The Local Welfare Safety-Net: Fit for Purpose?



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Abstract

The issue of Local Welfare Assistance (LWA) has re-merged in policy debates because of the ongoing impact of Covid-19, followed by the recent cost-of-living-crisis, nevertheless it has been notably absent from academic literature. This thesis is an interrogation of these LWA schemes: a localised, discretionary fund devolved to upper-tier local authorities across England and devolved administrations in Scotland and Wales to relieve exceptional expenses for food or household items. More particularly, the thesis explores how local authorities or meso-level actors exercise discretion in LWA design decisions. The research is based on three empirical strands: a content analysis of local authority webpages that detail LWA; and two case studies of schemes, studied through a documentary analysis of council meeting minutes and ten interviews with local authority and third sector members. This thesis uses both top-down and bottom-up perspectives on discretion to bring the meso-level to the forefront. It begins by outlining the design of LWA across England. It finds that meso-level actors make decisions by drawing on different discretionary strategies, which causes marginalisation and exclusion of vulnerable communities. These include rationing, rigid rule creation, and displacing. The focus of the study is then narrowed to delve into the displacing and dispersing of discretion through the outsourcing of LWA to third sector organisations. It argues that third sector involvement builds LWA into an incredibly complex 'local ecosystem of support'. This ecosystem,

premised on collective responsibility, is maintained and structured through relational discretion, which is the dispersal of responsibility across multiple actors in the network. This reveals two things: the multi-faceted roles of third sector organisations and the enhanced part that third sector organisations play in co-designing and administering LWA. Both are fundamental in understanding how LWA schemes are being operated and gauging the implications of localisation on claimants' ability to achieve administrative justice.

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Table of Abbreviations

CLAS	Cambridgeshire Local Assistance Scheme
CPAG	Child Poverty Action Group
DSF	Discretionary Support Fund
DWP	Department for Work and Pensions
ICO	Information Commissioner's Office
LA	Local Authority
LA's	Local Authority's
LAs	Local Authorities
LWA	Local Welfare Assistance
TSO	Third Sector Organisation
TSOs	Third Sector Organisations
UK	United Kingdom

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Child Poverty Act 2010

Childcare Act 2006

Deregulation and Contracting Out Act 1994

European Communities Act 1972

Housing Benefit Scheme 1982

Human Rights Act 1998

Local Government (Contracts) Act 1997

Local Government Act 1972

Localism Act 2011

Public Contracts Regulations 2015

Social Security Contributions and Benefits Act 1992

The Freedom of Information Act 2000

Welfare Reform Act

2009 Welfare Reform

Act 2012

Welfare Reform and Work Act 2016

Chapter One: Introduction

1.1 Introduction

At the height of the Coalition era, Dawn Martin, a 62-year-old homeless woman applied to the Isle of Wight's Local Welfare Assistance (LWA) Scheme as a last resort after her application for emergency housing was rejected (Butler, 2013). This Local Authority (LA), like many others, had decided that its new fund, introduced after the abolition of the Social Fund (SF), should offer only limited support. The council offered Dawn a voucher to buy a tent, in lieu of finding her somewhere to stay:

> During our discussions with her we did - as a last resort which we accept is far from ideal - offer her vouchers with which she could, at the very least, buy a tent as a temporary shelter but she declined this. (Isle of Wight Council quoted in Butler, 2013)

Dawn's experience reflects many of the concerns that have been raised about the design of LWA, the extent of which are unknown. This thesis is an interrogation of LWA schemes: localised, discretionary funds devolved to upper-tier LAs across England to relieve exceptional expenses for food or household items. Introduced by the Coalition Government, these schemes are one of the latest policies in the process of shifting the place of social security to a localised supplementary benefits system (Meers, 2019). This thesis's exploration of LWA provides an empirical glimpse into the realities of welfare administration in the age of localisation to local government which sets in motion fresh debates about the nature and scope of discretion in localised social welfare. It explores the exercise of discretion in the designing of LWA, the influences on design decisions, and the implications of these decisions.

This introductory chapter discusses the importance of the move to local welfare in reference to some key debates in the literature, with a particular focus on the turn from entitlement to discretionary welfare, the shift from central to local design and decision-making, and the move from

tribunal to internal redress mechanisms. In the following section, the evolution of LWA is examined, this is useful to look at because it represents a shift in the way we distribute welfare and raises many of the questions discussed in the first section. Then, the ways in which the LA 'meso-level' of administration differs from other 'levels' is outlined to explain the how this thesis departs from 'street-level' literature. Having stated that this thesis follows in the footsteps of socio-legal scholars, the next section outlines the ways in which this thesis falls within this boundary. After which, the sparse existing academic literature on LWA is outlined, paying particular attention to critical assessments on the turn away from entitlement-based welfare and positive assessments of the opportunity for local political responsiveness. Finally, this chapter outlines the research questions and the structure for the proceeding chapters.

1.2 The Importance of Localised Discretionary Welfare

The Conservative and Liberal Democrat Coalition Government introduced several controversial policy reforms that have reshaped the delivery of social security in the United Kingdom (UK), characterised by a so-called 'cut and devolve' approach (Meers, 2019, p.41). The UK social security system is largely composed of centralised *entitlement-based* benefits. This so-called 'defining feature' of the welfare state is a commitment to provide services as a matter of right, particularly the provision of financial support to people that fit specific priority groups and/or sets of circumstances laid out in statute (Goodin, 1986; Molander, 2016). However, as part of their 'localism agenda' the Coalition Government decentralised and dispersed varying levels of power and responsibility for public services to local and sub-local levels, arguing that it would invigorate local democracy and communities. This agenda has shifted the design, administration, and decision-making for discretionary social welfare from central to local government and communities. It has been argued that the rule and rights-based system which has characterised the welfare state is progressively being underpinned (and arguably complemented) by a these *discretionary-based benefits* (Handscomb, 2022, p.3). The distribution of these funds is not based on entitlement but at the discretion of someone deciding who gets what, in what manner, when, and how much.

In 2013 the Coalition Government localised responsibility for the administration of a series of 'supplementary' cash-limited funds on a case-by-case basis to 'top-up' centralised social security entitlement (Fitzpatrick, McKeever and Simpson, 2019). There are three LA administered schemes: Discretionary Housing Payments, Council Tax Reduction Schemes, and LWA Schemes. LAs have the discretion to make (or refuse) awards, and in the case of LWA decide whether to even operate a scheme, with reference to varying degrees of central government guidance and legislation. Regarding the design of Council Tax Reduction, LAs are required to secure provision for pensioners (Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012). The local administration of Discretionary Housing Payments is qualified with just three requirements: the claimant must receive some form of housing benefit, the claimant must require 'some further financial assistance in addition to the benefit to which they are entitled', and the award cannot cover exempted areas, like benefit sanctions (Discretionary Financial Assistance Regulations 2001). In the design and administration of LWA, LAs operate in an even sparser regulatory environment. There are *no* direct or specific formal constrains on the exercise of discretion (more general constrains are discussed later). This transfers a wide and relatively unbridled discretionary power on LAs.

In one sense, the movement towards localising responsibility for social welfare and associated welfare funding cuts merely emphasises trends that have existed in the UK for years. In another sense, this movement represents a clear renegotiation of the place of discretionary social security. There are three elements of these discretionary schemes that make further research important. First, evidence on the design and administration of schemes will help to inform debates on the role of local-level discretion in tandem with centralised systems of support. Second, the local welfare safety-net raises fundamental questions about the role of discretionary 'supplementary' provision versus rights-based entitlements in the modern welfare state, such as which best secures individuals' interests (Nagarajan, 2013; Goodin, 1986). Third, there is a consequent shift in processes of seeking redress when things go wrong from Tribunal based reviews to internal mechanisms (Sainsbury,

2008), raising debates as to whether the limited rights of redress under LWA are adequate (Meers, 2018).

1.2 Crisis and Cuts: The Evolution of LWA

The evolution of LWA illustrates the stable features of these schemes but also the shift from central to local discretionary 'supplementary' benefits. There have been discretionary benefits designed to meet 'exceptional' expenses running concurrently with entitlement-based benefits in the social

security system since the 1930s (Grover, 2012b, p.12). Nevertheless, the introduction of the DSF by the Conservative Government in 1986 was 'controversial from the outset' because it consciously reintroduced discretion into social security policy despite earlier moves away from it in the 1980s (Grover 2012b, p.14). The centralised SF comprised of Crisis Loans and Community Care Grant components that were a 'first port of call' for small payments or loans to meet exceptional expenses (Joseph Rowntree Foundation, 2006). Crisis Loans were designed to meet expenses arising from an emergency and offered interest-free loans to people with 'insufficient resources to meet the immediate short-term needs' (Kennedy, 2012, p.3). Community Care Grants were for individuals who faced 'exceptional' financial pressure or needed support to prevent them entering formal care. The SF was administered by the Department for Work and Pensions (DWP), delivered through Jobcentre Plus centres on a discretionary basis (Grover, 2012a, p.355), and governed by the Secretary of State.

The Coalition Government abolished the Community Care Grant and Crisis Support Components of the Social Fund in 2013 (Welfare Reform Act 2012, Section 70(1)). To mitigate the impact of this reform, some of the funding was devolved to upper-tier LAs (Unitary Authorities, Metropolitan

Districts, London Borough, and County Councils) in England and devolved administrations in Scotland and Wales. The Coalition Government's argument for this reform was that the SF was prioritising Jobseeker's Allowance claimants under age 35 instead of more so-called 'deserving' groups, failing to

respond to individualized need because of rationed resources, and facing difficulties in administering discretion. In other words:

> …the Social Fund scheme was not working as intended. It had become complex to administer, was poorly targeted and open to abuse. The Government believes that local authorities, with their existing social care strategies and duties, are better placed to determine the support needs of local vulnerable people than the old central and remote Social Fund system. (HM Government, 2014, p.7)

The Coalition Government did not provide statutory guidance or establish reporting requirements, on the grounds that it allowed flexibility for LAs to design schemes based on local need. Nevertheless, the DWP's settlement letter did set out some basic expectations. In the absence of a statutorily or universally approved definition this guidance is important in defining LWA:

> …we expect the funding to be concentrated on those facing greatest difficulty in managing their income, and to enable a more flexible response to unavoidable need, perhaps through a mix of cash or goods and aligning with the wider range of local support local authorities… (Webb, 2012, p.2)

In other words, without directly guiding LAs the Coalition Government established a definitive rhetoric.

Between 2013 and 2014 the Coalition Government reduced LWA funding by £104.1 million. In the first instance Central Government allocated a transitional grant of £217.4 million in 2013/14, with £1.74 million of this dedicated to cover the set-up of LWA schemes. The remaining budget was split between administration (£37.6 million) and programme funding (£178.1 million) (Centre for Responsible Credit, 2015). The same allocations were made in 2014/15. This was distributed to LAs based on the proportion of total spending of the SF in the LAs' administrative boundary in the first half of 2011. Central Government contended that there was no reduction in the budget, but as the Centre for Responsible Credit argued when considering 'the funding that was devolved was expected to cover both the administration costs associated with running local schemes and the

programme funding' the budget was 39% lower (Centre for Responsible Credit, 2015, p.25-26).

Then, in 2014

funding was reduced from £178.1 million a year to £74 million (Child Poverty Action Group (CPAG), 2014).

In 2015/16 the Government chose not to provide any further ring-fenced funding and instead identified notional amounts in the Revenue Support Grant as part of the LA Financial Settlement. This was justified on the basis that 'local authorities are open to spend non-ring-fenced funding as they see fit to meet local priorities and are accountable to their local electorate for their spending' (Hansard, 2016). In 2021, English LAs were allocated a notional £131 million for local welfare, which councils dubbed 'ghost money' (Butler, 2015). This is less than half the £330 million value of the pre-2013 centralised SF. It has been contended that the effects of these cuts on claimants were compounded by the fact that councils were spending as little as £41 million on LWA (Turn2Us, 2021). However, since March 2020, and the rise of the Covid-19 Pandemic, LAs have received over £2.5 billion of Household Support Funding to help households with the rising costs, some of which has been diverted to LWA (DWP, 2020).

Aspects of LWA schemes have been examined by third sector organisations (TSO).[1] These insightful reports have shown the enduring and changing implementation issues of LWA that have plagued LAs and claimants. Their reports tend to focus on the LA budgets, spending on schemes, the number of applicants and success rates, and the number of scheme closures across England. Few reports delve into the intricacies of scheme design, such as type of application procedures or specific eligibility criteria. The overarching conclusion from TSOs is that LWA, when properly resourced, does alleviate significant hardship and 'prevent escalation of crisis' (Policy in Practice, 2023, p.58).

However, the LWA schemes are not widely achieving this aim. Instead, they are heavily criticised by TSOs as a postcode lottery of 'collapsed' (CPAG, 2022), 'hollowed out' and 'eroded' support (Children's Society, 2019).

[1] See: Church Action on Poverty, 2018; Centre for Responsible Credit, 2015, 2017; Policy in Practice, 2023; Greater Manchester Poverty Action Group, 2020; End Furniture Poverty, 2020.

What emerges is a fund, billed by Central Government as being available to households in emergency situations and as a means of taking up the shortfall from the abolition of the centralised scheme. The central features of the SF (cash limited, discretion, and no right of appeal) are joined by a fourth (local). The rhetoric suggests that the Coalition Government were seeking to provide 'flexibility' to those 'in greatest need according to local circumstances' but 'the key implicit message was that the scheme was costing too much' (Meers, 2019, p.54). This leaves LAs responsible for

meeting the ad-hoc and unpredictable needs, with much reduced funds. Nevertheless, Fitzpatrick, Pawson and Watts (2020, p.550) argue these welfare changes 'significantly elevate the role played by English councils and other local actors in determining the scale, nature and generosity of the emergency help available…'. Particularly because central government has largely absented itself from any direct involvement in the provision of crisis support, a move that some say is an act of 'policy dumping' (MacLennan and O'Sullivan, 2013) or 'blame avoidance' (Meers, 2019) for the fallout of Welfare Reforms.

1.3 The Meso-Level

This thesis seeks to examine the part that LAs and their actors play in the design of local welfare. In doing so, the term 'meso-level' is used. Before going any further it is useful to outline what this thesis means by 'meso-level'. In this section, the 'top' and 'bottom' of the administrative hierarchy are outlined, before delineating the 'meso-level' and discussing the absence of literature in this field.

	Street-Level	Executive-Level	Meso-Level
Position in Political Hierarchy	Bottom of Hierarchy	Top of Hierarchy	Middle of Hierarchy.
Locus (Proximity to Citizens)	Direct Contact with Citizens. Decisions Made Outside of Public Eye.	Democratically Accountable to Citizens.	Direct Contact with Citizens and Democratically Accountable to Citizens.
Organisation	Administrative Organisations.	Central Government	Local Government.
Actors	Policy Officers. Social Workers. Home Office Workers. School Teachers. Social Welfare Workers. Judiciary.	Prime Minister. Cabinet Members. Ministers. Civil Servants.	Councillors. Local Government Officers.
Actions	Applying Rules to Individual Cases. Interpret Rules.	Developing, Implementing, and Executing Legislation.	Designing Schemes, Policy, and Administrative Systems.

Table 1: *The defining features of the street-level, executive-legal, and meso-level of public administration.*

The ‘top’ of the administrative hierarchy is occupied by the ‘executive-level’. Table 1 shows that this ‘level’ is distant from any direct contact with citizens. Nevertheless, these decisions are made in public view because of the public and political nature of the actors involved, including government ministers, and the wide impact of the decisions made, including legislative change. Therefore, much literature focuses on the outcome of these decisions. At the ‘bottom’ of the administrative hierarchy is the ‘street-level bureaucrat’ (Lipsky, 1980). The literature here focuses on officers who have the responsibility to apply rules to individual cases at the frontline (Martin, 2021, p.4). Frontline workers do not merely apply law but, with the use of discretion, interpret rules (Eule et al., 2019, p.86-89). Table 1 shows that this ‘level’ includes a range of actors, including immigration officers (Weber, 2003; Thomas, 2013), schoolteachers (Eggleston, 2018; Hall and Hampden-Thompson, 2022), social welfare officers (Keiser, 2010; Walker and Niner, 2005), and judges (Lipsky; Biland and Steinmetz). Frontline decisions

are often made out of view of the public and are not democratically accountable. Therefore, questions and judgements are typically raised about the principles that should guide internal administrative decision-making and the regulation and accountability of frontline decisions.

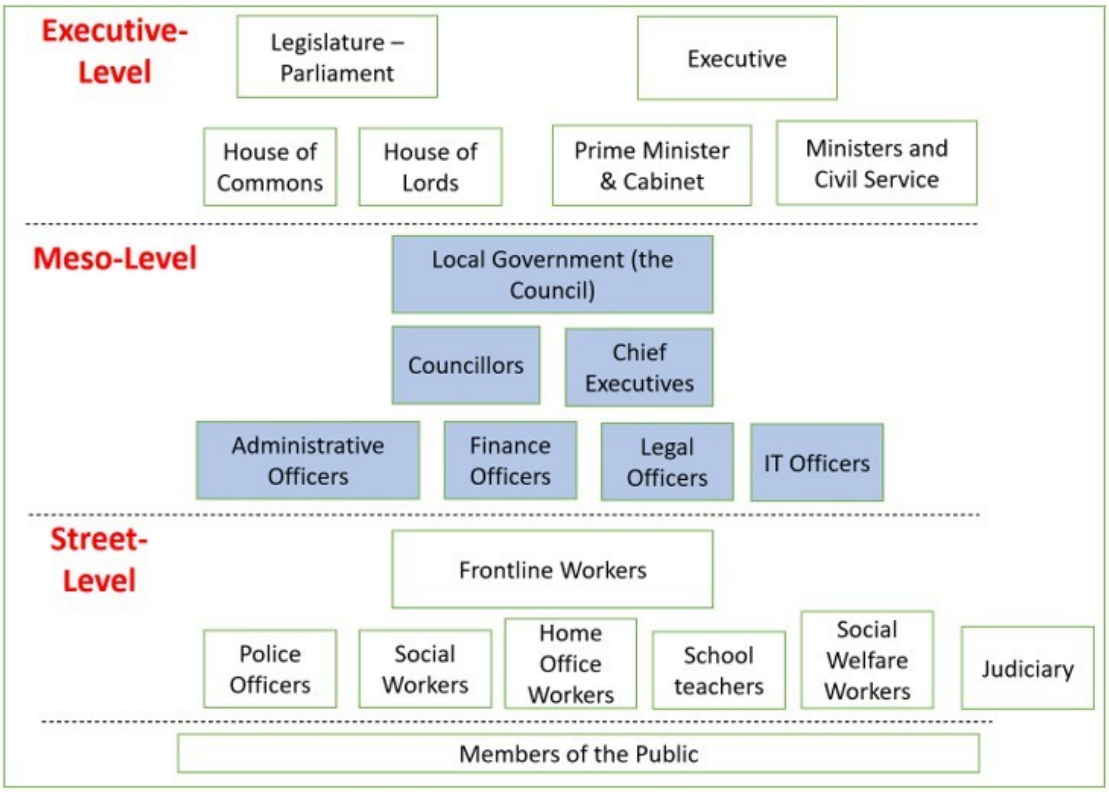


***Figure 1**: The administrative hierarchy in England in the case of Local Welfare Assistance: showing the place of meso-level actors.*

This thesis examines the operation of LAs in administrative decision-making, and as such follows in the footsteps of 'socio-legal studies in governmental discretion' (Loveland, 1989, p.187, in which there are two broad streams of literature that deal with the meso-level. First, literature on local government in the 1970s and 1980s (Cranston, 1979; Hawkins, 1984). Second, research that examined the local government officers and their decision-making processes (Loveland, 1989). For instance, Loveland (1987) published a series of papers which examined the exercise of discretion of LAs in the context of the localised Housing Benefit Scheme of 1982/3. This study is the closest to a thorough analysis of the meso-level, but it tended to focus on management. This thesis shifts the

focus to encompass the LA designers and decision-makers, who are transferred wide discretionary

power to design systems that distribute LA resources and power. Known as local government councillors and officers these employees work in a range of fields and are under a duty to serve the LA. The LAs also enter partnership and outsourcing relationships, although these parties are not directly meso-level by nature, when they assume the role or action of a local government officer, they enter the meso-level space, at least for a time.

The 'meso-level' occupies a unique position in the administrative hierarchy between conflicting responsibilities and accountabilities. Figure 1 shows that the 'meso-level' sits between the 'executive-level' and 'street-level', therefore it has complex and multifaceted relationships with the

different organisations and actors. The meso-level is accountable to both the public and central government. It also purports to be, to some extent, independent from central government as a local government but still looks to central government for funding and legislative guidance. This is particularly evident in the context of LWA, which was a scheme conceived of and localised by central government, and therefore positions LAs in the 'middle' as they translate the intention of government into workable policy for frontline actors to distribute.

The 'meso-level' also differs because of its role in making design decisions (as opposed to individualised decisions or legislative decisions). The action of making design decisions is similar to executive legislative making in that they are not individualised decisions, but they differ because, rather than being applicable on a national scale, they apply only to the administrative boundary of the LA. The design decisions relate to the making of systems, policy, and governance. There are few studies that explicitly deal with the design decisions of social security, those that do tend to focus on pension schemes or redress mechanisms (Brown, 2012; Matsen and Thogersen, 2004; Bondy and Le Sueur, 2012). For instance, Bondy and Le Sueur (2012) examine what 'designing' involves, the

processes, and circumstances in which design decisions are made in the context of grievance redress mechanisms. This thesis focuses on this complex meso-level system as a whole – in terms of

the organisational spaces, the individuals involved, and the policy document outputs, to understand not

only the dynamics that affect the meso-level but also how the internal dynamics manifest and operate.

