THE DISCRETIONARY ASSISTANCE FUND

Guidance for Decision Makers.

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Version 3
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1. Background

The UK Government’s Welfare Reform Act 2012 abolished the discretionary Social Fund and replaced parts of it (crisis loans and community care grants) with new locally based provision. From April 2013 funding for these elements of the Social Fund were devolved to the Welsh Government, the Scottish Government and to local authorities in England.

The Welsh Government’s replacement scheme, The Discretionary Assistance Fund, commenced on 2nd April 2013 and is delivered on a national basis by Northgate Public Services in partnership with Family Fund Trading and Wrexham County Borough Council.

The Discretionary Assistance Fund offers payments or in kind support for two purposes. In order to:

- Provide assistance in an emergency or when there is an immediate threat to health or wellbeing – Emergency Assistance Payment
- Enable independent living or continued independent living, preventing the need for institutional care – Individual Assistance Payment.

These payments should be available to people who do not have an alternative means of paying for what they need and do not need to be paid back. They are intended to meet one-off needs rather than on-going expenses. Awards will take the form of goods and payment cards in addition to cash.

The fund will look to address the wider needs of applicants, in particular those who are vulnerable and financially excluded. The fund will be supported by a network of referral partners across Wales who will provide strong local links to support with financial capability, money advice, income maximisation and affordable credit.
2. Who is eligible?

Repeat Applications, Exclusions and Qualifying Benefits for Individual Assistance Payments.

Repeat applications for Individual Assistance Payments
Decision Makers do not need to assess an application if the applicant has applied for an IAP for the same items or services within the last 28 days and has received a decision on that application. New applications cannot be made within this timeframe if there has not been a relevant change of circumstances, unless the need arises due to disaster, emergency or other circumstances beyond their control.

A relevant change of circumstances can be a change in personal or family circumstances that impacts on the type of need, or on how urgent the need is, or is to do with the reasons why the earlier application was refused. It could be any issue that was relevant to the last decision.

Although the payment is refused there may still be a need. Consideration should be given as to whether there are other sources of support the applicant can be signposted to.

Scenario – Repeat Application for an IAP

Bethan is looking after her elderly father. He is frail and prone to falls. She asks for a new carpet for his bedroom and thicker curtains to keep the heat in. She applied on 1 October. The application was given medium priority because she already has thin curtains and a rug and the decision is that the need for items is not urgent enough for high priority. Two weeks later, her father falls and is taken into hospital. Bethan applies again for the same items on 20 October. This time, the evidence is that new flooring would reduce the risk of falling and injury if he did fall. This time, the carpet is given high priority. There is a relevant change of circumstances because of the new evidence and higher priority.

Jennifer, who has 3 children, applies for a bed, and receives a payment. Three weeks later, she applies for another payment, for a bed for her oldest son. On this evidence alone, it is impossible to say whether this is a repeat application, as we do not know whether the first application was also for the oldest son. The decision maker should get more evidence from Jennifer before making a decision.

Exclusions for Individual Assistance Payments
The aim of an IAP is not to take over the function and funding provided by other agencies and should not be awarded for any expense which a Local Authority...
or Government Department has a statutory duty to meet. A number of exclusions apply:

- **Excluded living arrangements. A person is excluded if he or she is:**
  - resident in a care home, unless there are plans to discharge that person within 6 weeks;
  - an in-patient in a hospital or other medical establishment unless there are plans to discharge that person within 6 weeks;
  - lawfully detained unless there are plans to release that person within 6 weeks, or on a temporary release license;
  - a member of a religious order by which they are being fully maintained.

- **Exclusion or Reduction Linked to Savings and capital.** The amount of any IAP an applicant can receive should be reduced, on a pound for pound basis, for any savings or capital that the applicant or their partner have.

  The following is a non-exhaustive list of savings and capital to be taken into account:
  - Current accounts;
  - Savings accounts;
  - National savings certificates;
  - Fixed term investments;
  - Endowment policies;
  - Friendly society or other deposit accounts;
  - Trust funds;
  - Property other than the applicant’s home.

Certain capital assets may be disregarded. For example:

- Premises;
- Business assets;
- Rights in schemes such as a pension scheme, life assurance and funeral plans;
- Amounts earmarked for special purposes such as house purchases or essential repairs to property;
- Payments made for arrears of, or compensation for late payment of, social security benefits.

