



Buckinghamshire County Council

Title: Buckinghamshire County Council's - Local Emergency Support Policy

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Electoral Divisions Affected: All

1. Introduction & Policy Contents

1.1 This document outlines Buckinghamshire County Council's Policy relating to the delivery of Local Emergency Support.

1.2 The Council's Local Emergency Support Policy was approved on 26.3.2013 by the Cabinet Member for Finance & Resources

1.3 **The Council's Local Emergency Support Policy was updated on XXXXXX.**

1.4 Local Emergency Support Policy Contents:

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2. Objectives of the Local Emergency Support Policy

2.1 The objective of the policy are to:

- ensure that Local Emergency Support is made in a fair and equitable way
- ensure that the eligibility criteria is easily understandable and meets the Council's Policy on equality and diversity issues
- ensure that the Council operates procedures and has working practices which are efficient and effective in assessing claims and delivering solutions
- ensure that there is an efficient and clear complaints procedure

2.2 The Policy will operate as a pilot from 1.4.2013 with all learning reviewed and informing practices for Year 2.

2.3 The Policy has been updated from XXXXX to enable funding to be used to support organisations within Buckinghamshire who work with residents in crisis. Funding will be in the form of one off donations.

2.4 The Policy has been updated from XXXXX to confirm the position around asylum seekers, persons from abroad and Section 17 of the Children's Act 1989.

3. Legislation

3.1 The Welfare Reform Act 2012 received Royal Assent on 8th March 2012.

3.2 Part 3 'Other Benefit Changes' S70-73 provides "Section 138(1)(b) of the Social Security Contributions and Benefits Act 1992 (discretionary payments out of social fund) is repealed.

3.3 The Welfare Benefit Act 2012 abolishes Community Care Grants and Crisis Loans and replaces them with a non-ring fenced grant which will be paid to Local Authorities in England.

3.4 Under the Local Government Act 2000, the Council is expected to utilise the non-ring fenced grant to provide assistance and emergency provision.

4. Funding



- 4.1 The Minister of State for Pensions, Steve Webb MP wrote to Buckinghamshire County Council on 6th August 2012 advising indicative funding. The values were confirmed as the final settlement on 31st December 2012.

2012/2013	Set up funding	£4,795
2013/2014	Programme Funding	£479,510
	Administrative Funding	£101,324
2014/2015	Programme Funding	£479,510
	Administrative Funding	£92,874

- 4.2 To ensure Funding covers the full financial year, the annual Programme Funding amount will be divided into equal twelfths with any surplus accumulating and rolling into the following month / Year 2.
- 4.3 All awards will be approved by the Council's Local Emergency Support Budget Decision Maker or their nominated representatives only.
- 4.4 Programme Funding use and Administrative Funding use will be reported on quarterly to the Service Director (Finance & Commercial Services)

5. Local Emergency Support – Overview

- 5.1 Local Emergency Support will only be awarded to households / individuals who can prove residency within Buckinghamshire, and who are on low incomes or have no income, or are eligible or in receipt of means tested welfare benefits and or/ tax credits and who have no access to funds / resources to meet their immediate needs in an eligible emergency or crisis situation.
- 5.2 Local Emergency Support will help claimants with their immediate needs to establish themselves in the community following a stay in residential or institutional care or to help claimants remain in the community rather than entering residential or institutional care.
- 5.3 Local Emergency Support will ease exceptional pressure on families in the event of the breakdown of a relationship (especially if involving domestic violence) at the onset of a disability or following severe fire damage or major flooding to the home.
- 5.4 Claimants/households will be signposted to voluntary organisations / food banks / charities / recycling networks etc. in the first instance where appropriate.

- 5.5 Local Emergency Support in the form of goods/services will be sourced from suppliers within Buckinghamshire where possible.
- 5.6 Local Emergency Support will support claimants to meet their short term immediate living expense needs in the event of an emergency.
- 5.7 Concerns regarding social care / safeguarding of applicants or members of households will be referred to the appropriate Council's Directorates for support / advice.

6. Local Emergency Support – Eligibility

- 6.1 From 1.4.2013 – the number of Local Emergency Support awards made to a claimant/household in a 12 month period will be limited to 2. Awards made before 1.4.2013 by the Department of Work & Pensions will not count towards this limit. Exceptions to this will only be made by the Council's Local Emergency Support Budget Decision Maker.
- 6.2 Local Emergency Support awards will not require repayment by the claimant / household.
- 6.3 Local Emergency Support applications will be considered by the Council's Local Emergency Support Team on a case by case basis.
- 6.4 Local Emergency Support is intended to cover immediate short-term emergencies only. i.e. where a claimant / household has no immediate food, needs essential goods associated with infants/children, where a claimant / household has no heating, where a claimant requires assistance with emergency travel costs, where the claimant / household has experienced a major upheaval or disaster i.e. a major flood, a gas explosion, a chemical leak, or a house fire. These examples are not intended to be an exhaustive list.
- 6.5 Requests for funding from organisations within Buckinghamshire who work with residents in crisis will be considered by the Council's Local Emergency Support Decision Maker. Funding will only be made on a one off donation basis and awards made will not obligate the Council to enter into any long term financial commitments with these organisations.
- 6.6 Local Emergency Support is not available to those seeking asylum or for whom an application for asylum has been refused. Applicants must have recourse to public funds and to satisfy the tests under Social Security Persons from Abroad legislation.
- 6.7 Local Emergency Support funding will not be used where Section 17 of the Children's Act 1989 applies.

