



Independent
Living Fund

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Policy Circular

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Owner: Corporate affairs team

Subject: Backdating payments

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1.0 Background

This policy sets out the principles relating to the backdating of ILF payments.

This policy applies to all requests to backdate funding.

In all cases backdated payments will only be agreed where the payments will not result in a breach of the user's group maximum sum (see ILF payments policy).

2.0 Increases in payments following a revised offer of funding

Trustees have agreed that backdated payments to a user are allowed under the following principles:

- Payments can automatically be backdated to cover care that started within 4 weeks of the date of the User Agreement form being received at the ILF office (this should be the case even if the form has been returned to the user because of an error or omission).

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- Where a request is received for payments to commence in excess of 4 weeks from the date the User Agreement form was received by the ILF, payments will automatically be backdated 4 weeks from the date the User Agreement form is received and the user will be told we cannot backdate for the full period
- The ILF will not under any circumstances reimburse the Local Authority (LA) for any costs they have covered before an ILF award begins nor where they have covered costs temporarily
- No backdating should be approved for any period prior to the date the revised offer of funding was authorised and in any case not normally more than 4 weeks.

3.0 Appeals

The ILF will not normally consider requests to backdate payments for more than four weeks prior to the date of the agreement form. If an exceptional reason is given as to why the award should be backdated further than 4 weeks, this should be referred to the Senior Management Panel (SMP). Evidence of care employed should be provided.

4.0 Payment on receipt of Invoice

Where payments are made 'on receipt of invoice' these may be backdated for the relevant period covered by the invoice(s), subject to the limitations detailed in section 2 relating to the receipt of the agreement form and authorisation date.

5.0 Additional costs

The ILF makes certain additional payments that may not form part of the normal award, for example Health & Safety or task training. It is not always possible to calculate the amount of or even request the payment in advance, and the request and payment is therefore dealt with retrospectively. This policy is not intended to restrict such payments, which are not conditional upon the completion of a user agreement.

6.0 Reimbursement to Local Authorities (LA)

If paid care is required on an urgent or emergency basis and the LA steps in to cover these costs the ILF will consider that the costs have now been covered and will not these to the LA.

If the user's request appears to be to reimburse costs already met by the LA then the user's request for backdating should be investigated further. It is not the policy of the ILF to reimburse the user if it is known that the user will then be forwarding the backdated sum to the LA to meet LA costs.

7.0 Rectifying ILF errors

Where a backdated payment is required as a result of an error made by ILF, Service Delivery can make the payment without reference to SMP so long as it is within the last 6 months. Backdating beyond 6 months will require a referral to SMP.

8.0 Source

Trustees' paper 2006 pap 058f

Trustees' meeting 9 January 2008

Email to Trustees 23 April 2008 - Trustees agreement received May 2008

SMB 29 April 2010

Trustees 9 June 2010

Operational Policy board 26 April 2012

Trustees July 04 2012

SMB May 2014

9.0 History Date Reviewed

6 May 2008

9 December 2008

01 May 2010

10 June 2010

15 December 2010

20 June 2011

July 2012

May 2014