For prisoners being released from prison, any grant should be reduced by the value of any discharge grant or warrants made.
Other accumulated benefit income may be disregarded for the purposes of calculating savings for an IAP application if they are earmarked for specific purposes.

- **Excluded needs.** There are a number of needs which are excluded from IAP’s. These are listed at Annex A.

**Qualifying benefits for Individual Assistance Payments**
In order to qualify for Individual Assistance Payments, applicants must be aged 16 or over and receiving:
- Income support;
- Income-based jobseeker’s allowance;
- Income-related employment and support allowance;
- Pension credit; or
- ‘Payment on account’ of one of these.

There are exceptions to this rule. If an applicant is due to leave an institution or care home within 6 weeks and is likely to get one of those benefits or entitlements on leaving, and has no other means of acquiring the support needed, then a payment from the fund would be appropriate.

In the case where a DWP sanction is in place an IAP will not be awarded.

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**Scenario – Qualifying benefits for an Individual Assistance Payment**

June has been in hospital for the past 8 months. Prior to her admission she was in receipt of pension credit. June is now moving into a warden controlled flat, and has applied for an Individual Assistance Payment for furniture. June is eligible to apply for a grant as she was in receipt of a qualifying benefit before she went to the hospital and is likely to receive pension credit again when she returns to the community.

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**Repeat applications and Exclusions for Emergency Assistance Payments**
Decision Makers do not need to assess an application if the applicant has applied for an EAP within the last 28 days and has received a decision on the application. New applications cannot be made within this timeframe.

Additionally, an applicant may only be awarded a maximum of 3 awards in a rolling 12 month period.
If someone has repeated crises, it is good practice to try and find out why. What are the underlying problems? What other sources of support might there be, for example, would financial capability advice help? Signposting to organisations or, where appropriate websites that can help with household budgeting and money management e.g. MoneyMadeClearWales, the Money Advice Service and Citizens Advice Bureau should be provided along with signposting to Credit Unions.

Exclusions for Emergency Assistance Payments

The aim of the EAP is not to take over the function and funding provided by other agencies and should not be awarded for any expense which a Local Authority or other government department has a statutory duty to meet. A number of exclusions apply, as follows:

- **Excluded living arrangements.** A person is excluded if they are:
  - Resident in a care home or a hospital in-patient, unless there are plans to discharge that person within the following 2 weeks;
  - A prisoner who is in prison or released from prison on a permanent licence on bail pending a court hearing;
  - A student who should be supported by student income streams such as top-up loans and Access Funds or other hardship funds administered from the appropriate educational institution;
  - A member of a religious order by which they are being fully maintained.

- **Access to other resources.** An EAP is only awarded if the applicant has no access to other resources that would see them through the crisis.

- **Excluded needs.** There are a number of needs which are excluded from EAP’s. These are listed at Annex A.

- **DWP Sanctions and Outstanding Benefits Claims.** An EAP will not be awarded to a person following that person being sanctioned by the DWP which has resulted in a reduction in their benefit. In such cases an applicant should apply to the DWP for a hardship payment. Where there is a claim for a DWP benefit in progress (for example, the claim is made but the first payment has not been made), EAP’s can be awarded provided that the option of a short term benefit advance has been explored with DWP.

  - DWP will continue to deliver a range of complementary support dependant on the individual circumstances, for example - short term advances, budgeting loans for those on legacy benefits (including for alignment) and, as part of Universal Credit, will be offering budgeting advances. Decision Makers should seek to make sure that any entitlement to a DWP payment is realised before considering an EAP.
Individuals with no recourse to public funds are excluded from applying to the Fund for and IAP or an EAP.
3. Qualifying Conditions

Qualifying conditions for Individual Assistance Payments

Individual Assistance Payments (IAP) are intended to help vulnerable people live as independent a life as possible in the community. For this reason, applicants meeting the eligibility criteria based on the qualifying benefits must also meet one of the qualifying conditions below. If an applicant does not meet the qualifying conditions then they should be referred to DWP for a Budgeting Loan or advised to contact a furniture recycling organisation instead.

An Individual Assistance Payment may be made to individuals who are:

• 1. **Leaving Care** — to help people establish themselves in the community following a stay in an institution or care home in which they received care where circumstances indicate that there is an identifiable risk of the person not being able to live independently without this help.

