences if the item or money is not provided;
- **medium** priority should be given to an item if the nature of the applicant's need is judged to be less immediate or severe, they are judged to be moderately vulnerable, an award for the item requested will have a noticeable effect, although not substantial or immediate, in resolving or improving the health and wellbeing of the applicant and there will be moderate adverse consequences if the item or money is not provided;
- **low** priority should be given to an item if the nature of the applicant's need is not judged to be time critical, they are judged to have a degree of personal resilience, an award for the item requested will have only a minor effect in resolving or improving the applicant's health and wellbeing and there will not be identifiable adverse consequences if the item or money is not provided.

5.9 The following matrix shows the interaction between the elements of prioritisation. Real situations will not fit neatly into the boxes but the matrix can be used as a guide for decision makers to help them achieve consistency in decision making.

	High	Medium	Low
Need	Immediate Severe	Less immediate Less severe	Not time critical
Vulnerability	Highly	Moderately	Some resilience
Consequences of no grant to health/ wellbeing	Significantly adverse	Moderately adverse	No identifiable effect
Effect of grant	Immediate Substantial	Noticeable	Minor

5.10 If the decision is to make an award, it may be for all or part of what has been applied for and may be an award of goods or cash.

5.11 Second an application should be assessed taking into account the **vulnerability of the applicant** and the likely consequences of refusal. Some examples of vulnerabilities which would give an application higher priority are set out at Annex C. This is not an exhaustive list and should not be used rigidly to prioritise applications. Reasons for vulnerability may be specific to the individual and may change over time. If there are multiple reasons for considering a person to be vulnerable, they would be given a higher priority.

Stage 4 – checking priority levels applying at time of decision

5.12 Finally, checking the level of priority that the Local Authority is paying out on that month and whether there is sufficient money available in the budget to pay a grant.

Crisis Grant or Community Care Grant

5.13 It is for the Local Authority to determine whether a grant should be made as a Crisis or a Community Care Grant. If an applicant applies for one, the Local Authority may decide to award the other if it is more appropriate to the applicant's circumstances.

5.14 Applicants may make an application for a Crisis Grant and a Community Care Grant at the same time if their circumstances make this necessary, for example a person who has left home because of violence and is in need of immediate support and longer term help to set up home.

6. QUALIFYING CONDITIONS / EXCLUSIONS

Exclusions for both Crisis Grants and Community Care Grants

6.1 The regulations provide that a Local Authority need not consider an application if a person has applied for a Community Care Grant or a Crisis Grant for the same items or services within the last 28 days, where a decision has already been made and there has not been a relevant change of circumstances.

6.2 Local Authorities should not refuse Crisis or Community Care Grants on the basis that the applicant has outstanding debts to the Local Authority e.g. Local Authority tax arrears or unpaid parking tickets. Any grant made to the individual should not be used to pay outstanding debt to a Local Authority, see exclusion 8, Annex A.

6.3 The regulations also state that a person should not be awarded a Community Care Grant or a Crisis Grant for a range of excluded needs. These are set out at Annex A.

Travel Expenses

6.4 There is no separate criterion for awarding grants for travel expenses. Expenses for travel to a family funeral or for visits to prison or hospital do not qualify for a grant in their own right. However, if the Local Authority judges that a journey is essential in connection with a crisis, exceptional pressure or in support of independent living, they may make an award for travelling expenses under the criteria for Crisis and Community Care Grants. In these cases, awards should be for the standard rate public transport. Where public transport is not available or is not suitable for some reason, petrol costs or taxi costs may be awarded. Local Authorities may award travel vouchers.

Applicants subject to immigration control

6.5 The exclusions at Annex A include where someone named on the application has no recourse to public funds. This will be stamped in their passport or noted on a separate biometrics residence card. Making a grant to someone who has no recourse to public funds can affect their legal status. No award should be made and they should be referred to Welfare Rights for further advice.

6.6 Applicants who are subject to a habitual residency test will not be entitled to DWP benefits while they carry out the test. During this period, the Local Authority may choose to exercise their discretion to award a Crisis Grant.

7. CRISIS GRANTS

Circumstances in which a Crisis Grant may be awarded

7.1 This section gives more information on the circumstances in which a Crisis Grant may be awarded. They are not exhaustive and decision makers may use their discretion to determine the form of support that an applicant needs. Decision makers should consider the needs, characteristics and circumstances of the individual in making a decision.

7.2 A Crisis Grant can be awarded in case of crisis to meet expenses that have arisen as a result of an emergency or disaster in order to avoid serious damage or serious risk to the health or safety of the applicant or their family.

7.3 A person can apply for a grant to cover:

- immediate short-term living expenses needed until their next income is due because of an emergency, or
- living expenses or items where the need for them has arisen because of a disaster.

7.4 Applicants will typically:

- not have enough money to meet immediate short term needs, and
- not have access to any other source of support, for example via an authorised overdraft, a credit union loan or family help.

7.5 Local Authorities may signpost locally available sources of affordable credit but there should not be an expectation that applicants should take high cost credit such as doorstep lending or payday loans to cover living expenses.

7.6 Local Authorities may query the amount applied for if it seems too much. The Local Authority should make a judgement on how much money or which items the applicant needs to get through the crisis. Paragraph 7.12 provides guidance on suggested rates of support for Crisis Grants. Where the applicant is applying for items, Local Authorities should make the award in cash, unless it would be to the advantage of the applicant to have an award made in a different way.

7.7 The need must be current at the time of application, not an anticipated need or an application after the event, to repay expenses. A short term need may be for an item which will have a long term use. For example, following a disaster, a family may need a cooker and pans which they will use on an on-going basis. Where a family has been judged to be a family under exceptional pressure, they should be given priority for a Crisis Grant.

