

## **Essential Living Fund Grant (ELFG) – Draft Scheme**

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

Its prime objectives are to:

- ◆ **Help People Establish In The Community Following A Stay In An Institution, Care Home, Hostel or Similar, In Which They Received Care**
- ◆ **Help People Discharged From Prison and Youth Offender Institutions**
- ◆ **Help Young People Leaving LA Care Establish In The Community**
- ◆ **Help People Remain In The Community Rather Than Enter An Institution Or Care Home In Which They Will Receive Care**
- ◆ **Ease Exceptional Pressures On People Or Their Families**
- ◆ **Help People Set Up Home In The Community, As Part Of A Planned Resettlement Programme, Following An Unsettled Way Of Life**
- ◆ **Help People To Care For A Prisoner Or Young Offender On Release On Temporary Licence**
- ◆ **Help People Who Are Unable To Meet Their Immediate Short Term Needs Either In An Emergency In Relation To Some Expenses Or As A Consequence Of A Disaster**

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

### **Decision Makers**

An award of a grant under the ELF scheme will be made by a Decision Maker. This is an employee of Southend Borough Council who is acting under the directives of the EFLG schemes policy to make a discretionary decision as to the eligibility of the applicant.

### **Purpose of the Fund**

It is important to consider carefully all the circumstances of an application before deciding whether or not to award an Essential Living Fund Grant. No two cases will be the same. The flexibility of the scheme and wide variety of individual circumstances covered mean that a decision in one case does not constitute a precedent for others.

Regard must be given, in particular to:

- ◆ The nature, extent and urgency of the need
- ◆ The existence of resources from which the need may be met
- ◆ The possibility that some other person or body may wholly or partly meet that need. In providing this help care must be taken to ensure the Essential Living Fund does not take over the role of other agencies in providing support.  
For example:

- Under the Prison Services Manual V, governors are responsible for ensuring a discharged prisoner has suitable and adequate clothing. Convicted prisoners should have a clothing board to assess their needs. The prison may also issue remand prisoners with clothing if their own is not fit to wear. It is therefore recommended that the Decision Maker checks with the prison if the application is for clothing. The normal rule is the applicant should have a change of clothing and sufficient protective clothing
- Department for Environment, Transport and Regions (DETR) grants for home improvement and repair may be available under the Housing Grants, Construction and Regeneration Act 1996. The main forms of help are renovation grants, disabled facilitates grants, common parts grants, HMO (house of multiple occupation) grants and home repair assistance
- Schemes to increase energy efficiency such as Home Insulation Grants where people are requesting extra heaters for example.
- The Family Fund – This provides discretionary grants for families caring for a severely disabled child or children aged 17 or under. It is an independent Government funded organisation registered as a charity.
- Items for severely disabled children that are the responsibility of a statutory agency such as the health authority, local government, social services, housing or education department. This would include;
  - medical services such as equipment and continence supplies including nappies, buggies and wheelchairs – responsibility of health trusts or authorities
  - equipment for daily living such as ramps, hoists and bath aids – responsibility of social services
  - education equipment – responsibility of Children and Learning Department
- Benevolent Funds
- Other sources of help as cited by websites such as Turn to Us

This list is not exhaustive

- ◆ The Councils Essential Living Funds grant allocation – The ELF's budgetary position will vary throughout the financial year. Decision makers must control and manage the ELFG budget so that high priority needs are met first

throughout the whole of the year and the allocation is not exhausted before year end.

- ◆ The priority of the EFLG (see later notes)

In making a decision the decision maker should:

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

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

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

- ◆ Award of Cash
- ◆ Provision of Recycled goods/furniture
- ◆ Vouchers
- ◆ Food Parcels

This list is not exhaustive.