• 2. **Staying in the Community** – to help people remain in the community rather than enter an institution or care home in which they will receive care, where circumstances indicate that there is an identifiable risk of the person not being able to live independently without this help. This must be clearly demonstrated in the application.

• 3. **Setting up home after an unsettled way of life** – to help people set up home in the community, as part of a planned resettlement programme, following an unsettled way of life, for example, a period of homelessness.

• 4. **Facing exceptional pressure** – to ease exceptional pressures on people and their families, which is due to factors other than those associated with low income.

• 5. **Going to provide care for a prisoner or young offender on release on temporary licence.**

• 6. **In need of help with one-off or short term travelling expenses, where these are deemed essential in support of independent living.**

1. **Leaving Care**

To qualify under this route, applicants should be leaving accommodation in which the care they received was significant and substantial and without such
care would be unable to live independently in the community. The help provided whilst in institutional or residential care may include assistance with washing, providing meals, supervision or protection.

Examples of this type of accommodation would include:
- Hospitals;
- Care homes;
- Prisons and detention centres;
- Supported accommodation;
- Foster care.

The person must be moving into the community not into another residential setting. So a person would not qualify if they were moving from hospital into supported accommodation.

The person must have been in care for 3 months or more, or there is a pattern of frequent/regular admission.

For prisoners, they must have been in prison for at least 3 months. It is the length of time in prison that counts rather than the length of the sentence.

There must also be a need for help to get established into the community. Factors that can affect this include how long the person was in care, how long it has been since they left care, what their living conditions were like before they went into care and what they are like now.

To avoid delays, people can apply up to 6 weeks before leaving care (including prison) as long as they are on a qualifying benefit or expect to get one when they leave.

A person who is caring for someone who is leaving care can also apply.
2. Staying in the Community

Applicants may qualify for an IAP if it will assist them, or a dependent/s, to remain in the community rather than enter accommodation to receive care. Consideration would need to be given to how imminent the threat of entering care is and whether the stated need for the grant would prevent this. There would need to be clear evidence provided in the application of the type of institutional care the applicant would be at risk of entering.

People most at risk of going into care are those who are having difficulty dealing with life in the community, for example dealing with personal and domestic tasks such as cooking, bathing, shopping. It is relevant to consider someone’s physical or mental health, caring responsibilities, living conditions and any recent events such as homelessness or relationship breakdown.
### Scenario – Staying in the Community

Claire, who is 53, has just moved to be near to her mother. Claire gets income-related ESA and DLA. She suffers from depression, chronic fatigue syndrome and irritable bowel syndrome. She also has rheumatoid arthritis. In the past, she has spent up to 6 months in hospital because of severe depression. Her flat is unfurnished, currently, all she has is a mattress on the floor, a chair and a kettle. She applies for an IAP for furniture. The decision maker decides that there is a risk that Claire may end up in care again if she does not get an award for the essentials for her flat. Her application for an IAP is therefore granted.

### Budgeting loan instead of an IAP

Patrick, aged 52, lives alone in a one-bedroom flat. As the result of childhood polio, he has only limited use of his left arm (he is right handed). He is a smoker, and tends to get quite bad bronchitis in winter, getting coughs which persist for 4 or 5 weeks at a time. He has been on ESA for several years, and hasn't been able to put money away to replace the washing machine in his flat, which has broken. He applies for an IAP for a replacement. The decision maker decides that, although Patrick’s health is impaired in winter, there is no evidence to suggest that he is at risk of being admitted to care because of his coughs, nor is this the case because of his arm. He does not meet the criteria for an award. He refers Patrick to the DWP to claim a budgeting loan instead.

### 3. Setting up home after an unsettled way of life

If an applicant is about to move into their own accommodation as part of a supported resettlement programme or following a period of homelessness, they may be eligible for an IAP. For example, they may have stayed in a night shelter before they were on a resettlement programme; they may have a history of repeat homelessness or they may be a young person leaving supported accommodation who needs help to establish a tenancy.

A planned resettlement programme could be run by a Local Authority, voluntary organisation, housing association, etc. It includes not just setting up home but also help with relevant skills e.g. budgeting and benefit advice.