The Consultation on Regulations and Statutory Guidance under the Welfare Funds (Scotland) Act asks a specific question relating to priority for families facing exceptional pressure in decisions on Crisis Grants. Please consider this section in light of part 1(c) of the consultation document, and provide your views in the consultation questionnaire

7.8 Where a crisis is a result of a gap in income of an unknown duration, for example awaiting action by the DWP, an award should usually be made for two weeks of living expenses at a time. If an applicant's circumstances have not changed and they make a further immediate application for assistance this should be treated as being a separate application for the purposes of calculating the number of times an award has been made.

7.9 If someone on Universal Credit applies for a full month of living cost's an award should be made for the period until the next income will be received. If this is known to be a full month at the time of application, it should be paid. If the date of the next income is not known, payment should be for 2 weeks as above.

Eligibility

7.10 The regulations require that an applicant must be aged 16 or over, on a low income and not have any access to any other appropriate source of financial support.

7.11 The **key test of eligibility for a Crisis Grant is the severity of the applicant's situation and the likely impact on them and their family.**

Income and Capital

The following section on low income is specifically under review as part of the Consultation on Regulations and Statutory Guidance under the Welfare Funds (Scotland) Act. Please consider this section in light of part 1(a) of the consultation document, and provide your views in the consultation questionnaire.

7.12 The regulations require Local Authorities to take account of this guidance when deciding if an applicant is eligible for assistance by virtue of income or capital they may hold. Under the regulations a person entitled to one of the following benefits will be considered to have met the condition of being on a low income. However, it is not essential to be in receipt of one of these benefits to be eligible.

- an income-based jobseeker's allowance (payable under the Jobseekers Act 1995⁽¹⁾);
- income support under the Social Security Contributions and Benefits Act 1992⁽²⁾;
- income-related employment and support allowance under Part 1 of the Welfare Reform Act 2007⁽³⁾;
- universal credit under Part 1 of the Welfare Reform Act 2012⁽⁴⁾; or
- state pension credit payable under the State Pension Credit Act 2002⁽⁵⁾.

7.13 If someone is on a roughly equivalent level of income to someone on one of those benefits, they should also be considered to be on a low income. If there is some other financial issue that the Local Authority thinks should be taken into account or the applicant

(1) 1995 c.18.
(2) 1992 c.4.
(3) 2007 c.5.
(4) 2012 c.5.
(5) 2002 c.16.

does not have access to their money for some reason, the Local Authority may make the judgement that an applicant on a higher income could still be considered for a grant.

7.14 The applicant is assessed as an individual but information for the partner and other members of the family is collected, for example in relation to income, health issues and other problems, to inform prioritisation.

The assessment of applicants as individuals is under review as part of the Consultation on Regulations and Statutory Guidance under the Welfare Funds (Scotland) Act. Please consider this section in light of part 1(b) of the consultation document, and provide your views in the consultation questionnaire.

If the applicant has savings or capital

7.15 A Crisis Grant should take into account any other resources the applicant can access to tide them over the crisis. This includes any form of capital or financial support, including any benefit income for the applicant or dependents.

7.16 If an applicant is without a regular income but has capital assets of over £16,000, they will be expected to raise money against those assets. If they are unable to release or raise money on the assets immediately but are able to demonstrate that they are taking steps to do so, a Crisis Grant may be appropriate in the interim.

Exclusions for Crisis Grants

7.17 The regulations specify that the number of awards that any person can receive should normally be limited to three in any rolling 12 month period across all Local Authorities i.e. if an applicant has received a Crisis Grant from a Local Authority and subsequently moves to another, they are only eligible for a further 2 grants from the new Local Authority.

7.18 If an applicant has received three awards in a 12 month rolling period, any subsequent applications need not be considered beyond stage 1 of the decision making process, except to ascertain whether an exception should be made to the three awards in a 12 month period restriction. Where a person is part of a couple, each partner can receive three grants in a 12 month rolling period.

The assessment of applicants as individuals is under review as part of the Consultation on Regulations and Statutory Guidance under the Welfare Funds (Scotland) Act. Please consider this section in light of part 1(b) of the consultation document, and provide your views in the consultation questionnaire.

7.19 The regulations do allow Local Authorities to use their discretion to allow more than three awards in exceptional circumstances. This would normally be where the applicant can evidence no fault on their part. In these cases, Local Authorities will wish to seek additional evidence and/or support the applicant to identify and address any underlying problems which are resulting in repeated crisis.

Rates for Crisis Grant awards for living expenses

7.20 The amount that a person is awarded for living expenses should normally be calculated in the following way, however these rates are indicative and Local Authorities should take the circumstances of the applicant into account when assessing an application:

- For applicants who are non-householders – 30% of the Income Support personal allowance rate plus the full rate of the Income Support allowance rate for each dependent child on a pro rata basis for the number of days until their next benefit payment is due;
- For applicants who are liable for rent/mortgages etc. or applicants who are without accommodation e.g. sofa surfing or sleeping rough - 60% per cent of the Income Support personal allowance rate plus the full rate of the Income Support allowance rate for each dependent child on a pro rata basis for the number of days until their next benefit payment is due.

7.21 A dependent child is defined as being 16 or under or aged 17-19 and still in full time education or included on their parent's benefit claim. They need not be living with the applicant all of the time. A child who has shared care arrangements may be considered to be dependent. Where the child is dependent on the applicant, they would usually be in receipt of child benefit for him or her but there may be situations where this is not the case. For example, child benefit may not be in payment if the applicant is a kinship carer or in cases of shared care, where the other parent collects the benefit. A dependent child may be an unborn child, once the pregnancy has advanced to 24 weeks. The Local Authority may use discretion to reduce the award where there is a very large family and the award seems out of proportion with likely living costs.

