

# RCN Foundation Benevolent Service Eligibility Criteria and NMC Fitness to Practice Process

## Introduction

This document provides the context for the criteria to be used for the assessment of applications to the RCN Foundation Benevolent Service. Having criteria ensures that:

- There is a clear definition of the purposes for which assistance can be given.
- The Foundation's grant-making is effective and makes the greatest possible impact providing assistance to those who most need support.
- There is legal and regulatory compliance.

The RCN Foundation, through its charitable funding, provides financial assistance to nurses, midwives and health care support workers who are experiencing financial hardship.

The RCN Foundation will endeavour to provide financial support to as many eligible individuals as possible. However, the funds available have to extend to a large group of individuals and need to be managed so that they make the greatest impact for those nurses, midwives and health care support workers in most need. Consequently, grant-making is subject to funding criteria and assistance is prioritised according to need. Through applying rigorous criteria all the decisions can be justified.

There will be instances where recommendations do not fit with current policy. Such cases will be presented to -Head of Grants and Impact (or the RCN Foundation Director, at times of absence of the Head of Grants and Impact) whose decision will be final.

The ever changing economic and social landscape and the impact of this particularly on those more vulnerable members of the professions who are often on low incomes, needs to remain the focus for the Foundation's Benevolent Service moving forward. Consequently, the Grants Committee will review the eligibility criteria annually to ensure that the Foundation's benevolent grant fund is spent effectively and in a way that best supports the delivery of its charitable objectives.

At the same time, the Foundation will make every effort to ensure that the grants given to individuals are no more than is actually required to address their need. The Foundation will also require that all individuals have explored other areas of support or finance management before they are considered for a one-off financial grant.

This document is supported by procedures dealing with specific areas of activity. These should all be considered together to form a comprehensive guide to best practice and procedures for the RCN Foundation Benevolent Service.

### **Who can apply?**

Individuals from the nursing and midwifery professions who are resident in the UK or the Channel Islands at the time the application is made can apply for a grant. Members and non-members of the RCN are eligible to apply. Appendix A presents the members of the professions eligible for consideration. Applicants are required to supply evidence that demonstrates the applicable professional role.

### **NMC Fitness to Practice Cases**

The principles below have been agreed by the Grants Committee in order to provide clarity and remove subjectivity in cases where an individual has been subject to a sanction from the NMC or equivalent body.

#### ***Fitness to Practice Case Process – NMC Registrants***

The review process for applications received from applicants who are undergoing NMC Fitness to Practice processes is set out in Figure 1.

In the case of being struck off from the NMC register, or receiving a *non-interim suspension* sanction, for actions the NMC deem to be most serious (as presented in Table 1), the individual will not be eligible for a benevolent grant but can still benefit from signposting to other services.

In cases where an *interim suspension* order is in place due to actions the NMC deems to be most serious (Table 1) but has yet to be reviewed by the criminal justice system or has been found not guilty by the criminal justice system, the applicant will be eligible for consideration for a hardship grant against the eligibility criteria.

This will be on a case-by-case basis by the Head of Grants and Impact or in the case of their absence, by the RCN Foundation Director. These applicants will also receive signposting to other services which may be of benefit.

All other cases can be considered by the Head of Grants and Impact, including where a striking off order has been imposed due to a health issue which could affect an individual's behaviour and decision-making capacity.

Cases which fall outside of the specified criteria are considered by the Head of Grants and Impact if there are exceptional circumstances that would potentially bring the case within the remit of the RCN Foundation Benevolent Service.

**Table 1:** Actions the NMC deem to be most serious

Category	Serious Cases
Criminal Conviction	Cases where a criminal conviction has been passed
Intentional Harm	Cases where there has been intentional harm to a patient
Serious Sexual Misconduct	Cases involving serious sexual misconduct
Dishonesty	<p>Cases involving dishonesty where the client is responsible for:</p> <ul style="list-style-type: none"> <li>• Deliberately breaching the professional duty of candour to cover up when things have gone wrong, especially if it could cause harm to patients</li> <li>• Misuse of power</li> <li>• Vulnerable victims</li> <li>• Financial gain from a breach of trust</li> <li>• Direct risk to patients</li> <li>• Premeditated, systematic or longstanding deception</li> </ul>

