

# Welsh Government Fuel Support Scheme: A Guide for Welsh Local Authorities



Llywodraeth Cymru  
Welsh Government

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## 1. Purpose of this document

This guidance provides Welsh Local Authorities with the relevant information to deliver the Welsh Government Fuel Support Scheme on behalf of Welsh Government.

## 2. Overview of the Welsh Government Fuel Support Scheme

Eligible households can claim a one-off £200 payment from their local authority to provide support towards paying their fuel costs. This payment is in addition to the Energy Bill rebate being offered by the UK Government and the Winter Fuel Payment normally paid to pensioners. The payment will be available to all **eligible households** (one payment per household) however they pay for their fuel, whether that is, for example, on a pre-payment meter, by direct debit or by paying a bill quarterly and can be claimed regardless of whether they are using on or off-grid fuel.

The [Welsh Government Fuel Support Scheme](#) is part of a £90m fuel support package to address immediate pressures on living costs.

Local Authorities will be contacting households they consider eligible for the payment to invite an application to the scheme. Local Authorities may issue households in receipt of the Council Tax Reduction Scheme a direct payment using bank details gathered as part of the Cost of Living Payment. Anyone who is not contacted by their Local Authority who believes they are eligible for the payment can submit a claim via their Local Authority's website from 26 September 2022.

## 3. Eligibility for payments

A payment can be made under the scheme if the applicant meets all four conditions outlined below.

### Application Condition

An applicant meets this condition if an application to the scheme is received by the appropriate local authority by 5pm on Tuesday 28 February 2023 or if they have been determined as exempt from needing to meet the application condition (see section 4 for further details).

## Benefit Entitlement Condition

The scheme will be open to households where an applicant, or their partner is in receipt of one of the qualifying benefits at any time between 1 September 2022 and 31 January 2023:

- Council Tax Reduction Scheme (CTRS)
- Income Support
- Income Based Job Seekers Allowance
- Income Related Employment and Support Allowance
- Universal Credit
- Working Tax Credits
- Child Tax Credits
- Pension Credit
- Personal Independence Payment (PIP)
- Disability Living Allowance (DLA)
- Attendance Allowance
- Carers Allowance<sup>1</sup>
- Contributory Based/New Style Jobseekers Allowance
- Contributory Based/New Style Employment and Support Allowance
- Armed Forces Independence Payment
- Constant Attendance Allowance
- War Pension Mobility Supplement

If a householder (or their partner) who is liable for the fuel costs does not receive any of the qualifying benefits, the householder should be determined/considered as eligible for a payment if they have a qualifying person living with them.

A person meets the definition of a qualifying person if they:

- Occupy the householder's home as their primary residence; and
- Are a dependent child or another adult living with the householder (or their partner); and,
- They receive one of the following benefits between 1 September 2022 and 31 January 2023:
  - Attendance Allowance
  - Disability Living Allowance
  - Personal Independence Payment
  - Armed Forces Independence Payment
  - Constant Attendance Allowance
  - War Pension Mobility Supplement

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<sup>1</sup> Receipt of Carers Allowance includes those people who are being paid Carers Allowance and people who have claimed Carers Allowance but due to the overlapping benefit rules do not receive it as a cash benefit, i.e. they have an underlying entitlement to Carers Allowance.

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This is in reflection of the higher energy costs typically faced by a household where a disabled person resides, and a common-sense approach that recognises that Disability Living Allowance is primarily awarded to a disabled child aged under 16 (who cannot be a householder). The payment should be made to the householder liable for council tax or fuel costs.

### Fuel Liability Condition

An applicant meets this condition if they (or their partner) are liable for Council Tax as their liability for Council Tax is considered synonymous with fuel liability.

Applicants that are not responsible for paying Council Tax can demonstrate they meet this condition by providing evidence they are responsible for paying the fuel costs for costs their property. This is the case regardless of whether fuel is paid for through a pre-payment meter, by direct debit or quarterly bill and whether the fuel is received on or off grid.

