

Policy Circular

Document No 05/06

Owner: Strategy & Communications Directorate

Subject: Backdating User Awards

Version: 7 of 7

Last Amended: 6 July 2011

Date Reviewed: 20 June 2011

Next Review: December 2012

Please note: From 17 June 2010 the ILF is closed to new applications.

1.0 Background

Trustees have agreed policy principles relating to ILF payments and backdating that should be adopted in order to help ensure that the ILF is able to manage within the annual budget.

This policy will apply to all requests to backdate a new or revised offer of funding.

2.0 Policy

Trustees have agreed that back 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 (UA) form being received at the ILF office

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The Independent Living Fund is an Executive Non-Departmental Public Body of the Department for Work and Pensions

- Where a request is received for payments to commence in excess of 4 weeks from the date the UA form was received by the ILF, payments will automatically be backdated 4 weeks from the date the UA form is received and the user will be told we cannot backdate for the full period
- Payments will not normally be backdated further than 4 weeks from the date we receive the UA 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
- 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

2.1 Revised Awards

A revised award can be paid up to four weeks prior to the date on which the User Agreement is first received (this should be the case even if the form must be returned to the user because of an error).

Any backdating should not be approved for any period prior to the date the revised offer was authorised and in any case not normally more than 4 weeks.

2.2 Additional costs

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.

2.3 Reimbursement to Local Authorities

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 reimburse 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.

3.0 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

4.0 Cross References

Best Working Practices

Increase request policy

5.0 History Date Reviewed

6 May 2008

9 December 2008

01 May 2010

10 June 2010

15 December 2010

20 June 2011