### ***3.2. Fitness to Practice Case Process - Health Care Support Workers***

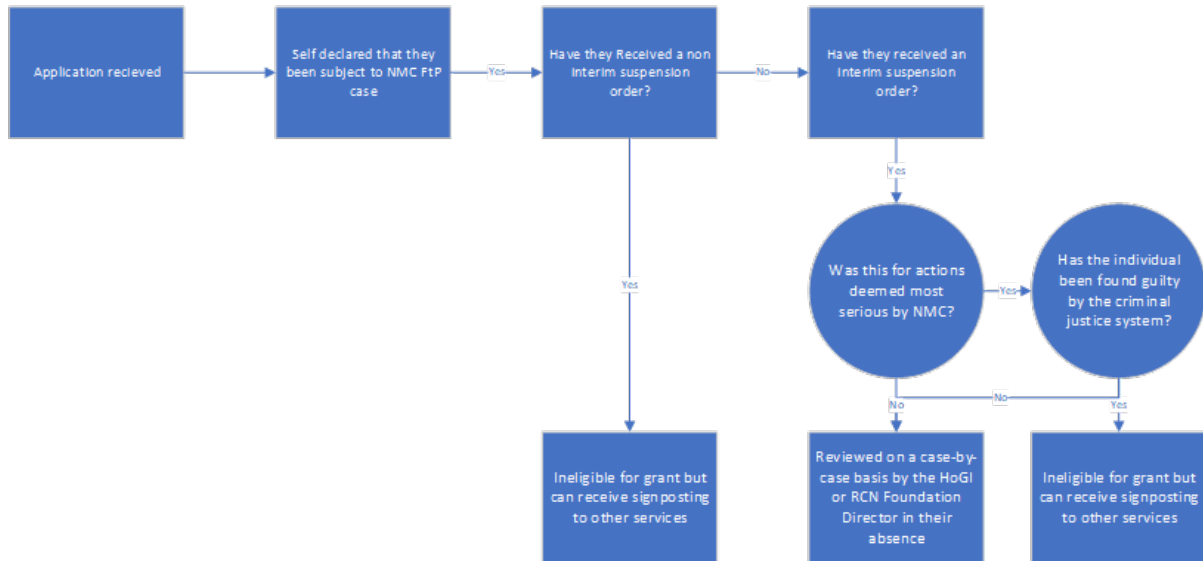
If the applicant is a health care support worker who is not registered with a Professional Statutory Regulatory Body but has been found guilty (outside of the NMC's Fitness to Practice process) of the most serious case as presented in section 3.2, the individual will not be eligible for a benevolent grant but can still benefit from signposting to other services. It is likely that the evidence for this will be based on self-declaration or information on public record.

### ***3.3. Fitness to Practice Case Process Summary***

- The RCN Foundation will not provide a hardship grant to any Nurse, Midwife Nursing Associate, HCSW or Student Nurse / Midwife who has been found guilty through the criminal justice system of any case which maps to the NMC's criteria for actions deemed to be most serious, irrespective of an interim suspension order by the NMC.
- The RCN Foundation will support such individuals through signposting to other services where appropriate.
- Those applicants who are subject to an NMC interim suspension order for actions which map to the NMC's criteria for the most serious of actions, but who have not been found guilty by the criminal justice system, or who are

awaiting the outcome of the NMC FtP process, will be considered innocent until proven guilty and will be eligible for consideration for a hardship grant through the RCN Foundation Benevolent Service processes. This will be on a case-by-case basis by the Head of Grants and Impact or in the case of their absence, by the RCN Foundation Director. These applicants will also receive sign-posting to other services which may be of benefit.

- Cases where eligibility is unclear are discussed at Grant Decision Meetings and in exceptional cases will be considered by the Head of Grants and Impact.



## Extenuating Circumstances

There may be circumstances where applicants cannot complete the application themselves due to disability or other conditions, even though they have mental capacity. There may also be circumstances where a Power of Attorney may not be in place. In these circumstances, the decision will be made by the Head of Grants and Impact (or RCN Foundation Director in absence of HoGI) on a case-by-case basis.

