Direction 25 - Qualifying benefit condition

The Secretary of State directs that

25. (1) For the purposes of this direction, a qualifying benefit is, either -
   (a) income support; or
   (b) income-based jobseeker's allowance.

(2) A social fund payment under direction 4 shall only be awarded to an applicant if:
   (a) subject to sub-paragraph (b) of this paragraph, the application is treated as made on a date upon which the applicant is in receipt of a qualifying benefit, or
   (b) in a case where the conditions set out in direction 4(a)(i) are satisfied at the date the application is treated as made and it is planned that the applicant will be discharged within six weeks and is likely to receive a qualifying benefit upon discharge, or
   (c) the application is treated as made on a date upon which the applicant is in receipt of payments on account of a qualifying benefit, such as may be made by the Secretary of State under regulation 2 of the Social Security (Payments on account, Overpayments and Recovery) Regulations 1988 and that date is not earlier than (18 August 2002)

(3) For the purposes of direction 4(a)(ii) to (v) and direction 4(b), the applicant shall not be deemed to be in receipt of income-based jobseeker's allowance where the application is made on one of the three waiting days prescribed by regulation 46(2) of the Jobseeker's Allowance Regulations 1996.

Eligibility

2100 If an applicant is no longer in receipt of IS or income-based Jobseeker's Allowance (JSA) or payments on account of such a benefit at the date you make the decision this may be a relevant factor when considering priority, although it does not preclude an award.

2101 Applications for CCGs from people leaving Institutional or residential care can be considered before IS or income-based JSA has been awarded.

2102 A CCG can be awarded up to six weeks before discharge to help the applicant set up home, if it appears likely that the applicant will be entitled to IS or income-based JSA on discharge.

2103 It is recommended that the 'place of care' eg Nursing Home/Prison should be contacted to confirm the date of discharge. This is to verify that the applicant will be discharged on the date quoted and that this date will be within the 8-week time scale.