To decide if someone has an ‘unsettled way of life’ you can look at, for example, how often the person has moved, over what period of time, what kind of accommodation s/he had or if s/he was sleeping on streets, or using night shelters, hostels, living in houses of friends or relatives.
The person could be ‘setting up home’ in a permanent or temporary tenancy

**Scenario – Unsettled way of life**

Ruth moved out of her parents' home two year ago after an argument and moved into a furnished flat. She fell into arrears with her rent and was evicted a month ago. She moved in with a friend on the understanding that this would be a temporary arrangement. After 2 weeks she moved into a hostel for single women. A local housing association has offered her a single bedroom unfurnished flat. She has applied for an IAP to furnish it. The decision maker does not consider that she has had an unsettled way of life. She stayed for 2 years in her furnished flat, and the periods of time between leaving one home and finding another have been relatively short. No award is made. The decision maker refers Ruth to a local furniture project.

Jim has been homeless for three years, sometimes staying with friends or sleeping in hostels, and sometimes sleeping in abandoned properties. The longest he has stayed in one place was when he spent three months with his brother. He recently approached a local housing project for help, and they accepted him onto their resettlement scheme. They found him unfurnished accommodation last week. Jim will also be getting help to learn basic budgeting and housekeeping skills, and has been helped to claim benefit. He now has a key worker assigned to him who has helped him apply for an IAP and will be helping him look for work. The decision maker decides that Jim has led an unsettled way of life and is following a planned resettlement program. An award would help him make his home in the community.

**4. People and their families facing exceptional pressure**

An IAP may be awarded to ease exceptional and urgent pressures on a family. A person will only be eligible for an IAP on this basis if they find themselves in circumstances which put them or their family under greater pressure than might normally be associated with low income. This may occur as the result of acute domestic difficulties which can be described as specific to the family, such as the breakdown of a relationship (perhaps where domestic violence was involved) or the needs of a family member arising from chronic illness, accident or disability.
5. Helping people to care for a prisoner or young offender on release on temporary licence

Applicants may be eligible for an IAP if someone on temporary licence from prison or from a youth detention centre is going to be staying with them. Any payments made would normally be towards the living expenses of the person released while they are staying with the applicant.

In order to be eligible for an IAP in these circumstances the applicant must be getting Income Support, income-based Jobseeker’s Allowance, Employment and Support Allowance (income-related), Pension Credit or payment on account of one of them, whilst the released person is staying with them. The applicant will have no other means of meeting the cost of care or accommodation for the duration of the temporary release period.

This grant is for the person caring for the prisoner. The applicant rather than the person coming out of prison needs to be on a qualifying benefit.
This is different from the qualifying route for people being released from prison.

Awards are usually for living expenses but could be for other expenses too.

6. Travel expenses
This is not strictly a separate route to qualifying. However, you can make an award for travel if a journey is essential in connection with a crisis or in support of independent living under the criteria for crisis and community care grants. Awards should be for the standard rate of public transport if this is available.

Scenario - Travel expenses
Martin and Ariane have 3 children. They live in Ceredigion. Their 10-year-old, Luke, is seriously ill in hospital in Cardiff. There is no prospect of him being discharged in the next month. They are taking turns visiting Luke, staying in Cardiff for a week each visit. Usually they stay in the hospital’s family rooms but when these are not available they stay in a local B&B. Martin gets income-related ESA and applies for a grant to help with the travel and accommodation costs. The decision maker decides the family is under exceptional pressure and awards an IAP to cover travel and accommodation costs for a month. She advises Martin that he can reapply if Luke is still in hospital after this.

Qualifying conditions for Emergency Assistance Payments
An EAP must be used to help meet the expenses that have arisen as a result of the emergency or disaster, and must be the only way of preventing serious damage or risk to the health or well being of the applicant or to their family.

- An emergency is a sudden, urgent, unexpected event which usually needs immediate action. Something could be an emergency for one person but not another e.g., a frail elderly person can cope with less than a young able-bodied person.
- Disasters are events of great or sudden misfortune which will normally result in significant damage to, destruction or loss of, possessions or property’. Examples would include a fire or a flood.

In emergencies, grants can cover short-term living expenses until the person gets their next benefit payment or wages.

In the case of a disaster, grants can cover both living expenses and items.