What Constitutes an Emergency?

7.22 An emergency is a circumstance of pressing need which needs immediate action. The grant is to pay for expenses to get out of an emergency situation rather than costs from a past emergency which has now been resolved. How the emergency came about is not relevant, even if the applicant might be judged to have caused it or to have been able to avoid it. The same circumstances may constitute an emergency for one person and not for another because of their ability to cope with them. For example an able bodied young person may be able to manage in a situation where an older or disabled person could not.

7.23 The following are examples of what might be considered to be an emergency and for which a grant for living expenses may be awarded:

- where an unexpected expense has resulted in all the applicant's benefit or income being spent, for example travelling to hospital to visit a sick child;
- where money has been lost or stolen and living expenses are required;
- where there is, or has been, a breakdown of relationships within the family, perhaps involving domestic violence;
- when a person has nowhere to stay and may resort to sleeping rough;
- when a person is stranded away from home without any means to get back;
- when an applicant is fleeing domestic abuse and needs immediate help;

- when the applicant is a grandparent or other relative who is in work but has taken on care of a child/children and a transfer of the benefits in respect of the children is pending;
- when the applicant has received the outcome of a fit for work assessment for Employment Support Allowance and is not in receipt of benefits while they consider an appeal; (see paragraph 2.16)
- and when the applicant has a short term gap in regular income, for example due to redundancy or a significant change in working pattern.

What Constitutes a Disaster?

7.24 Disasters are events of great or sudden misfortune. They will normally be unforeseen and result in significant damage to, destruction or loss of possessions or property. The following are **examples** of what might be considered to be a disaster, and for which a grant for living expenses and household goods may be awarded:

- a serious flood or fire, causing substantial damage;
- loss or destruction to possessions or property for example due to gas explosion or a chemical leak.

7.25 These are just examples; a grant would not be awarded in all of these cases. If a situation is not mentioned, it does not mean that an applicant should not be helped.

What support will be given

This section is specifically under review as part of the Consultation on Regulations and Statutory Guidance under the Welfare Funds (Scotland) Act 2015. Please consider this section in light of part 1(d) of the consultation document, and provide your views in the consultation questionnaire.

7.26 Applications for Crisis Grants can be made for living expenses or for essential items following a disaster. The regulations specify that Local Authorities must presume in favour of cash or cash equivalent awards for Crisis Grants unless there is evidence to suggest that it would be to the advantage of the applicant to have an award made in a different way. Some examples of living expenses, in terms of specific items and services, are:

- food;
- essential heating costs;
- nappies, toiletries;
- travel costs;
- costs, that are not covered by other Local Authority obligations relating to homelessness, for accommodation in a hostel.

7.27 Where the application is for items, following a disaster, examples of items that might be awarded are the same as for Community Care Grants (see section 8.31).

7.28 There should be no minimum amount for a Crisis Grant.

Target Processing Times

7.29 The regulations require Local Authorities to make a decision on Crisis Grant applications immediately after the Local Authority has received all information allowing a decision to be made, and in any event, no later than the end of the next working day.

7.30 A working day is between 9am and 4:45pm. If an application is received after 4.45pm, it should be treated as being received on the next working day. A working day does not include weekends and bank/public holidays.

This section is specifically under review as part of the Consultation on Regulations and Statutory Guidance under the Welfare Funds (Scotland) Act 2015. Please consider this section in light of part 1(e) of the consultation document, and provide your views in the consultation

7.31 If the Local Authority is still waiting for a piece of information that they consider to be relevant to the decision, a decision must be made by close of business on the day following receipt of an application. This means that a decision is made at the end of the day following receipt of the application on the balance of probability, based on the information held at the time.

7.32 Where an application is for living expenses and processing takes more than 24 hours, the award should reflect the need at the time of application rather than at the time of payment. For example, if an applicant applies for living expenses for four days and it takes more than 24 hours to process the application, the award should be for four days rather than for three.

7.33 Processing times should be measured from the date of receiving a completed application to the date the award is made. Local Authorities should consider whether it is possible and appropriate for them to offer an out of hours service for evenings and weekends depending on what other services are available locally.

8. COMMUNITY CARE GRANTS

Care and the threat of Care

Circumstances in which a Community Care Grant may be awarded

A Community Care Grant award may be made to:

(A) help people establish themselves in the community following a period of care or imprisonment where circumstances indicate that there is a risk of the person not being able to live independently without this help.

8.3 Applicants may be awarded a Community Care Grant if they are leaving accommodation in which they received significant and substantial care, supervision or protection and are establishing themselves in the local community. They should normally have been receiving care for a period of 3 months or more, or have a pattern of frequent or regular admission to institutional or residential care clearly linked to the nature of the applicant's disability or circumstances.

8.4 If an applicant is looking after someone and the Local Authority agrees that a contribution to their expenses will help establish the person they care for in the community, then they may also be awarded a Community Care Grant. For example, if they have to move home to look after someone in these circumstances, then they may be given help with things like removal expenses, travel costs or connection charges for gas and electricity. The applicant needs to be eligible for a grant, but the person they are caring for need not.

8.5 Applicants should be permitted to apply for a Community Care Grant if they are still in the accommodation providing care, if they expect to be on a low income when they leave. They should be permitted to apply up to 8 weeks before they are discharged, but the Local Authority may choose to defer payment of any grant awarded to help set up home until nearer the time of leaving care or to make a decision in principle (see paragraph 8.33), payable if certain conditions are met.

8.1 Examples of care settings that applicants may be coming from or at risk of going to in Community Care Grant applications are:

- hospital or other medical establishment;
- care home;
- hostel or shelter, including women's aid;
- staff intensive sheltered housing;
- residential or other forms of Local Authority care;
- prison or detention centre;
- supported accommodation – including care leavers in supported accommodation.

