GENERAL

1. Are you in favour of the Bill and its provisions? Do you think the Bill fully achieves the Scottish Government’s aim of providing assistance for short term need and community care?

Yes to both. The City of Edinburgh Council is of the opinion that the Scottish Welfare Fund has been very successful in providing assistance for short term and community care. Given that the current scheme is included in the provisions of the Bill the continued success of the fund is assured.

2. The interim SWF scheme has already been running for two years. Do you feel that the Bill has suitably taken on the learning from this time?

There have been a number of changes to the scheme which reflect learning from this time, these have in the main reflected recommendations made by Local Authorities. However, City of Edinburgh Council is of the opinion that a number of other changes could be included. These suggestions are detailed at 3 below.

3. Is there anything else that you feel should be included in the Bill?

The Bill does not include a provision for dealing with Fraud. Whilst financial penalties are unlikely to be appropriate for this customer group a form of sanction could be introduced where fraud is proven. Fraud may occur where a false declaration of need is made or the customer attempts to sell goods provided. In these cases no further claim could be considered for a period of time as prescribed in the Bill. The Bill should also clarify the position regarding removal costs or alternatively remove them from the Bill and advise that they should be dealt with through Discretionary Housing Payments.

4. Will the Bill and its provisions have a particular impact on equalities groups?

Given the Bill reflects the current welfare fund scheme it is unlikely the enactment of the Bill will have a significant new impact on equalities groups.

ADMINISTRATION OF WELFARE FUNDS

5. Do you agree with the proposal that local authorities have the option to outsource the provision of the fund to a third party or jointly administer the fund across local authority boundaries? What are the benefits or drawbacks to this approach?

Yes the Council agrees with this proposal. The benefits are that this would help support smaller local authorities achieve adequate processing and delivery times
which may not be achievable because of the lack of resilience eg sickness, holidays, within a small team. Also unit costs could be less by administering across local authority boundaries. The drawbacks include: the dilution of local knowledge, conflicting staff priorities and potential issues around the setting of staffing levels. These drawbacks could be addressed by a lead authority having an SLA agreement with the other participating authorities.

**Review of decisions and the SPSO**

6. What are your views on the proposed internal local authority review process?

The Council agrees that the process allows for another opportunity to review a case, taking into account any new evidence to ensure that the correct decision was made according to the guidelines contained within the Bill.

Do you agree that the SPSO is the appropriate body to conduct secondary reviews?

No, the Council is of the opinion that the opportunity to introduce local knowledge into the review process will be lost. Also, it is likely that the time to set up and undertake the review will increase leading to a potentially unacceptable delay for a vulnerable client group. In addition, the cost of undertaking an SPSO review is likely to be higher given that local authorities are currently undertaking reviews from within current resources.

**Further provision - regulations**

8. What are your views on the level of detail that will be contained within the regulations? Is there any aspect which you feel would benefit from being on the face of the Bill?

The Council is of the opinion that the level of detail reflects the requirements of the fund. As stated at 3 above the Council is of the opinion that Fraud has not been addressed within the Bill.

**Financial Memorandum**

9. Do you think that the costs attributed to the running of the fund and the set-up of the SPSO to administer secondary reviews are realistic and proportionate?

The Council is of the opinion that costs attributed to the grant fund are realistic and proportionate. The Council is of the opinion that the current level of administration funding provided by the Scottish Government is not sufficient to provide the service level processing times required for community care (15 days) and crisis grants (2 days). Since the commencement of the Welfare Fund on 1 April 2013 the following have occurred all of which have increased the number of applications to the fund: awareness of the fund has increased, a number of changes have been made to the guidance all of which have led to increased demand, the numbers of customers who have had their benefit sanctioned has increased leading to more applications to the fund. The Council believes that the administration funding requires to be increased by 20% to ensure the provision of good customer service. Alternatively, the Scottish
Government should allow Local Authorities to move funding from the grant fund to the administration fund to ensure good customer service is delivered.

**Other provisions**

10. Do you have any comments on any other provisions contained in the Bill that you wish to raise with the Committee?

The Council is of the opinion that a clearer definition of what constitutes low income should be included within the Bill, eg should this be stated as the same income level as a person on out of work state benefits.

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City of Edinburgh Council  
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