

Policy Circular

Document No 04/03

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Subject: Changes to Local Authority Charges
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1.0 Background

- 1.1 All assessments of ILF awards must comply with relevant requirements of the ILF Trust Deed and the Conditions of Grant Agreement (COGA). Paragraph 6 of the COGA contains provisions setting out how the charge made by a Local Authority (LA) for qualifying support and services (QSS) that it provides should be treated when an ILF award is assessed.
- 1.2 ILF users are expected to make a contribution towards the cost of the QSS being funded by the ILF. The amount of that contribution is reduced by the amount of any charges paid to the user's LA for QSS provided by the LA.
- 1.3 Paragraph 6 of the COGA provides that, with effect from 20 August 2010, on the revision of an award no account shall be taken of any increases made by LAs in those charges, whether that increase was made before or after 20 August 2010.

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2.0 Policy

- 2.1 With effect from 20 August 2010 no account will be taken of any increases in LA charges for QSS, whether that increase was made before or after 20 August.
- 2.2 Any charge made by an LA for additional or new services is covered by the provisions of the COGA and is therefore to be treated as an increased charge.
- 2.3 Any increase in an LA charge must still be notified to ILF because this may affect a person's eligibility for an award. If the increased charge means that the LA net input falls below the Threshold Sum the user would cease to be eligible. It is therefore important for ILF staff and LA representatives to be aware of this.
- 2.4 If the ILF is notified of an increased charge, that notification alone should not trigger a reassessment of the award.
- 2.5 Where an ILF user moves to a new Local Authority and the charge assessed by the new LA is higher than the charge of the previous LA, on a reassessment of the award, the full amount of the new LA's charge should be taken into account in the award calculation. This change is not covered by the terms of the COGA relating to increased charges. Any subsequent increase in the charge by the new LA is, however, covered and should be disregarded in any award calculation.
- 2.6 If the LA charge decreases the ILF award should be reassessed accordingly.

3.0 Source

Conditions of Grant Agreement dated 20 August 2010
Trustees' Meeting 19 September 2012

4.0 Cross References

Available Income Policy

5.0 History Date Reviewed

23 June 2008,
23 August 2010
August 2012