Applicants can only claim for fuel costs at a property in Wales **and** where this property is considered their primary residence.

### Payment Condition

An applicant can only receive one payment from this scheme. An applicant meets this condition if they (or their partner) have not already received a payment under this 2022/2023 Welsh Government Fuel Support Scheme.

Therefore, any subsequent applications from this cohort should be rejected on the basis they do not satisfy the payment condition.

## 4. Application Process

Households who believe they may be eligible for a payment under the scheme should be able to apply to each Authority through its own online application system or if necessary, an alternative system for non-digital users from 9am on 26 September 2022.

Applications must be received by the appropriate local authority by 5pm on 28<sup>th</sup> February 2023, one calendar month after the eligibility period ends on 31<sup>st</sup> January 2023.

Local Authorities are requested, where possible, that they further process bank details of those in receipt of the Council tax Reduction Scheme (CTRS) collected as part of the Cost-of-Living Support Scheme to administer the Welsh Government Fuel Support Scheme.

Welsh Government has taken advice on the 'further processing' element of the second data protection principle. The Welsh Government is the data controller for both schemes and have concluded that our processing for the Fuel Support Scheme is compatible with the processing under our original purpose of our Cost-of-Living Support Scheme, in that it is:

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- part of an evolving package of measures to relieve the cost-of-living crisis for those with the lowest incomes; and,
- targeted at the same group of people for that purpose (households in receipt of CTRS)

Local authorities may also further process data from the previous Winter Fuel Support Scheme or the £500 for Unpaid Carers Payment which are also considered compatible with this Fuel Support Scheme.

Where this is not possible, authorities are requested to identify eligible households from their existing (CTRS) caseload data and invite them to access support, although this does not necessarily need to via the same application process as those individuals applying independently to the scheme.

Some Authorities may be able to identify eligible households from their existing Housing Benefit caseload data e.g., a household accessing working tax credit but where their income is too high to qualify for a reduction in their council tax. Authorities can choose to target these households alongside the CTRS cases; however, this is optional. For clarity, through the rest of this document, where targeted households are mentioned, this will include CTRS, and HB households should Authorities decide to utilise this option.

It is down to each Authority to choose how best to manage the application process, however it is expected that applications from the group of targeted households will not require the same level of post application verification activity as those applications that are made without an invite from the Local Authority.

DWP/HMRC approval for the use of searchlight to administer this scheme been given on the basis it is an application-based scheme. The requirement for an application can be waived by Local Authorities where eligibility to the scheme has been confirmed through the receipt of CTRS.

### **Accessibility requirements**

Authorities will need to ensure the application form and any local awareness raising materials are accessible, provide information in Welsh and English, and support customers who have difficulty using online facilities.

## **5. Verification Requirements**

### **Verification of identification**

It is anticipated that the information provided through the application process and/or recorded within the CTRS caseload data together with cross-checks against Council Tax records and Department for Work and Pensions data will be sufficient to validate identification of the applicant (and/or their partner). Authorities can decide to implement

more stringent verification checks according to their own risk appetite and these should be clearly stated within the content of their application system.

### **Checking that an applicant or their partner is receiving one of the qualifying benefits**

Where Authorities have targeted their CTRS/HB caseload, entitlement to a qualifying benefit during the appropriate timeframe will have already been identified.

For independent applications, Local Authorities may use the Department for Work and Pensions (DWP) Searchlight system, to check that the applicant, their partner, or a qualifying person is receiving one of the qualifying benefits. The provision of payments under the Welsh Government Fuel Support Scheme has been confirmed by DWP as Local Welfare Provision<sup>2</sup>

When accessing personal data using Searchlight in this way, Authorities are responsible for compliance with the UK GDPR and are reminded that they have accepted all terms and conditions set out in the current DWP/LA Data Sharing Memorandum of Understanding, and remain accountable for:

- Standards that govern the secure transfer, processing, and storage of data; and
- Security standards in respect of action required for security incidents and disciplinary action

### **Checking that the applicant or their partner is responsible for paying the fuel costs**

To prevent Authorities from having to undertake verification of fuel cost responsibility for all applications, it has been agreed that if an applicant (or their partner) is liable for Council Tax, this can be accepted as evidence that they and/or their partner are responsible for paying the fuel costs of their household.