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

- ◆ Frail elderly people, particularly those with restricted mobility or who have difficulty in performing personal care tasks
- ◆ People with learning difficulties
- ◆ People with mental health problems
- ◆ People with a physical impairment, including those with sensory impairment
- ◆ Chronically sick people
- ◆ Terminally ill people
- ◆ People who have, or still do, misuse alcohol, drugs or other substances
- ◆ Ex-offenders
- ◆ People without a settled way of life undergoing resettlement, other than those in the categories above
- ◆ Young people leaving Local Authority care or special residential schools
- ◆ Families with complex needs or living in difficult circumstances

This list is not exhaustive.

## Classifying the Priority of an ELFG

When deciding whether to award an ELFG consideration must be given to the level of priority of the award. Each ELFG should broadly fall into high, medium or low priority.

The general circumstances of the applicant and/or their family, urgency of the need and relevance under the guidance should be looked at.

It will normally be appropriate to give **high** priority to a need if:

- ◆ An award for the item requested will have a substantial and immediate effect in resolving or improving the circumstances of the applicant and in meeting the aims of the prime objective they have qualified under

It will normally be appropriate to give **medium** priority to a need if:

- ◆ An award for the item requested will have a noticeable effect, although not substantial and immediate, in resolving or improving the circumstances of the applicant and in meeting the aims of the prime objective they have qualified under

It will normally be appropriate to give **low** priority to a need if:

- ◆ An award for the item requested will have a minor effect in resolving or improving the circumstances of the applicant and in meeting the aims of the prime objective they have qualified under

Circumstances that may affect priority include:

- ◆ A persons ability to cope with independent living may be particularly difficult because of restricted mobility, learning difficulties, mental health problems, physical disability or mental or chronic physical illness
- ◆ Experiences of physical or emotional abuse or neglect may leave someone especially vulnerable and lacking in confidence, for example young people who have grown up in dysfunctional families or in the care system
- ◆ Returning to the community after a long period of residential or institutional care may leave someone very insecure and vulnerable, especially if they are setting up a new home on their own
- ◆ A long period of sleeping rough may leave someone with little or no concept on how to live in a settled way or cope with problems of budgeting on a low income
- ◆ Unstable family circumstances may put the well being of children at risk and increase the chances that they may have to be taken into care, for example relationships within the family are at breaking point

- ◆ Behavioural problems often associated with drug or alcohol abuse, are likely to add to the difficulties of a vulnerable person trying to live independently and increase the need for a stable environment

Examples of areas the Decision Maker should give a higher priority to include:

- ◆ Applications for discharged prisoners should be treated with particular urgency and sensitivity, bearing in mind the additional pressures and risks that prisoners face returning to the community
- ◆ Young people who have been in care and are unable to live with their parents because circumstance render it impossible for them to be reunited with their parents
- ◆ Vulnerable homeless or recently homeless people, for example young people, rough sleepers and people with a history of drug or alcohol abuse related medical problems, if there is danger that they may otherwise go into institutional or residential care
- ◆ A new type of expense that has arisen as a direct result of special circumstances, particularly if they were unforeseeable. For example a parent/carer with young children needs household items following the violent breakdown of a relationship or sudden deterioration on the condition of a disabled child justifies an award for a washing machine
- ◆ Cases where there has been domestic violence and the EFLG will help protect the applicant and/or any children from risk
- ◆ The threat of being taken into care is immediate or imminent and the EFLG will help them remain in the Community

This list is not exhaustive.

### **How Much to Award**

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

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

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

- ◆ Use national high street chain retailers and/or national catalogue outlets that are available locally to determine the amount to be awarded when awarding for furniture and household equipment, clothing and footwear
- ◆ Make the best use of the EFLG funding by awarding the lowest prices where that will still meet the applicants needs
- ◆ Consider the cost of delivery and fitting charges for certain items of furniture and household equipment, for example if the retailer offers free delivery and fitting or not
- ◆ Remember that A-rated energy efficient goods, or more expensive, are not always appropriate because we are trying to help as many people as we can with limited funds
- ◆ Consider the use of recycled furniture and vouchers to ensure the award is appropriately spent and used to best advantage

Where the applicant doesn't ask for enough to purchase the item requested the decision maker should consider awarding a higher amount that is appropriate.