This is not to say that the administrative hierarchy is not much more complex, with levels within levels, or that the administrative hierarchy is static. It is important to note that the meso-level referred to in this thesis is context specific. In that, institutions are demarcated by their position in the political framework, defined and bounded by the dominant environmental agents and stakeholders, and the distribution of power at that distinct point in time. At this point in time and history local government, in the case of LWA, take up a meso-position because of the intermediary role they play between central government and street-level organisations. However, in the context of other services in different points in time this may not be an accurate description of LAs. Prior to the advent of the Welfare State, LAs were relatively independent from central government, and even

after increased centralisation some pioneering LAs developed and implemented actions from the bottom-up (rather than top-down). For instance, in 1866 Glasgow Council sought and received approval for the locally conceived Glasgow Improvement Act, giving the Council power to clear 'slum property' for redevelopment (Hunt, 2019). This, later, formed the basis of the 1875 Artizans' and Labourers' Dwellings Bill that Disraeli oversaw, a time when a LA would not be categorized as 'meso'. Nevertheless, the categorisation and depiction of meso-level remains relevant and useful for the purposes of this thesis but the use of the term ought to be considered carefully before being applied elsewhere.

1.4 The Boundaries of Socio-Legal Studies

Socio-legal studies has evaded any definitive definition (Feenan, 2012; Creutzfeldt, Mason and McConnachie, 2020), largely because the 'eclectic and efflorescence' nature of this field does not support a singular concept of the 'socio' or 'legal' (Feenan, 2012; Cowan and Wincott, 2019) and because socio-legal research is a constantly evolving field of study. Nevertheless, the approach adopted here is sympathetic to Webley 's contention that (2019, p.59), '[s]ocio-legal research is the

examination of how law, legal phenomena and/or phenomena affected by law and the legal system occur in the world, interact with each other and impact upon those who are touched by them.' The approach adopted looks at 'the 'legal' in the everyday', which 'encompasses cultural practices and adoptions of authority that are considered to be legal by those who exercise them and by those who are subject to them' (Wheeler, 2020, p.216).

This thesis falls within the boundaries of socio-legal studies in four ways. First, it examines the consequences of the withdrawal of traditional law. The SF was controlled and directed by the Social Security Contributions and Benefits Act 1992 (section 138) but when LWA landed in the lap of LAs this national legal framework was abolished by the Welfare Reform Act 2012. In this sense, this study examines the shift from social security offered on a legal or statutory basis to localised welfare affected by (and established by) the withdrawal or retreat of 'law' in the social security system.

Second, despite the absence of a direct statutory basis there is a general legal framework in common law and statute that empowers and constrains LAs (Wilson and Game, 2011, p.32). LAs are not under a specific duty or acting on a defined power to administer LWA, instead, there is a general national and international framework that sets out parameters within which the decisions of such a public body should be made. These include the power to act, statutory duties, requirement to act compatibly with international conventions, and the threat of judicial review. This can be depicted by reference to Dworkin's doughnut depicted in Figure 2, in that the discretionary power of LAs would not exist but for these empowering legal regulations. Although the doughnut concept is useful in outlining the 'legal' factors that dictate discretion, in the field of socio-legal research it is commonly acknowledged that these legal regulations are just one of the factors that guide and constrain discretion. This is illustrated by Sossin (1994, p.12) who substitutes Dworkin's doughnut for a sponge. She suggests a representation of discretion illustrated by '…a sponge, there are a variety of holes and substance in between, and the two are impossible to disentangle. The sponge, however, can absorb

and retain the fluids with which it comes into contact.' The effect is the creation of a platform or forum of engagement.

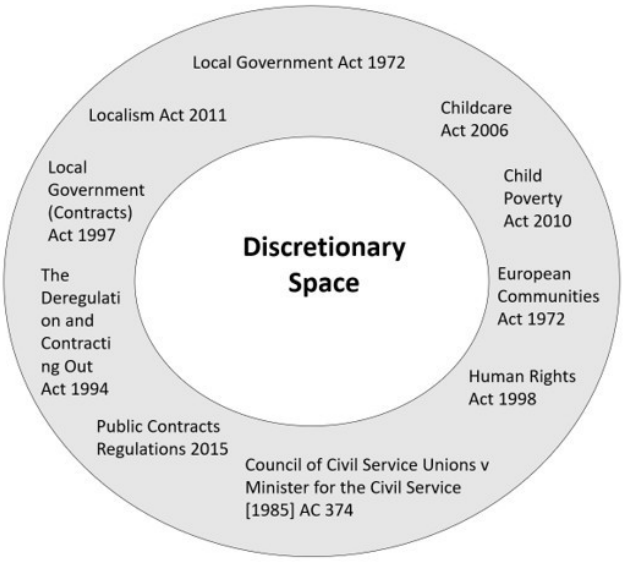


Figure 2: *The statutory and common law rules that contribute to forming the discretionary space of local authorties in the context of Local Welfare Assistance.*

LAs are empowered by a legal right to act. More specifically, it is LAs right, within the confines of public law, to administer LWA as they see fit, under the general power of competence introduced in the Localism Act 2011 (section 1).

There are also specific powers stated in statute. Of most relevance to this thesis are the Local Government Act 1972 (section 113) which allows two or more LAs to deliver services on a joint basis or for LAs to outsource provision of services to TSOs or private organisations. and the Deregulation and Contracting Out Act 1994 and the Local Government (Contracts) Act 1997 which provides further rules around contracting out and time limits on contracts and provides for the delegation of

authority to officers to implement decisions of the executive.

LAs also have national and international statutory duties. On a national basis LA have a range of duties placed upon them by central government. For instance, the Childcare Act 2006 and the Child Poverty Act 2010 place duties on LAs to improve the well-being of children in the LA boundary. LAs also have international obligations to act in a manner that is compatible with the specified rights under the European Convention on Human Rights (section 6(3)), through the European Communities Act 1972 and the Human Rights Act 1998. For instance, the prohibition of discrimination, which LAs must adhere to. The decisions of public bodies, including LAs, are capable of being challenged by judicial review where they fail to meet such duties.

Third, this thesis focuses on social order and rules. It has been argued by Menkel-Meadows (2023) that '[a]s long as there is someone making social ordering and rules it touches on the field' of socio-legal studies. In the absence of direct statutory guidance LAs have been given the freedom to

design LWA schemes eligibility criteria, types of support, and application procedures. In other words, the discretion to write the rules and create the system. These self-made rules draw on stereotypes and govern the behaviour of welfare claimants, by making assertions about the people and circumstances that are deemed eligible of crisis support (Wilde, Oorschot, Roosma, 2017). For instance, LAs create rules that make judgements about the people considered 'deserving' of LWA and then, based on these judgements, govern the access to funds. Therefore, while these rules are different in form from those with a statutory basis, they, nevertheless, establish a form of social order in the design and administration of local welfare.

Finally, the study of discretion has long interested socio-legal scholars (Davis, 1969; Galligan, 1986; Hawkins, 1992; Sossin, 1994) who have focused on the discretion that is necessary to interpret legal rules and concerned themselves with the relationship between rules and discretion (Dworkin, 1977; Goodin, 1986). Studies in the socio-legal tradition, however, also acknowledged that decision-making, in almost any context, necessitates a degree of discretion to make rules apply to the facts of the case (Hawkins, 2002; Manning, 1992; Harlow and Rawlings, 2006). Taking this view scholars

began to appreciate that decisions that appear discretionary from a legal perspective may be bounded by social, political, or economic factors in a way that the decision-maker feels they have little discretionary freedom (Pratt and Sossin, 2009). In the context of LWA, LAs are given wide discretion within the confines of public law. Therefore, in the absence of direct statutory guidance, this thesis focuses on the question of: what factors guide the exercise of discretion?

1.5 Existing Academic Framework

There is relatively little discussion of LWA in the academic literature. Two broad arguments emerge from this limited academic critique. First, there are scholars that argue against localisation on account of central government having retained 'easy-to-administer' funds, while local government has been made responsible for 'difficult-to-deal-with' funds (Grover, 2014, p.314). In anticipation of LWA's devolution, Chris Grover (2012) examined the difficulties that local politics can bring to crisis support. Grover (2014, p.326) drew attention to the turn from universal entitlement to local responsibility for discretionary 'exceptional expenses', to which he argued '[i]n doing this the Coalition government is further retreating from universal social rights and versions of citizenship premised upon such rights.' He argued that the tensions between discretion and cash limited resources in local politics would likely lead to inconsistencies, unfairness, marginalisation, and stigmatisation (Grover, 2012b) which renders 'localism…equally, if not more problematic than the Social Fund administered by central government.' (Grover, 2012a, p.349).

Second, there are advocates of a more localised approach. Rod Hick (2022) explored whether the political makeup of councils could explain the inconsistency and variation in local welfare design and delivery. Drawing on a quantitative data set produced by Church Action in Poverty, he determined there was a relationship between the political control of the council and the scheme being 'open' or 'closed' and the percentage of financial cuts made to the scheme. Hick (2022) argued that 'Labour-led councils [are] more likely than Conservative administrations to have kept their LWA schemes open' (p.260), concluding that '[p]olitics remains possible even in the harshest of policy

environments.' (p.270). In other words, localising crisis support can encourage local responsiveness and (for some) 'improve the quality of the discretionary decision-making' (Meers, 2019, p.55). Notwithstanding the different perspectives on localism, the existing literature supports the supposition that there exists a postcode lottery of LWA.

Despite these valuable insights, there are three principal gaps within current research on LWA and localisation of welfare more generally. First, there is a need for more empirical work. LWA has only been researched empirically by TSOs, but these tend to give a partial view of aspects of these schemes, slanted towards the particular matter or jurisdiction at the heart of their organisation (see End Furniture Poverty, 2021; Greater Manchester Poverty Action, 2020a). The absence of more in-depth empirical work is understandable given that LWA schemes are, relatively, small and

challenging to study because of a patchwork of locally available information. The absence of in-depth and holistic empirical work means that relatively little is known about LWA schemes across England.

Second, most studies on the administration of welfare, and local welfare, take distinctive top- down or bottom-up approaches, to the exclusion of a meso-level perspective. Since the restructuring of welfare benefits and public services (Halliday and Scott 2010, p.2001) the meso-level has become particularly important in relation to crisis support because the authorities, or at least officers within, make *design decisions*. This highlights two things. First, LAs are not just creating administrative policy but designing schemes. Second, the design of systems is separate and distinct from the role of front- line administrators. These have fundamental implications for the ability of citizens to access welfare, that are different from the implications encountered with central government or front-line workers. This thesis aims to bring more attention to this perspective.

Third, inadequate attention has been paid to the organisational arrangements of welfare at local level. This only arose as a gap in the field once the outline of LWA schemes across England had been conducted. Until that point, this thesis was not aware of alternative organisational arrangements because it had not been broached as an issue (in relation to LWA) in the academic or

third-sector literature. Organisational arrangements, including contracting out, partnerships or devolving responsibilities, have been a focal point of research into centralised welfare for some time

(see: Hood, 1997; Bovaird, 2016; Cordella and Willocks, 2010), but the extent to which outsourcing is practiced at LA level in local welfare, the implications for the meso-level and effects on administrative justice have been largely overlooked, as has the specific nature of outsourcing schemes that are

inherently discretionary. These implications are explored in this thesis.

1.6 Research Questions, Aims, and Thesis Structure

The three central questions that this thesis seeks to answer are: (1) How do LAs or meso-level actors exercise discretion in designing LWA schemes? (2) What competing factors or pressures guide, constrain, and/or influence design decisions? (3) What are the potential implications for debates on localism, discretionary welfare, and administrative justice? The research questions can be broken down into several research aims that specify what needs to be studied, which then inform the project design of the research methods. These aims are discussed below and are followed by an outline and the thesis structure.

First, this thesis aims to contribute literature on localisation by exploring transferring responsibility to LAs influence's welfare governance and administration, and the configuration of the welfare state. It aims to do so by exploring the response of meso-actors to the localisation of responsibility for LWA through their design decisions. The aim is to begin to identify how meso-level organisations and actors respond to the localisation of discretionary responsibilities for social security; more particularly how they react to, and attempt to manage, the consequences of the conferral of significant responsibility for crisis support whilst also trying to manage financial cuts and rising demand for local services.

Second, this thesis aims to contribute to the development of socio-legal theories of

discretion. Socio-legal scholars have devoted considerable time to the study of discretion, most notably in the context of ‘street-level bureaucracies’ (Lipsky, 2010). The issue continues to be

important. Discretion continues to dominate discussions about the application and interpretation of legal rules because of what it reveals about the social life of decisions and the possibility of insights into the factors that contribute to the making of a decision. This thesis aims to expand the focus of discretionary scholarship in two ways: by applying it to the meso-level rather than street level and by examining decisions about how local schemes are designed. The shift upwards from the 'street-level' to the 'meso-level' is important because of the enhanced role of these organisations in the aftermath of a trend towards localisation policies. The aim is to understand how these design decisions are made, with particular focus on legal, political, economic, or social factors that might influence the exercise of discretion.

Third, this thesis aims to analyse the extent to which local welfare schemes achieve administrative justice. In other words, the aim is to understand whether localisation of social security can achieve justice and fairness for claimants and to understand the success of localisation as a means through which welfare can be delivered. Although the focus is on the meso-level actions, the ultimate purpose of these schemes is to alleviate hardship for welfare claimants. It would therefore be remiss to proceed without aiming to address the relative success of localised welfare in this
regard.

The structure of this thesis is as follows. Chapter Two expands on some of the arguments made in this introductory chapter by discussing theoretical contributions from bottom-up, administrative justice, and organisational perspectives of the influences on meso-level decision-making. More particularly, it focuses on the extent to which ideological shifts in the political, economic and policy environment contribute to simultaneous shifts in decision-making models. This chapter's discussion is contextualised by an evaluation of the extent to which the form of localism attached to LWA, brought about by the Coalition, represents a departure from previous representations of localism during the Thatcher and New Labour eras. Focusing on the evolution of market-based competition, community engagement, regulatory functions, LA funding, and central-

local relations. Finally, this chapter turns to question whether the meso-level has been reconfigured by this 'new' form of welfare administration.

Chapter Three outlines in more detail the methods used and ethical implications. The research questions and aims of this thesis have been informed by three sets of empirical data. The first of these is a content analysis of LWA webpages. To understand reactions of LAs to localisation through design decisions this thesis sought to identify each LWA scheme in England and their design features. To do so, a content analysis of 165 webpages which detailed local welfare provision was undertaken to produce an overview of LWA across England and accompanying design features. The second is an analysis of LA meeting minutes. To further understand the social world of LWA, particularly the range of factors influencing decisions, in-depth case studies of Cambridgeshire and Lancashire LWA schemes were produced through a documentary analysis of 177 LA meeting minutes. Finally, ten online semi-structured interviews were undertaken with LA and third sector actors. This mixed methods approach was employed to provide an overview of activity across the LAs in England and an opportunity for in-depth analysis of issues identified in the content analysis. In combination,
these methods seek to contribute to the fields of localism, discretion, and administrative justice.

Chapter Four examines how meso-level actors have exercised discretion through the design features of LWA schemes. It draws on the content analysis to outline the central design elements, including scheme status, eligibility criteria, types of support, application processes, funding, and organisational arrangements. These features are then categorised into three patterns of discretionary strategies: rationing, routinization or rigid-rule creation, and displacement. This chapter also discusses the extent to which political and deprivation variables emerge from the analysis as
correlating to design features. A key question examined is whether these typically front-line based theorisations are applicable to the meso-level. Importantly, it is suggested that what sets the meso-level apart is the ability to make the design decision to outsource discretion for LWA, formally or

otherwise.

Chapter Five builds on the finding that the meso-level actors outsource responsibility. This chapter initially sought to answer, what does the exercise of discretion look like at the meso-level? However, during the study the question became largely focused on, what does the meso-level look like in the context of outsourcing? Drawing on the case studies of Cambridgeshire and Lancashire, the organisational arrangements are outlined, which highlights the existence of and complexity of 'ecosystems of support'. Then, the multifaceted role that the TSOs are taking is explored. Drawing on concepts of collaboration and competition, how the third sector fits into the welfare administration puzzle is outlined. Finally, consideration is given to the potential pitfalls in the relationship between

the LA and third sector, focusing particularly on hierarchy, independence, quality of service, precarity and accountability.

Chapter Two: Discretion, Localism and Austerity

2.1 Introduction

For many years, social security has been characterised by the impact of dominant ideological shifts in welfare administration. These reforms have shifted the 'welfare state' to a 'market-oriented system', a move which altered the character of public administration and has implications for the quality of decision-making. More recently, the implementation of the Coalition Governments 'localism agenda', informed by a desire to devolve 'new freedoms and flexibility' (DCLG, 2011, p.18) to local

government, has resulted in changes to the 'degree of discretion that local authorities have from central government' (Pratchett, 2004, p.363). It has been argued that this localist rhetoric represents the emergence of a new political philosophy (Eagle, Jones and Greig, 2017, p.57) and a fundamental restructuring of local government (Kjellberg, 1995; Meers, 2019). Whether this is a contemporary restructuring or a resurgence of localised 'poor relief' (Glennerster, 2020), LAs are nevertheless operating new decision-making powers and responsibilities under reconstituted central-local relationships. The political move to 'localise welfare' and the potential ramifications for the treatment of citizens (and non-citizens) has been underdiscussed despite being an integral part of understanding and evaluating the current welfare state (Adler, 2003, p.140). This chapter explores the extent to which the rhetoric, ideology, and processes associated with localism, and the

localisation of crisis support, affect public service administration at meso-levels. This is to identify the contribution of localism to influencing discretion in welfare governance and administration, and the configuration of the welfare state.

There is now an extensive literature on the exercise of discretionary decision-making from bottom-up perspectives in welfare administration. The existing literature has much to say about the practices of the judiciary (Dworkin, 1977; Hart, 2013; Tata, 2007; Mascini, 2020) and front-line

workers in delivering public services (Lipsky, 1980; Mashaw, 1983; Jessen and Tufte, 1995; Brodkin, 1997; Maynard-Moody and Musheno, 2022). However, this thesis is primarily concerned with

capturing the meso-level in welfare administration. There is some slow movement towards understanding the actors between the 'top' and 'bottom' of the administrative spectrum, with a particular emphasis on management (Loveland, 1989; Evans, 2015; Hupe and van Kooten, 2015). Nevertheless, there is sparse literature on the exercise of discretion at the meso-level of LAs where decision-making has broad policy implications for claimants, particularly in the design of crisis funds. This chapter aims to make an additional contribution to the field by exploring the extent to which existing top-down and bottom-up theories of discretion and welfare administration are applicable to the meso-level since the Coalition's localist agenda. To do so, it has been necessary to revisit some of the central socio-legal, administrative justice, and sociological theories in light of the altered central- local dynamic.

This chapter is divided into three sections. The first begins by outlining the traditional and contemporary approaches to understanding discretionary decision-making. This section then discusses the administrative justice literature on how the ideological shifts in wider environments can alter decision-making. Finally, there is a brief exploration of the approaches that appreciate the social world of organisations (organisational context) and managerial perspectives. The second section delves into the dangers of discretion in the delivery of public services. The third section discusses the latest iteration of localism under the Coalition Government to explore extent to which this model represents a departure from previous localist agendas, and the implications of this shift for the meso-level. This chapter also draws attention to the 'austerity' agenda that goes hand-in-hand with localist policies. The final section explores the extent to which the shift pursued by the Coalition Government represents a 'new' approach to public service administration, which influences the delivery of LWA, and the extent to which this reflects existing concerns.

2.2 Existing Theories of Discretion

Existing theories of discretion are broadly spread across three fields of literature: legal, administrative justice, and organisational perspectives to decision-making. These bodies of literature

have taken distinct ‘top-down’ and ‘bottom-up’ perspectives to discretion. This review therefore focuses on literature that has drawn attention to the meso-level and/or has conceptualised influences within which there is the potential for connection with the meso-level.

Legal Perspectives

In traditional top-down juridical approaches discretion is primarily conceived of as a mechanism of bridging the gap between legislative actions and administrative responsibility that takes place within the infamous ‘hole in the doughnut’ bounded by a ‘belt of restriction’ (Dworkin, 1977, p.77). A classic explanation of discretion is attributed to Davis (1969): ‘A public officer has discretion wherever the effective limits on his power leave him free to make a choice among possible courses of action and inaction’ (p.4). The juridical approach promotes a series of assumptions that: rules and discretion are disparate and antithetical concepts that exist in a binary (Goodin, 1988); discretion is pragmatically rather than logically necessary; discretion is a cognitive activity premised on rational behaviour
(Hart, 2013); discretion threatens the rule of law and constitutes a ‘black hole of democracy’ (Rothstein, 2008; Mascini, 2020); and, notably, discretionary behaviour outside of rules is unstructured (Dworkin, 1977; Davis, 1970). However, scholars have challenged these traditional depictions of discretion (Pratt and Sossin, 2009), resulting in the development of socio-legal approaches that focus on the *use* of discretion (Miaz and Achermann, 2022).

Contemporary perspectives on the *use* of discretion invariably see ‘embedded discretion’ in any system of rules, structured and guided by the broad decision-making environment (Harlow and Rawlings, 2006). Discretion is seen as inevitable and necessary to bring cases under the ambit of rules because of the inability of rules to cover all situations, the limitations inherent in human nature, the open texture or vagaries of language, and the deficiencies of rules in practice (Hart, 2013; Galligan, 1986). In contrast to juridical perspectives, the bottom-up approach focuses on the substance of decisions and the use of discretion in practice (Mascini, 2020, p.127). Scholars in this field argue that discretion is an interpretative process ‘through which a signification is given to

information and through which actions are chosen.' (Baumard, 1999, p.9). Bottom-up scholars approach discretion as structured and constrained beyond the legal limits. They decentre the law and refocus on the *social*, *political*, *and economic* demands arising from the environment in which decision-makers are embedded (Hawkins, 2002). This environment shifts and is replaced as the political, economic, and social forces develop or alter (Hawkins, 2002; Manning, 1992). In this sense, the environment gives meaning to the information employed in the exercise of discretion (Hoyle and Sato, 2019) but these influences are not just *done to* administrators, there is a process of reflexive interpretation *by* the administrators.

