

Agenda Item IMD5

INDIVIDUAL EXECUTIVE MEMBER DECISION

REFERENCE IMD: 2020/05

TITLE	Local Welfare Provision Policy
DECISION TO BE MADE BY	Deputy Leader of the Council - John Kaiser
DATE, MEETING ROOM and TIME	4 June 2020 Microsoft Teams 9:40am
WARD	None specific
DIRECTOR / KEY OFFICER	Deputy Chief Executive - Graham Ebers

PURPOSE OF REPORT (Inc Strategic Outcomes)

Wokingham Borough Council (the Council) considers that it is in the best interests of the community to run a Local Welfare Provision (LWP) scheme. The scheme will be reviewed annually to provide the Council with an opportunity to understand, measure and respond to local demand.

This scheme will be known as the Local Welfare Provision (LWP) scheme and will apply from the date of adoption, until changed.

Protecting the vulnerable residents of Wokingham Borough forms part of the duties and responsibilities of various council (and partner) teams. With the emergency financial provision through LWP we aim to further assist vulnerable people who may be in crisis or an emergency where financial assistance would help. It recognises that in addition to the wide spectrum of support that is available to its residents, the Council needs to be flexible in order to mitigate unforeseen circumstances that will place additional pressure on residents and the services they receive.

RECOMMENDATION

That the Executive Member for Finance and Housing Approve the Policy amendments to be implemented from 4th June 2020. Amendments are to financial year, Executive member title, climate change, COVID 19 and funding details.

SUMMARY OF REPORT

The Council will consider making a LWP award to applicants who meet the qualifying criteria, as specified in this policy, providing sufficient funding for this purpose is available at the time of the Council's decision. All applications will be considered on their individual merits.

The features of the Council's LWP scheme are that:

- it is discretionary;

- an applicant does not have a statutory right to a payment;
- the total expenditure in any one year resulting from awards under this scheme will not exceed the value of the funding decided by Wokingham Borough Council;
- the operation of the scheme is for the Council to determine;
- the Council may choose to vary the way in which funds are allocated according to community needs and available funds;
- other than the normal appeal against the application of a discretionary function by Judicial Review, there is no right to a statutory appeal of any application decision. In the interests of fairness the Council will operate an internal review procedure for appeals in a non-discriminatory way.

The purpose of this policy is to detail the Council's high level objectives in respect of Local Welfare Provision and detail how the Council will operate the scheme, including the factors that will be taken into account when considering if a Local Welfare Provision award can be made. Each case will be treated strictly on its merits and all applicants will be treated equally and fairly when the scheme is administered.

A LWP award will normally be an urgent, one-off provision used as a short term fix to prevent a long term problem, and will seek to:

- ease severe financial pressure on families in certain situations;
- give flexible financial help to those in genuine need;
- prevent serious risk to the health, well-being or safety of the borough's most vulnerable and financially excluded residents;
- help those without the necessary means. This could include assistance to those coming in to the Borough from care or prison, or those already here, to remain in their community;
- signposting to the best organisation to assist with needs.

The purpose of this revised Policy is to update financial year, include climate change and COVID 19 response, Executive member title and funding details. The criteria and claims process remain unchanged from previously agreed policy.

Background

The Welfare Reform Act 2012 (the Act) ended the provision of Community Care Grants and Crisis Loans under the Discretionary Social Fund for living expenses provided by the Department for Work and Pensions (DWP).

Since 1st April 2013, funding was transferred from the DWP to Local Authorities to provide locally designed and administered assistance to vulnerable people.

There is no statutory duty requiring local authorities to deliver a specific scheme for administering this funding. Between 2013 and 2016, scheme funding was provided by allocations granted by Government for this specific purpose. From 1st April 2016, the scheme is cash-limited to the amount of funding provided by Wokingham Borough Council from its general funds. It doesn't replace the support mechanisms and budgets that exist elsewhere within local authorities. The funding allocated for 2020/21 is £23,170.

This policy has been designed with consideration of The Human Rights Act 1998 and The Equality Act 2010

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Business Case (including Analysis of Issues)

The Council considers that it is in the best interests of the community to run a Local Welfare Provision (LWP) scheme to ensure there is some assistance to our most vulnerable residents.

Protecting our vulnerable residents forms part of the duties and responsibilities of various departments and partners. With the emergency financial provision through LWP we aim to further assist vulnerable people who may be in crisis or an emergency situation where financial assistance would help. It recognises that in addition to the wide spectrum of support that is available to its residents, the Council needs to be flexible in order to mitigate unforeseen circumstances that will place additional pressure on residents and the services they receive

FINANCIAL IMPLICATIONS OF THE RECOMMENDATION

The Council continues to face severe financial challenges over the coming years as a result of reductions to public sector funding and growing pressures in our statutory services. It is estimated that Wokingham Borough Council will be required to make budget reductions of approximately £20m over the next three years and all Executive decisions should be made in this context.

	How much will it Cost/ (Save)	Is there sufficient funding – if not quantify the Shortfall	Revenue or Capital?
Current Financial Year (Year 1)	The council decided to provide funds to run its scheme from general funds. For 2020/21 £23,170 was approved	Yes. No further awards will be made if funding is exhausted in year	
Next Financial Year (Year 2)	Not known yet.	WBC will need to decide if it wishes to operate a LWP scheme for 21/22 and if so, fund accordingly	
Following Financial Year (Year 3)	Not known yet.	WBC will need to decide if it wishes to operate a LWP scheme for 22/23 and if so, fund accordingly	

Other financial information relevant to the Recommendation/Decision
None

Cross-Council Implications
During the initial development of this Policy, other Council service areas were consulted to ensure that this scheme was complimentary to but did not overlap with any similar provision in those service areas. The suggested amendments do not change that position

Public Sector Equality Duty
Please confirm that due regard to the Public Sector Equality Duty has been taken and if an equalities assessment has been completed or explain why an equalities assessment is not required.

SUMMARY OF CONSULTATION RESPONSES	
Director – Corporate Services	No major changes to policy that required consultation. Director and Assistant Director have reviewed policy changes and had the opportunity to comment on.
Monitoring Officer	Nothing to add
Leader of the Council	Email sent 7 th May 2020

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Reasons for considering the report in Part 2
N/A

List of Background Papers
Revised WBC Local Welfare Provision Policy

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