For claims for 'general living expenses' there is no minimum award amount. However the decision maker should consider if the amount requested is very small:

- ◆ would its absence cause serious damage of serious risk to the health and safety of the applicant or a member of their family and
- ◆ is there no other means available to the applicant.

The maximum amount for a claim for 'general living expenses' will be calculated with regard to a quarterly assessment of the average cost for a single person's basket of basic food items and a family's basket of basic food items, sufficient for their needs.

The decision maker should of course consider if a smaller payment than the maximum will meet the immediate need so as to prevent serious risk to the health, safety or well being of the applicant or a member of their family.

## Eligibility

To claim an ELFG the applicant must be aged 16 or over and a 'resident' in the Southend- On- Sea Borough and on a low income or with little or no resources. Where 'resident' means someone who lives in a property in the Southend borough or are accessing services such as the Job Centre as if a resident of the area. When assessing an applicant's entitlement to an EFLG the amount of resources the applicant has available to them should be taken into account.

Resources include

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

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

The following people are ineligible from claiming for an EFLG

- ◆ People in care homes or hospital – unless they are due to be released within the next 6 weeks and are applying for an EFLG to help them set up in the Community. See further guidance below.
- ◆ People who are members of and fully maintained by a religious order
- ◆ Prisoners – unless they are due to be released within the next 6 weeks and are applying for an EFLG to help them set up in the Community. See further guidance below
- ◆ People in education – except those that receive Income Support, Income Based Jobseekers Allowance or Income Related Employment and Support Allowance or Pension Credit OR those who do not have access to the Student Loans and Grants intended to help with living costs whilst a student.
- ◆ People who fail the Habitual Residency Test/ Subject to Immigration Control
- ◆ People who are a subject of a trade dispute, disallowance, sanction or work focused interview sanction on their benefit award – unless the decision maker finds that the application is not as a result of a disallowance/sanction, that the applicant did have sufficient funds to cover living expenses but are claiming

because of a disaster or unexpected event resulting in a loss of those resources, for example theft of money OR they are seen as vulnerable and entitled to hardship payments

### **Help People Establish In The Community Following A Stay In An Institution, Care Home, Hostel or Similar, In Which They Received Care**

Examples of accommodation this refers to are:

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

This list is not exhaustive.

There must have been a substantial element of care or supervision involved with their stay. Each case must be looked at as an individual case as even residents within the same hostel may receive a different level of care.

In considering the level of care, the decision maker will take into account the length of time, frequency and type of care provided. The length of time the applicant had received care for should normally be a period of 3 months or more OR a pattern of frequent or regular admission clearly linked to the nature of the applicant's disability or circumstances.

For this rule to apply the living arrangement of the applicant must be a permanent one. For example if staying in a 'halfway house' or some form of board and lodging establishment prior to eventual permanent resettlement it will not normally be appropriate to award an ELFG for furniture, furnishing, other household equipment or fuel connection charges.

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

### **Help People Discharged From Prison and Youth Offender Institutions**

They could be being resettled in the community after being discharged from:

- ◆ Prison
- ◆ Youth Custody or Detention Centre
- ◆ Youth Treatment Centres
- ◆ Other Centres where a Custodial Sentence may be Served
- ◆ Hostels for ex-offenders run by probation services



This list is not exhaustive.

### **Help Young People Leaving LA Care Establish In The Community**

This could be where the applicant is:

- ◆ returning to their families and are eligible in their own right,
- ◆ establishing in the household of someone who may be eligible for an ELFG to provide for their needs or
- ◆ setting up their own home

### **Help People Remain In The Community Rather Than Enter An Institution Or Care Home In Which They Will Receive Care**

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

The ELFG may help to improve an applicant's existing living conditions with the provision of certain goods or enable them to move to accommodation which is more suitable, for example by providing them with furniture if moving from a furnished to an unfurnished property.