8.2 This is not an exhaustive list. In considering a community care grant application, the threat of care need not be immediate. It may be a logical consequence of a worsening of a condition or that the applicant would not be able to maintain a settled home in the community without the items that they are applying for.

(B) help people remain in the community rather than going into care where circumstances indicate that there is a risk of the person not being able to live independently without this help.

8.6 Applicants may be awarded a Community Care Grant if this will help them to stay in the community rather than enter accommodation to receive care. One of the factors the Local Authority will wish to consider is how immediate is the likelihood of going into such accommodation, and whether the type of item or service requested would prevent this happening.

Examples are:

- help with expenses to avoid becoming homeless or having to move out of their home in to temporary accommodation;
- help with expenses for minor improvements to a home to maintain living conditions, (except where the property is owned by a Local Authority or Social Landlord who maintains property on the tenant's behalf - see exclusion 6);
- enabling an applicant to move to care for someone to enable them to stay in their home, including travel expenses;
- enabling the applicant to move to more suitable accommodation, to prevent admission to care;
- enabling someone to move nearer to someone who can offer them support, to prevent admission to care.

8.7 Applicants may be awarded a Community Care Grant if they are caring for someone and the Local Authority agrees that a payment to the carer will help the person they care for remain in the community rather than entering accommodation to receive care.

8.8 For example, an applicant might need to move to be near, or to live with, the person who requires additional support and may be awarded removal expenses or travel costs. To be awarded a grant, an applicant needs to be eligible for a grant, but the person they are caring for need not.

(C) help people set up home in the community, if they have just received or are about to receive support to sustain a tenancy (formerly referred to as a re-settlement programme) , following an unsettled way of life.

8.9 If an applicant is about to move into their own accommodation following a period of homelessness, or a period where they have not had a settled address, they may be awarded a Community Care Grant. There are two conditions for receipt of the grant:

- the applicant must be vulnerable. This is determined by whether or not they have one, or some of the vulnerabilities at Annex C, in addition to homelessness, at stage 3 of the decision making process.

The list of vulnerabilities is under review as part of the Consultation on Regulations and Statutory Guidance under the Welfare Funds (Scotland) Act 2015. Please consider this section, and Annex C in light of part 1(g) of the consultation document, and provide your views in the consultation questionnaire.

- the applicant should be receiving, have just received, or be about to receive support to sustain their tenancy (formerly referred to as a re-settlement programme). This would include support such as budgeting, money management, shopping and cooking or assisting the applicant in developing the skills needed to sustain the tenancy.

8.10 The grant may be given to help the applicant set up home in his or her own accommodation, for example, but not exclusively, if they:

- have been living in a hostel but have now secured a tenancy and support to sustain it;
- have a history of homelessness and have secured a tenancy along with a place on a programme of support to help them develop the skills to sustain it;
- are a young person leaving residential supported accommodation who is being supported to establish an independent tenancy;
- have been in temporary accommodation and are now moving to settled accommodation, and have support in place to help them sustain their tenancy.

(D) help families facing exceptional pressures

8.11 Applicants may be given a grant to meet needs that arise out of exceptional pressure on the applicant or a member of their family. Exceptional pressure is a greater pressure than you would be under just from living on a low income. All families, especially those on low income, face pressure at various times, so that in itself is not a reason to award a Community Care Grant (CCG). However, CCGs may be awarded to ease exceptional pressures on a family, ie circumstances which put a family under greater pressure than might normally be associated with low income. Decision makers should consider the degree of this pressure in terms of its effect on the individual family as well as the type of pressure or how common it is.

Some examples of what might be judged to be exceptional pressure are:

- to meet the needs of a child where there is a risk to their health or wellbeing as a result, for example of an incident connected with chronic illness, accident or disability;
- there has been a breakdown of relationships, perhaps including domestic violence, resulting in a move or the need to move;
- a family which has previously lived in 'temporary accommodation' who have been granted a tenancy and need help to set up home;
- there is a serious problem with accommodation, which is resulting in the need for minor repairs, replacement furniture or a move.

8.12 This is not an exhaustive list.

8.13 A family cannot be an individual, however beyond that restriction, decision makers may use their discretion to determine what constitutes a family including, for example, but not exclusively, couples with children, lone parents with children, an expectant mother whose pregnancy has advanced to 24 weeks in which case the unborn child would be considered a child, married and unmarried couples, lesbian and gay couples in or out of a civil partnership or kinship carers, siblings, and situations where care is shared between two different carers.

Any applicant responsible for a child either all or part of the time would be part of a 'family' for the purposes of this definition.

(E) help people to care for a prisoner or young offender or on release on temporary release.

8.14 Applicants may be awarded a Community Care Grant if someone is on temporary release from prison or from a youth detention centre and is going to be staying with them.

8.15 Temporary release is when a prisoner is given unescorted access to the community. This can be for up to 7 nights, excluding travelling time, and may be repeated in the period prior to release to help prepare prisoners for their return to the community.

8.16 The applicant will be the person the prisoner is staying with, for example their family. The applicant needs to meet the eligibility criteria, but the prisoner does not, so there is no need to establish the prisoner's financial circumstances. The grant is awarded to pay for living expenses while the prisoner is on temporary release, for example food or additional fuel consumption. Awards for living expenses should be paid at single person non-householder rate.

Eligibility

8.17 The regulations require that applicants must be aged 16 or over and be on a low income.

8.18 The key test of eligibility for a Community Care Grant is that the application is for someone setting up or maintaining an established home in the community. There must be some risk that this may not be possible without a grant. That risk does not need to be immediate for an applicant to qualify, and decision makers should use their discretion in deciding what constitutes a 'risk' or 'exceptional pressure'.