Administrative Justice Perspectives

For those interested in administrative justice, the 'acceptability' of a decision is dependent on the dominant social, political, and economic conception of justice. Much literature in this field starts with Mashaw's definition, that 'those qualities of a decision process that provide arguments for the acceptability of its decisions' (Mashaw, 1983, p.24-25). Mashaw (1983) moved away from a preoccupation with top-down perspectives of redress and grievance-handling mechanisms to a more inclusive approach which captures the role of administrative decision-making in achieving 'justice' for citizens (and non-citizens). His approach describes a decision process where stakeholders promote different normative conceptions of administrative justice associated with different ideal types of decision-making, these are bureaucratic rationality, professional treatment, and moral judgment each associated with a set of 'justice arguments' (see table 2). Each of these ideal types is associated with a different level of acceptable discretion. These different conceptions often conflict and thus compete for dominance, with administrative justice existing in the space between justice models from the trade-offs between stakeholders (Mashaw, 1983; Adler, 2006, p.638). The trade- offs are achieved based on the distribution of power between stakeholders, and can vary between organisations, policy stages, time, and jurisdictions (Adler, 2006, p.637). Recent literature also suggests there can be a co-productive or collaborative nature to decisions, the ideal types can be

‘blended, or perhaps applied in serial fashion at different levels of the administrative process.’ (Mashaw, 2020, p.378).

Importantly, the normative conceptions of administrative justice have been said to develop alongside ideological shifts in the broad environment. There are a growing number of front-line studies inspired by Mashaw’s ideal types (see Gilboy, 1991; Adler and Longhurst, 1994; Riddell, Adler, Mordaunt and Farmakopoulou, 2000; Adler and Henman, 2005; Sainsbury, 2008; Raso, 2019) but there are also slowly developing discussions on midstream developments emerging from the rise in privatisation and the digital state (Adler, 2006a; Finck, 2020, Tomlinson, 2019). For instance, Adler (2006b, p.622) recognised three new ideal types which emerged with Thatcherism: managerialism, consumerism, and markets, associated with managerial autonomy, consumer participation, and consumer choice respectively. These were developed in light of ‘New Public Management’ (Clarke and Newman, 1997; Hood 1991). This reform programme represented a broad shift in public administration and accountability to the importation of private sector practices and the organisation of public bureaucracies as quasi-markets (Lapuente and Van de Walle, 2020; Taylor and Lansley, 1992; Hood, 1995). This has, Adler explained, led to the development and promotion of alternative logics underpinning administrative systems, however there are suggestions that not all these ideal types are ‘distinct’ (Halliday, 2004, p.121-123; Cane, 2009; Sainsbury, 2008).

Another shift has arisen from the development of the digital state. In a study of digitalisation in court and tribunal procedures, Tomlinson (2019) replaced the consumerist type with a user model, to represent the altered role of the citizen from consumer to user in a computerised system.

These shifts represent a move towards greater appreciation of practices, designs and policy formation that operate in the ‘middle’ and mediate between central government and the frontline. More broadly, Adler and Tomlinson’s development of ‘new’ ideal types exemplifies that fact that altered political, social, and economic environments shift what is considered ‘acceptable’ practices in administrative justice.

Model	Mode of Decision-Making	Legitimating Goal	Mode of Accountability	Mode of Redress	Scholar
Bureaucratic Rationality	Applying rules	Accuracy	Hierarchical	Administrative Review	Mashaw
Professional Treatment	Applying knowledge	Public service	Interpersonal	Second opinion or complaint to a professional body	Mashaw
Moral Judgement	Asserting rights	Legality	Independent	Appeal to a court or tribunal (public law)	Mashaw
Managerial	Managerial autonomy	Standards of service	Performance indicators and audit	Publicity	Adler
Consumerist	*Consumer participation*	*Consumer satisfaction*	*Consumer Charters*	*'Voice' and/or compensation through Consumer Charters*	*Adler*
Market	Matching supply and demand	Economic efficiency	To owners or shareholders	'Exit' and/or court action (private law)	Adler
User	Meeting users' needs	Users' preferences	Co-production between claimants and IT staff	Design of new prototypes	Tomlinson

Table 2: *Models of Administrative Justice (Mashaw, 1983; Adler, 2010; Tomlinson, 2019)*

Organisational Perspectives

Discretion is a classic issue in the literature of street-level bureaucracy (Lipsky, 1980; Prottas, 1979; Brown, 1981). The central tenet of street-level bureaucracy is the way that the organisational and regulatory environment shapes the exercise of discretion. Front-line discretion is shaped by the place and organisational context of decision-making, that is relations to state, citizens, supervisors, and

peers. Building on this, is the perception that the relational distance between actors can alter the

outcome of discretion (Baumgartner, 2001, p.130), and that human/organisational interdependencies are at the heart of individual actions (Elias, 1978, p.134). The role of each actor in a decision-making system is increasingly seen to be important as the notion of relational discretion, referring to the influences of relationships in shaping decision-making, is gaining traction (Miaz and Achermann, 2021, p.631; Cartier, 2005, p.644). In this sense, any changes to the organisational environment of front-line workers can alter their practices. Significantly, there is no specific attention to the role of meso-actors in this field (Lipsky, 2010). In fact, a key criticism of Lipsky's (1980) seminal analysis of street-level bureaucracy was that insufficient attention was paid to the role of managers, but Evans pointed out that managers and front-line workers have crossover in occupational

backgrounds and the constrains or dilemmas that they face (Evans, 2016; Hupe and Kooten, 2015). In this way, street-level approaches can be seen as a useful point of departure for discussions of the meso-level.

2.2 Concerns with Discretion

Discretion is a topic of contention in both the political and academic spheres, primarily because of its perceived negative implications. Discretion can bring a certain mastery to social welfare systems (Molander, 2019) correcting deficiencies in rule-based reasoning by filling the gaps in rules and making rules apply to the totality of cases (Hart, 2013; Meers, 2019), managing complexity by leaving room for unforeseeable circumstances (Titmus, 1971), and individualising service provision by ensuring flexibility, sensitivity and personalisation (Handler, 1986; Prosser 1981, p.149). However, hostile reactions to discretion are often associated with the negative implications, which Titmuss (1971, p.118) termed 'the tyrannies of the so-called bureaucrat of the public welfare system.' As Molander, Grimen and Eriksen (2012, p.214) argued, these tensions are 'intrinsic and cannot be removed, only ameliorated.' In other words, these challenges are as inevitable as discretion itself. Therefore, understanding the challenges that discretion presents is important in finding means to mitigate them. This section outlines these so-called burdens that scholars advance.

There is a concern that the delegation of discretionary power can create an imbalance of power (Goodin, 1986), source of illicit power and a weapon for social control (Harlow and Rawlings, 2006). One person or group acquires power over another regarding the distribution of essential resources, therefore the holder of discretionary power can affect the position of individuals in society, creating a disparity of power (Bell, 1992). For example, giving meso-level actors responsibility for designing and administering welfare policy means that they have the power over resources upon which the claimants are reliant, this is particularly concerning when the claimants have no statutory entitlement to the funds.

There is further evidence in the sociological field that organisational changes, particularly in relation to high workloads and low resources, can lead to the adoption of 'coping strategies' that impose restrictive criteria (Lipsky, 1980). Lipsky (1980) argued that bureaucrats use 'routines and simplifications' as 'micro choices' that eventually become accepted practice despite conflicting with original policy intentions (Lipsky, 1980, p.83). One particular concern is that officials can become social controllers where they use discretion 'to impose standards of morality not imposed on the rest of the community' to quickly reduce the case load (Reich, 1963, p.1359). For example, in a study of Discretionary Housing Payment application forms created by LAs, Meers found that there was an imposition of 'conduct conditionality' through the evidentiary requirement 'for an indication of activity taken to mitigate circumstances, imposing a 'duty to help yourself'' (Meers, 2018, p.125). This demonstrates the manipulation and exploitation that an imbalance of power between claimants and administrators can (sometimes) lead to.

It has been contended that 'arbitrariness thrives in the darkness' (Davis, 1969). In other words, the administrative justice system is vulnerable to arbitrary decision-making because many decisions are made outside of the public eye. Arbitrariness can occur in three senses. First, it can refer to actions based on reasons not known in advance by those affected by a decision (Goodin, 1989). Second, decisions may be based on criteria that do not in a rational or reasonable way relate to

organisational goals (Jowell, 1975). Third, it can denote decision-makers who act entirely without reason (Goodin, 1989). In these situations, there are no accessible standards against which a decision process can be understood, or a review procedure be based.

These types of discretionary systems can create 'horizontal inequity', with claimants in similar factual circumstances treated differently. Uncertainty, unpredictability, and insecurity can result (Goodin, 1988). If a decision is based on arbitrary reasons, then a claimant has no way of predicting the outcome (Hawkins, 1992). This can occur when eligibility criteria are vague or unpublished. This creates unpredictability of outcome and leaves claimants insecure. It also makes it more difficult for claimants to make a persuasive case because they are unaware of the standards of judgement. Pottie and Sossin (2005, p.159) argue that a 'social assistance recipient's capacity to challenge a policy or its application is, for all intents and purposes, illusory' because unlawful fettering of discretion cannot be challenged in a tribunal. Instead, most claimants must seek internal reconsideration or internal review, which are themselves uneven. Therefore, discretionary decision-making can become entirely unaccountable for the claimants.

2.3 Welfare Administration

As political change advocates different practices in welfare administration, central governments have promoted different decision-making ideal. Initially, Central Government established the 'welfare state' in the 1940s premised on classical ideals characteristics of Weberian public bureaucracy
(Weber, 1921). This was a hierarchical and professional administrative system structured and legitimated by rules, standards, procedures, and requirements to effect universal and equal application of social security. Then, under Thatcher in the 1980s, a perception of central government intervention as over-expansive and largely uncontrolled (Alcock, 1990), negative imagery of welfare dependency (Dennis, 1997; Green, 1998) and benefit 'scrounging' (Alcock, 1990) led the Conservatives' pursuit of market-driven and individualistic welfare governance (Stoker, 2004, p.4). It has been contended that these reforms hollowed out the welfare state by bringing the private

sector in and driving collective responsibility out (Roberts and Devine, 2003). In response to top-down managerialism and expensive centralized state, the localism agenda, pursued by New Labour and the Conservative-led Coalition, is an ideology that discredits and dismantles monolithic forms of centralised remote governance (Jacob and Manzi, 2013). It is a form of governance that transfers power and resources from central to local government and communities to enable greater participation in shaping public policy decisions (Hildreth, 2011). Adler (2006) and Tomlinson's (2019) work provide a justification for a focus on the ideological shift that localism might have on the work of meso-level actors, by arguing that ideological movements might alter the way decision-making is exercised. The following section discusses the extent to which the Coalition Governments' 'new localism', welfare reform, and 'austerity localism' promotes a new approach to public service administration. It is argued that the shift to localism represents a second wave of hollowing out the welfare state by devolving responsibility to local government in a fiscally austere environment.

'New Localism'

Localism introduced by the 1997-2010 Labour Government was criticised for 'control freakery' (Wilson, 2003) and 'managerial localism' premised on conditional devolution (Hildreth, 2011; Evans, Marsh and Stoker, 2013) rather than a genuine empowerment of local government. LAs that performed 'excellently' against centralised indicators of performance management and justified any service not outsourced could 'earn autonomy'. In essence, the New Labour Government continued the 'New Public Management' agenda by encouraging market competition through, for instance, Local Strategic Partnerships.

Upon entering Government, Eric Pickles, the Conservative Secretary of State for Communities and Local Government proclaimed three priorities: 'localism, localism, localism' and Liberal Democrat ministers added a fourth priority: 'localism' (Wilson and Game, 2011, p.394). In response to New Labour's 'centrally managed localism' (Hodgeson and Spours, 2012), the Coalition Government promoted the transfer of power to 'the local' which emphasised 'freeing up of

communities and localities to pursue their own agendas within what appears to be another wave of privatization and the contracting out of services' (Hodgson and Spours, 2012, p.199). The Coalition Government stated:

> For too long, central government has hoarded and concentrated power. Trying to improve people's lives by imposing decisions, setting targets and demanding inspections from Whitehall simply doesn't work. … We are breaking down the barriers that stop councils, local charities, social enterprises and voluntary groups getting things done for themselves. (Department for Communities and Local Government, 2011a, p.1)

The Coalition Government promoted three key elements to their approach. The first, 'empowering local communities' which was 'presented as a break from centrally directed spending and the transfer of power to local authorities in order to more effectively respond to local concerns.' (Clayton, Donovan and Merchant, 2015, p.726). This includes measures brought in by the Localism Act 2011, including, giving LAs a 'general power of competence' to do anything in the interest of the community, and the abolition or reduction of the central regulatory functions – instead LAs were encouraged to develop their own performance measurements while other mechanisms were strengthened through local referendums (particularly for council tax). The second, promoted a 'vibrant public service market' (Open Public Services White Paper, 2011) by opening up competition from the private sector and TSOs (Raco, 2013), to encourage greater efficiency and performance. The third, pursued social action (Lowndes and Pratchett, 2012; Clayton, Donovan and Merchant, 2015) to promote diversity, autonomy, and pluralism in local areas (Pratchett, 2004). This encouraged civic responsibility through the transfer of assets from central and local government to community groups, creating a pluralist local environment (Levitas, 2012). Like New Labour's 'active citizen' agenda this encouraged civic participation and social enterprise to 'supplement gaps' left by the roll back of the state (Taylor-Gooby, 2012). It was intended to engage community-level services which often have in-depth local knowledge and can reach groups inaccessible to LAs. These elements

were justified by appeals to empowerment of local government, local communities, and citizens because '[i]t legitimises decentralisation of responsibility and the further, accelerated, decoupling of the state from its traditional role as welfare provider' (Dagdeviren, Donoghue, and Wearmouth, 2019, p.147). It is contended that, in combination, the elements of this approach intended to create a pluralist localised network of decision-making as displayed in Figure 3. However (as discussed later) this

network becomes far more complex than anticipated.

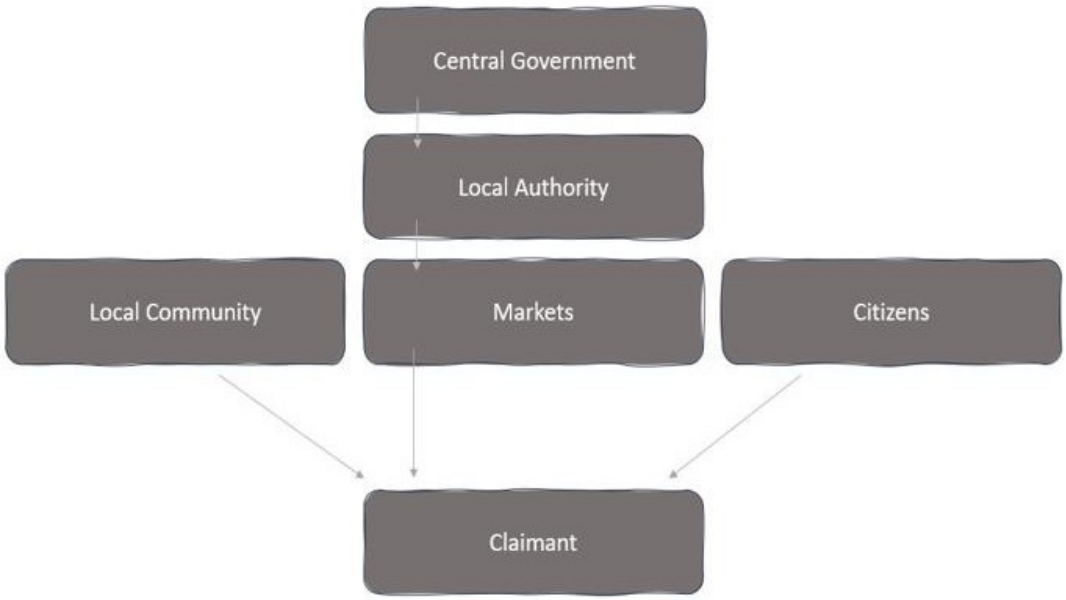


***Figure 3**: The Coalition government's ideal localised network*

Welfare Reform Agenda

The localisation of policy and practice has been evident in the expansion of a discretionary 'supplementary' welfare field. The Coalition Government pursued a welfare reform agenda, promoting growing complexity and localisation in the social security sector (McKay and Rowlingson, 2016). This is evidenced by the localisation or expansion of three key crisis schemes. Under s.33(1)(e) the Welfare Reform Act 2012 replaced Council Tax Benefit with a locally designed and administered

Council Tax Reduction Scheme, alongside a 10% budget cut. The justification from Central Government was that it would '[g]ive local authorities a greater stake in the economic future of their local area' (Department for Communities and Local Government, 2011b, p.10). Discretionary Housing Payments were given an elevated role in the social security system because they became the primary means of mitigating the punitive 'benefit cap', 'bedroom tax', and Local Housing Allowance 'cap'

(Welfare Reform Act 2012; Welfare Reform and Work Act 2016). The budget ballooned by £135 million between 2011/12 and 2014/15 (Meers, 2019). The focus of this thesis, LWA, was devolved from central to local government through the Welfare Reform Act 2012. This was legitimated by suggestions that LAs are those 'who understand their communities and who are best placed to make the right call' (HL Deb, 20 November 2017). It is important to note that most of the welfare framework remains nationalised, even after the localisation of these crisis funds, and there has been some re-centralisation, for example locally administered housing allowance has been incorporated into Universal Credit (Fitzpatrick, Pawson and Watts, 2020). Nevertheless, the combination of the localism agenda, austerity programme, and welfare reform has 'shifted the place of social security in society' (Meers, 2014, p.83).

'Austerity Localism' and Rising Demand

There were doubts as to the Coalition Government's genuine intention to strengthen local democracy and promote a genuine professional model, particularly because of the push to drive down public expenditure (Keep, 2011; Hetherington, 2010). These have been heightened by Central Government's pursuit of 'austerity', a policy which promotes its own ideals of decision-making – so-called 'austerity governance' (Daly, Chapman and Pegan, 2023). The Government's position was complicated because it inherited a challenging fiscal deficit.

To address this challenging fiscal environment the Coalition Government made fast and deep cuts to public services, including £33.6 billion cuts from the welfare budget (Office for Budget Responsibility, 2016). Resulting in further rollback and shrinkage of both central and local state as

providers of public services. A disproportionately high share of these cuts were pushed down to LAs, a phenomenon now known as 'austerity localism' (Clayton, Donovan and Merchant, 2015; Featherstone et al., 2012; Lowndes and Pratchett, 2012). Between 2010/11 and 2015/16, English authorities had a 27% cut in budget. Cochrane (1993) depicted these local cuts as a 'prolonged war of attrition' and Lowndes and Gardner (2016) described local government as subjected to 'super austerity' because the localised cuts are compounded year-on-year (Meers, 2019). These cuts have a geographical edge, they are not distributed equitably across LAs in England. Gray and Barford (2018, p.551) suggest that between 2009/10 to 2016/2017 cuts to service provision varied in different administrative boundaries between 1.6% and 46%. For instance, the Joseph Rowntree Foundation
(2015) reported that most deprived authorities saw cuts of £220 per head, compared with £40 per head in less deprived authorities. The funds devolved to LAs are therefore subjected to competing pressures which become increasingly challenging to meet in a constrained financial climate. Notably, these scarce resources are being managed by cutting back on non-statutory obligations (Wills 2020, 819), of which LWA is one. This risk is particularly heightened because national funding for LWA has not been ring-fenced.

The resource constraints created by 'austerity localism' measures were compounded by rising demand for services and the complexity of people's needs. Since the Welfare Reform Act 2012, the agenda has included more punitive measures (MacLeavy, 2011; Wiggan, 2012). These include 'the bedroom tax' penalty for under-occupation, the 'benefit cap' on the amount of certain working-age benefits, '2- child limit' for Child Tax Credit and Universal Credit, and benefit sanction regimes imposed for not meeting work-related conditions. This has led to a reduction in people engaging with the benefit system (Watts et al, 2014), affecting the most vulnerable in society (Oakley, 2014). In addition, the difficulties arising from the Covid-19 pandemic and cost-of-living crisis has dramatically increased the number and type of people facing financial hardship with fewer options for support. In early 2023, 11.3 million people or 14% of all UK adults (or their

households) have experienced food insecurity in the last year (Trussell Trust, 2023) and 4.8 million adults in the

UK had lived in furniture poverty (Furniture Poverty, 2023). These factors are creating a tidal wave of demand that LAs, suffering in the wake of 'austerity localism', simply do not have the financial capacity to stem.

2.4 Conclusions

The promotion of localism by the Coalition Government was presented as a 'huge cultural change' (Cameron, 2010). However, meso-level workers operate in an 'inherited world of local government' (Stewart, 2000, p.43), whereby current practice is bounded by institutional and ideological legacies (Lowndes and McCaughie, 2013, p.544). In other words, elements of the previous central government approaches are likely to suffuse modern policy and practice. In fact, Boyle (2009, p.2) noted, the main political parties in the UK have long been 'gargling' with various forms of localism. There are legacies of Thatcherism and Blairism evident in the Coalition localism policy, particularly the commitment to encouraging market-based competition for a mixed economy and administrative field, and commitment to engaging citizens and communities in supporting community well-being (Lowndres and Pratchett, 2012; Hildreth, 2011). For instance, the emphasis on 'New Public Management', and thus marketisation, was established during the Thatcherite period. Although, the practice has been altered and evolved to fit the local context the broad theme still exists. In this sense, this new form of administration is as much a reinterpretation or evolution of some existing practices as it is an entirely new approach.

Nevertheless, the Coalition Government has restructured central elements of the localism agenda, this has has resulted in an altered form of administration regarding 'hierarchies, markets and networks' (Pratchett, 2004), in what Lowndes and Pratchett (2012, p.22) call 'a decisive break from

the past'. In other words, the political, economic, and social environment promoted by the Coalition Government has produced ideological and practical shifts in the position and exercise of discretion, with potential implications for administrative justice. There are four distinctive shifts. First, accountability mechanisms and reporting requirements were devolved down to the local level

(Taylor-Gooby and Stoker, 2011). Second, the boundaries between government and the third sector were

redrawn, away from partnership models (Macmillan, 2013) towards substantial privatisation (Taylor-Gooby and Stoker, 2011) and individualised responsibility. Third, these changes are tied to massive funding cuts (Hastings et al., 2013), that have moved the state away from the 'welfare-orientated' New Labour Government to a depleted and financially reduced social policy programme (Jupp, 2021, p.978).

