



# Discretionary Crisis Fund Policy

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**1. Purpose of this scheme**

- 1.1 The purpose of this scheme is to temporarily relieve financial hardship resulting from an exceptional crisis.
- 1.2 An exceptional crisis may arise from the following circumstances:
- An unsettled way of life due to homelessness
  - Being a victim of domestic violence or abuse
  - Help to remain in the community to live independently to prevent hospitalisation, residential or institutional care
  - Unfortunate events outside the person's control such as fires, floods or being a victim of crime
  - Unforeseen costs that fall outside the scope of managing on a low income to cover the daily living expenses.

\*This list is not exhaustive

- 1.3 The scheme is designed to alleviate only an immediate and exceptional crisis. Applicants will be encouraged to seek support for long term solutions that may be available through debt counselling services, voluntary and community groups or government programmes of support.
- 1.4 Financial difficulties arising from day to day budgeting pressures are not deemed a crisis event for the purpose of this scheme.

## **2. Eligible Support / Items**

- 2.1 Successful applicants will be awarded fuel top ups and food parcels to alleviate the immediate crisis. Only in exceptional circumstances will consideration be given to the award of essential household items such as white goods.
- 2.2 A list of ineligible requests and ineligible items for support are shown in Appendix A and B

## **3. To be eligible for this scheme, applicants must be:**

- 3.1 Aged 16 or over
- 3.2 Ordinarily resident in Solihull and no other residence in another local authority area.
- 3.3 Discretion for ordinary residence will be considered where the local authority has a homeless or a safeguarding duty.
- 3.4 Legally resident in the UK
- 3.5 Without sufficient resources to meet their basic needs as a result of an exceptional crisis.

## **4. Exclusions – the following grounds of exclusion for support shall apply:**

- a) a person resident in hospital or a care home
- b) a person who does not have leave to enter or remain in the UK as part of the Immigration and Asylum Act
- c) Prisoners and people lawfully detained
- d) Members of a religious order who are fully maintained by the order
- e) Full-time or part-time students unless in receipt of working age benefits such as Universal Credit, Employment Support Allowance or equivalent
- f) A person from abroad who fails or would fail the habitual residence test for the purpose of welfare benefits and other entitlements.

## **5. Considerations for Award**

- 5.1 No cash payments will be provided.
- 5.2 Applicants will be restricted to 2 awards in a 12 month rolling period. However, the entitlement to a second award will remain at the decision maker's discretion.
- 5.3 The financial resources of the applicant and other household members.
- 5.4 Access to other sources of support to resolve the crisis need.
- 5.5 Access to benefit advances or hardship fund payments administered by the Department for Work and Pensions.
- 5.6 We will not duplicate funding and other types of support that is available from statutory or voluntary services.
- 5.7 The ability of the person to use affordable credit that will cause no financial disadvantage
- 5.8 The applicant has not deprived themselves of income or capital that could have otherwise been available to meet the requested need
- 5.9 Awards maybe conditional upon an applicant agreeing to engage with support to help reduce their susceptibility to crisis events.

## **6. Decision Making**

- 6.1 Requests for a pre-paid meter fuel top up will be resolved within 48 workings hours from the date of receipt. Applications received for a fuel request after 2.30pm may not be actioned until the following working day.
- 6.2 Applications for all other items will be resolved within 14 days from the date of receipt, dependent upon the information supplied by the applicant.
- 6.3 Decision makers may request at their discretion, financial statements from an applicant and other types of supporting information in order to make a

decision. Should this information not be supplied within a reasonable time, applications will be refused.

6.4 The Council reserves the right to refuse applications. This scheme is discretionary and there is no automatic entitlement to an award.

6.5 Applicants will be notified by phone or writing of the outcome of their application in accordance with the above time scales.

## **7. Reviews**

7.1 This scheme does not carry an automatic right of appeal. The decision for revising decisions will remain at the Council's discretion. The review process will focus on how a decision was formed and whether the criteria of the scheme were followed.

7.2 An applicant who disagrees with a decision can request a review of their application on the following grounds only:

- a) A decision was made on a factual error that was no fault of the applicant(s);
- b) There has been oversight on a significant piece of supporting information provided by the applicant; or
- c) New evidence has come to light which was not provided as part of the original application. The evidence should have material significance and restricted to the events stated in the original application.