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

### **Ease Exceptional Pressures On People And Their Families**

All families, especially those on low incomes, face pressures at various times so that in itself is not a reason to award an ELFG. However, they 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.

Examples of exceptional pressure could be:

- ◆ The breakdown of a relationship (especially where domestic violence is involved) – this is for when a relationship has recently ended, however, the decision maker should give consideration to what happened since the relationship broke down for example if the applicant had spent time in a refuge or other temporary accommodation until permanent accommodation could be found it could still be considered despite the fact the relationship had

not recently ended. It will not normally be appropriate to make an ELFG more than once for the breakdown of the same relationship

- ◆ The onset of, or deterioration in, a disability of a member of the family – this could include repair or replacement of items damaged by the behavioural problems within the family or where new or better items are needed since the deterioration occurred
- ◆ Sudden domestic upheaval imposed by an unforeseen calamity such as a house fire, natural disaster such as flooding

### **Help People Set Up Home In The Community, As Part Of A Planned Resettlement Programme, Following An Unsettled Way Of Life**

People who have been without a settled way of life may have been:

- ◆ Using a night shelter
- ◆ Staying in a hostel
- ◆ Sleeping on the streets
- ◆ Using an emergency winter shelter
- ◆ Staying in temporary accommodation provided by the Home Office pending a decision on their application for asylum in this country
- ◆ Using a combination of these

This list is not exhaustive.

Planned programmes of resettlement may be run by Local Authorities, voluntary organisations, housing associations and registered charities. Examples include:

- ◆ DETR, which uses powers under Section 180 of the Housing Act 1996 to pay grants to voluntary organisations and housing associations for the prevention and relief of homelessness
- ◆ The Housing Corporation which funds a Special Needs Management Allowance for special needs groups
- ◆ Department of Health (DH), which funds some hostels under the 'Homeless Mentally Ill Initiative'
- ◆ The Housing Corporation under Section 30 of the Jobseekers Act 1995, which authorises the awarding of grants to non-profit making registered charities or LA's operating schemes that are similar to those of the former resettlement units

- ◆ The Home Office, which has the powers to fund voluntary bodies to provide temporary accommodation for asylum seekers, refugees or evacuees from countries outside the UK
- ◆ Charitable and private sources

The decision maker should check that a programme of resettlement exists at the accommodation that the person is moving from and the person is on such a programme.

### **Help People To Care For A Prisoner Or Young Offender On Release On Temporary Licence**

Certain prisoners and young offenders are granted short periods of leave, normally 2 or 5 clear days at home, in order to help them readjust to life outside prison. An ELFG may be awarded towards living expenses if the prisoner or young offender spends the leave with a person on a primary benefit. The award will be appropriate for extra living expenses incurred for the applicant but to a limit of no more than one seventh of the personal allowance in payment for every day they are living there.

### **Help People Who Are Unable To Meet Their Immediate Short Term Needs Either In An Emergency In Relation To Some Expenses Or As A Consequence Of A Disaster**

This is referred to as help with 'general living expenses'. Any need that would be expected to last more than 14 days is not 'short term'.  
Examples of when this would apply include:

- ◆ Stolen purse or wallet
- ◆ Lost money
- ◆ An unexpected disaster
- ◆ Money spent with no more funds to live on

When looking at this rule the decision maker must consider the list of people ineligible for an EFLG for general living expenses such as those subject of a trade dispute, disallowance, sanction or work focused interview sanction on their benefit award.

They must also give consideration to the resources the applicant still has available to them. See the section on 'Eligibly' for more.