Fourth, and most significantly, was the shift in the place and role of central government in the administration of public services. The Coalition Government assumes a 'zero-sum' relationship between the state and the community, in which the empowerment of local communities equates to less central government involvement (Lowndes and Pratchett, 2008). Therefore, the Coalition Government's programme of localisation differs from those that have come before because it represents an active dismantling of parts of the state (Deas, 2013, p.73) and an active retreat from centralism (Lowndes and Pratchett, 2012), or in the case of LWA, a cut off from centralised governance. These decisive ideological shifts from the Central Government represent the adoption of an alternative or 'new' model of administrative justice, which began to move existing ideal types down to local modes of decision-making and local legitimisation, as table 3 displays. In this sense, the restructuring constitutes a secondary hollowing out of welfare state because there is a significant rollback of discretionary central provision and a serious cut in local budgets hampering take-up of local welfare responsibility.

Model	Mode of Decision-Making	Legitimating Goal	Mode of Accountability	Mode of Redress
Localist	Meeting local needs	Citizen and Local Community Empowerment	Internal Mechanisms or Co-production between local authority and third party	Review of Decision or Complaint or Replacement by another service

Table 3: *The Coalition Governments model of administration*

This so-called ‘New Localism’ departs from many discussions of discretion because it explicitly devolved substantial freedoms for LAs and local communities. This form of localism is associated with a high level of acceptable discretion. However, the Coalition Government simultaneously promoted a programme of austerity, associated with a different level of freedom and acceptable discretion. This reflects Mashaw’s argument that stakeholders themselves can promote different normative conceptions that conflict and compete for dominance. The austerity programme denotes a central- local relationship marked by centralised control over the fiscal environment, therefore local

discretion is constrained by economic factors. For example, the Coalition Government failed to hand over 75% of local government revenue spending. These different policy approaches conflict in the degree of discretion and freedom to be localised. Therefore, there is likely to be flux and variation in the appearance of localist policies at local level as trade-offs differ in each authority. This could reflect relative wealth, a more financially resilient authority in a more affluent area would be more likely to be able to resist the worst effects of austerity and promote localist policies. It may also reflect the political control of a LA, in that a Labour authority might be more likely to find innovative or creative ways to resist policies that stem from a Conservative-led Coalition, whereas a Conservative authority may be more compliant. The different realisations of the localism and austerity demands are likely to create variation in the outcome of welfare design and administration.

This policy context also aligns with literature that emphasises the relational nature of discretion. The localism agenda promotes dispersing freedoms and powers to a range of organisations and actors, particularly LAs, private businesses, TSOs and citizens (Miaz and Achermann, 2022). Decision-making is not solely exercised by one actor, instead the decisions are dependent on multiple actors who are explicitly or implicitly involved in the decision process. For example, LWA is devolved to LAs but the localist emphasis on community engagement and the market sector is likely to encourage the involvement of other actors into the decision-making process. Similarly, the austere climate will also encourage the use of cost-efficient mechanisms,

particularly the use of private sector contractors. Clayton, Donovan, and Merchant (2015)

acknowledged that stimulating competition during periods of scarce resources can result in the prioritisation of cost over quality and may damage the collaborative benefits of shared local knowledge, comprehensive accountability, and trustworthy relationships. Specifically, there are concerns over the lack of regulatory functions in combination with inability for claimants to seek review at a tribunal – decisions are made outside of the public eye and cannot be challenged externally. This is compounded by an inability to pinpoint where responsibility falls when discretion is shared between different administrative bodies or actors. This has the potential to result in obscure decision criteria and inaccessible means of seeking a review of a decision.

This chapter has argued for an understanding of administrative justice from a meso-level perspective which is necessarily and inherently different from the central or local level. The meso-level has been subject to an altered role in decision-making because the localisation of discretionary welfare in combination with the austerity agenda has significant implications for finances, hierarchies, accountabilities, networks, and markets. All of which has elevated the role of LAs and community groups, making meso-level research increasingly important. This restructuring will undoubtedly have implications for the working practices, relationships and roles of local government workers and local community members. Particularly because new public service structures and spaces open 'institutional voids' where working practices are yet to be fixed, and interpretation is ongoing (Hajer, 2003). As yet there has been limited research on these dynamics at the meso-level of local governance, most studies have focused on street-level implementation. This following chapters aim to begin to fill this void.

Chapter Three: Methods

The previous chapters introduced LWA, its roots in wider discretion, localism, and administrative justice literature as well as the legal, political, and economic context it is situated in. This chapter now turns to the methods undertaken to investigate how LAs or meso-level actors exercise discretion in designing LWA schemes. To examine the exercise of discretion in design decisions, data has been drawn from three empirical strands, outlined here. This chapter falls into three sections. First, the

link between the aims and choice of methods is established. Second, this chapter discusses the content analysis of LA webpages, explained why this method was employed and outlining limitations to using digital platforms. This section also draws attention to the political and deprivation variables accounted for. Third, the choice to conduct case studies, the reason behind the cases selected, and background information on the two locations is addressed. This section then discusses the methods chosen to inform the case study: documentary analysis of local authority meeting minutes and interviews.

3.1 From Aims to Methods

The main aims of this thesis are to understand the impact of localisation on meso-level organisations and actors, to explore the ways in which meso-level actors have responded to the conferral of

discretionary responsibility for crisis support and designed responses to it, and to discuss whether these designs achieve administrative justice for claimants. These objectives informed the methods adopted. The link between the research questions and the methods of data collection and analysis are described in this section.

First, however, a note on feasibility. The empirical elements of this study were chosen based on the fundamental requirement of feasibility within a one-year research project. After an initial review of the existing literature this thesis found that there was little information regarding LWA

available. Therefore, a necessary first step was to collect the basic information which was publicly available on LA webpages through a content analysis, this was a time efficient method. The small

number of online interviews then allowed the motivations of LA and third sector actors to be explored in a time and cost-efficient way.

The content analysis, sought to provide data to understand meso-responses to localisation of LWA, contributing to the first aim. Specifically, develop an insight into what LWA looks like across England, including the number of closed schemes, and insight into the design features, like eligibility criteria, and to identify patterns to these design features. This strand of the research allowed a critical assessment of the findings of TSOs, and to explore elements that had not been examined in third sector reports. It also provided an opportunity to identify new concepts or themes that could be explored in the case study element of the research, particularly topics that could be further explored during the interviews.

The in-depth case studies, which employed a qualitative approach, were informed by the valuable quantitative data produced from the content analysis. There are several reasons for this. Other studies, mostly conducted by TSOs, had argued that the ability of claimants to access crisis support was significantly affected by the status of the scheme and the extent of variation in the availability of LWA, dictated by design factors including eligibility and/or types of support, which differed across each LA boundary. For this reason, it seemed important to undertake a content analysis of all schemes to capture this variability and identify themes or patterns that might explain the variation. This decision was reinforced by the fact that no academic report had produced a comprehensive overview of LWA design features, because although TSOs have produced reports these are often restricted to a singular issue.

Once the content analysis data had been collected and a preliminary analysis undertaken, the second part of the research was undertaken. The aim had been for the design of the case studies to be influenced by the content analysis, and it did so in four ways. First, it suggested a greater intensity of variation in LWA scheme status and design features than anticipated. Second, the data suggested that the design of LWA was often tied to the political control of the LA. Thirdly, the design features

caused serious concern for claimants' ability to achieve administrative justice. Finally, some design features emerged that had not previously been documented. The in-depth case studies provided an opportunity to explore these issues and the reasons behind them in more detail.

Having undertaken the initial content analysis, it provided the time and space to reflect on the initial findings. In doing so, helped set the agenda for the second stage of the research by highlighting design features that were particularly unusual, under-researched or problematic. This was useful because prior to undertaking the content analysis this thesis was unaware that the LAs instituted

different organisational arrangements. This feature was unusual enough to become a focus of the latter part of this study. In this sense, the content analysis also fed into the second aim of this research by informing the second empirical strand and the third aim by beginning to inform critical assessments of the schemes.

The use of case studies to collect qualitative data was a method better able to capture the social world of LWA, including the actors involved, the interactional processes and participant perspectives, whereas the content analysis documented frequencies and patterns. It also facilitated a reconstruction of the historical development of LWA, an insight into the decision-making process, the context of decisions, and the rationales for design decisions. These methods gave access to the LA and meso-actor discourse on how and why they make the decisions that they do, however, they do not provide information on the actions in practice. Nevertheless, this method allowed me to collect rich discourses on work and organisational environments (including relationships), collective and individual criteria (formal and informal) that shape design decisions. In doing so, it answered the objectives and questions raised by the second aim of this thesis.

3.2 Content Analysis

The first empirical strand is based on a content analysis of 165 webpages which function to detail and administer LWA, resulting in a panoramic outline of the design elements of schemes across

England. This section discusses the reasons behind this choice before outlining the design of the data collection and analysis.

Digital Platforms as Data Sources

With the development of information technology, particularly in the field of welfare, digital platforms are experiencing rapid growth (Alexopoulou, Astrom and Karlsson, 2022) and online platforms are
becoming a valuable data source (Askitas and Zimmerman, 2015; Fielding, Lee, and Blank, 2017). The ability to access a website is becoming a prerequisite for accessing public services, and LWA. Therefore, an analysis of LWA through the medium of webpages that detailed local provision suggested itself as an appropriate method of capturing the schemes from the perspective of claimants. The use of this internet-based research has led to a large, diverse sample, collapsed geographical boundaries, and facilitated cost and time efficient study (Hewson, Vogel, and Laurent, 2002), however there were also limitations to this method.

An obvious limitation of this approach is that these webpages are curated to reflect a version of the schemes that the LA want to promote. This 'platform governance' results in limited information available on some elements (Besse, 2022), including funding levels, success rates or requests for review, which might be provocative to publish publicly or simply not appropriate for the webpage. A further limitation is that the information on these webpages can only be taken as a representation of the scheme design, they cannot, for instance, tell us how the schemes operate in practice. CPAG report on their 'Local Welfare: Tips and Tactics' (2015) webpage that:

> Many council LWAS pages stipulate 'eligibility criteria'. However, they are not rules, only guidance. …the guidance should be approached with caution: use it if your client fits into the criteria but, if they don't, argue for the general principle that each case must be decided according to need. The fundamental points are that LWAS, are discretionary and councils must decide each case according to need and in accordance with administrative law

principles. (CPAG, 2015)

Therefore, while a LA may display a distinct set of restrictive eligibility criteria, these may not, in practice, operate as restrictively as they appear. However, the fact that CPAG produced guidance for advisers to navigate LWA schemes suggests that these rules are, often, applied as they appear and require negotiation by advisers. While it may not be an accurate representation of the administration of these schemes it is a representation of how LAs think of these schemes, how they choose to design them, what they think is acceptable, and what strategies they are using.

Webpage Analysis Design

This content analysis took place between January and March 2023 and focused on webpage(s) that were designed to provide information to citizens and included information and resources, such as policy documents, on LWA (for example, see Images 1 and 2). This included analysis of 152 upper-tier LA websites, of which there were 24 County Councils, 33 London Boroughs, 36 Metropolitan Boroughs, and 59 Unitary authorities. Upper-tier LAs were identified by a 'List of councils in England by type' published by GOV.UK (2016). The End Furniture Poverty's 'Welfare Assistance Finder',[2] that links directly to the LA websites, was utilised to find dedicated LWAS webpages. Schemes that were reported as closed by End Furniture Poverty were cross referenced against google search results and third sector reports to ensure the accuracy. Each webpage associated with the LAs LWA scheme was analysed irrespective of the organisation hosting or advertising the scheme to understand the design of schemes nationally regardless of operational location, which has not previously been done. This led to an analysis of 165 websites.

[2] See: https://endfurniturepoverty.org/research-campaigns/rebuilding-crisis-support-local-welfare-assistance/local-welfare-assistance-finder/

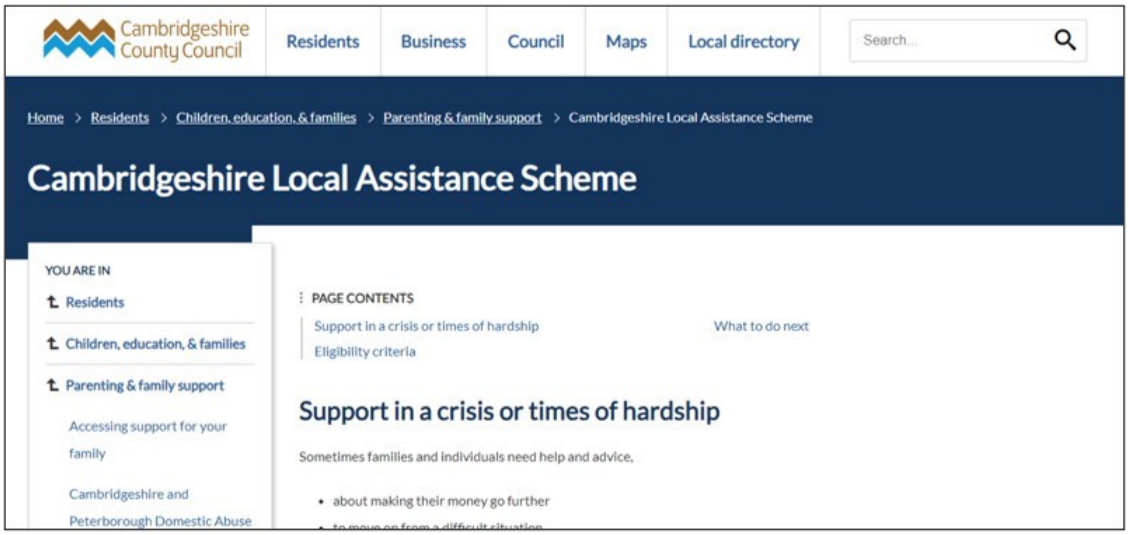


Image 1: *Cambridgeshire Local Welfare Assistance Scheme Webpage*

To analyse the data, a coding framework was developed based on the central features of LWA schemes that emerged from the Coalition Government's statements on the localisation of crisis support (see Webb, 2012; HM Government, 2014; DWP, 2011a, 2011b). This produced categories that were applied to the dataset to determine the presence of certain concepts. These were elements that central government identified as being key to localising provision and were identified as being best established by local government because of their local knowledge. These included political control, type of LA, scheme status, eligibility criteria, types of support, application process, accessibility, review processes, funding, and organisational arrangements. This resulted in an excel spreadsheet that detailed each scheme in relation to the above criteria, which supported qualitative and quantitative description of webpages, exploration of the relationship between categories, and revealed patterns in content (Berelson, 1952).

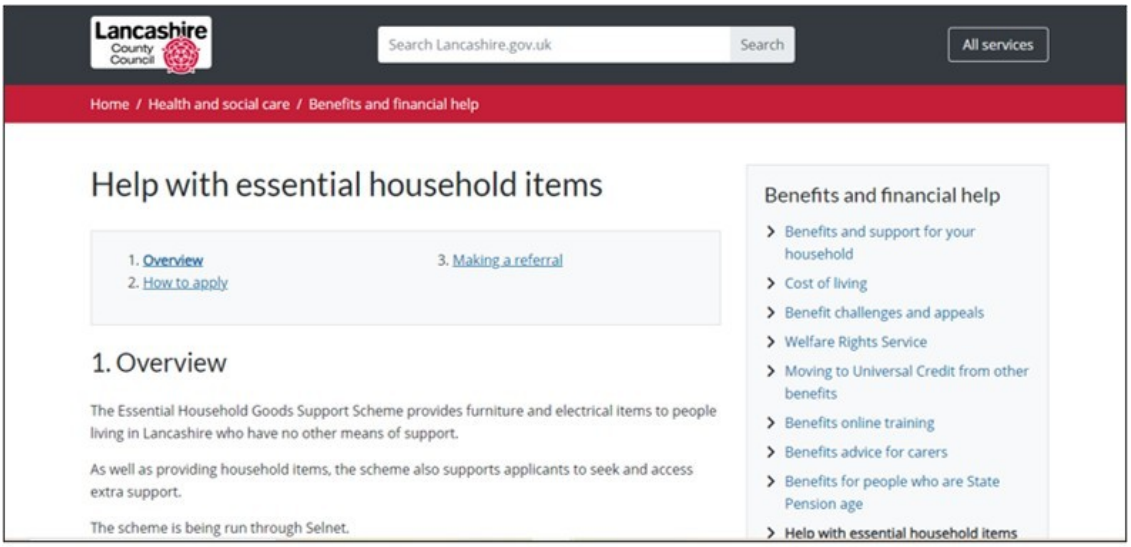


Image 2: *Lancashire Local Welfare Assistance Webpage*

There is evidence that the political makeup of councils has implications for the status and funding of LWA schemes (Hick, 2022). In this thesis the effect of the political control is further

explored by comparing political control against design features. The political composition of each elected council in England was determined by a database compiled by Keith Edkins, updated after the 2022 elections, and checked against the 'Open Council Data UK' webpage.[3] In England, there

were 62 Labour, 55 Conservative, 38 no overall political control, and 10 Liberal Democrat/Other LAs that had been devolved responsibility for LWA by central government or a higher-tier LA. This thesis primarily discusses Labour-led and Conservative-led LAs because these are the 'main' political parties and make up the majority of authorities in England.

[3] See: https://theedkins.co.uk/uklocalgov/makeup.htm

IMB - Average Score	Conservative		Labour		No Overall Control		Liberal Democrat		Other	
	No.	%	No.	%	No.	%	No.	%	No.	%
>5	/	/	/	/	1	3%	/	/	/	/
>10	2	3%	/	/	1	3%	1	17%	/	/
>15	13	24%	3	5%	6	16%	3	50%	1	25%
>20	22	40%	8	13%	7	18%	1	17%	/	/
>25	11	20%	9	14%	8	21%	1	16%	2	50%
>30	2	4%	21	34%	11	29%	/	/	1	25%
>35	4	7%	15	24%	2	5%	/	/	/	/
>40	1	2%	5	8%	2	5%	/	/	/	/
>45	/	/	1	2%	/	/	/	/	/	/
Total	55	100%	62	100%	38	100 %	6	100%	4	100%

***Table 4**: The number of local authorities by political composition and average IMB score n=165*

The effect of political control can be, at least partly, obscured by other variables. Therefore, this thesis also considers the deprivation rate of LAs. This is based on the average score of English Indices of Multiple Deprivation (IMB) 2019). Table 4 displays the number of LAs by political composition and their average IMB score, the higher the score the more deprived the area is.

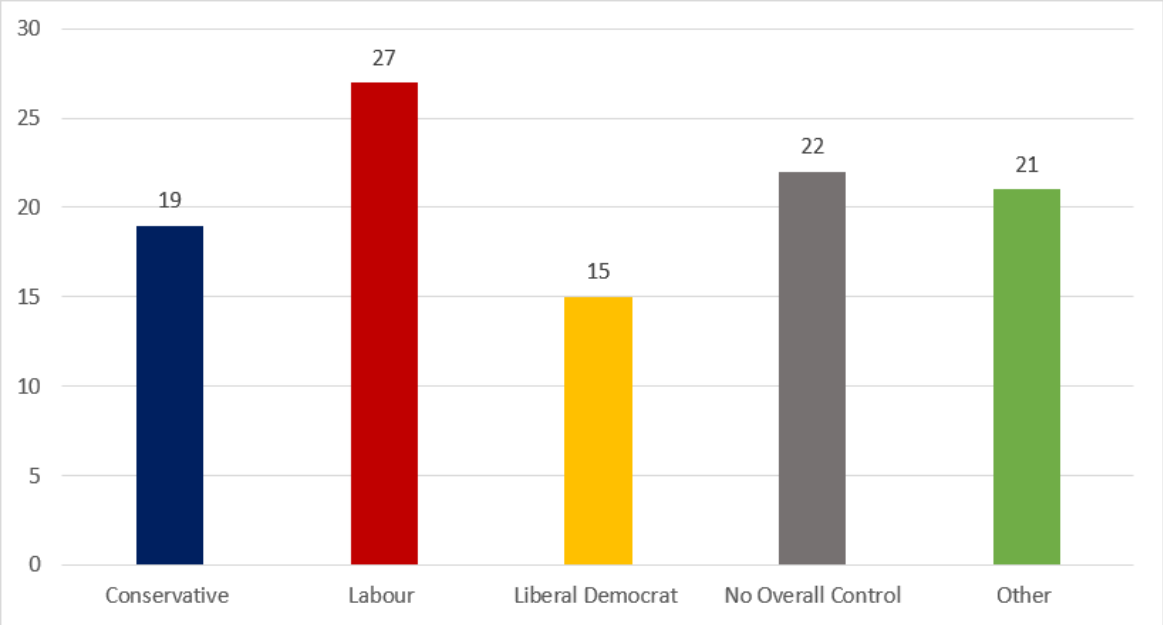


Chart 1: *Local Authorities (that have or had responsibility for local welfare assistance) Average of Average Score based on Political Composition n=165*

Chart 1 displays the average of the average score of each LA, categorised based on political control. Both tables show that Labour-led LAs have higher levels of deprivation than Conservative-led LAs, although not all Labour authorities are deprived and not all Conservative authorities are not deprived. Going forward these variables are used against design features to understand any correlations that might exist.

3.3 Case Study

In pursuit of an in-depth exploration of the design of LWA two specific LAs were chosen: Cambridgeshire County Council and Lancashire County Council. These LAs were chosen on two grounds. First, this thesis aims to understand the role of different local actors in the provision of local welfare. Therefore, these authorities were chosen because they had outsourced varying levels of responsibility for local welfare to small local TSO(s). Second, from ten possible LAs that had shared responsibility for LWA, these two schemes were chosen because they have accessible online archives of meeting minutes between 2012 to 2023, while most of the other authorities had patchy and inconsistent reporting mechanisms. These minutes are particularly important because they reveal

important information about the evolution of the schemes. One criticism of the use of case studies is that they are unrepresentative of broader phenomena or organisations, and thus cannot be generalisable (Donmoyer, 2000). However, this criticism has been dismissed on the basis that case studies are generalisable to theoretical propositions – not populations (Yin, 2014). The case studies in this project are not directly generalisable because each organisation, scheme, and relationship is different. While these findings may not be directly comparable, it is hoped that these studies are interesting in-and-of themselves, and the conceptual and theoretical findings will add to theories of discretion, localisation, and administrative justice. This section outlines Cambridgeshire and Lancashire as case study locations, before discussing the design behind the documentary analysis and interviews.