7.3 Applicants must submit a request for review within 14 working days from the date they were notified of their original decision. Requests must be submitted in writing with supporting evidence, where required.

Requests for a review should be sent to the Financial Inclusion Team:-

By post to – Financial Inclusion Team, Discretionary Crisis Fund, Income & Awards, Solihull Council, PO Box 8118, The Council House, Solihull, B91 9WZ; or

Email to - [financialinclusion@solihull.gov.uk](mailto:financialinclusion@solihull.gov.uk)

7.4 The request will be investigated by an independent reviewing officer and a decision will be made within 14 days upon receipt of the written request. Applicants will be notified of the outcome in writing.

## **8. Audit of the Scheme**

8.1 To ensure transparency and consistency, there will be regular monitoring of applications and general cases. Such monitoring will be undertaken with due

regard to the Council's responsibilities under all relevant legislation e.g. General Data Protection Regulation and Equality Act 2010.

## **9. Fraud**

9.1 The Council is committed to the fight against fraud in all its forms. Where an applicant fraudulently claims a grant by falsely declaring their circumstances, the matter will be investigated and if fraud is found to have occurred, action may be taken including, if appropriate, criminal proceedings.

## **10. Appendices**

10.1 Appendix A - Ineligible **requests** for support

10.2 Appendix B - Ineligible **items** for support

### **Appendix A – Ineligible requests for support**

Ineligible requests are as follows:

- a) Benefit sanctions for not satisfying the conditionality of a claim;
- b) Lost money or stolen (unless a crime reference can be provided for the later);
- c) A benefit re-assessment that will result in an applicant receiving a lower amount, which will be their on-going payment for the foreseeable future;
- d) On-going benefit suspensions or reduced benefit payments;
- e) Spending income on non-priority costs that are excessive e.g. mobile phone charges, subscriptions, memberships, professional services, hire purchase, leasing etc. (not exhaustive list);
- f) Repayment of monies to friends, family and other persons who do not have a licence to lend credit;
- g) Repayment of loans, credit cards and other types of non-priority finance;
- h) Living expenses and housing costs that can be covered by a benefit advance, where eligible;
- i) If the person is not the owner-occupier or tenant of the property;
- j) Expenses that could be covered by other statutory services, discretionary hardship funds including DWP benefit advances and hardship payments;

- k) Flooding and fire where it is reasonable for an owner occupier, landlord or tenant to hold the appropriate insurance;
- l) Planned moves, resettlement or release from institutional care (e.g. prison, hospital, nursing home);
- m) Unable to access income and capital that is not immediately available, such as premium bonds, house sale or insurance;
- n) Statutory duties that are the function of other council departments or other public and regulatory bodies.

### **Appendix B – Ineligible items for support**

- a) Adult social care local authority charges or privately funded care
- b) Any repair to property owned by public sector housing bodies including housing associations , housing co-operatives and housing trusts
- c) Benefit overpayments
- d) Cash
- e) Carpets, Sofa's, curtains, blinds, decorative items
- f) Council Tax
- g) Commercial Investments
- h) Credit Card, Loan, Hire Purchase, Lease or any other non-priority consumer debt covered by a credit licence.
- i) Debts owed to government departments e.g. budgeting advance
- j) Education or training costs
- k) Expenses in connection with legal fees, court fees, fines, costs, damages
- l) Food Parcels (if available from local charity schemes).
- m) Garaging, parking, purchase and running costs of any motor vehicle
- n) Holidays
- o) Housing repairs and improvement (including cost of materials and labour)
- p) Insurance payments
- q) Maternity expenses that can be covered by statutory maternity pay or other government allowances and schemes
- r) Medical, surgical, optical, or dental items or any other related services
- s) Mortgage payments
- t) Purchase, installation, rental charges for a telephone, internet, mobile phone and TV
- u) Sewerage rates, service charges, maintenance charges and other collective community charges
- v) School meals taken during term time by children who are entitled to free school meals

- w) Removal or storage charges if you are being re-housed following a compulsory purchase order, a redevelopment or closing order, a compulsory exchange of tenancies
- x) Travel expenses that are not out of necessity

This list is not exhaustive. Other items or services may be refused at the Council's discretion.