## Definition of financial hardship and who qualifies for support

Eligible applicants will have experienced an unexpected change of circumstance beyond their control which has led to financial need. The type of circumstances that may lead to an application include:

- A sudden reduction in income due to situations such as ill health or contract termination for reasons outside of the applicant's control
- Early retirement due to ill health
- Existing housing becoming unsuitable or unavailable, requiring funds for deposit, white goods or flooring

- Death of a partner, dependant or relative
- A crisis such as instances of domestic violence affecting ability to work

### **Scope of assistance and criteria**

The aim of the RCN Foundation's Benevolent Service is to provide short-term financial aid which acts as a safety-net to members of the nursing and midwifery professions who are experiencing unforeseen financial hardship. For longer term issues, the focus will be to help the individual acclimatise to their circumstances rather than relying on ongoing financial support. The Foundation will signpost the individuals to services and organisations who can support them with this.

Assistance cannot be awarded in cases where:

- A grant has already been awarded to the individual during the previous 12 months (although in some cases a grant may be paid in two parts, when agreed as part of the initial grant decision).

Every application will be assessed in consideration of whether:

- The nature of the issue falls within the current criteria.
- There is a shortfall between the household income and essential expenditure, not counting consumer credit debt and other costs the Foundation has noted as outside of the fund's remit.
- Measures have already been taken (or tried to be taken) by the individual to improve their situation.
- They require an essential item that they are unable to fund over a reasonable period of time and that they cannot be expected to do without.

Other factors which will be considered:

- The financial standing of the individual or household (including all income, savings, household expenditure, outstanding debts and liabilities).
- Their personal circumstances e.g. health, work availability, professional issues.
- Whether it is a short-term or ongoing issue.
- What practical assistance and / or advice can be given by other organisations to help improve things. This could include benefit advice, welfare support and income maximisation.
- Whether the request sits outside of the current criteria but exceptional and / or wholly unusual circumstances indicate that special consideration should be given to supporting the individual. These cases will be referred to the Head of

Grants and Impact for a decision, who will consult the Director of the Foundation.

### **Inclusions**

The Foundation cannot provide financial assistance to meet every identified need for an individual. Each individual's circumstances will be fully considered when awarding financial support with each grant being tailored to provide the greatest impact. We will consider most types of requests and aim to be flexible to best meet the needs of each individual. These requests could include but are not limited to the items set out in Table 2:

**Table 2** Inclusions

Essential white goods
Travelling expenses for attending medical appointments unless these are covered by the NHS low-income scheme
Mobility aids if evidence is provided these cannot be provided by the NHS or local authority
Computers, laptops and other technological items that relating to a medical condition
Home adaptations due to disability if evidence is provided these cannot be provided or fully funded by the NHS or local authority
Rental deposits
Removal costs where there is no free and suitable alternative offered by the local authority
Storage fees
Bankruptcy and debt relief orders a debt adviser has identified as a suitable strategy
Urgent household repairs / essential decorating
Essential furniture
NMC Registration fees
Utility bills which relate to a disability or ill health
Essential clothing in specific circumstances
One-off rent / Mortgage payment

Childcare costs
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### Exclusions

The decision to award a grant is made according to approved criteria and taking into consideration the amount of benevolent funds available. However, some circumstances put forward by applicants will not meet the charity's essential criteria for financial assistance. Excluded items identified by the Foundation as outside the scope of assistance are presented in Table 3.

**Table 3** Exclusions

Repayment of consumer credit debt
Debts to family and friends
Funeral costs and related costs for example travel to funerals
Holidays
International travel
Educational or training costs
Private medical treatment (including support with costs associated with the diagnosis of conditions, such as autism and dyslexia)
Private education fees
Legal fees
Payment of fines
Costs associated with immigration fees, such as visas and health surcharges
Computers, laptops and other technological items that do not relate to a medical condition
Top-up fees for care homes
Grants for dependants
University fees for dependents
House purchase
Vehicle purchase

Union membership fees
Attendance at NMC hearings
Hardship caused by industrial strike action, however individuals may still seek help in the normal way where there is evidence of financial difficulty before the onset of industrial action or, if an unrelated financial crisis were to occur during such time.
Grants which replace statutory help (including help available through Local Welfare Assistance Schemes), since in effect, the Foundation would be relieving the state of its responsibilities.
Ongoing financial support
Grants to those who knowingly continue to withhold information or make fraudulent claims.