Cambridgeshire and Lancashire

These authorities suffer deprivation similar to the national average but have deep seated inequality. Cambridgeshire has come under scrutiny following a report which named Cambridge the 'least equal' city in the UK (Centre for Cities, 2018). It might be imagined that LAs with higher levels of

deprivation would be most likely to have LWA schemes, but conversely, they might also be amongst the poorest LAs and the least able to support such schemes. Cambridgeshire and Lancashire LAs are both non-metropolitan County Councils that cover and represent a diverse geographical and

demographic environment. Both are largely rural, but host hub towns of Lancaster and Cambridge. Lancashire has a larger population, at 1,236,035 in 2021, with a higher population density of 427 residents per square kilometre. Cambridgeshire has a smaller population of 680,407, with 223 residents per square kilometre. In these two areas 48% and 53%, respectively, of households are deprived on one or more dimensions (Ministry of Housing, Communities & Local Government, 2019). This sits either side of the national average of 51.7% of households in England and Wales that were deprived on at least one dimension in 2021.

Cambridgeshire County Council has, over the course of two elections since 2013, been dominated by Conservative Councillors. Between 2013 and 2017, a critical time for LWA, the councillor composition was Conservative-led (32) followed by Liberal Democrats (14), UKIP (10), Labour (8) and Independent/Others (5) but, importantly, there was no party with overall control of the authority (Cambridgeshire County Council, no date b). In the last election, in May 2021, Liberal Democrats, Labour, and Independent councillors formed a joint administration (BBC, 2021). In Lancashire County Council the Conservative Party ended a 20-year Labour domination in 2009. Fast forward four years and there was no overall control of the LA, but a Labour and Liberal Democrat coalition displaced overall Conservative control. The political balance was as follows: Labour (39), Conservative (35), Liberal Democrats (6), Independent (3), Green (1) (Lancashire County Council, no date b). This was shortlived, with the Conservatives retaking the majority, and control, in 2017.

An Archaeology of Documents

Meeting minutes, and accompany reports, are a remnant of the organisational proceedings of local council meetings (Long, Foster and Arnold, 2019). However, documentary analysis needs to be approached with caution (Cowman, 2013). Studies of minutes tend to focus solely on the textual content – to the exclusion of the 'deeper meaning' of the documents (MacDonald, 2005). In doing so, they overlook the documents as 'social facts' that are produced, distributed, and employed in 'socially organised ways' (Atkinson and Coffey, 2011). In this sense, documents are an 'organisational version of reality' that construct and share an 'institutionally approved account' of LWA, much like
the content on webpages (Atkinson and Coffey, 2011). Therefore, before turning to the content of documents it is important to conduct, what Prior terms, an 'archaeology of documentation', that is the study of documents beyond their content (Prior, 2011).

LA minutes serve two organisational functions: fulfilment of a statutory requirement to record debates (accountability) and communication to the community. Minutes are the required organisational format for reporting and recording problems, discussions, and decision outcomes

discussed at local council and committee meetings. The Freedom of Information Act 2000 gives rights of public access to information held by public bodies. On this basis the Information Commissioner's Office (ICO, 2014) sets the expectation that public authorities publish minutes and agendas of public and senior-level meetings and background documents referred to in the agenda or minutes. These published minutes enhance transparency and accountability – dependent on local government

creating and implementing a standard and continual documentary process.

There are two central implications of this loosely upheld statutory requirement and guidance provided by the ICO. On a practical level, Shepard et al note that LAs have a 'weakness' in recording and managing local records (Shepherd, Stevenson and Flinn, 2010). Many LAs fail to adequately produce or publish minutes, creating an absence of communication and accountability to the community. As regards content, the ICO and relevant LAs provide guidance on production which resolves around expectations that minutes are precise and concise, self-contained, and decisive (ICO, no date). While the author is unknown – the author-function in this context is notably official. This means that the author may have had first-hand experience of the meeting, but the minutes are heavily edited and likely stripped of anything too contentious (Webb et al, 1966, cited in Hodder, 2000, p.704).

Going forward, this thesis reflects what Mannheim (1982) terms the 'documentary method', whereby the text in the minutes is used to indicate the 'underlying' social reality of LWA through the eyes of local government. They are an entry point to the policy discourse of LWA, as narrated and understood by local government.

Documentary Analysis

This thesis primarily drew on meeting minutes and accompanying appendices from local council and committee meetings published between January 2013 and June 2023. Minutes were publicly available on the County Councils websites document bank. To locate relevant minutes the

‘search document’ function was used to find any references to variations on the phrase ‘local welfare

assistance scheme'. A total of 177 documents (half of which proved useful) were amassed. These documents detailed processes, motivations, relationships, concerns, and outcomes that fed into the design of local welfare.

A coding framework, based on themes that had emerged from the literature and findings in the previous chapter elicited categories and themes from the documents. This was enhanced by a 'reflective iterative process', (Srivastava and Hopwood, 2009) visiting and revising the data, facilitating the connection of emerging insights and understandings of local government and discretion. The categories were broadly defined as: perceptions of localism and local welfare, institutional set-up, role of actors, nature of relationships, advantages of contracting out, and challenges associated with contracting out.

Interviews

Interviews, approved by Oxford University's CUREC Ethics Committee,[4] were conducted for a more rounded study of local welfare and to mitigate some of the limitations of the documentary analysis. The purpose of these interviews was to explore the perceptions of different actors in the local welfare process on the design of LWA schemes, the organisational arrangements, their role in the process, and challenges they encountered. This allowed me to fill in the gaps from the documentary analysis.

Ten semi-structured interviews were conducted online via Microsoft Teams. These lasted between 45 minutes and one hour. Interview invites were sent to 68 contacts, identified as councillors, officers or third sector workers in Cambridgeshire or Lancashire through the meeting minutes and on LA webpages. Positive responses were received from seven participants, one former councillor, three county council officers, and four from the contracted TSOs, one of whom sent a written response in lieu of an interview. After struggling to access further participants, the scope was

[4] Central University Research Ethics Committee Approval Reference Number: R87223/RE001

expanded to include people from national organisations involved in LWA, identified through third sector reports. This included interviews with three experts on various aspects of local welfare from national advocacy organisations.

Each interview was audio-record and then transcribed. To analyse these transcripts the coding framework developed for the content analysis was applied. This allowed the gathering of more detailed or additional information on topics that are discussed in Chapter Four, for example the intricacies of eligibility criteria or the types of support awarded. The existing coding framework that was used in the documentary analysis was then applied because these interviews were intended to complement the case study element of this thesis.

One key ethical challenge that shaped this thesis's engagement with research materials and participants was maintaining participant anonymity. Initially, this thesis set out to completely anonymise each participant by removing case study locations. There was a particular risk of participants being identifiable to colleagues or others in their field because of the small-scale nature of LWA and the small sample size of potential case studies. Therefore, anonymising case study locations would have added an extra layer of protection. However, upon choosing the documentary analysis method it became difficult to anonymise case study locations without detracting from the research because using direct quotes from publicly available minutes immediately rendered Las identifiable. Ultimately, an amendment was sent to the ethics committee which set out to identify LA locations while maintaining participant anonymity. Participants anonymity was still protected by the removal of personal identifiers, and they were informed of potential risks in advance of interviews.

Chapter Four: LWA Schemes Across England

4.1 Introduction

The imposition of 'austerity localism' (Featherstone et al., 2012) by the Coalition and subsequent Conservative Governments emphasises new responsibilities for LAs in the context of successive spending cuts, which puts LAs under unprecedented pressure. Additionally, the localisation of crisis support, and particularly LWA, are subject to increasing demand from citizens. However, how LAs exercise local welfare discretion in the context of these pressures has been largely absent from academic literature. Crisis support has been subject to investigation by TSOs, which focus on the LA budgets, spending on schemes, the number of applicants and success rates, and the number of scheme closures across England. Despite this body of third sector literature 'we know relatively little about the extent to which a variable patchwork of provision has in fact emerged' (Hick, 2022 p.253). This is particularly because few reports delve into the intricacies of scheme design. Based on a content analysis of LA webpages, this chapter produces an outline of LWA across England. It also analyses how meso-level actors design schemes and how the new form of public service administration, promoted by the localist model discussed in Chapter Two, may have influenced working practices. In doing so, this chapter provides new insights into LWA in practice, but also into meso-level decision-making and the role of localist ideals in shaping bureaucratic choices and practices, with a particular emphasis on supposed empowerment of LAs, communities, and citizens.

In public policy literature, specifically in studies of front-line actors, discretionary techniques are perceived as part and parcel of exercising discretion (Verhoeven and Van Bochove, 2018, p.788). Drawing together existing studies (Brodkin, 1997; Maynard-Moody and Musheno, 2003; Oberfield, 2010; Evans, 2013; May and Wood, 2003), Tummers et al (2015) built a comprehensive review of this field of literature since Lipsky and therefore provides a representation of front-line literature (Lipsky, 1980; Lipsky, 2010). They defined these practices as 'behavioural efforts frontline workers employ when interacting with clients, to master, tolerate, or reduce external and internal demands

and

conflicts they face on an everyday basis' (Tummers et al., 2015: 1100). The exercise of discretion generally and these techniques are understudied in relation to the meso-level in this context, particularly in terms of the design of policy and schemes. In this chapter, the practices and techniques that LAs use to design schemes are explored to determine whether new public service structures at meso-level attributed to localism present a challenge to the 'street-level bureaucratic' characterisation of working practices.

As this chapter discusses the influence of localism on local government, Strong's (2018, p.217) criticism of presenting authorities as 'passive, apolitical and submissive' comes to mind. Within the ambit of localism, the character and setting of organizations affect the way that ideological change is interpreted and implemented (Hawkins, 2002). There is an assumption that, in the face of exogenous variables, discretionary schemes and funds have become a low priority in LAs (Lien and Pettersen, 2004, p.346). The reason being that reduced fiscal affluence and rising demand have stretched LAs so thin they are unable to exercise partisan discretion or go beyond statutory requirements. However, the existing literature on LWA (Hick, 2022), and discretion more broadly (Emerson and Paley, 1992; Loveland, 1987), suggests that the political composition of a LA may be a significant influential factor. This chapter builds on existing studies and explores whether the political nature of the LA and level of deprivation within the administrative boundary also correlates with the different scheme designs and strategies, and therefore whether different political groups are more
likely to meet the ideals of localism over another.

This chapter draws on the content analysis described in the Chapter Three to explore how meso-level actors design local welfare schemes and the consequences of these choices on the ability of claimants to access support. These design features are organised into three categories to reflect the practices that LAs exercise in policy design: rationing, rigid rule-creation, and displacing. The role of political and economic factors in the design outcome are also considered. This chapter is divided into four sections. The first section discusses rationing of LWA, through the closure, limiting

and

controlling of schemes. The second section explores rigid-rule creation that becomes evident through the replication of central rules and excluding, moralising, and prioritizing of local welfare claimants. The third section introduces the concept of displacing, where LAs put in place gatekeeping or outsourcing features. Finally, the chapter considers the extent to which the working practices at the meso-level are reflected in, or different to, the literature on 'street-level bureaucracy'.

4.2 Rationing: Closing, Limiting and Controlling LWA Services

While analysing the webpages of LAs it became clear that many schemes had elements that resembled a form of rationing. Rationing refers to any practice or design feature that intentionally or otherwise decreased the availability of the service. This section discusses the ways in which these schemes displayed rationing practices: through the closure of schemes, limiting schemes to in-kind support, imposing restrictions on application processes, and creating a seasonal lottery of funding.

Scheme Closures

LAs have two forms of discretion in relation to LWA, the first is the discretion to decide whether or not to operate a scheme and the second is the discretion to make design decisions. Central Government conferred responsibility for crisis support to upper-tier LAs on a discretionary basis, therefore there is no statutory requirement for an authority to have or maintain a scheme.
Thus, LAs have complete discretion to decide whether to operate a scheme. The most severe example of rationing is the complete removal of LWA through scheme closure. This made it relevant for the research here to determine how many LAs had chosen to set up a scheme.

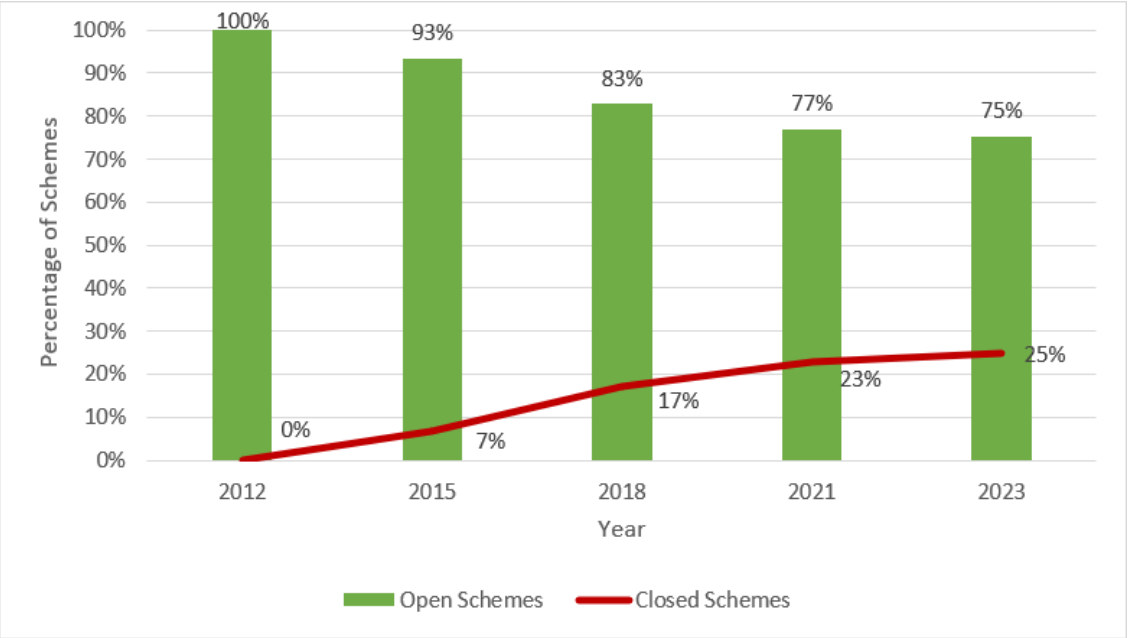


Chart 2: *Status of Schemes in England between 2012 and 2023 n=152*

Only 124 (75%) schemes met the conditions of an open scheme at the time of this analysis. Significantly, 41 (25%) were considered closed having chosen not to open a scheme or closed the scheme after a period of offering support.[5] The reasons for these closures were not publicised on the LA webpages, where a scheme had closed it was evident merely from the absence of a dedicated webpage. The absence of formal crisis support in 41 LAs creates significant geographical inequality through uneven distribution of, and access to, emergency funds.

[5] I made a judgement on the status of the schemes based on whether the information of the webpage(s) met the defining conditions for a scheme according to the criteria outlined by Central Government, discussed in Chapter One. This figure is higher than other reports because of my inclusion of district councils.

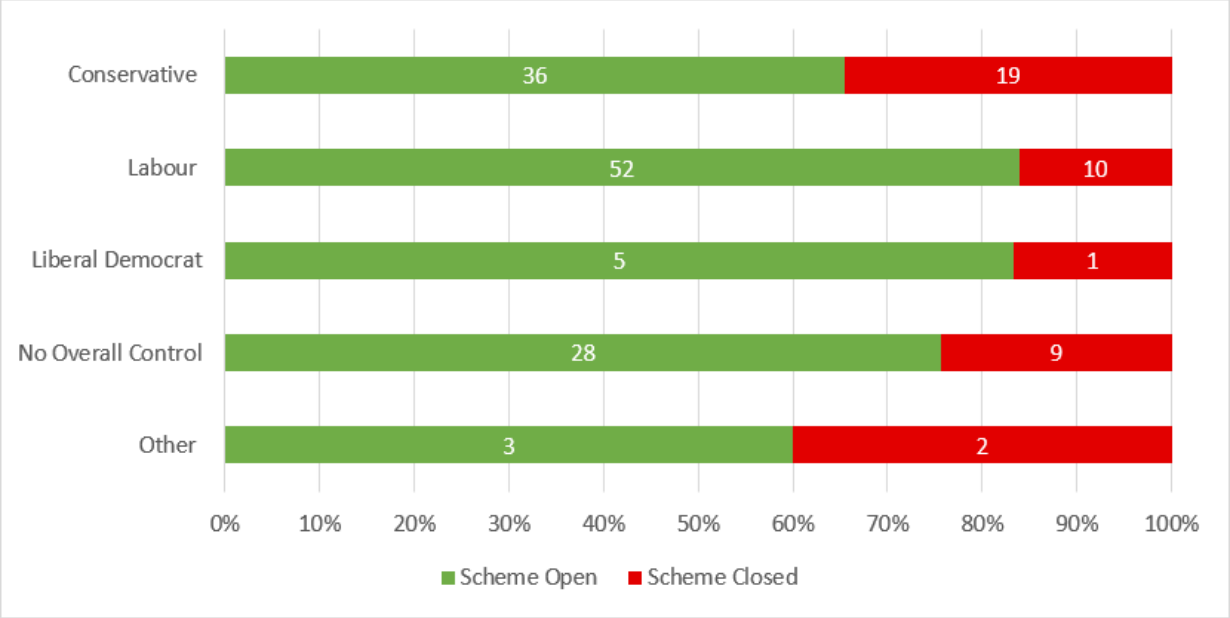


Chart 3: *Schemes Status based on Political Composition of Local Authorities n=165*

There is an obvious trend of closures across the UK. TSOs have conducted sustained freedom of information requests over the past ten years, which detail the number of 'closures' each year. Chart 2 displays a consistent reduction in open schemes.[6] If this trend continues the principles of equal access to justice will be violated in more authority areas. It is noticeable that between 2021 and 2023 fewer closures took place. Unusually, one LA, Haringey Borough Council,[7] appears to have reopened their scheme. This anomaly is perhaps a reflection of pandemic conditions in which exceptional funding was distributed through the Household Support Fund and represents the positive affect additional resources can induce.

[6] See: End Furniture Poverty, 2021, 2022a, 2022b; Church Action on Poverty, 2018.
[7] https://www.haringey.gov.uk/community/here-help-financial-support-residents/haringey-support-fund
(Note: All Local Authority Webpage Links in This Thesis Were Accessed: March 2023)

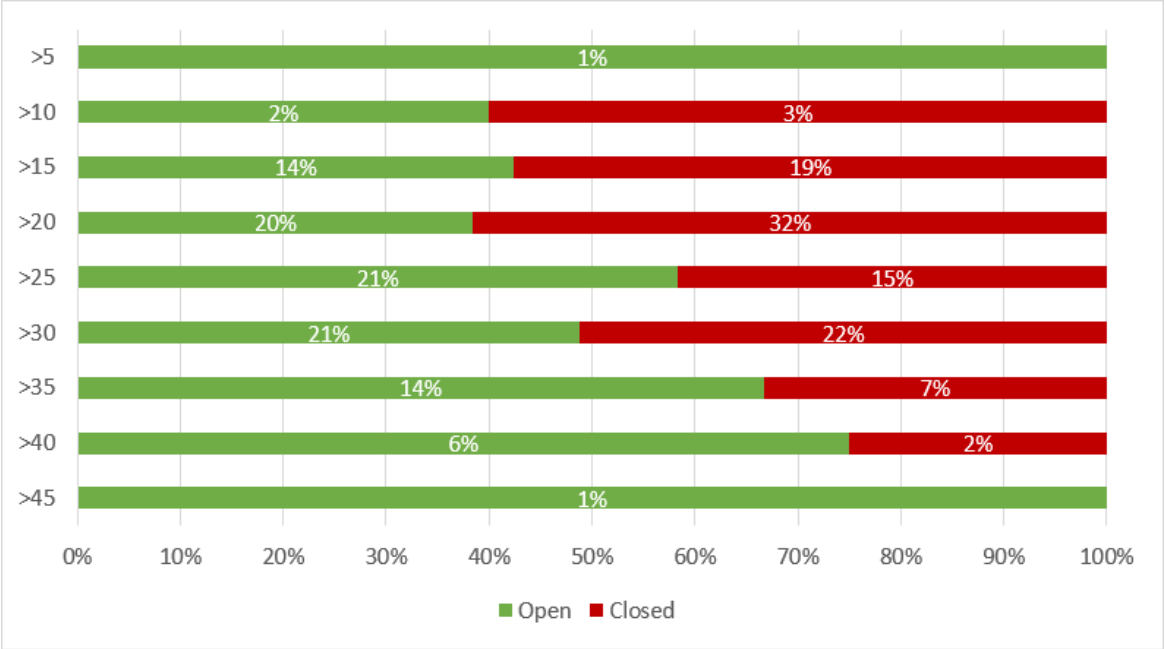


Chart 4: *Scheme Status based on Index of Deprivation of Local Authorities n=165*

In a study of the three local welfare schemes, Hick concluded that there was a political dimension to the decision of whether to maintain a scheme and whether to make funding cuts to a scheme (Hick, 2022, p.269). Chart 3 supports Hick's conclusion and shows that Labour-led LAs were more likely to have open schemes than Conservative-led LAs, and Conservative-led LAs were more than twice as likely to have a closed scheme than Labour-led LAs. There is also a paradox that might imagine impoverished LAs were both more likely (need) to have schemes and less likely to have them (no funding). In Chapter Three it was found that Labour-led LAs were substantially more likely to be deprived, suggesting that they would fall into this paradox. Nevertheless, Chart 4 displays that deprived authorities are more likely to maintain a scheme. This suggests that these deprived authorities are finding a way to preserve local welfare despite the lack of funding. It is therefore, (tentatively) argued that political composition and deprivation factors into the maintenance or closure of a LWA scheme.

Types of Support

LAs sought to limit the types of support that vulnerable citizens could be awarded by rationing the form of support, the level of awards, and the types of needs covered. Firstly, there has been a clear movement away from cash-first towards in-kind support. Reports highlight the benefits cash-first offers in terms of flexibility, convenience, freedom of choice, preservation of dignity and administrative efficiency (Greater Manchester Poverty Action, 2020b; Trussel Trust, 2022). However, the content analysis demonstrated that only 12 (10%) LAs offer cash as one option alongside in-kind support, and only five (4%) LAs offer cash-first support. Table 5 shows that LAs offering cash awards are not the most deprived, instead LAs with lower or average IMB scores are the most likely to provide cash. Whereas Chart 5 displays that Labour-led LAs are more than twice as likely to offer cash awards than Conservative-led LAs.