Income and capital

The following section on low income is specifically under review as part of the consultation exercise on the Welfare Funds (Scotland) Regulations. Please consider this section in light of part 1(a) of the consultation document.

8.19 The regulations require Local Authorities to take account of this guidance when deciding if an applicant is eligible for assistance by virtue of income or capital they may hold. Under the regulations a person entitled to one of the following benefits will be considered to have met the condition of being on a low income. However, it is not essential to be in receipt of one of these benefits to be eligible.

- an income-based jobseeker's allowance (payable under the Jobseekers Act 1995(6));
- income support under the Social Security Contributions and Benefits Act 1992(7);

(6) 1995 c.18.

(7) 1992 c.4.

- income-related employment and support allowance under Part 1 of the Welfare Reform Act 2007(8);
- universal credit under Part 1 of the Welfare Reform Act 2012(9); or
- state pension credit payable under the State Pension Credit Act 2002(10).

8.20 The applicant is assessed as an individual but information for the partner and other members of the family is collected, for example in relation to income, health issues and other problems, to inform prioritisation.

The assessment of applicants as individuals is under review as part of the Consultation on Regulations and Statutory Guidance under the Welfare Funds (Scotland) Act. Please consider this section in light of part 1(b) of the consultation document, and provide your views in the consultation questionnaire.

8.21 If someone is on a roughly equivalent level of income to someone on one of those benefits, they should also be considered to be on a low income. If there is some other financial issue that the Local Authority thinks should be taken into account, the Local Authority may make the judgement that someone on a higher income could still be eligible for an award.

If the applicant has savings or capital

8.22 A Community Care Grant should not be awarded if the applicant or their partner has savings of:

- over £700 if they are below pension age, or
- over £1200 if the applicant is above pension age.

8.23 The main examples of capital to be taken into account, though not an exhaustive list, are:

- current accounts;
- savings accounts;
- national savings certificates;
- fixed term investments;
- endowment policies which are not held as security over property;
- friendly society or other deposit accounts;
- trust funds;
- property other than the applicant's home.

8.24 Certain capital assets should be disregarded. These categories of capital include:

(8) 2007 c.5.
 (9) 2012 c.5.
 (10) 2002 c.16.

- business assets;
- rights in schemes such as pension schemes, life insurance and funeral plans;
- amounts earmarked for special purposes such as essential repairs to property or money set aside by parents or carers for identified future care needs of a disabled child;
- payments made for arrears of, or compensation for late payment of, social security benefits for a period of up to 12 months;
- payments made for expenses relating to supporting children, for example child maintenance;
- a recent grant made by any organisation for a specific purpose or purchase relating to a disabled child or person.

8.25 Other benefit income should be disregarded for the purposes of calculating savings for a Community Care Grant application if they are earmarked for a specific purpose, for example living expenses or a specific bill payment. Types of income that should be disregarded in identifying available income are at Annex B. Only money in hand at the time of the application should be considered, not any future payments that will be made.

8.26 Applicants are not required to have made an application to DWP for a Budgeting Loan before they apply for a Community Care Grant.

Exclusions for Community Care Grants

8.27 Local Authorities are not required to make a decision on an application for a Community Care Grant if the applicant is:

- resident in a care home, unless there are plans for discharge within 8 weeks;
- a hospital in-patient, unless there are plans for discharge within 8 weeks;
- lawfully detained, unless there are plans for release within 8 weeks, or a for a temporary release.
- a member of a religious order who is being fully maintained by it.

The time limits mentioned above also apply to decisions in principle (see paragraph 8.33).

8.28 The regulations specify that the length of time the applicant has received care should be:

- a period of three months or more, any part of which falls within the period of 9 months preceding the date of application **or**
- the applicant has been in a care institution for two or more separate periods within the 9 months preceding the date of application.

8.29 In the case of prisoners, the minimum period served in civil custody (rather than sentence) should be three months. Local Authorities can use their discretion to make an award for cases that fall a few days short of the minimum period served.

8.30 There is no limit on the number of Community Care Grants that can be awarded to an individual in a year, however the limitations on repeat applications as described in paragraph 6.1 apply.

The consultation document contains a specific question relating to the implications of restricting the number of awards for Community Care Grants to 3 awards for each applicant in a twelve month period in part 1(b). Please provide your views on this issue in the consultation questionnaire.

What support will be given

8.31 Applications for Community Care Grants which are for items and awards may be in cash or in kind. Awards for items should include delivery and installation or fitting fees. Some examples of items for which an award might be made are:

- furniture (like settee, armchair, carpets, curtains, wardrobe);
- household equipment (like cooker, fridge, washing machine, bed, bedding, clothing);
- travel costs;
- removal expenses;
- storage charges;
- installation charges for cookers and washing machines;
- connection charges for gas and electricity;
- repair of broken or faulty items or appliances.

8.32 In making awards for storage charges, Local Authorities will need to balance the likely cost of storing goods against the cost of disposing of them and buying new goods when the applicant secures a tenancy.

8.33 Local Authorities should make an award in principle, for example subject to the successful agreement of a tenancy, to be fulfilled at a later date or where the grant may be paid on leaving prison, where this is appropriate to the applicant's circumstances. This is to allow applicants and their support workers to plan ahead in securing furniture. Local Authorities need not make a decision in principle unless an action, such as release from prison, or the start of a tenancy, is planned within an 8 week period.

Target Processing Times

8.34 The regulations require that decisions on Community Care Grants must be made within 15 working days after the Local Authority has received all the information allowing a decision to be made.

8.35 Processing times should be measured from the date of receiving a completed application to the date the award is made. A working day is between 9am and 4.45pm. If an application is received after 4.45pm it should be treated as being received on the next working day. A working day does not include weekends and bank/public holidays.