An EAP might cover a situation where a person:
- Has no money caused by a delay in benefits being processed;
- Has used up benefit visiting their sick child in hospital;
- Has no income because of a recent relationship breakdown;
- Has nowhere to stay and there is a possibility of rough sleeping;
- Is stranded away from home without means to get back.

**Scenario – Emergency Assistance Payment**

Alex is 28 and single. He is in arrears with his fuel bill and the fuel company are insisting on a high deduction from his benefit. He is also paying back a credit card debt. This leaves him without enough to pay for food and toiletries. His friends have told him they won’t help him any more. He is estranged from his family. He applies for a grant because he has spent all his benefit, he has no food in the house and he is not due another payment for 10 days. He asks for £40 to tide him over. The decision maker decides it is an emergency because Alex has lost the support of his friends that he was relying on and because he has no food. She awards a grant. Alex is given the contact details of a money advice service to help with his debts.
4. Assessing Priority

The Discretionary Assistance Fund is cash limited so in the case of IAP awards, even if someone is eligible due to their qualifying benefits and also meets the qualifying conditions, they may not receive an award or may only receive some of the items they have applied for. This will be dependant on the level of priority assigned to each item or expense based upon the information given in the application.

When assessing an application, consideration must be given to the nature, extent, severity and urgency of the need and the impact an award would have on the applicant along with the vulnerability of the applicant and the likely consequences of refusal.

The three priority ratings are based on the effect an award would have in resolving or improving the health and wellbeing of the applicant.

- **High priority** should be given if
  - the nature of the need is *immediate and severe*,
  - the applicant is *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 the applicant or their family, or
  - there will be significant adverse consequences if the item or money is not provided.

- **Medium priority** should be given if
  - the nature of the need is *less immediate or severe*,
  - The applicant is *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 or their family, or
  - there will be moderate adverse consequences if the item or money is not provided.

- **Low priority** if
  - the nature of the need is not time critical,
  - the applicant has a degree of personal resilience,
  - an award for the item requested will have only a minor effect in resolving or improving the health and wellbeing of the applicant, or
  - there will not be identifiable adverse consequences if the item or money is not provided.

It will be a matter of judgement for the decision maker, who should make a reasonable decision, based on the facts and evidence submitted as part of the application.
It may be that an applicant has requested a number of different items. When deciding priority for an award it may be the case that some items in an applicant’s request have high priority and others low or medium. When assessing the nature, extent and urgency of need Decision Makers will need to consider:

- What the expense is for. Is it for something essential which will have a big impact on the person, or for something relatively insignificant?
- Something very urgently needed in one person’s circumstances may be less urgent in another’s.
- How many people are affected, how deeply the need affects them.
- How they are managing without the item.
- If they are managing and whether this is just a stopgap.
- Whether a deteriorating situation has brought about a need that was not there before.
- Whether the requested item is essential to the applicant’s or his/her family’s ability to live in the community at large, or is merely desirable.

**Scenario – Priority Level**

Jean has applied for a replacement washing machine. She has irritable bowel syndrome and says she has to wash more underwear because of this. She is a lone parent and has two children, one of whom wets the bed regularly. Jean struggles to manage with the children and has had a problem with alcohol dependency in the past although this is now under control. The family’s washing machine is not working and Jean says she is getting depressed and anxious and that this is upsetting the children. The washing machine is 10 years old. Jean gets income-related ESA. The decision maker decides that the family is under exceptional pressure. She decides that a washing machine will make a significant difference to easing this pressure and that because of this and because the family situation has several vulnerable factors (lone parent, children living with disabled adult, previous and potential alcohol misuse), the washing machine is a high priority.
5. The Budget

After deciding what level of priority the items or expenses requested have, the next stage is to check what level of priority is being met that month from the fund’s budget. It may be that only high priority needs are being met that month in which case only those expenses that decision makers have decided are high priority can be awarded.

Northgate and the Welsh Government will be monitoring demand to the fund and, depending on the volume of applications received, will make decisions as to whether the budget can meet high, medium or low priority applications at any one time.

Scenario - Budget

Francesca is a lone parent with 3 children. The children are in good health but Francesca herself has been suffering from depression and is on medication for this. This has got worse recently and she has started having panic attacks. She has been on income support for 8 years since the children were born and has no savings. The youngest child has grown out of his cot and Francesca needs to buy a bed and bedding for him. She also wants to replace the sofa in the living room because it is old and very worn. She applies for an IAP in August.