Average of Average IMB Score	Number of Local Authorities Offering Cash or Cash-First	Total Number of Local Authorities
>5	/	/
>10	/	8
>15	5	21
>20	4	34
>25	1	31
>30	3	34
>35	3	21
>40	/	8
>45	1	4

Table 5: *Level of Deprivation of Local Authorities Offering Cash or Cash-First Support n=17*

In-kind support are non-cash contributions, which allow LAs to control how the funds are spent. The content analysis comprise that most LAs chose vouchers, pre-payments cards or a specific furniture item over cash awards. There is widespread criticism that in-kind payment can disempower the claimant and fail to provide adequate provision (Greater Manchester Poverty

Action, 2020b; Nygard et al, 2019; Gardiner, 2019). Similar concerns regarding the ineffectiveness and inefficiency of in-kind support were noted during an interview:

> You're basically buying food because the donation goes to buy food, then pass the food to somebody … it might not be culturally appropriate, it's awful to say they might not like that food, and then it's wasted. It's like if it just cost you £30 to buy that food, just give the person
>
> £30. It's just so cost inefficient. It doesn't make any sense whatsoever, but it's happening on a massive scale and it's infuriating. (Participant Six)

The types of in-kind support are further restricted by limitations on what the award can be made for. A total of 109 (88%) LAs provide support for food, furniture/white goods, or fuel/utilities, but fewer LAs offer support for a broader range of needs, for instance only 38 (31%) schemes offer support for clothing or travel expenses. LAs further restrict the types of support covered by detailing a list of restricted items. These appear to serve two purposes: to limit the number of applications and to control what are deemed by the authority to be 'necessary' items for claimants. These are often contradictory between LAs, but common exclusions include (but are not limited to): holidays, television, telephone, work or school related expenses, removal expenses, motor vehicle costs, court costs, domestic assistance and respite care. This creates a certain moralising control of LAs over the types of circumstances deemed 'deserving' of an award.

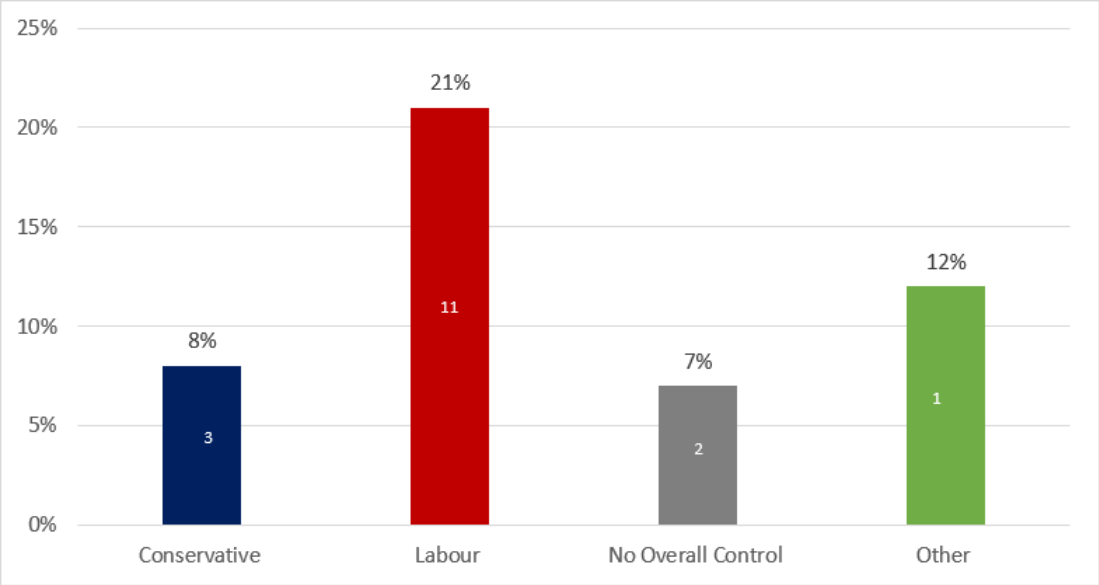


Chart 5: *Political Composition of all Local Authorities Offering Cash and Cash-First n=27*

Secondly, only 21 (17%) LAs provided information regarding the level of award, which rations the scheme by making it unknowable to users. Most interestingly, for the purposes of this thesis, LAs created and implemented pre-determined frameworks for calculating the level of award. In doing so, they further reduced their discretionary space, limiting individualised decision-making, and reducing the availability of the service. For example, Derbyshire County Council state:

> Payments of ECP's will be set at maximum limit, which (as from 1st July 2014), is 75% of the current Single Person(s) rate of means tested benefits for claimants over 25 years old, rounded to the nearest whole pound, plus an additional amount for each additional member of the household.[8]

Thirdly, nine (7%) LAs design and operate schemes that offer severely limited services, where they offer only loans, advice, or subsidised furniture. These are 'providing a kind of quasi local welfare scheme.' (Participant Eight). These forms of support are of limited value to claimants. Third-sector reports have found that the provision of loans burden people with additional debt, reproduce and

[8] https://www.derbyshire.gov.uk/social-health/adult-care-and-wellbeing/benefits-debt-and-legal- matters/managing-money-and-debt/derbyshire-discretionary-fund/derbyshire-discretionary-fund-ddf.aspx

prolong existing problems (End Furniture Poverty, 2022a). In the main, LAs in England have moved away from the provision of loans and towards grant-based schemes (Power et al., 2020). However, two LAs, Bradford City Council[9] (Labour) and City of Wolverhampton[10] (Labour) offer only loans and a further five offer the option of loans. Other LAs offer only advice, including Bournemouth, Christchurch and Poole Council (Conservative),[11] and Mid Devon District Council (No Overall Control),[12] although they also offer limited subsidised furniture. A similar outlier, and particularly unusual and restrictive service, would be Tameside Borough Council (Labour),[13] where support is paid direct to the landlord or removal company, no money is paid to the applicant. By limiting the types of support available LAs limit, the resources spent on LWA, but in doing so provide an unknowable and unattractive service for citizens.

Application Process

The ease of access and simplicity of the application process is itself a method of promoting LWA, on the other hand, the use of onerous application processes is an effective method of supressing demand. Chart 6 shows that LAs are employing application processes that, intentionally or otherwise, limit accessibility by offering singular application methods and rationing application assistance. Eighty-four (68%) LAs offer online application processes, this is fast becoming the only route offered by some LAs. Just under 30% of LWA schemes now offer an online-only application process. Whereas only seven (6%) LAs take applications by post and just five (4%) support in-person applications. This is particularly detrimental to those in digital poverty, who do not have the resources or physical ability to access or interact with online platforms, who are then unable to

[9] https://www.bradford.gov.uk/benefits/applying-for-benefits/assisted-purchase-scheme/
[10] https://www.wolverhampton.gov.uk/benefits/social-security-benefits/local-welfare-assistance
[11] https://www.bcpcouncil.gov.uk/Benefits-support-and-advice/Crisis-Advice-Scheme-for-BCP-residents/Crisis-advice-scheme-for-BCP-residents.aspx
[12] https://www.middevon.gov.uk/residents/benefits/local-welfare-assistance/
[13] https://www.tameside.gov.uk/support/independentliving

access LWA (Digby et al., 2022). In doing so, the most marginalized and vulnerable groups are essentially excluded from crisis support.

The content analysis also found that LAs appear unwilling to offer assistance to applicants who require additional support. Instead, there is an emphasis on claimants to engage the support of third parties. Chart 6 shows that only 20 (16%) LAs offer some form of extra assistance to applicants. But notably, 48 (39%) LAs encourage the use of third-party assistance. These LAs encourage support from friends and family, local charities, or support workers, even sometimes suggesting a social housing landlord. There is an onus on applicants to find their own support to complete application forms. This imposes a 'duty to help yourself' (Daguerre, 2007) and emphasises the responsibility of the local community to support claimants. By making the application process more difficult and not providing support LAs decrease service availability to particularly vulnerable groups.

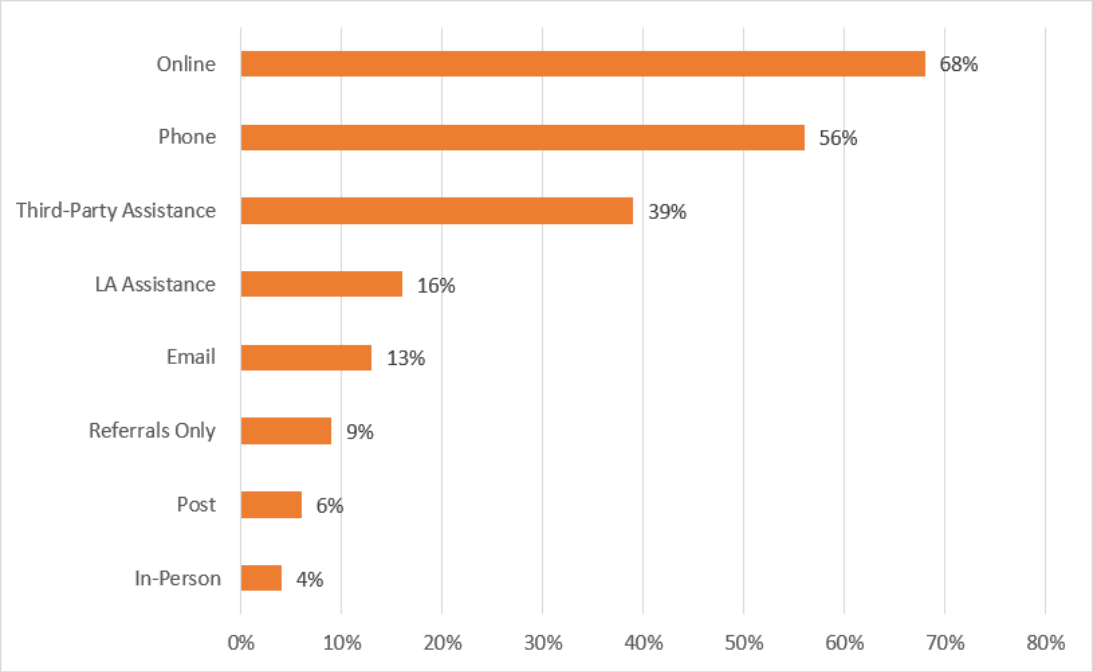


Chart 6: *Application Processes Offered by Local Authorities n=124*

That is not to say that all LAs are unsupportive, there are some standout examples of best practice. Liverpool City Council (Labour),[14] Halton Borough Council (Labour),[15] and Middlesborough Borough Council[16] (No Overall Control) offer a freephone number. Norfolk County Council (Conservative) begins the application form stating, '[t]his can take more than 30 minutes so give yourself enough time',[17] which gives people adequate information to prepare a suitable time to complete the form, or an indication for anyone supporting the claimant. Haringey Council (Labour), who reopened a scheme in 2022, have been actively contacting people to promote the scheme, stating: 'We are writing to some residents we've identified as eligible for support with basic living needs this winter through HSF.'[18] Sheffield City Council (No Overall Control) offers guidance and examples with the online form.[19] Unusually, Barking and Dagenham Council (Labour) offered a face-to-face or home visit if the claimant was unwell or unable to leave the house.[20] These, often small, adjustments to LA practices foster a more positive environment for users by rendering services more open, accessible, and welcoming.

Funding

The funding available was not a topic typically discussed on LA webpages and mostly kept off the agenda. The content analysis undertaken revealed that only three LAs provided a breakdown of the funds allocated to LWA schemes. In 2022/23 Birmingham City Council (Labour) had an annual budget of £488,962.22;[21] Bristol City Council (No overall control) had a budget of £700,000, 50% of

[14] https://liverpool.gov.uk/benefits/help-in-a-crisis/liverpool-citizens-support-scheme/
[15] https://www3.halton.gov.uk/Pages/CouncilandBenefits/Discretionary-Support.aspx
[16] https://www.middlesbrough.gov.uk/community-support-and-safety/community-support-scheme
[17] https://www.norfolk.gov.uk/care-support-and-health/support-for-living-independently/money-and-benefits/norfolk-assistance-scheme
[18] https://www.haringey.gov.uk/community/here-help-financial-support-residents/haringey-support-fund
[19] https://www.sheffield.gov.uk/benefits/local-assistance-scheme
[20] https://www.lbbd.gov.uk/benefits-and-support/discretionary-hardship-support/hardship-payment-schemes/individual-assistance
[21] https://www.birmingham.gov.uk/lwp

which was ringfenced for LA tenants;[22] and Wokingham Borough Council (No overall control) had a smaller budget of £23,170.[23]

A further nine LAs stated that once the budget had been exhausted for the year no further awards would be made but did not include funding levels. Birmingham City Council states: 'The scheme is funded on an annual basis and once the fund has been exhausted for that financial year, there will be no further awards.'[24] Only two LAs stated that the budget had to be stretched to cover the whole duration of the year. Therefore, the type or level of support available is often dependent on the time during the year that the claimant makes an application, and the corresponding state of the funding at that time. Significantly, this not only creates a postcode lottery between administrative boundaries but a seasonal lottery within the administrative boundary. This creates insecurity for claimants because they cannot predict whether there will be funds available. It also creates horizontal inequity because a claimant might be awarded a much higher value award than a claimant who makes the same claim a month later. For instance, after being asked about levels of funding a participant noted:

> We did actually get a little extra pot last year … by time we got the money we had maybe four months to spend it. …so…let's say we've got like certain limits for like what we'd give single people … in those cases we were thinking people who would only get certain things we can kind of [award them] upgraded white goods and charge it to that other fund instead. (Participant Five)

Funding, in the context of severe austerity, is the primary concern of LAs because it does not match the continually rising demand. One participant wrote, in answer to a question posed about the central challenges to delivering household goods:

[22] https://www.bristol.gov.uk/residents/benefits-and-financial-help/local-crisis-prevention-fund-emergency-payments-and-household-goods
[23] https://www.wokingham.gov.uk/benefits/local-welfare-provision/
[24] https://www.birmingham.gov.uk/lwp

> Unfortunately, this service has a very limited budget to manage and demand far exceeds the help we can provide. It means we must make some exceedingly difficult choices and that some people who do need the assistance may not get the help that they need. (Participant Seven)

This lack of funding is the fundamental reason that LAs are rationing resources, there is simply not enough to go around. The effects are severe, particularly creating variation in support even for claimants within the same administrative boundary, which has knock on effects for the predictability and certainty of the schemes. It creates arbitrary schemes where the action of the decision-makers cannot be known in advance because of the lack of information on the funding available at that time.

4.3 Rigid Rule-Creation: Replicating, Excluding, Moralising and Prioritising Local Welfare Claimants

The analysis of webpages also demonstrated that many LAs design schemes that restrict the discretionary space of meso-level designers and front-line decision-makers through rigid rule-creation. Rigid rule-creation refers to the writing of strict rules that determine the outcome of welfare administration. These rules create standardised ways of dealing with claimants, which is counterproductive to the purpose of discretionary welfare. The next section draws out the rules that LAs have instilled into eligibility criteria through routinisation, replication, moralisation and prioritisation, and the effects of these rules on the potential of LWA to fulfil its discretionary purpose.

Eligibility Criteria: Vulnerability

The content analysis revealed that three criteria were, broadly speaking, routine across localised schemes. First, there was a standard criterion that the claimant be on a low income; 122 (98%) open schemes included a requirement for an individual to be on ‘low income’ or ‘in receipt of benefits’.

Significantly, the use of 'in receipt of benefits' reflects the recognition that centralised social security is not sufficient for people to build a financial buffer for times of crisis (Aitchison, 2018). The use of benefits in eligibility criteria has been controversial in the past because it can be overly prescriptive and exclude those in-work on low incomes. This rigid routinisation of eligibility rules therefore has the potential to exclude certain vulnerable groups because of a failure to individualise the provision of discretionary support and consider the complex lives of claimants or the changing financial environment. The is particularly concerning because the Covid-19 pandemic has brought a new profile of people to the benefit system, who may not qualify under these routine criteria. One participant noted:

> We were seeing a new profile of people. … We were seeing people who had never accessed the benefits system before, didn't have a sense, didn't have a clue how to navigate it, felt really embarrassed, had been earning good salaries and coming to [local welfare assistance] for crisis help…. Look, this is completely different. Homeowners are now coming to us, you know, which was unheard of. (Participant One)

Second, the content analysis found that 106 (85%) open schemes expect claimants to have a 'local connection'. There was something of a political correlation: 34 (94%) Conservative-led LAs with an open scheme, compared to 43 (82%) Labour-led LAs with an open scheme included this local connection. This does not come as a surprise given these schemes were intended to be operated in distinct and bounded LA areas. There are, however, problems surrounding adequate and clear definitions of local connection, for example the time required to have lived in the administrative boundary varies. Durham County Council required residency for three months within the last 12 months,[25] while Barnet Council required at least 6 weeks.[26] Whereas, others, including Medway Council,[27] are stricter requiring residency for at least 12 months. The extent of local connection also varies, Lancashire County Council's Scheme uses complex language and states you

[25] https://www.durham.gov.uk/welfareassistance
[26] https://www.barnet.gov.uk/benefits-grants-and-financial-advice/grants-and-funding/barnet-local-welfare-

assistance-fund

[27] https://www.medwayadvice.org.uk/local-welfare-provision-lwp

'must live within the administrative boundary of Lancashire County Council',[28] Barnsley Council creates restrictive criteria by asking that the claimants must be 'living in Barnsley and be a tenant, joint tenant or owner occupier',[29] South Gloucestershire Council loosens the criteria to those 'living in or looking for a home in South Gloucestershire';[30] and a further 78 (63%) schemes reference a local connection requirement without defining exactly what that means. This raises concerns that geographically mobile communities, such as traveller communities or people fleeing abuse will be excluded.

Local Authorities Using Defined Vulnerability Criteria	Number of LAs
People with Illness or Health Problem (mental health, chronic illness, terminal illness),	23
People with a Disability (including learning disability)	21
Victims of Crime (domestic abuse, hate crime, honour-based violence or forced marriage)	19
Formal Care Leavers (prison, care home, hospital, or institution)	17
People with Addictions (alcohol, drug, gambling)	15
Homeless People	15
Older People	15
Parent(s) of a Dependent Child	14
Young Care Leavers	13
Pregnant People	9

Table 6: *Local Authorities Using Defined Vulnerability Criteria n=26 (multi-code)*

Some LAs do provide exemptions, for instance Cambridgeshire County Council state 'you can also apply if you have fled to the area for your own safety'.[31] But these focus on people fleeing domestic violence, to the exclusion of other groups, and even those are not universally used. The

[28] https://www.lancashire.gov.uk/health-and-social-care/benefits-and-financial-help/help-with-essential-household-items/?page=1
[29] https://www.barnsley.gov.uk/services/advice-benefits-and-council-tax/benefits-help-and-support/local-welfare-assistance-scheme/
[30] https://beta.southglos.gov.uk/welfare-grant-scheme
[31] https://www.cambridgeshire.gov.uk/residents/children-and-families/parenting-and-family-support/cambridgeshire-local-assistance-scheme#eligibility-criteria-0-2

standardisation of local connection criteria has the potential to exclude vulnerable people who are mobile or between administrative boundaries and creates a postcode lottery for those travelling between boundaries, because of the financial and political incentives to restrict the local to the local (Turner, 2019; Fitzpatrick, Pawson and Watts, 2020).

Average of Average IMB Score	Number of Local Authorities Outlining Eligibility Characteristics	Total Number of Local Authorities
>5	/	/
>10	/	8
>15	6	21
>20	4	34
>25	5	31
>30	8	38
>35	1	26
>40	1	4
>45	/	/

Table 7: *Level of Deprivation of Local Authorities that Outline Characteristics of the People to be Prioritised n=26*

Thirdly, 26 (21%) LAs outline and define characteristics of the people to be prioritised when awarding funds, see Table 6. Nine (25%) Conservative-led and five (10%) Labour-led LAs with open schemes define vulnerability criteria, suggesting that political composition is reflected in the prescriptive nature of schemes. Table 7 reveals that the level of deprivation does not appear to be particularly influential in this capacity. These basic vulnerability criteria are generally agreed upon as standard by LAs but there are often differences in the precise definitions. Take for instance (Conservative) Thurrock Council's definition of '…frail elderly people, particularly those with restricted mobility or who have difficulty in performing personal care tasks'[32] in comparison to (Labour) Haringey Council who more generously included '…households with elderly residents (over 70).'[33] The basic principle that older people are vulnerable is consistent

[32] https://www.thurrock.gov.uk/essential-living-fund/about-essential-living-fund

[33] https://www.haringey.gov.uk/community/here-help-financial-support-residents/haringey-support-fund

across LAs, but the definition differs, this variability of criteria causes confusion and obscurity for claimants. This raises concerns that uncoordinated routinisation across administrative boundaries causes unnecessary variation in practice.

Eligible Criteria: Circumstances

More controversially, some LAs employ restrictive and confining eligibility criteria, this creates a bounded framework that automatically includes or excludes groups of people. This practice serves to reduce demand by targeting the scheme at those most in 'need' but also reduces the discretionary space of meso-actors by creating a rule heavy framework. The most notably constricting criteria, found in the content analysis for this thesis, are interpretations of need (circumstances and vulnerability), exclusion of benefit sanctioned claimants, requirement to seek help elsewhere, and exclusion dependent on immigration status.

Firstly, the study found that 91 (73%) LAs with open schemes clearly outline eligible circumstances, classed as 'crisis', 'emergency' or 'disaster' and, hence warranting support (see table 8). The majority of LAs support only a small number of circumstances; often that are deemed to be sufficiently different from those 'typical' situations caused by low income. For instance, 82 (90%) of LAs support claimants to set up or remain in the community (e.g., after leaving hospital, care home, prison, army, or a period of homelessness) and these LAs are particularly keen to uphold community care. Additionally, 55 (60%) provide support to crisis situations that threaten health and wellbeing (usually a natural disaster or risk of abuse), the focus in these situations is the exceptional nature of the situation. For instance, Sandwell Council define eligible circumstances as: 'to meet a need that has arisen as a consequence of an emergency, disaster, exceptional circumstances or a pressing need that is strikingly different from the pressures generally associated with managing a low income'.[34]

[34] https://www.sandwell.gov.uk/info/200145/benefits_and_grants/2576/local_welfare_provision

The authorities that adhere to this design appear to be replicating the SF's two-pronged approach to centrally administered Crisis Loans, which were designed to meet expenses arising from an emergency or disaster by offering interest-free loans, and Community Care Grants which were intended for individuals who faced 'exceptional' financial pressure or who needed support to prevent them entering formal care. In an interview, a former Councillor was asked about how policy was designed and suggested that some LAs took the Central Government guidance literally and implemented it as policy: 'I suspect these things would have been on briefing documents that came from the [government]…and councils just take just take it and say right ok we'll do that.' (Participant Four). In doing so, LAs are replicating what central government conceived of as 'deserving' circumstances, rather than applying local knowledge to make their own local assessments of need.