8.36 Local Authorities should consider whether it is possible and appropriate for them to offer an out of hours service for evenings and weekends depending on what other services are available locally.

9. REVIEW

First tier Review

9.1 If an applicant is unhappy with the outcome of their Welfare Fund application, the Act requires Local Authorities to review their decision. The regulations provide that applicants may seek, within 20 working days of being notified of a Local Authority decision, a review of the decision. Local Authorities must, under the regulations, arrange for a review of the decision to be undertaken by a decision maker who was not involved in making the original decision.

9.2 The regulations allow a Local Authority to accept a review request made after 20 working days where it considers there are good reasons for doing so.

9.3 The Local Authority should include the process for review in the information on the Welfare Funds pages on their website, and should ensure decision letters contain information on the review process.

9.4 The decision on a first tier review replaces the original decision on the case, which will no longer be valid. The regulations state that a review by the Local Authority may not result in assistance awarded being reduced or withdrawn.

9.5 The first tier review by the Local Authority offers an opportunity to “re-make” the original decision on a case, based on a thorough look at the evidence and any new information.

9.6 The person carrying out the review will need to re-consider the merits of the case. They may need to gather additional information or evidence to do this.

9.7 The applicant can ask for a first tier review if they want the decision that has been made on their case to be changed. For example, but not exclusively based on:

- them not agreeing with the decision on eligibility, for example due to repeat applications or the assessment of their income (stage 1 of decision making);
- them not agreeing with the decision on qualifying circumstances, for example the decision maker did not judge them to be in crisis but they disagree (stage 2 of decision making);
- they believe that the priority level allocated to their application was not appropriate/should have been higher (stage 3 of decision making);
- they believe that insufficient information was gathered during the application process to make a decision;
- the application having been refused on the grounds that there is insufficient evidence, but the applicant considers that there was;
- them not agreeing that the support they have been provided with is appropriate to their needs, for example they were awarded items and not money or they do not think that the money they were awarded was enough to buy what they need;
- them considering that there has been an error or failure in the decision making process.

9.8 Review cannot be sought for administrative decisions such as the level of priority set for awards in that period (stage 4 of decision making) – see financial management at section 3.

9.9 Applications for review should:

- be made within 20 working days of the original decision, though the Local Authority may use its discretion to allow later applications, for example when illness has prevented an application being made;
- be made in writing or by email and explain the reason for the application for a review and include any additional information to support the case;
- include any reference number and the date of the decision being questioned;
- be signed by the applicant. If made on behalf of the applicant, consent should usually be required from the applicant in writing unless this places unreasonable demands on the applicant, for example due to disability or other health issues, or problems with literacy.

9.10 Reviews of Crisis Grant applications should be carried out as soon as possible, recognising the circumstances of the applicant. The maximum processing time allowed for in the regulations, for a first tier review of a Crisis Grant application, is no later than the end of the second working day after that on which the request was received. The regulations provide that the maximum processing time for a first tier review of a Community Care Grant application should be 15 working days.

9.11 Applicants should be notified in writing of the result of the review, giving reasons for the decision that was made. In urgent cases, the result should be given as soon as possible, by phone and followed up in writing according to the usual arrangements for notifying decisions.

9.12 The reviewing officer should feed back to the decision maker on the outcome of the review and any key points relevant to future decision making. The review process should therefore help drive forward improvement and consistency in decision making.

How to treat additional information – as part of First Tier Review

9.13 The decision maker should ensure that they have all the necessary information before reaching a decision. Receiving new information can sometimes prompt other questions. Where new information becomes available to the Local Authority that may have led the decision maker to make a different decision if he/she had been aware of it, that information should be acted on as soon as possible. If new information is received as part of a request for a first tier review and the decision maker judges that an award should be made as a result of it, they should make the award straight away and let the applicant know, rather than waiting for any scheduled review meeting or process. The review process should be suspended but the papers held, in case the applicant still wants to pursue a review.

A Change of Circumstances Identified as Part of a First Tier Review

9.14 Similarly, if the circumstances of the applicant have changed since the date of the original application so that the decision maker would make a different decision in the new situation, the decision should be re-taken as soon as possible. A change of circumstances

is a change to the situation of the applicant which is relevant to the decision on the items they have applied for. This is information that could not have been taken into account in the original decision as it had not yet taken place, so the case should be considered as a new case.

9.15 Examples are a new health condition or deterioration in health which makes the applicant more vulnerable, or a family breakdown which means that they no longer have access to support. The case should be entered on the system as a new case, using existing information and any additional information that needs to be gathered as a result of the change of circumstances. Again, the review process should be suspended but the papers held, in case the applicant still wants to pursue a review. This is to avoid artificial inflation of the number of reviews as a result of changes of circumstances.

9.16 If a review decision has been correctly reached but a change of circumstances occurs after the review so that the applicant is facing a different situation, then the applicant should be advised to re-apply.