7. Exclusions / Needs Which Are Not Covered.

- 7.1 Applications from individuals who are under 16 years old.
- 7.2 Individuals who are involved in a Trade dispute.
- 7.3 Needs which occur outside of Buckinghamshire.
- 7.4 Needs that can be met by family/friends.
- 7.5 Individuals with capital in excess of £500.
- 7.6 Residents in Care Homes with no plans for discharge within 2 weeks.
- 7.7 Hospital in-patients with no plans for discharge within 2 weeks.
- 7.8 Individuals lawfully detained or on release on temporary licence.
- 7.9 Members of a religious order who are being fully maintained by it.
- 7.10 Individuals treated as in full time education.
- 7.11 To fund rent in advance / rental deposits.
- 7.12 An educational or training need including clothing/tools.
- 7.13 A school uniform or sports clothing for use at school or equipment to be used at school.
- 7.14 Travelling expenses to/from school.
- 7.15 School meals taken during school holidays by children who are entitled to free school meals.
- 7.16 Expenses in connection with court (legal) proceedings such as legal fees, court fees, fines, costs, damages, subsistence, or travelling expenses (other than emergency travelling expenses when stranded from home).
- 7.17 Removal or storage charges if being re-housed following a compulsory purchase order, a redevelopment, or closing order, a compulsory exchange of tenancies, or under a housing authority's statutory duty to the homeless.
- 7.18 Domestic assistance and respite care.
- 7.19 Any repair to Council property, Housing Trust property, privately rented property.
- 7.20 A medical, surgical, optical, aural, or dental item/service (these needs can be provided free of charge by the National Health Service if claiming Universal Credit (Income Support/Income-based Jobseeker's Allowance, Income-related Employment & Support Allowance or Pension Credit (including Guaranteed Credit)
- 7.21 Work related expenses.
- 7.22 Debts to Government departments, Local Authorities or Utility Companies.
- 7.23 Investments.
- 7.24 To purchase, install, pay for rental or call charges for a telephone.
- 7.25 Mobility needs.
- 7.26 Holidays.
- 7.27 To purchase a television or radio or a licence, aerial or rental charges for a television or radio.
- 7.28 Garaging, parking, purchase and running costs of any motor vehicle except where a payment is being considered for emergency travel expenses.
- 7.29 Housing costs.
- 7.30 Council Tax, Council water charges, arrears of Council Tax or arrears of Council water charges.

- 7.31 Any costs covered by insurance policies.
- 7.32 Any needs met by Department of Work & Pensions benefits/allowances.
- 7.33 Health needs met by the Primary Care Trust.
- 7.34 To supplement Department of Work & Pensions benefit claimants who have been subject to sanctions, conditions, civil penalties or overpayment action.

This is not an exhaustive list and may be added to throughout the duration of the Policy.

8. Application/Assessment/Decision Making

- 8.1 Claims for Local Emergency Support may **ONLY** be made via the Council's dedicated telephone number or by completion of the Council's Local Emergency Support Application Form.
- 8.2 A fully completed Local Emergency Support Application Form will be assessed by the Council's Local Emergency Support Team within 5 working days of receipt depending on urgency and priority.
- 8.3 The Council's Local Emergency Support Team will validate all welfare benefits / tax credit details and residential status declared to confirm eligibility.
- 8.4 Where an application is approved, the Council's Local Emergency Support Team will support the claimant / household to meet their agreed immediate/emergency needs through the provision of locally sourced goods/services to the agreed budget.
- 8.5 Where an application is declined, the Council's Local Emergency Support Team will notify the claimant / household by telephone and in writing.
- 8.6 Claims for Local Emergency Support made to any other telephone number will not be accepted.
- 8.7 Claims for Local Emergency Support can not be made in person to any of the Council's offices.
- 8.8 The Council's Local Emergency Support will need the claimant / household to provide all details required / requested to enable a decision to be made.
- 8.9 Any refusal to provide information required may result in a claim being declined.
- 8.10 Where assistance is required out of normal office hours / weekends, the Council's Out of Hours Service will provide for eligible immediate / crisis needs.

9. Local Emergency Support Delivery to Claimants

- 9.1. Local Emergency Support awards will be delivered through the provision of locally sourced goods/services.
- 9.2. Where possible, the claimant will be able to select goods/services from nominated suppliers to the agreed budget which will include the costs of delivery/installation etc.
- 9.3. Local Emergency Support needs will be met through the provision of monies in exceptional circumstances only.
- 9.4. Where Local Emergency Support needs are to be met through monies, payment transfer will be made directly into the claimant's bank account or an account nominated by the claimant.

10. Appeals Process

- 10.1 The Council's Local Emergency Support Budget Decision Maker's decision is final.
- 10.2 There is no opportunity for claimants to appeal against decisions made around the amount or method of Local Emergency Support granted or any decisions made to refuse Provision.

11. Complaints Process

- 11.1 The Council's Complaints Process will apply.
- 11.2 All complaints relating to Local Emergency Support will be referred to the Council's Local Emergency Support Budget Decision Maker.

Background Papers

Welfare Reform Act 2012

<http://www.legislation.gov.uk/ukpga/2012/5/contents/enacted/data.htm>