In contrast to community care and crisis situations, support for circumstances outside of this norm, for example victims of crime, benefit concerns, employment issues and risk of eviction, are covered by less than 14 (11%) LAs with an open scheme. In terms of political correlation six (17%) Conservative-led LAs with an open scheme defined these circumstances, whereas only two (4%) Labour-led LAs did the same, suggesting that local Labour Councils are more inclined to leave the space open for discretion. Six (5%) open schemes excluded situations where items or money have been lost or stolen. Their reasoning is evident in the two examples that follow. Redcar and Cleveland Council state they will not provide support '[w]here the crisis has solely arisen due to the loss, theft or misplacing of money. This is due to difficulties in verifying these factors.'[35] In a similar vein but with a more overt moral overtone Redditch Council states '[t]he applicant must accept some responsibility for taking care with their monies.'[36] It was unusual to find eligibility circumstances that were more flexible to situations deemed 'undesirable', such as those offered by Redcar and

[35] https://www.redcar-cleveland.gov.uk/benefits-and-support/discretionary-social-fund
[36] https://www.redditchbc.gov.uk/money-education-and-skills/benefits-and-help/essential-living-fund.aspx

Cleveland Borough Council for 'children at risk of being taken into care',[37] or Worcester City Council which included support for those 'experiencing exceptional financial difficulty, e.g., due to being the victim of robbery/burglary, or having significant unexpected expenditure'.[38] In moralising the criteria for LWA some LAs exclude citizens without adequately checking their individual circumstances, reducing the discretionary nature of the scheme.

Secondly, the content analysis of the authority webpages found that 16 (13%) LAs explicitly exclude claimants who are subject to benefit sanctions. Seven (19%) Conservative-led LAs with an open scheme and eight (15%) Labour-led LAs with an open scheme included these criteria. For instance, Wigan Council note the following:

> Reasons you may NOT be able to apply for welfare support; Have you had your benefits stopped because of a sanction? … because they are subject to a benefit sanction and have not applied for a hardship payment from DWP; subject to a sanction from DWP and an award will undermine a sanction.[39]

The exclusion of claimants subject to benefit sanctions is particularly problematic, especially because many decisions on Universal Credit sanctions are made without reference to individual circumstances by information technology and in doing so penalise those most in need, for instance a participant on the front-line recounted the following:

> You know, people are sanctioned because the computers says no. They don't look at the individual's circumstances. We had one dad with four kids whose wife had passed away. And he was having to move home because their children were so desperately sad that, you know that's where the mum had died. So, the chap couldn't go to his meeting at the job centre

[37] https://www.redcar-cleveland.gov.uk/benefits-and-support/discretionary-social-fund
[38] https://www.worcester.gov.uk/housing/benefit-advice/discretionary-welfare-assistance-scheme#:~:text=The%20Worcester%20City%20Discretionary%20Welfare,of%20food%20or%20white%20goods.
[39] https://www.wigan.gov.uk/Resident/Benefit-Grants/Welfare-Reform/Local-welfare-support-professional-referral-form.aspx

> because he was organising the move and you know he has four kids and just been widowed, and he was flipping sanctioned. So, I mean it's like this is counterproductive. When you don't have a lot of money the minute you kind of default on something very quicky that will spiral. (Participant One)

Unusually, a few authorities do include claimants who have been subjected to a benefit sanction, bending the rules that are imposed by central government by finding loopholes. In doing so, the authority instils a sense of flexibility, making space for considering individual situations in the exercise of discretion. For instance, Sandwell Borough Council state:

> People subject to certain disallowances or sanctions…will not normally be eligible for support. However, because of the nature of benefit sanctions each case will be considered on its own merits and where it is clear that failing to provide support would present significant risk to the claimant.[40]

Thirdly, a further routine restrictive criterion is the exclusion of situations that are deemed 'self-imposed'. An example would be Hounslow Council who state: 'Applications may be considered if an emergency or a disaster is not a consequence of an act or omission for which the customer or his/her partner is responsible, and the customer or his/her partner could not have taken reasonable steps to avoid the emergency.'[41] This ignores the barriers that claimants may have faced in avoiding so-called 'self-imposed' situations and serves to responsibilise the claimant, instead of the LA, which has been found in studies of welfare conditionality to initiate negative behaviour changes, including 'begging, borrowing and stealing' (Dwyer, 2018, p.150-154), and disengage with support, further compounding vulnerabilities (Batty et al., 2015).

[40] https://www.sandwell.gov.uk/info/200145/benefits_and_grants/2576/local_welfare_provision
[41] https://www.hounslow.gov.uk/info/20058/benefits/1493/discretionary_local_crisis_payments

Eligible Circumstances from LA that define Circumstances	Number of LAs Defining Eligible Circumstances
Support to Set Up or Remain in the Community	82
Threat to Health & Wellbeing	55
A Disaster (Fire/Flood)	48
Victim of Abuse/Violence	37
Family Crisis	32
Onset or Deterioration of Disability	15
Victim of Crime	8
Benefit Concerns	8
Employment Issues	5
Risk of Eviction	2

Table 8: *Eligible Circumstances from local authorities that define Circumstances n= 91 (multi-code)*

Fourthly, and arguably the most controversial yet anticipated restrictive criteria is the exclusion of people with no resource to public funds. This content analysis demonstrated that 39 (31%) open schemes explicitly exclude those subject to immigration control. Of these: 15 (42%) Conservative-led LAs with an open scheme had this criterion in place, while 13 (25%) of Labour-led LAs had the same. This 'blanket policy' has the potential to routinely exclude particularly vulnerable groups from receiving last resort support. Only seven (6%) LAs with open schemes actively and explicitly state that they are open to those without recourse to public funds. However, even those that are more inclusive usually qualify this criterion. These authorities often justify their use of this inclusive criterion on the basis that it does not interfere with central government policy. For example, Wandsworth Council states: 'The WDSF (Wandsworth DSF) is part funded through government grants that are not considered 'public funds' therefore it is available to households who have no

recourse to public funds.'[42] These councils appear to bend the centrally acceptable rules to meet client needs.

4.4 Displacing: Gatekeeping Clients and Outsourcing Responsibility

The content analysis found that some LAs use mechanisms that displace the client, to varying degrees, and in doing so displace discretion and responsibility for administration. Displacement refers to any design feature or organisational feature that relocates power or responsibility for LWA to another actor or organisation. This section discusses the mechanisms that LAs are using, particularly the requirement to seek support elsewhere, the use of referral systems and the contracting out to service providers.

Requirement to Seek Support Elsewhere

LAs are implementing the requirement (or at least the recommendation) that claimants seek financial support elsewhere before making a LWA application. It was observed that 20 (16%) open schemes refer to this requirement, particularly holding the expectation that claimants consider support available from other social welfare schemes, for instance, DWP hardship awards, short term advances or budgeting loans. The content analysis uncovered that 21 (17%) schemes made explicit reference to the requirement to turn to family and friends for support. These schemes tend to state that awards will only be made where there is no alternative means of support, which includes help and support from friends and family. A representative example comes from Sefton Borough Council, who state that '[a]wards will only be made where there is no alternative means of meeting your need. This includes help and support from friends and family or the Department for Works & Pensions (DWP).'[43] Unusually (and highly problematically), Doncaster Council include the suggestion to turn to an employer, stating the claimant '[m]ust have no other form of immediate financial assistance, for example, family, friends, employer, savings or other available funding.'[44] This appears

[42] https://www.wandsworth.gov.uk/housing/benefits-and-support/discretionary-support-grants/
[43] https://www.sefton.gov.uk/advice-benefits/emergency-limited-assistance-scheme.aspx
[44] http://www.doncaster.gov.uk/services/council-tax-benefits/local-assistance-scheme

to shift the responsibility for finding support onto citizens and onto friends/family to support those in crisis, which is detrimental to marginalised people who do not necessarily have sources of support to draw on or whose family may be in similarly difficult economic situations (Cook, 2012; McKenzie and McKay, 2017).

Referral Systems

Some LAs add an additional barrier to crisis support by requiring applications to be made by a referral agency. Referral systems can come in different forms but essentially require the claimant to seek a third party to support an application or make an application on their behalf. It was found that 9% of LAs had implemented this requirement. These referral agencies vary and include citizens advice, local charities, local churches, local schools, and social workers. This system is described by North Yorkshire County Council:

> the North Yorkshire local assistance fund works with a number of key voluntary, community and statutory services as 'authorised agents'. An authorised agent is an organisation that can make direct referrals to the local assistance fund on behalf of applicants. The fund's authorised agents will be: in contact or working with the client, and have knowledge of their needs or circumstances; able to help identify those in most need who may be eligible for the fund; and able to provide confirmation verifying that they have had sight of the required forms of evidence of identification and of need.[45]

The referral agency is said to support LWA by engaging people who might not otherwise make a claim because these agencies have the expertise and understanding of the process to support a successful claim. For instance, one participant noted:

> It's because the people doing the referrals are probably going to be people in official organisations who already have a relationship with the applications themselves. Or it might

[45] https://www.northyorks.gov.uk/local-assistance-fund

> … have all the evidence already that we're after, like bank statements and universal credit statements. (Participant Five)

However, welfare systems that require citizens to be represented by a third party create 'an institutional barrier to access rather than a form of empowerment.' (Dagdeviren, Donoghue, and Wearmouth, 2019, p.155). By engaging third-sector organisations LAs create a buffer between themselves and the applicant. The third-party acts as an initial judge of applications and in doing so, many of the applicants are siphoned off before an application is even taken to the LA, creating a gatekeeping mechanism. This causes further stigmatising of people in crisis situations. In these cases, these referral agencies are operating outside of the authority and have a large degree of discretion on how they advise and support claimants. This is concerning because it can enable referees who are keen to impose their own standards or moral distinctions between 'deserving' and 'undeserving' claimants (May et al., 2019). This creates variety in the quality of service that claimants receive, dependent on the third party that is supporting the application which may not be monitored or even accountable to the LA.

Outsourcing

The most obvious example of displacing responsibility and clients is the outsourcing or contracting out of local welfare to service providers. Chart 4 shows that 22 (18%) open schemes, had entered partnerships or passed responsibility for the scheme onto another organisation. These include: two authorities who devolved responsibility to district councils; four authorities that had outsourced to Citizens Advice; six authorities contracted out to local charities, including Selnet Ltd, the CHS Group, First Point Dorset, Auriga Services Ltd, Disablement Association of Barking and Dagenham, and Urban Outreach; five LAs who had entered two partnership arrangements with other LAs, and two LAs who had other LAs operating the scheme on their behalf; and one LA which entered into partnership with a credit union.

Average of Average IMB Score	Number of Local Authorities Outsourcing LWA	Total Number of Local Authorities
>5	/	/
>10	/	8
>15	1	21
>20	4	34
>25	6	31
>30	7	38
>35	2	26
>40	2	4
>45	/	/

Table 9: *Level of Deprivation of Local Authorities that have Outsourced Responsibility*

Chart 7 shows that Conservative-led councils are more than three times as likely to outsource responsibility than Labour-led authorities. Table 9 shows that the level of deprivation of LAs reflects the general spread of deprivation across all LAs.

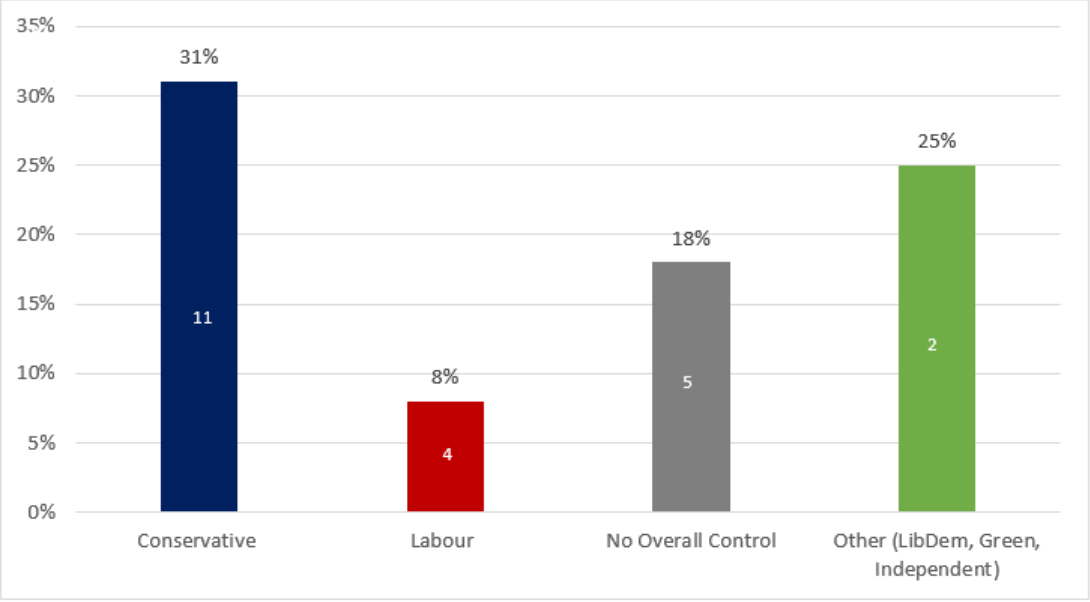


Chart 7: *Political Composition of Local Authorities that have Devolved or Shared Responsibility n= 22*

This added layer in the stream of welfare is said to have wide ranging implications, reconstituting and redefining the organisations, services, and actors (Larner and Butler, 2005). One concern, relevant to this thesis, is that outsourcing weakens administrative justice (Thomas, 2021).

The quality of policy, decision-making and internal redress mechanisms have been challenged on the ground that knowledge may differ, motivations may conflict, and accountability takes different forms – often based on the contract. On the other side, there are those who find that outsourcing, especially to the third sector, enhances administrative justice (Sir Amyas Morse, 2018). It is not possible at this stage to make judgements about this concern because each governmental, policy and contractor relationship and context are different.

4.6 Conclusion

This chapter has explored the LWA design decisions of meso-level actors in the context of 'austerity localism'. The data shows that two practices from the literature on street-level bureaucracy are reflected in the meso-level design decisions: rationing and rigid rulemaking. Table 10 displays the crossover of meso-level and front-line practices, in that meso-practices can be categorised under the families of discretionary techniques produced by Tummers et al (2015). The practices portrayed by

the data here shows that LAs ration the scarce resources which can have detrimental impact on vulnerable groups by creating postcode and seasonal lotteries of support, taking away choice from claimants, and creating inaccessible schemes. The data also demonstrates that LAs create rigid rules These serve moral purposes, which result in uncoordinated variation in the rules across welfare schemes and exclude groups that are particularly vulnerable to crisis, including mobile communities, new types of claimants and people subject to benefit sanctions. There are (some) examples of more positive displays of rule creation, including the use of 'prioritising' but in doing so moral judgements have been made about 'deservingness' associated with different circumstances (Boland, Doyle and Griffin, 2022; Romano, 2015). In establishing these rationing practices and rigid rules LAs

compromise their ability to properly respond to local need and limit the discretion of front-lime workers by reducing their discretionary space.

However, what sets the meso-level apart from front-line workers is the ability to practice discretion and client displacement as a technique to 'cope' with excess pressure (see Table 10). Displacing clients involves shifting full or partial responsibility for a client elsewhere through practices including encouraging gatekeeping and outsourcing, legitimated on the basis that the move will create better service for claimants, much like the Coalition move to localise welfare. LAs are

operating strategies of managing discretion by externalising responsibility for LWA to citizens. This shift seeks to encourage and reinforce greater individual personal responsibility of LWA claimants, who are then facing inaccessibility of crisis support if they fail to manage these responsibilities

(Wright, 2012). The data also illustrated that LAs also outsource responsibility to private and TSOs. Interestingly, the outsourcing of welfare displays partnership working between LAs which represents sideways rather than hierarchical shifting of responsibility and intra-meso collaboration. The implications of outsourcing full or partial responsibility are largely understudied in this context, however, public and TSOs are tasked with these additional roles in social security at a time when

their capacity, in the face of increasing claimant demand and reducing funding, is being 'hollowed out' (Edmiston et al, 2022), which suggests that many of the same challenges are being faced.

Family of Strategies	Moving Towards Clients	Moving Away from Clients	Moving Against Clients	Displacing Clients
Ways of Coping	Rule bending. Rule breaking. Instrumental action. Prioritising among clients. Use personal resources.	Routinising. Rationing.	Rigid rule following. Aggression.	Outsourcing administration. Gatekeeping practices
Description	Pragmatically adjust to the client's needs, with the ultimate aim to help them	Frontline workers avoid meaningful interactions with clients	Confrontations with clients	Shifting Responsibility for the Client Elsewhere
Example in Local Welfare Assistance	Prioritising clients with complex health needs Explicitly including claimants with no resource to public funds	Limiting support to in-kind, such as furniture or vouchers	Creating restrictive eligibility criteria	Requiring claimants to be referred to the scheme by a registered third party

Table 10: *Families of 'Coping Strategies' in LWA Context*

The rhetoric of 'austerity localism' and particularly the localisation of welfare emphasises the 'need to be able to flex the provision in a way that is suitable and appropriate to meet the needs of your local communities' (Webb, 2012). Clearly, there is a balance to be struck between keeping discretionary schemes flexible and creating pragmatic frameworks for administration. The landscape portrayed by this data depicts local welfare shifting too far in the direction of rationing and rigid rulemaking. In doing so, it is undermining the legitimating characteristic of localism – empowerment of LAs and citizens (Dagdeviren, Donoghue and Wearmouth, 2019). Far from empowerment, localisation of local welfare has served to disempower citizens and left vulnerable communities facing double insecurity crisis.

Despite the disempowering nature of austerity localism, the data suggest that local government exercises greater autonomy and influence over discretionary local welfare than fiscal retrenchment and suggests that there is room for more discretion than expected. The findings in this chapter demonstrate that in some respects there is a clear political difference between the design

choices of Conservative-led and Labour-led LAs. This becomes particularly evident because the level of deprivation does not appear to have any significant correlation to the design decisions. For instance, Conservative-led councils were more likely to establish rules which limited discretion. Whereas Labour-led LAs are more likely to leaving much more room for discretion, less likely to create exclusionary criteria, and more likely to include progressive policies. There were some occasions when there was no significant political correlation, particularly in relation to generally accepted criteria such as local connection. Nevertheless, these findings (tentatively) suggest that although LAs are far from being empowered there remains scope for political choice.

Chapter Five: Outsourcing LWA

5.1 Introduction

Social welfare, created after the Second World War, was delivered by centralised administrative bureaucracies accountable to government; a scheme in which private actors were not given a role (Thomas, 2022). However, the neo-liberal criticism of these welfare services, particularly relating to economic inefficiencies of a large and centralised welfare state, gained mainstream popularity following the economic proactive and reactive policies to the crises of the 1970s. A practice of outsourcing was introduced on the basis that competitive tender responses increased efficiency, controlled costs, and raised quality. Since then, the practice of outsourcing has only grown, reflecting the intensified search for cost efficiencies in the wake of the Coalition's welfare reform and the
austerity agenda. There has been extensive research and literature on outsourcing of welfare by central government to private and TSOs, particularly in the 1990s, driven by the increasing prevalence of service contracts (Hood, 1997; Osborne, 1997; Clarke and Newman, 1997; Considine, 1996; Powell and Hewitt, 1998), but debates on a local level have been largely neglected. LAs are engaged in outsourcing several welfare services (Thomas, 2021), and decisions on local benefits (housing benefit, council tax reduction, and discretionary housing payments). This added layer in the stream of welfare is said to have wide ranging implications,
reconstituting and redefining the organisations, services, and actors (Larner and Butler, 2005). This chapter hopes to make an additional contribution to the field by drawing attention to LA outsourcing and exploring how outsourcing LWA alters the exercise of discretion at the meso-level and beyond, and the implications for the achievement of administrative justice for claimants.

The Conservative-led Coalition Government adopted a rhetoric of localism that endorsed the 'returning' of centralised power to citizens, particularly with an emphasis on the role of the TSOs (Alcock, 2010). Since the Coalition government the drivers for third sector involvement have been

strengthened, ‘interest in externalisation has been reinforced by the drive for efficiency in the face

of restricted resources, made more pressing by the financial crisis, deficit reduction programme and resulting public spending cuts' (Rees, Mullins and Bovaird, 2012, p.3). Nevertheless, the role of the third sector, the so called 'grey area' of social welfare (Klein, 1980, p.34), is often 'out of view' in academic scholarship despite holding an increasingly significant role in welfare provision (Edmiston et al, 2022, p.13). The phenomenon of outsourcing welfare to TSOs has been particularly neglected in the study of local welfare. In the context of LWA, TSOs are front and centre in the design and delivery of outsourced welfare. This is particularly important in the context of LWA because LAs have almost complete discretion to manage relations with TSOs or keep the scheme in-house. This chapter undertakes a deep dive into the sub-devolution of decisional powers, specifically to TSOs. In other words, it examines TSOs involvement in LWA to understand the degree to which they are part of the local welfare puzzle. In doing so, this chapter provides an account of the practice of LA outsourcing and examines the altered form of the meso-level when a TSO steps into the breach and the new LA and third sector relationship that emerges.

This chapter explores instances where the LA outsources responsibility to TSOs through a competitive procurement process. To do so, this thesis provides an account of two schemes – Cambridgeshire and Lancashire, using meeting minutes from the LA's on-line archives, and a small number of interviews with members of TSOs and LA that are, or have been, involved in LWA. This chapter is divided into three sections. The first section provides an overview of the current organisational arrangements of LWA in the two case study authorities, with particular emphasis on the complexity and variety of actors involved. The second section discusses the role of LAs, citizens and TSOs in outsourced LWA, focusing on the space that TSOs occupy and the effect of relationships and competition on the dynamics of collaboration. The final section considers the concerns that arose around outsourcing welfare to TSOs, paying particular attention to concepts of hierarchy, independence, quality, and precarity.

