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Policy Circular

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Owner: Corporate Affairs Team

Subject: Open suspensions, suspensions over 9 months, closures and re-opening of cases

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1.0 Open suspensions

Policy

Where a case is placed into open suspension this can initially be for a maximum period of 3 months from the date the suspension is authorised. The case-worker or their manager can then agree to extend the open suspension for up to 6 months and then 9 months where there is a reason to do so (see process section).

Where a case has been in open suspension for a specific reason, for example because of no reply to correspondence, the suspension should be removed where that reason is no longer valid, so for example where a reply to correspondence is received. If a further suspension is then needed for a different reason, for example because it is discovered that the LA is below the threshold sum then a new suspension should be input with the relevant reason code.

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Process

Action required at 3 months

As a case approaches the date where it has been in open suspension for 3 months a letter should be sent to the award manager (AM) and the Local Authority (LA) contact, where applicable, explaining that cases that have been in suspension for a 3 month period will normally be closed unless a clear reason is given as to why the period should be extended. Where an acceptable reason is provided the case-worker can agree to extend the suspension period for a further 3 months. At this point it should be discussed that the case is nearing the end of the normal allowable suspension period and that the case will be closed when it has been in suspension for 9 months unless there are exceptional reasons to keep it open for longer. A follow up letter should be sent confirming this.

Where an acceptable reason is not provided closure of the case should be considered (see closure section).

Action required at 6 months

As a case approaches a date where it has been in open suspension for 6 months a phone call should be made to both the AM and LA representative (where applicable) to establish the status of the case and if there is a reason why the suspension should be extended beyond 6 months.

Where this is obtained the suspension can be extended to 9 months but a date should be notified to the AM and LA representative (where applicable) on which the case will be closed unless an appeal is made to keep the case open for longer on the basis of exceptional circumstances. A follow up letter should be sent to both parties to confirm this position and a diary entry should be placed on the system to ensure the case is closed if no further information is received (see closure section)

Where there is no reason to keep the case open for longer than 6 months the AM should be informed that the case will be closed and the implications of this action. The case should then be closed (see closure section)

Action required at 9 months

If no further correspondence is received from the award manager regarding extending the suspension period a further telephone call should be made to the AM to confirm that the case is now to be closed and closure action will be taken (see closure section)

Where a request has been made to extend the suspension period beyond 9 months the following policy and process should be followed.

2.0 Suspension over nine months

Policy

Suspensions over 9 months will only be allowed in exceptional circumstances where clear plans are in place and a need is identified. The decision to extend a suspension for a period exceeding 9 months must be approved by the senior management panel (SMP).

Once the case has been considered by SMP a user may appeal to the UPCC in the normal way if they are dissatisfied with the decision

Process

Requests to extend suspensions over 9 months must be made by the AM or an appropriate 3rd party with an explanation as to what the exceptional circumstances are and what the purpose of the extension will be.

Suspensions over 9 months will normally only be agreed where there is a clear time-scale with an end date identified and specific plans in place for the user and their care package. Ongoing, unplanned suspension extensions will not be agreed. If clear plans are in place but a specific end date is not known a suspension extension of up to 3 months may be agreed and the case should be reviewed at this stage.

Where SMP agree to extend a suspension over a 9-month period this will normally only be agreed for a period of up to 3 months, this may on occasion be extended to 6 months following a further referral to SMP. Suspension extensions will only be agreed beyond the 6-month maximum in very exceptional circumstances or where there is a clear target date for the case to come out of suspension.

All requests made by the AM or an appropriate 3rd party to extend a suspension beyond 9 months on the grounds of exceptional circumstances must be referred to the SMP for consideration.

Case-workers should ensure diary entries are input and followed up for cases where SMP agree to extend a suspension over a 9 month period and further referred to SMP or closed where appropriate (see closure section).

3.0 Closures following open suspensions

Policy

The ILF will close a case where it is no longer appropriate for the ILF to fund a care package, we are confident it is the correct course of action to take and that those involved with the case are aware of the implications of closure (for example if there are safeguarding issues).

The process described in the 'action required' section of this document should be followed where a case is being held in open suspension and prior to a closure being implemented, this will help ensure cases are closed appropriately and with relevant parties being the fully informed.

Where closure is determined to be the most appropriate course of action the reason behind the decision to close should be recorded on the User's records and the regional manager must approve the closure.

Process

Where closure is imminent the AM and the LA representative (where applicable) should be notified verbally, if at all possible, of the implications of the closure.

Where numerous attempts have been made to speak directly to the AM and LA representative (where applicable) but these have failed information details of the action taken should be recorded on the file. The regional manager should consider if the attempts that have been made to make verbal contact have been adequate and only approve the closure where they are satisfied with the action that has been taken.

Where there is any doubt or disagreement about the correct course of action the case should be referred to the Head of Operations for consideration.

If the AM or an appropriate 3rd party are not satisfied with the closure plans and wish for the suspension to be extended the case-worker and/or regional manager should consider extending the suspension period in line with the open suspension policy detailed above. Where there is doubt or disagreement about the correct course of action the case should be referred to the Head of Operations for consideration

4.0 Re-opening of cases

Policy

Where a case has been closed as a result of an administrative error the case-worker and/or the regional manager may automatically re-open the case. The reason for this action should be recorded on the user's records.

Where the AM or LA representative (where applicable) is dissatisfied with the decision that has been made to close a case or has presented new information or evidence and requests that the case is re-opened this request should be considered by SMP. If a User is dissatisfied with the decision SMP makes the request may be presented to the UPCC for consideration in the normal way.

5.0 Source

Trustees meeting 04 July 2012

Trustees meeting 13 March 2013

6.0 Cross References

7.0 History Date Reviewed

Reviewed March 2013