Welsh Government accept that there is very small risk that an applicant (or their partner) could be liable for Council Tax but not be responsible for paying the fuel costs. This risk would not justify undertaking verification of fuel cost responsibility for all applications.

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<sup>2</sup> Regulation 5 of Social Security (Information-sharing in relation to Welfare Services etc.) Regulations 2012/1483 made under S131(1) of the Welfare Reform Act 2012, make provision that information can be supplied by the DWP to local authorities for the purpose of determining a person's eligibility for "local welfare provision".

"Local welfare provision" means occasional financial or other assistance given by a local authority, Scottish Ministers or Welsh Ministers, or a person authorised to exercise any function of theirs or providing a service to them, to or in respect of individuals for the purpose of—

- (a) meeting, or helping to meet, an immediate short-term need—
  - (i) arising out of an exceptional event or exceptional circumstances; and
  - (ii) that requires to be met in order to avoid a risk to the well-being of an individual; or
- (b) enabling individuals to establish or maintain a settled home, where those individuals have been or, without the assistance, might otherwise be—
  - (i) in prison, hospital, a residential care establishment or other institution; or
  - (ii) homeless or otherwise living an unsettled way of life

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It is also acknowledged that there may be some situations where the person(s) responsible for paying the fuel costs for the household may not be liable for Council Tax. Authorities will need to request further evidence to determine if the applicant is eligible for a payment under the Welsh Government Fuel Support Scheme.

Sufficient evidence in these cases may be determined by the Authority, however, examples of acceptable forms of evidence are:

<b>Billing Customer</b>
Digital copy of a recent bill or invoice for off grid fuel
Screenshot/photograph of a recent bill
Screenshot of account name and address from online account / application dashboard
Paper copy of a recent bill
<b>Pre-payment Customer</b>
Email confirmation of a recent prepayment top up
Screenshot of standard meter or smart meter device from property (smart meters should display top up history)
Screenshot of account name and address from online/app account dashboard (smart meter customers only)
Pay point receipt/similar of a recent prepayment top up
<b>Off-Grid Customer</b>
A recent invoice for the purchase of off-grid fuel

### **Checking that the applicant or their partner has not already received a payment under the scheme**

The scheme is intended to provide one-off support to each eligible households to assist with the cost of fuel over the period commencing September 2022. Authorities will need to ensure that they have mechanisms in place to prevent duplicate payments to applicants where they or their partner have already received a payment under the scheme either as a single person or as part of the same or a different couple. Any duplicate payments made cannot be claimed from Welsh Government and should be recovered from the customer.

## **6. Decisions, Payments & Appeals**

### **Decisions**

Awards made under the Welsh Government Fuel Support Scheme are not a crisis payment or an income replacement, for this reason there is no specific timeframe for making decisions

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on applications. However, all, Local Authorities should make every effort to make decisions to facilitate payments by the end of the funding claim period.

### **Payments**

Authorities are encouraged to provide payments to eligible households in a timely manner and payments should be made as soon as practically possible after a decision to pay has been made.

Payments should be made as a single payment of £200 to the bank account details available or provided on application. It is recognised that some authorities may wish to make the payments by cheque or other method. Therefore, local authorities have discretion to choose how this support is delivered to each eligible household to best ensure speedy delivery.

Each recipient should receive a letter, email, or a text message to confirm that they are eligible and that their payment has been processed.

Authorities should make every effort to issue payments to eligible households on or before 31 March 2023, where this is not possible Local Authorities will need to make provision for accruals in conjunction with guidance from Welsh Government and their s151 officer.

### **Appeals**

There is no right of appeal against any decision not to award a payment. People who are turned down will not be eligible because they do not meet the criteria. However, it would be good practice to outline the reason for refusal and they can re-apply if they become eligible because of a change in circumstances.