The decision maker decides that the family is under exceptional pressure because of the mental stress that Francesca is under. She decides that a new bed will make a significant difference to easing this pressure and that because of this, and because the family situation has several vulnerable factors (children living with disabled adult, 3 children in the family), the new bed is a high priority. She decides that the new sofa is a low priority.

In August, the fund is meeting high priority needs only. The decision maker awards a grant for the bed and refuses a grant for the sofa.
6. The Decision Making Process

When considering an application for an award from the Discretionary Assistance Fund the following process should be followed:

- Decide what the applicant’s issues are.
- What facts you need to establish.
- What evidence you need to have from the applicant to support the application to allow you to make a decision.
- Have you enough evidence in the form and if not, what more would you need? Weigh the evidence.
- Decide on the balance of probabilities if the test is satisfied.

What facts have to be established will depend on the type of application and the circumstances of the applicant.

There is a difference between evidence and a fact. Evidence is any material which tends to prove or disprove a fact. For example, if the claimant tells the Decision Maker that their money was stolen, that is evidence. Decision Makers need to weigh the evidence (is it more likely to be true than not) to decide whether it is a fact that the money was stolen.

Weighing the evidence means looking at factors like whether it is a credible, consistent account. Decision Makers don’t necessarily know without a doubt that something is true, they only need to decide whether something is more likely to be true than not i.e., on the balance of probabilities.

Establishing the facts you need.

Focus on what is required to apply the guidance to the case.

- Start with the application form (or information gathered to make the application) and go through the decision making process. Start with eligibility.
- Which grant is being requested – EAP or IAP?
- Decide what the issues are – e.g. the relevant qualifying condition is to meet expenses in an emergency.
- What facts do we need to decide? Go back to the guidance and look at the issues relevant to that test – e.g., ‘to meet expenses which have arisen as a result of an emergency or disaster to avoid serious damage or risk to the health or safety of the applicant or their family.
- This identifies which facts are relevant.
- What evidence is needed to establish those facts?
Gathering evidence
Once a Decision Maker has decided what facts are relevant, they can then decide whether they already have all the evidence they need or whether more evidence would be needed to establish the facts. If the evidence already obtained in the application shows a possibility that a condition is satisfied (rather than a probability) it may be appropriate to seek further evidence.

Decision making is ‘inquisitorial’. Decision Makers cannot rely on a person to know what evidence they need. Instead it is their duty to make such inquiries as are necessary to decide the matter in hand.

The main source of evidence is the applicant themselves but Decision Makers may want to ask them to get evidence from a third party, for example a doctor.

Weighing evidence
Decision Makers will need to decide from the evidence which facts are established. They will need to decide whether on the balance of probabilities the facts are established (that is, is it more likely than not). Important factors in weighing evidence are:

- Some evidence has greater weight than other evidence.
- Greater weight, or credence, tends to be given to evidence which is:
  - first hand;
  - detailed and comprehensive, without significant gaps;
• clear, consistent, unambiguous and free from contradiction;
• plausible and realistic, (your common sense tells you it's likely);
• from an impartial or disinterested source;
• provided by an expert on the subject.

- Less weight tends to be given to evidence which is:
  - hearsay, a repetition of what someone else said he / she witnessed or was told;
  - vague or evasive;
  - ambiguous or obscure;
  - inconsistent or contradictory;
  - inherently unlikely or illogical;
  - from a partial or biased source;
  - given by someone who has no special expertise on the subject.

Issues with evidence

There are some issues particularly worth bearing in mind when weighing evidence.

- Dealing with inconsistencies
  Ms A asks for a grant for a bed saying she doesn’t have one and is sleeping on the floor, but later tells you that one of the legs of her bed is broken and propped up on bricks, then this is inconsistent. Unless it can be resolved, then on the balance of probabilities, you can decide that it has not been established that the applicant has no bed. However, don’t jump to conclusions. You have a duty to point out an inconsistency to the person and seek an explanation.
  Ms A was in fact sleeping on the floor when she claimed, but when she spoke to you later, someone had given her a broken bed that was about to be thrown out. So both statements were true.