### **Number of Awards and Repeat Applications**

**For help with furniture, furnishings, household equipment, clothing, footwear and other items not covered under the title of 'general living expenses' it will not normally be appropriate to make an award for the same expense if it has been less than 12 months since the last application, unless, the applicant has had a**

relevant change in circumstances that require them to reapply for the same expense – for example an application is made and agreed for a bed, the bed is destroyed in a house fire and the applicant applies for another bed

**For help with ‘general living expenses’** no more than 3 awards should be given in any 12 month rolling period.

An exception to this could be if the claim is made as a consequence of a disaster or emergency that was not in consequence of an act or omission for which the applicant or their partner is responsible or could have taken reasonable steps to avoid. An example of an applicant causing the emergency is having no money because they have gambled or misspent it. An example of not having taken reasonable steps to avoid it could be applying after the home has been burglarised but the home was not made secure in the first instance.

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

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

### **Needs which are covered by the Essential Living Fund**

- ◆ Furniture – such as a bed, settee, armchair, wardrobe, table
- ◆ Furnishings – such as carpets, curtains, bedding
- ◆ Household Equipment – such as a cooker, fridge, washing machine
- ◆ Fuel Connection (or Re-Connection) Charges
- ◆ Clothing and Footwear
- ◆ General Living Expenses – these are day to day living expenses such as groceries, nappies, toiletries, cleaning/hygiene products, money for pay as you go fuel meters.

### **Needs which are NOT covered by the Essential Living Fund**

- ◆ Maternity Expenses as covered by the Sure Start Maternity Grant which is designed to pay for the immediate needs of a new baby
- ◆ Funeral Expenses as covered by the Funeral Payment regulated element of the Social Fund Scheme
- ◆ Expenses which the Local Authority has a statutory duty to meet, for example the Disabled Facilities Grant
- ◆ Repairs and improvements (both the cost of materials and labour) to the dwelling occupied as the home, including any garage, garden and outbuilding

- ◆ A need which occurs outside the UK
- ◆ An educational or training need including clothing and tools
- ◆ Distinctive school uniform or sports clothes for use at school or equipment to be used at school
- ◆ Travelling Expenses
- ◆ Expenses in connection with court (legal proceedings) such as legal fees, court fees, fines, costs, damages, subsistence or travelling expenses
- ◆ Removal or Storage Charges
- ◆ Domestic assistance and respite care
- ◆ A medical, surgical, optical, aural or dental item or service
- ◆ Work related expenses
- ◆ Debts to government departments
- ◆ Investments
- ◆ Costs of purchasing, renting or installing a telephone and of any call charges
- ◆ Council Tax and Rent

## Applications

The date of a written application to the Essential Living Fund is the date it is received by the Councils office provided that the application is in writing and:

- ◆ On a form approved by the Council in accordance with instructions on the form or
- ◆ Is acceptable as sufficient in the circumstances of the case eg there is sufficient information in a letter or
- ◆ Via the appropriate Telephone claim number with sufficient detail provided

If an application is made on behalf of a person, by someone other than an appointee, that person must give their consent to the application being made on their behalf.

An application that does not meet the requirements as above will be deemed defective. However, the application could be treated as made on the date it was originally received if the applicant complies with any request made to supply further information as necessary.

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

## **Telephone Applications**

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

Where payment is to be made, they must agree to the terms and conditions but will not need to do so in writing. They will be informed that if they require immediate payment they will have to attend the offices at the Civic Centre with sufficient proof of identity to confirm their statement.

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

The earliest a person can make a telephone application for receipt of monies on the same working day will be 8.45am and the latest will be 3pm. Any application made after 3pm will be available, if agreed, from the next working day.

## **Evidence**

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

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

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

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

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

Evidence may be provided by, for example:

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

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

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

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

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

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

## [Reviewing A Decision](#)

Applicants can request a review of ELFG decisions if they disagree. They must do this in writing within one month of the date they are notified of the decision. The applicant (or appointee) must sign the review request letter. Late requests will be considered at the discretion of the Decision Maker where she/he considers that there were good reasons for the delay.

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