### Capital and Savings

When applying for support to meet routine monthly expenditure (i.e. day to day costs, childcare costs or mortgage) individuals that have household savings above the amounts below will be not be eligible for financial assistance:

- £4000 for households of working age
- £6000 for household of an individual or couple who have reached or are over state retirement age

A degree of discretion may be required in relation to savings and the purpose of the grant. For example, where an individual is applying for support with one-off costs that are beyond routine monthly expenditure – such as disability adaptations – these limits do not apply. In these circumstances, the cost of what is being applied for and the individual's ability to meet the cost within a reasonable time-frame will be the primary consideration.

Conversely, it is not envisaged that someone with £4,000 in savings who requires a low level of financial assistance would be deemed to be experiencing 'hardship'. For the Foundation's assessment purposes, all capital held by the individual and their partner as savings will be considered.

In general terms, capital is set out in Table 4:

**Table 4:** Capital and Savings

Cash
Premium Bonds
Cryptocurrency



ISAs
Stocks and Shares
Unit Trusts
Credit balances in Bank and Building Society accounts
Capital belonging to any member of the applicant's household
<b>Property (wherever it is owned)</b> that is not the normal residence of the applicant or members of the household except if their circumstances require them to live elsewhere due to illness, caring responsibilities, change of work location or the individual makes a temporary move to live with friends or relatives to reduce expenditure for a short period.
<b>Buy to let properties</b> will have been purchased as a commercial arrangement with the intention of making income and capital returns. As such they are a business venture and will be taken into account as a capital resource even if at the time of application, they are in negative equity. In general, any financial obligation linked to 'buy to let' will not form part of the hardship assessment other than where there are wholly exceptional and unusual circumstances. In exceptional cases which sit outside of the standard criteria, the Head of Grants and Impact will have the discretion to make a decision.

The Foundation does not consider dependant children's money as savings unless there is evidence that these savings have been used to supplement the individual's normal monthly expenditure (i.e. regular transfers between accounts).

### **The Household**

Whilst many couples and family groups may have organised their personal finances separately, it is recognised that most applications are seeking financial support that will benefit the whole household. Consequently, a cohabiting partner's income will be taken into account unless domestic abuse or a separation are involved. Evidence may be requested of these circumstances or a change in the financial arrangement if an applicant reports one of these exceptions applying and simultaneously bank statements show regular income from a cohabiting partner.

At times, household arrangements may be complex and require sensitive investigation when exploring the financial relations between household members.

When assessing whether it is reasonable to suppose that any adult residing in the same property as the applicant and partner who do not have a commercial status as a lodger/sub-tenant should be assumed to be contributing the household finances, the Foundation recognises that families may have decided for a variety of reasons not to take a financial contribution from an adult family member living in their property. The fact that an unexpected change of circumstances has resulted in a degree of hardship would, in most cases, be considered to be reasonable grounds for that arrangement to be revised. Unless information indicates a clear inability to contribute, such as a destitute non-dependent with no recourse to public funds, a contribution equivalent to the standard housing costs contribution used in Universal Credit calculations plus the equivalent Council Tax Support reduction (where otherwise the applicant would have been entitled to a 25% reduction) will be used in the financial assessment.

Equally, where an individual lives within someone else's home, the Foundation will review whether the amount paid towards rent, utility bills, food and housekeeping is representative of the actual costs. If they pay an amount reflective of a commercial arrangement, they would not be treated as members of that household.

Tenants in multiple occupancy housing or lodgers who live entirely separately are excluded from being classified as part of the household.

### **Payment methods**

The payment methods set out in Table 5, will apply to pay an approved grant.