10 THE ROLE OF THE SCOTTISH PUBLIC SERVICES OMBUDSMAN (THE OMBUDSMAN) – INDEPENDENT REVIEW AND COMPLAINTS HANDLING

Independent review

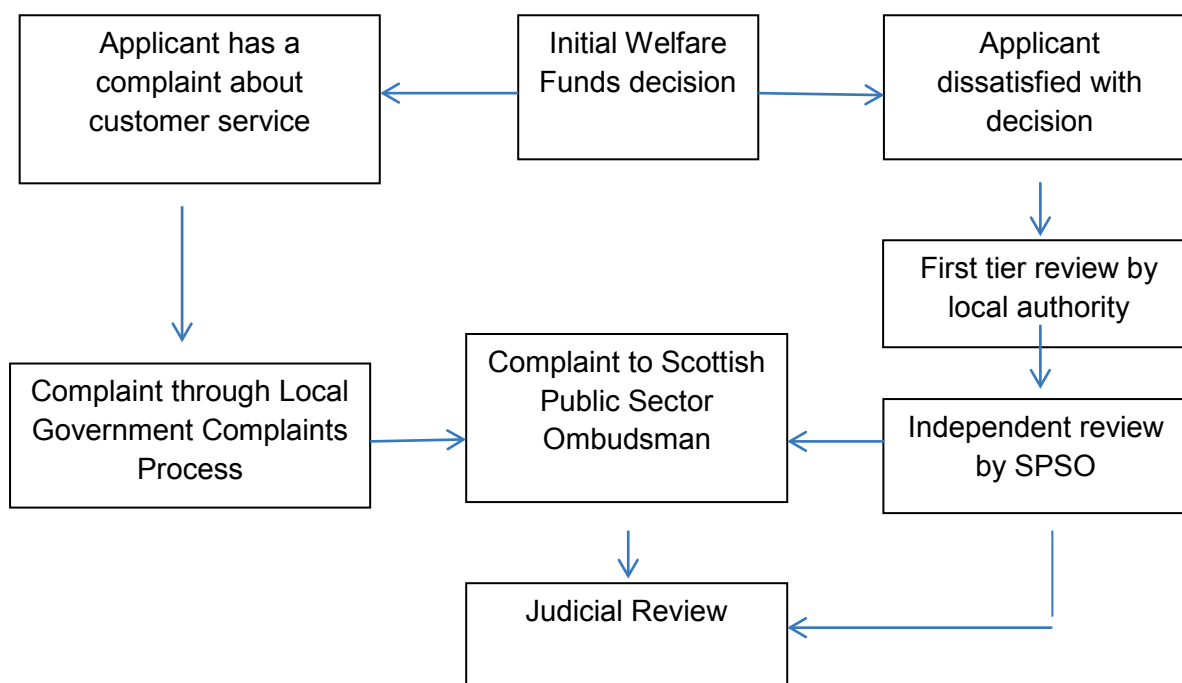
10.1 The Act requires the Ombudsman to undertake independent reviews of Local Authority Welfare Funds decision when a request is made by an applicant to change the decision that has been made. An applicant can apply to the SPSO for independent review if they are not satisfied with the outcome of the first tier review carried out by the Local Authority.

10.2 The Ombudsman is required, by the Act, to prepare a statement of practice setting out the approach they intend to take to conduct independent reviews of Welfare Funds decisions by Local Authorities.

10.3 The statement of practice is available [INSERT LINK TO STATEMENT OF PRACTICE WHEN AVAILABLE](#)

POSSIBLY INSERT TEXT ON REQUIREMENTS OF LOCAL AUTHORITIES IN RELATION TO SECOND TIER REVIEW PROCESS.

10.4 The SPSO also has a complaint handling role in relation to Local Authorities; this is distinct from their independent review function under the Act. The diagram and text below sets out how these processes work together.



SPSO Complaint Handling

10.5 If a Welfare Fund applicant accepts the decision on their application but feels they were treated badly or have other complaints about customer service or other matters that cannot be dealt with through the review process, they should make a complaint through the Local Authority's complaints process.

10.6 All Local Authorities are now required to comply with the SPSO's model process for complaints handling. This can be found at: <http://www.valuingcomplaints.org.uk/complaints-procedures/local-authority-model-chp/>

10.7 If the applicant is still not happy with how they have been treated, they can make a complaint about the Local Authority to the SPSO. Details of the SPSO's complaints process can be found here <http://www.spsso.org.uk/council-complaints> .

Judicial Review

10.8 If an applicant remains unhappy and wishes to challenge the decision made about his or her complaint to the SPSO, or the outcome of their independent review, they can do this using judicial review proceedings. It may also be possible to use this process to review a decision of the Local Authority. Judicial review is a form of court proceeding where a judge reviews whether a decision or action made by a public body is lawful. The applicant may want to take legal advice before deciding whether this is appropriate in his or her case.

11. DATA MONITORING

Regular Statistical Monitoring

11.1 The Scottish Government and Local Authorities are working together to collate and analyse quantitative data about the operation of the welfare funds.

11.2 Local Authorities should work with software providers to make arrangements to capture the agreed data set as specified

at: [http://www.scotland.gov.uk/Topics/Statistics/15257/1529/Scottish Welfare Fund - dataspec](http://www.scotland.gov.uk/Topics/Statistics/15257/1529/Scottish%20Welfare%20Fund%20-%20dataspec). These data should be collected continuously through case management systems and sent to the Scottish Government in the prescribed format as requested.

ANNEX A - EXCLUSIONS FROM CRISIS AND COMMUNITY CARE GRANTS

A person should not be awarded a Crisis Grant or Community Care Grant for a range of excluded needs:

WELFARE FUNDS EXCLUDED ITEM	ALTERNATIVE SOURCE OF ASSISTANCE (if appropriate)
1. a need which occurs outside the United Kingdom	1. https://www.gov.uk/browse/abroad/living-abroad https://www.gov.uk/browse/abroad/living-abroad https://www.gov.uk/browse/visas-immigration .
2. an educational or training need including: clothing and tools, distinctive school uniform or sports clothes for use at school, equipment 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	School meals and clothing grants – contact your local authority regarding criteria and eligibility
3. expenses in connection with court (legal proceedings) such as legal fees, court fees, fines, costs, damages, subsistence or travelling expenses	https://www.scotcourts.gov.uk/rules-and-practice/forms/fee-exemption-forms . http://www.slab.org.uk/public/index.html
4. removal or storage charges if the person is being re-housed following a compulsory purchase order, a redevelopment or closing order or a compulsory exchange of tenancies.	Budgeting loans can help with removal costs, https://www.gov.uk/budgeting-loans/overview . Local Charitable organisations
5. a television or a radio (except where the applicant has a particular need for one, for example because of limited mobility) or a licence, aerial or rental costs, costs of	n/a

