



Independent
Living Fund

Equinox House
Island Business Quarter
City Link
Nottingham NG2 4LA

Phone: 0845 601 8815
or 0115 945 0700

www.dwp.gov.uk/ilf

Policy Circular

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Owner: Corporate Affairs Team

Subject: Increases in ILF awards

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1.0 Background

The current priority for the ILF is to maintain the existing support that is provided to users. In some circumstances the ILF is able to make certain changes to the funding that is provided in order for this support to continue effectively. This guidance document details the steps the ILF can consider taking to ensure packages remain stable.

In all circumstances the ILF can only consider increasing funding where there is scope within the relevant maximum sum to accommodate the additional costs.

2.0 Inflationary increases in the cost of care and support

The ILF is able to consider limited inflationary increases to hourly rates and associated costs (such as travel costs) as part of the final review programme. We will not normally consider any increase outside this review programme, or bring forward any review unless there is a significant change in circumstances (see 5.0) or where a review is required to meet ILF purposes.

Textphone: 0845 601 8816

Fax: 0115 945 0945

Email: funds@ilf.gsi.gov.uk

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When reviewing the support ILF provides, the Assessor will consider whether the user's care package is sustainable given the level of funding available at the time. The normal assumption will be that this is the case, unless it is clearly demonstrable and the Assessor is in agreement, that the care package is unsustainable due to a lack of funds. Only in these types of circumstances should the Assessor recommend an increase in funding.

The amount the ILF can agree to increase by is not specific, but is dependent upon the user's circumstances at the time of the review. In all circumstances the Assessor will need to provide justification for any increase recommended.

Decisions in all cases will be based upon information provided by the Assessor showing that an increase is necessary in order to maintain the current level of support.

Examples of where we may consider increases include:

- Where the care provider will leave due to low pay.
- Where costs are shown to be critically below the market rate, for example below the local direct payment rate.
- If a user has explored making changes, but has not been able to within the current award (e.g. the user has considered alternative providers or fewer hours of care).

We will not usually support increases where:

- A user has already had an inflationary increase in the last 12 months (an inflationary increase only applies where the cost of care has risen, it excludes increases due to a change of circumstance or statutory employment cost – see below).
- Where the cost of care is already above the market rate (consideration should be taken of the type of care provided).
- Where existing funding can be used more flexibly to meet a user's current support needs.

3.0 Direct payment rates

Following a review we may increase funding to match a direct payment rate where our payment was previously based upon matching this rate. Where ILF payments were not previously linked to the direct payment rate Assessors may recommend that payments match this rate but will need to provide an explanation of why an increase is necessary. If the Direct Payment rate is no longer appropriate then employment related on-costs would need to be calculated separately based on the actual hourly rate paid.

4.0 Change of provider

The ILF may consider funding an increase in costs due to the need to change provider because of circumstances beyond the user's control. This would not apply where a user has simply decided to change to a more expensive provider. This type of increase can be considered outside of the review programme without the need for a visit by a customer services manager.

5.0 Additional care & support increases

The ILF will not normally consider funding the cost of additional support except where there is a significant change of circumstances and the existing package of support is no longer suitable for the user's needs (see 6.0).

Any recommendations to pay for additional support needs can only be agreed on receipt of an Assessors report. For Group 2 users the LA must meet the threshold sum of at least £340 per week (or its annual equivalent) before we can consider funding additional care needs. We will not take over support previously provided by the local authority. In all circumstances a visit should be arranged prior to a decision being made to increase.

6.0 Significant changes in circumstances

Below is a list of the circumstances where the ILF may consider arranging an out of cycle Review visit and where the ILF may consider paying for additional care:

- Starting or ending a course of further education.
- Moving out of a family home.
- Actual or imminent loss of unpaid care.
- Separation or divorce.
- Moving house, including change of LA.
- Transition from child to adult services.

An increase to the level of need due to deterioration in condition will not be viewed as a significant change in circumstances.

7.0 Increases in statutory or essential employment costs

The ILF is committed to supporting users who directly employ their own PA to be responsible employers (see employer support policy). Increases or new requests relating to statutory or essential employment costs can be considered without the need for a visit by an assessor and normal employer support policy guidelines should be followed. The following costs can be considered:

- Payroll;
- Financial management;
- Bank Holidays;
- CRB checks; *
- Employer's liability Insurance; *
- H&S training; *
- Legal fees;
- NI contributions; *
- Statutory Holiday pay; *
- Termination of employment costs; *
- Task training;
- Statutory sick pay; *
- National Minimum Wage; *
- Advertising;
- Meeting agency workers regulations. *
- Additional costs to ensure Working time regulations are met; *

In addition where an agency can demonstrate that costs have increased in order to meet new or increased statutory employer costs (indicated above with a *) the ILF can consider meeting these costs without the need for an assessor visit. The customer services team must consider these requests.

New requests for living expenses allowance costs will not normally be paid. Requests for the ILF to fund recruitment costs (other than advertising) and new travel costs must be considered by SMP.

7.0 Holiday awards

The ILF will honour Holiday Awards that are requested in those situations where we have previously made an offer towards funding this. This is regardless of whether it is a holiday for the user or respite for the carer. Where holiday awards have previously been paid only as a lump sum we will continue to pay them providing the intention was that they were part of an ongoing package of support.

Requests to cover increases in either the cost of holiday support or additional support requirements during holidays will be dealt with in the same way as all other increase requests. This means they will only be considered as part of the final review programme, unless they relate to statutory increases or where a significant change of circumstances results in a visit being arranged.

Where the user feels there are exceptional reasons for the increase in cost of care or in the care need, they may appeal in the usual way.

Note: Financial constraints resulted in requests for payments towards holidays being declined from 29 June 2010 to August 2011.

8.0 Transfer review support visit and further visit

Where a user has received their transfer review support visit in preparation for transfer to Local Authority support in 2015 and is dissatisfied with the outcome of this because they feel their support needs have not been adequately represented SMP may exceptionally approve a further review visit to take place. Additional visits will only normally be agreed where a Local Authority representative agrees to attend.

This policy name was previously - Maintaining User Awards

9.0 Source

Trustees meeting 20 July 2011

Trustees meeting 04 July 2012

SMB meeting 13 March 2013

Trustees November 2013

SMB meeting May 2014

Trustees meeting June 2014

10.0 History Date Reviewed

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23 August 2011

01 December 2011

11 June 2012

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6 March 2014
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