**Table 5:** Payment Methods

Payments for goods/services: Payment may be made direct to the supplier.
Payments to reduce/clear priority debts: Payment is made direct to the creditor where possible.
Payments needed to meet everyday expenditure: Payment may be made direct to the individual.
Payments may be made available to the individual via BACS bank transfer. Payments via CHAPS payments incur a cost to the Foundation but arrive more quickly in the recipient's bank account, with no 3-day clearing period. These can be passed to the Director of the Foundation for consideration in exceptional circumstances such as when a payment has been delayed.

### **Essential household items**

One-off grants to purchase essential household items necessary for the well-being of the individual and their dependants and where items are worn out or beyond repair will be considered when the applicant is unable to save for the item within a specified time period. Table 6 sets out what are deemed as essential household items.

Applicants are required to provide a new tenancy agreement or other evidence when a need for items arises from moving into an unfurnished property. Extended warranties on any household appliance will not be covered by the grant.

Individuals will be signposted to their local authority welfare support and other local furniture projects for additional support.

**Table 6:** Essential Goods

Category	Items
Domestic Appliances	Gas cooker Electric cooker Fridge Fridge/freezer Vacuum cleaner Washing machine/Dryer (a dryer can only be considered if the disability/ health/ space needs of the household prevent air drying as a reasonable alternative)
Furniture/Furnishings	Single bed Double bed Bunk bed Single mattress Double mattress Bedroom furniture Lounge/dining furniture Floor covering

### **Disability and mobility aids**

Grants for individuals with disabilities to help purchase essential specialist equipment, undertake house adaptation or repairs will be assessed. Individuals will need to demonstrate that they have undergone an assessment by an Occupational Therapist

and provide the report to the Foundation. They will also need to demonstrate that they have accessed all statutory and local welfare assistance schemes for help. Table 7 sets out what is deemed essential specialist equipment.

**Table 7:** Essential Specialist Equipment

Wheelchairs/scooters – (we will usually seek to obtain joint funding wherever necessary).
Deposits for vehicles leased under the Motability scheme or vehicle adaptations
Special chair/adjustable bed
Emergency care alarms when it has been demonstrated that the applicant's local authority does not fund these
Stair lift
Computer/software
Home adaptations/repairs - Checks will take place to ensure that the most cost-effective solution suitable for the individual's needs has been selected

## Medical costs

Where help is not available through the NHS, financial assistance may be considered for essential medical costs. These are in Table 8.

**Table 8:** Essential Medical Costs

Prescription costs – Up to the fee charged for an annual season pre-payment certificate.
Dental treatment – Up to the equivalent of Band 3 treatment according to the fee structure applicable in England, Wales, Northern Ireland and Scotland (assistance can be considered towards private dental costs where an NHS practitioner has not been available.)
Spectacles – Increased costs where specialist lenses are required will be considered on a case-by-case basis.

## Essential home maintenance and repairs

Essential home repairs to address needs associated with health, age, access, safety or security. Assistance in a variety of ways to ensure the wellbeing of the applicant may be considered. These are set out in Table 9.

## Utility bills

Utility bills may be met where there are abnormally high fuel costs which are associated with health or other special needs and where there is insufficient income to meet this additional expenditure.

## Clothing

One-off grants for essential clothing may be considered where health problems have resulted in significant weight change, cases of fleeing the home for safety or where clothing has been destroyed as a result of a house fire. Grants for children's clothing including school uniforms may also be considered.

**Table 9:** Essential Home Repairs

Emergency home repairs (including boiler replacement/repairs)
Essential decoration
Decorating materials
Security alarms – in circumstances where the individual is at risk e.g. domestic violence
Building insurance costs – Up to minimum amount needed to ensure continuity of basic monthly cover where the problem is short-term
Telephone installation or reconnection fees and charges (including mobile phones) – only in cases where applicants are at risk e.g. domestic violence

## Other sources of financial support

RCN Foundation benevolent grants will not duplicate, replace or pre-empt services or financial assistance that should be met by statutory provision. Individuals will need to demonstrate that they have applied for and accepted all relevant sources of state welfare support where appropriate.