- Conflicting evidence
  One source of evidence may conflict with another so that they cannot both be true. Then you look at which piece of evidence has more weight. If they have equal weight, then you normally decide against the applicant (because the ‘burden of proof’ in the end is on them to show they qualify).

- Dealing with late evidence
  Providing the person was given an adequate opportunity to supply evidence or correct difficulties with existing evidence and has been made aware of the consequences of failing to respond, you can proceed to determine the case on the available evidence, on the balance of probabilities.

- When there is a previous application
  Usually you only need to look at the current application for evidence. However, there may be times when a previous application is relevant e.g., where there are similar circumstances in both cases. If this raises doubts about the credibility of the application, you should explain that to the person and give them a chance to provide an explanation.
Applicants with mental ill health
People with mental ill health may not have sufficient insight into their own condition to be able to say how it affects them. In some cases, a tendency to secrecy and evasiveness may be related to their condition. Or people can present implausible evidence. You should make efforts to provide the person with appropriate support. Although you apply the normal rules for weighing evidence, you should do this sensitively and patiently. You may need to rely more on corroborative evidence from third parties e.g. a health professional to work out the relevant facts.

**Corroboration**
Normally, there is no need to ask a person to provide corroborative evidence that what s/he says is true. However, sometimes you may want to consider further evidence to confirm what the person says, for example, if their account is inconsistent or unreliable.

**Scenario – Previous Application**
 Kevin applies for an IAP for a washing machine. He says his son put a toy car in the machine and this damaged the drum. He also applied for a grant for a washing machine a year ago. The reason he gave then was that his son put a toy car in the machine and it had damaged the drum. This is strikingly similar and the decision maker is entitled to ask for an explanation and possibly request more evidence.

**Scenario - Corroboration**
 John says his 3-year-old son left the taps running and the bath overflowed, causing the bathroom carpet to be soaked and water to seep into the kitchen below damaging the ceiling plaster and the kitchen light fitting. This is quite plausible. The decision maker would have no difficulty accepting a balance of probability that this would happen.

If on the other hand, he says his 3-year-old son left the taps running and the damage from the overflowing bath ruined the bathroom carpet, damaged the ceiling plaster in the kitchen, ruined the kitchen light fitting, the cooker, fridge/freezer and washing machine beyond repair, and damaged the carpet and three piece suite in the adjacent living room, then this is less than plausible. The extent of the damage is disproportionate to the incident described. Our normal experience of life is that durable items designed to be water resistant to a point would probably not be damaged beyond repair. It is questionable that the overflowing water would have gone unnoticed for so long as to cause such extensive flooding. In this case, it would be difficult to accept on the balance of probability that the damage was as the applicant described. The decision maker would need to ask the applicant for an explanation and/or corroboration.
Annex A:

Excluded Needs for Individual Assistance Payments and Emergency Assistance Payments.

The following needs are excluded for the purposes of applying for Independence Assistance Payments and Emergency Assistance Payments from the Discretionary Assistance Fund:

- A need which occurs outside the United Kingdom;
- 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 to or from school;
- Expenses in connection with court (legal proceedings) such as legal fees, court fees, fines, costs, damages, subsistence or travelling expenses;
- 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, or under homelessness legislation;
- Domestic assistance and respite care;
- Any repair to council or housing association property;
- 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);
- Work related expenses;
- Debts, debt interest, debts to government departments or local authorities or council tax;
- Investments;
- Certain defined expenses where the applicant is subject to a sanction or disallowance in respect of their normal benefit;
- Costs of purchasing, renting or installing a telephone and of any call charges;
- Holidays;
- A television or radio, or licence, aerial or rental charges for a television or radio;
- Mobility needs including garaging, parking, purchase and running costs of any motor vehicle or any other mode of transport, except where payment is being considered for emergency travelling expenses;
- Housing costs, including repairs and improvements to the dwelling occupied as the home including any garage, garden and outbuildings, and including deposits to secure accommodation, mortgage payments, water rates, sewerage rates, service charges, rent and analogous
charges for accommodation, minor repairs and improvements, or council tax payments;

- Ongoing needs which are, or are likely to become, a feature of expenditure;
- Travelling expenses other than one-off expenses relating directly to the qualifying criteria;
- Recurring Needs;
- Repeat applications for the same circumstances or items;
- Budgeting Issues – Where the applicant has received their benefits and spent them on birthday presents or other non-essential items.