purchasing, renting or installing a telephone (unless this is for the purpose of a personal alarm), mobile phones and any call charges	
6. repair to Local Authority property or the property of social landlords who maintain property on behalf of the tenant.	Approach your landlord/council regarding any repairs required. http://www.cosla.gov.uk/councils
7. rent in advance, which can be provided by a budgeting loan or discretionary housing payments.	Budgeting Loan https://www.gov.uk/budgeting-loans/overview , or contact your local Council for a discretionary housing payment.
8. debts (excluding pre-paid fuel meters), debt interest, debts to government departments or Local Authority tax, Scottish Water water and waste charges, arrears of Local Authority tax or community water charges	Contact your local Council, a national organisations such as debt advice, or the Citizens Advice Bureau http://www.cosla.gov.uk/councils http://www.stepchange.org/DebtadviceinScotland.aspx http://www.adviceguide.org.uk/scotland/debt_s/debt_help_with_debt_s.htm
9. any expense which the Local Authority or other organisation has a statutory duty to meet, for example regular costs for care or housing	Contact your local Council http://www.cosla.gov.uk/councils
10. a medical, surgical, optical, aural or dental item or service (note that needs under all of these headings can be provided free of charge by the National Health Service, if you are getting Income Support, income-based Jobseeker's Allowance, Employment and Support Allowance (income-related), or Pension Credit). Medical expenses, treatments, items and medications.	Contact NHS Scotland http://www.scotland.gov.uk/Publications/2011/03/30092604/0
11. domestic assistance and respite care	Contact your local Council, or national organisations which can advise and assist you, such as Care Information Scotland http://www.cosla.gov.uk/councils http://www.careinfoscotland.co.uk/can-i-get-help-with-caring/respite-care.aspx
12. work related expenses	Contact your employer

13. investments	n/a
14. Holidays	n/a
15. On-going needs which are, or are likely to become, a feature of expenditure.	On-going expenses fall outwith the scope of assisting with one-off needs.
16. travelling expenses, with the exception of one-off expenses relating directly to the qualifying criteria, for example travelling expenses to help someone move to a new home where that move is essential to their re-integration in the community.	If travelling for medical reasons, assistance can be awarded through the NHS - http://www.scotland.gov.uk/Publications/2011/03/30092604/0 .
17. maternity expenses covered by a Sure Start Maternity Grant	Information on how to access help with a sure start maternity grant can be found on the gov.uk website: https://www.gov.uk/sure-start-maternity-grant
18. any costs related to a person's funeral	Information on how to access help with funeral costs can be found on the gov.uk website: https://www.gov.uk/funeral-payments/overview
19. expenses to meet the needs of people who have no recourse to public funds	

ANNEX B - PAYMENTS TO BE DISREGARDED FOR CALCULATING SAVINGS

These sources of income should normally be ignored in calculating savings:

- Housing Benefit
- Social Fund payments
- Disability Living Allowance, Personal Independence Payments, Attendance Allowance or equivalents paid through industrial injuries or war pensions schemes
- payments under Section 12 of the Social Work (Scotland) Act 1968 except where these are made for the same purpose as the application.
- savings for a child or young person who is looked after (under the Looked After (Scotland) Regulations 2009) whether in a junior ISA or other account.
- the value of the applicant's home, or premises acquired for occupation by the applicant within the next 6 months
- the value of any premises occupied by a relative or former partner of the applicant
- the value of any reversionary interest
- the assets of any business owned by the applicant
- any sum paid to the applicant in consequence of damage to or loss of the home or any personal possessions and intended for its repair or replacement
- any sum acquired on the express condition that it is used for effecting essential repairs or improvements to the home
- any personal possessions, except those acquired for the purpose of securing eligibility for a Crisis Grant
- any payment made under section 22 of the Children (Scotland) Act 1995 unless the payment was made for the same need as the Crisis Grant application
- any run-on payment of council tax discount or housing benefit
- any compensation award set aside for the replacement of lost livelihood
- any integration loan granted under The Integration Loans for Refugees and Others Regulations 2007 (SI 2007/1598).
- the mobility component of Disability Living Allowance or the mobility component of Personal Independence Payment.
- Prisoners' discharge grants

ANNEX C - FACTORS THAT MIGHT INCREASE THE VULNERABILITY OF AN APPLICANT

Some examples of vulnerabilities which would give an application higher priority are set out below. This is not an exhaustive list and should not be used rigidly as a prioritisation list.

- frailty or old age, particularly restricted mobility or difficulty performing personal care tasks.
- learning difficulties
- mental health impairments
- physical impairment or disability, including sensory impairments
- chronic illnesses
- terminal illnesses
- addictions or misuse of alcohol, drugs or other substances
- being an ex-offender
- people fleeing domestic violence
- being a young person leaving Local Authority care or a special residential schools
- being a young person who does not have parents or is unable to live with their parents because it would put them in danger or they have become estranged
- looking after children for a relative or friend as a kinship carer
- being a lone parent
- children living with young parents aged under 25
- children living with a disabled adult
- children living in a large family with three or more children
- experiencing family breakdown
- being a family who has been judged to be facing exceptional pressure for a CCG.
- being pregnant, recent childbirth or adopting a child
- having responsibility as a main care giver
- homelessness or repeated homelessness
- repeated failed tenancies
- an unsettled way of life (living in hostels, sofa-surfing, not having your own address)
- experiencing eviction or re-possession
- experiencing redundancy
- leaving the armed forces
- setting up an independent home for the first time
- a history of seasonal temporary or insecure work