This includes:

- Local Welfare Assistance Scheme (England),
- Discretionary Support Loan or Grant (Northern Ireland),

- Scottish Welfare Fund (Scotland),
- Discretionary Assistance Fund (Wales)

As part of the application process, individuals will need to undertake an affordability check. This will include a benefits check. If the benefits check demonstrates that the individual is eligible for support through statutory services, they will need to demonstrate that they have applied for this support before they apply for a grant to the RCN Foundation. There will be times when financial support is needed urgently and that the benefits application system may not reflect this urgent need. In cases such as this, the individual will be considered for support from the RCN Foundation, so long as they can demonstrate that their application for benefits is underway.

In some cases, individuals may have omitted to inform statutory services of their full circumstances such as undeclared income or other non-dependents living with them. They may therefore be receiving support to which they may not be fully entitled. The Foundation will remind applicants of their duty to ensure that statutory services are fully aware of their situation and confirm this advice in writing. Financial assistance will be refused to applicants who we believe knowingly continue to withhold information or make fraudulent claims.

When assessing an application, the Foundation will take into consideration whether or not an individual has exhausted all other sources of assistance before they have applied to the Foundation and will expect that they have also considered, where applicable:

- Using capital and savings
- Affordable commercial borrowing
- Affordable loan arrangements from family
- Applications to other funds and charities

Where the Foundation has signposted an individual to alternative support, further financial assistance will not be considered unless the individual has explored the possibility of these alternative funding opportunities.

### **Sharing the costs with other charities**

The Foundation may, at times, seek to share costs with other relevant organisations. This is referred to as almonisation.

Furthermore, where assistance is requested beyond the grant limit and/or it is reasonable to assume that the applicant or members of the household are eligible to receive assistance from other sources, the Benevolent Grants Manager / Grants Officer will identify funds from appropriate sources, both statutory and charitable. This will ensure that the Foundation's funds are used to the best effect and make the greatest

impact. This also ensures that the responsibility of assisting eligible beneficiaries is shared with other appropriate organisations.

The applicant will be encouraged to apply directly to other charities themselves. In exceptional circumstances, where the RCN Foundation holds complete documentation and believes the applicant cannot apply to other charities themselves due to ill health or disability, the Benevolent Service Team will contact other charities on the applicant's behalf if permission is provided.

The Foundation will also accept applications from other charitable grant organisations seeking to almonise their grant-making activity. In these circumstances, applications will be assessed according to the Foundation's criteria and processes.

#### **Appendix 1: Members of the professions eligible to apply for a financial grant**

<b>Role</b>	<b>Criteria</b>
Current or former Nurses and Midwives in the UK or the Channel Islands, registered with the Nursing and Midwifery Council	Working Unemployed Retired
Internationally Educated Nurses	Currently reside in the UK or the Channel Islands and are seeking to work in a health care environment and Have completed nurse training overseas or Have been registered with a nursing professional register overseas and have worked as a registered nurse overseas.
Nursing Associates; Trainee Nursing Associates (England only)	With a minimum of three years' service as a Nursing Associate or Health Care Support Worker (HCSW) in the UK or the Channel Islands
Health Care Support Workers <sup>1</sup>	With a minimum of three years' service as a HCSW in the UK or the Channel Islands
<b>Role</b>	<b>Criteria</b>

Degree Apprenticeship Nurses	Working and studying with a minimum of three years' service as a HCSW and / or Nursing Associate in the UK or the Channel Islands.
Undergraduate Student Nurses and Student Midwives - University based	<p>Whose funding for their UK degree has stopped due to illness</p> <p><i>or</i></p> <p>Who are fleeing domestic abuse</p> <p><i>or</i></p> <p>Have experienced, since starting the course, a bereavement of a partner that they co-habited with</p> <p><b>and</b> there is evidence that they have exhausted all other areas of hardship support provided by the university and other sources.</p>
Return to practice nurses	Cost of living during a UK or Channel Islands Return to Nursing or Midwifery Practice course where other sources of funding are unavailable
Assistant Practitioners	Who can demonstrate they are working under the direct supervision of a nurse / midwife.
Trainee Assistant Practitioners	<p>Who can demonstrate they are working under the direct supervision of a nurse / midwife.</p> <p>With a minimum of three years' service as a Nursing Associate or Health Care Support Worker (HCSW) in the UK or the Channel Islands</p>