5.3 Organisational Arrangements and Collective Responsibilities

In Lancashire County Council, Social Enterprise Lancashire Network (Selnet) won a competitive tender process in 2020 to operate the administration of deliveries and subsequently won a second process in 2021 to deliver the whole scheme, from decision-making, sourcing and managing the delivery of items to Lancashire citizens. Before this arrangement Lancashire County Council went through several providers, including service delivery partner One Connect Limited, a subsidiary of BT, and Lancashire Community Solutions, a local charity and social enterprise.

Selnet rely on four furniture re-use service providers to source and install the furniture items. These providers have been used by the council since local welfare was initially devolved in 2013. Selnet also uses a registered partners model, where members of the community that are attached to a reputable organisation, for instance a teacher or social worker, can apply to be a registered partner to make a referral on behalf of a claimant. Selnet, however, do accept individual self-referrals in some circumstances, for instance when they are aware there are no registered partners in an area.

Lancashire County Council run a secondary element of LWA. In November 2022 Lancashire County Council launched The Community Food Grant Scheme – a small grants programme for community groups within Lancashire (Lancashire County Council, 2023). Voluntary, community and faith sector organisations can apply for £3,000 to support projects that provide emergency food. In January 2023, the latest round of funding awarded 97 organisations with support, creating a fragmented system.

In Cambridgeshire County Council, the CHS group, a local housing association, took on the contract to provide LWA in 2017. CHS has created a network of 18 Cambridgeshire Local Assistance Scheme (CLAS) Champions who belong to local TSOs. The purpose of these actors is to provide

access to specific communities. Each Champion is allocated a percentage of the grant funding, which

they are responsible and accountable for. The allocation of budgets is calculated based on population numbers in the deprived areas they operate. These Champions meet monthly to share information,

knowledge, and practices. The CHS group also sub-contract an information and advice service to the Cambridgeshire Citizen Advice Services, focusing on the prevention of harm.

Cambridgeshire Local Assistance Scheme (CLAS) also encompasses charities networks in Cambridgeshire, these include approximately 250 community, faith-based, and charity groups. If these groups do not have a CLAS Champion, they can refer the claimant directly to CHS. The purpose of this network is to bring together local knowledge, relationships, and resources to facilitate joined-up services that address gaps, prevent duplication, and improve sustainability. CHS also refer to other specialist charities if the need cannot be met by CLAS. Citizens Advice, also a CLAS Champion, provides universal and self-referral access to CLAS. The essence of the model is greater involvement from local communities to facilitate joined-up working.

Beyond the direct administrative element of CLAS, participants identified that the ecosystem of local welfare extends to the LA. Officers within the authority maintain a role in supporting the CHS Group, and the authority's Poverty Hub holds responsibility for determining the allocation of additional funding, particularly from the recent Household Support Funds. As one participant commented, 'we include the contract managers there because they are part of the ecosystem. …if we have an idea about something they always say oh, let us see what we can do. So, they're very much part of it.' (Participant One).

The approach of Lancashire County Council and Cambridgeshire County Council has been to 'devolve decision making to those working *at grass roots level*.' (CLAS Annual Service Report, 2021, p.9). Both LAs legitimate this approach under the rhetoric and position of *collective responsibility*:

> Subsequent discussions have considered the future of the scheme in the light of an uncertain national funding position. It was agreed that that officers begin discussions with key partners and stakeholders about how, collectively, Cambridgeshire might respond to a withdrawal of Government funding for local welfare Schemes. (Cambridgeshire County Council Adults Policy and Service Committee, 2015, p.3)

The responsibility for supporting the local community in crisis was clearly felt strongly by members of the LAs and TSOs. Participants emphasised that since the Covid-19 Pandemic, the extent of crisis in

England has been exposed, making it difficult for anyone to turn away from providing emergency provision. Participants also drew attention to the role of the Household Support Fund in bringing LWA back onto the policy agenda. In turn, the Household Support Fund has increased reliance on collective responses:

> What's kind of happened a bit more with household support fund … is a greater involvement of voluntary community sector partners in the delivery of support. …because councils were kind of given chunks of money to spend quickly and get out the door quickly and then you know, they've relied on partners to kind of get the money out the door. (Participant Nine)

The decision to develop an alternative collaborative approach was premised on building and establishing networks of support within the existing landscape of welfare. It involved a 'coordinated response to emergency provision' with organisations that were able to reach those in crisis situations in harder to reach communities. This network is premised on bringing together local groups, '…local knowledge, relationships and understand[ing] the needs and strengths of the people and families they are working with.' (CLAS Annual Service Report, 2021, p.7).

The network or ecosystem of support, which encompasses these varied actors is seen as the ultimate strength of these local welfare schemes:

> I think the value of the local assistance scheme is the network, in its very nature. … I think those examples of where lots of different agencies have worked together, I think is just really powerful. (Participant Three)

These working relationships have built upon and formed a more collaborative 'ecosystem of support' to deliver LWA. What emerges from the data is that a collective approach to LWA based on a collective responsibility for citizens in crisis has formed incredibly complex 'local ecosystems of

support'. These organisational arrangements are much more complex than initially anticipated because of the wide range of actors that are involved to different degrees, this is demonstrated in Figures 4 and 5. What is particularly striking, is the extensive role that TSOs play in LWA. Looking at Images 2 and 3, it is noticeable that various TSOs take up most of the space. The next section goes on to explore the role that TSOs play in delivering LWA.

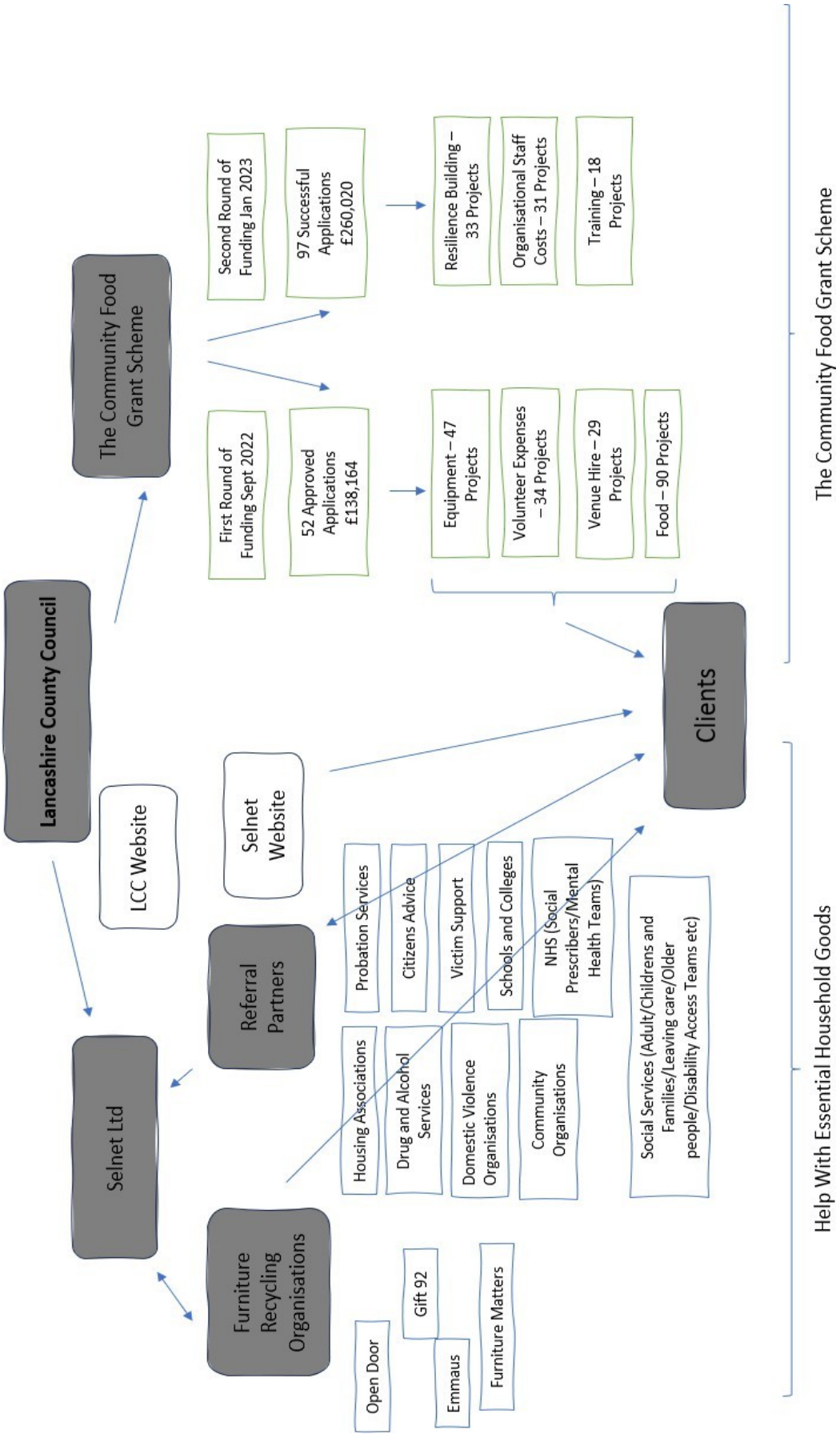


Figure 4: *Lancashire LWA Scheme Network*

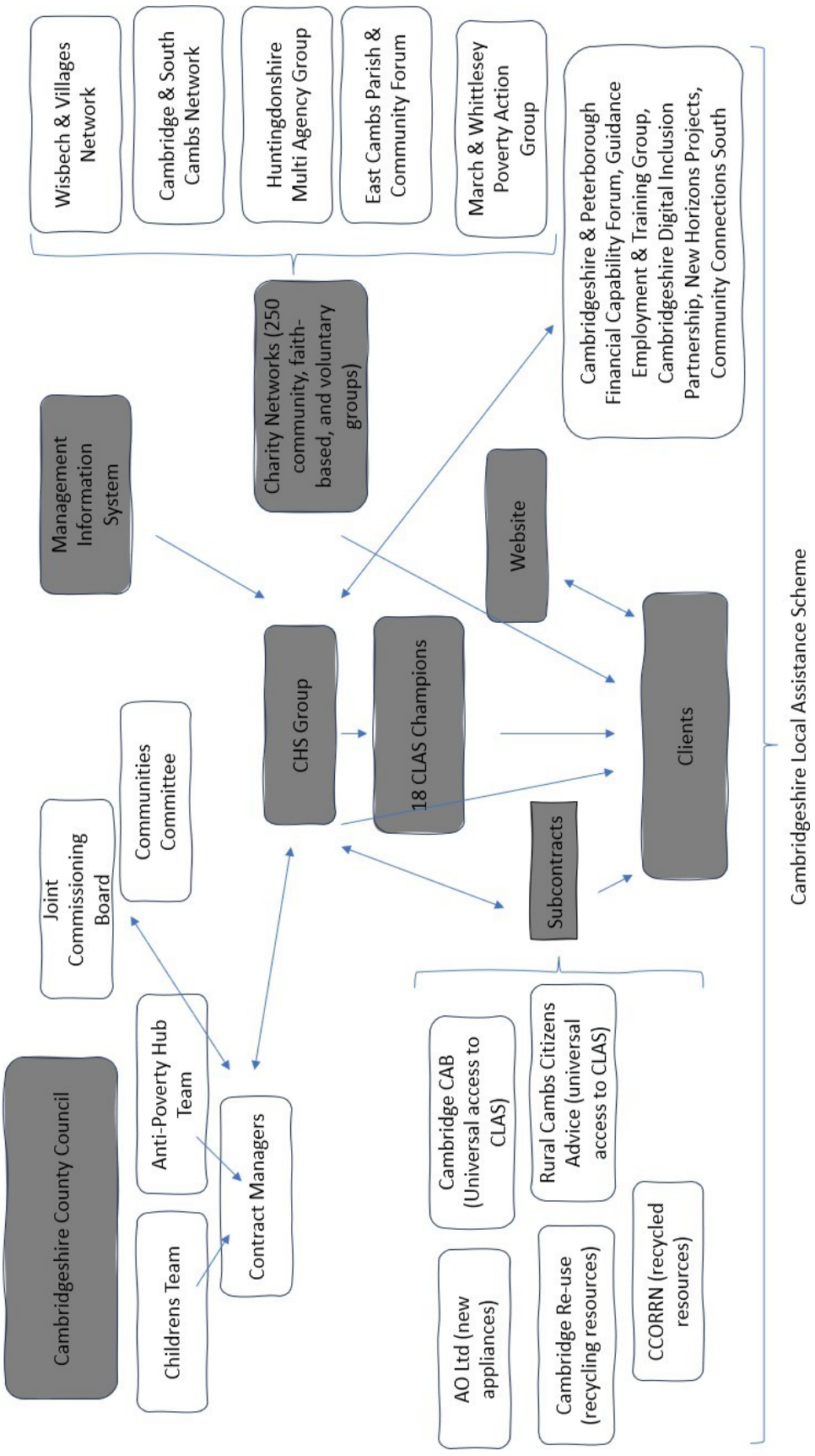


Figure 5: *Cambridgeshire LWA Scheme Network*

5.4 Collaboration and Competition in the 'Ecosystem of Support'

The maintenance of a positive collaboration or partnership between TSOs and LAs, and indeed anyone in the 'ecosystem of support', was outlined by participants as being dependent on the quality of the relationship and interactions. When asked about their perceptions of contracting out, one

interview interviewee emphasised:

> ...you cannot underestimate how important relationships are, because at the end of the day it's all about interactions. It's about interactions that we have with people. So, it's about remembering that the people that we're dealing with are human and complex and the people that we're working with as well, you know, and we need to have these relationships and we need to learn as well. (Participant One)

One participant noted that features of TSOs had become particularly important after the scheme had gone through several unsatisfactory service providers. Lancashire County Council began by creating a joint partnership called One Connect Limited with BT in 2013 but things went 'sour' after allegations of financial misconduct by Councillors and Chief Executives of One Connect (Participant Ten). The

scheme was subsequently brought in-house to the contact centre, which created a prescriptive service, before the scheme went out to tender for the first time. This interviewee, and others, noted that what the previous arrangements had lacked but the current contract had was relational features including of trust, honesty, vulnerability, and reciprocal learning which they stated were central to close working relationships.

> With regards to our delivery partners, we know each other very well now and have a very trusting relationship. Communication flows easily and all parties know who to contact if there are any issues. The relationships are as good as you can get when working in partnership with other organisations, we are all cogs in the same machine. (Participant

Seven)

In the bigger networked environments maintaining close relationships was framed as difficult, raising concerns for accountability in expanding networks.

> Given the sheer number of referral partners, it would be quite difficult to maintain a very close relationship with all of them, however they are aware that we are only a phone call away if they need any advice or guidance with regards to referrals. (Participant Seven)

However, it was suggested during interviews that the quality of relationships between the LA and third sector could be undermined by the competitive nature of the procurement process, which compromises TSOs ability to maintain their ideals. In other words, some TSOs were suggested to forgo honesty to appear appealing to win contracts:

> And they spend all their time just making sure they do a nice glossy monthly report of what they've done and not it's not what's needed. So that's it. That's probably never going to change because you need such openness and honesty there. And even in the charity and voluntary sector there's a lot of competition, everyone's trying to look after their own ends, which I do understand. (Participant 10)

This section demonstrates that the nature of relational discretion and the quality of LWA administration is largely dependent on there being a mutually positive relationship between TSOs and LAs. This appears to implicitly place an emphasis on TSOs maintaining altruistic motivations, where TSOs do take on market-like mentality it is perceived to undermine the relationships and quality of services. This suggests that these relationships are somewhat precarious, balanced on the achievement of a trusting relationship which is challenging to foster in difficult fiscal environments.

5.5 The Ecosystem of Support: The role of the third sector

Local government framed their decision to extensively consult and, ultimately, outsource to TSOs as a strategic decision based on the recognition that these organisations had the expertise, local connections, and relationships that the authorities did not. The benefit of third sector involvement

is

that they have in-depth local knowledge and experience of the area, 'they know that the needs of their local areas, they design [LWA] based on that.' (Participant Eight). Also, they can make clients feel more comfortable than the council could:

> A lot of those organisations really know the people in their area who need support and I think people feel a lot more comfortable going to maybe a warm space for support rather than the Council with that kind of, the whole kind of idea of going to the Council seems quite formal and a little bit scary. Whereas going through community organisation, I think people enjoy, people feel comfortable there. (Participant Eight)

TSOs also have a role in direct contact with citizens. Noticeably absent from the authority minutes, and reports, is the community dimension, that is the voice of the community. Lancashire County Council only undertook one tokenistic online consultation in January 2013 and Cambridgeshire County Council conducted a consultation in 2016 but these were not targeted at those that have experienced crisis and were a one-off rather than a form of ongoing participative democracy. In fact, one participant noted:

> Theres a real eagerness to do more and meaningful kinds of citizen engagement and proper kind of deliberative democracy, where we, I think, as a Council are quite good at asking a question, but whether we then do anything…whether we then really actively do things with those answers is always a challenge. (Participant Three)

In lieu of direct citizen engagement there was evidence that citizen interests were conveyed through 'proxies. One example of TSOs acting as proxy was the advocacy and campaigning for the maintenance of LWA as necessary for citizen wellbeing. It is evident from the minutes and interviews that LWA was largely pushed for by TSOs in both LAs. In 2016, following rumours that the Cambridgeshire LWA Scheme would be closed, a network of charities came together to drive the issue of LWA on behalf of citizens:

> So, I had gone to this meeting where they were talking about the fact that that it might be scrapped. I came back feeling very depressed, so I spoke to my boss…and I said that's one of the most depressing meetings, I think they're going to want to scrap this and just going, oh, no, we can't let this happen, and let's just get together with people who want to keep this going, and that's something we did… you know, we're a group of likeminded organisations that have come together to deliver, distribute these funds on behalf of the county. We won the tender. (Participant One)

The third sector are often assumed to effectively represent the views of citizens (Mazzei et al., 2020) but TSOs encompass a broad range of organisations which have variable relationships with their

service users (Kendall and Knapp, 1995; Alock and Kendall, 2011). The CHS group has been operating as a housing association in Cambridgeshire for about 95 years, and were it operating alone, may raise concerns about how a small group focusing on housing could represent the citizens across Cambridgeshire. However, the vast front-line charities network alleviates many of these concerns.

When asked about the role of the TSOs in LWA, participants depicted TSOs as placed between the parameters of the contract and the discretionary space for administering LWA, where they had to meet the demands of the LA but also had their own discretionary responsibility and power to create policy, albeit secondary to the LA:

> [Our TSO] must deliver the scheme within the parameters of the contract. However, this is a <u>discretionary</u> scheme that is delivered from a fixed budget – we have the exceedingly difficult job to ensure the funding last throughout the year, or we would be in breach of contract. As long as we stay withing the parameters of the contract regarding delivery and initial eligibility requirements, we have discretion over how the budget is spent – for example, we have freedom to *set secondary eligibility criteria, such as household income thresholds and number of items allocated*. (Participant Seven)

During the interviews it also became evident that TSOs were not only administering LWA but also supplementing the budget, a mechanism of raising funds that the LAs has foreseen as an advantage to devolving the scheme. The third sector must compete for the contract during the competitive procurement process contract and to be deemed competitive must minimise expenditure for the LA, but this has left TSOs with a reduced budget which is inadequate to meet local need. Therefore, the third sector also becomes responsible for sourcing additional funding to 'top-up' LA budget:

> the idea was as a County Council, you can't attract other funding, whereas a social enterprise can try. (Participant 10)

> So actually, we put in a small amount compared to the charities in terms of [funding]. A lot of these charities put in quite significant sums of money into this area themselves. (Participant Two)

The third sector was also framed as front-line actors, this extended to the organisations at the periphery of the contractual relationship, especially subcontracted organisations and authorised agents who act as a first line of defence and held gatekeeping responsibilities. This responsibility was defined in Cambridgeshire County Council minutes, as:

> The agent is responsible for checking eligibility and stating the case for their client, giving details of the circumstances that have caused this need, how they have already attempted to resolve the situation and any other support in place. (Cambridgeshire County Council Adults Committee, 2016, p.2)

The data illustrates that outsourcing of welfare has contributed to hybridisation of TSOs by encouraging and requiring TSOs to adopt multiple roles in the administration of LWA. On one end of the spectrum, TSOs are undertaking roles synonymous with higher tiers of local government, including policy creation and raising funds. Whereas on the other end of the spectrum, TSOs take up roles in direct contact with citizens, operating as proxies and front-line administrators.

5.6 Challenges Arising from Third Sector Involvement

The third sector are recognised as being particularly adept at maintaining the multiple roles identified above but there are inevitably challenges that arise from outsourcing welfare, this section delves into these.

Hierarchy

The minutes underscored the tensions that exist between the county councils and the TSOs. This presents the relationship as operating in the 'shadow of hierarchy' (Scharpf 1994; Whitehead 2003) because of the nature of the competitive procurement exercise and engagement of a formal contract. That is to say that the authority can set out expectations and requirements in the contract that the TSOs must follow (Fenwick and Gibbon, 2015). One interview interviewee identified that this is particularly upheld by the hierarchical control of funding:

> Over the years [our TSO] has developed an affable relationship with our contract managers while delivering our standard furniture contract, however bureaucracy being what it is, our named contract leads do not have the authority to make major changes (for example to funding levels). Any requests regarding budget and funding would need to be passed up the chain of command by our contract leads. (Participant Seven)

Although these relationships are dedicated in contracts, interviewees suggested that the management style was collaborative:

> So, in this particular instance, we've got a really good relationship with [the TSO]. Well, obviously we do manage the contract, but it's not a kind of autocratic system. We'll get together on a regular basis, have a discussion of the problems, a discussion of what potentially could work. They'll propose suggestions as to how they want to proceed, and we'll kind of weigh in one way or the other. But yeah, we just have that relationship style of working that enables us to draw on their expertise rather than just our own. Obviously,

> they're the ones who are on the ground day after day dealing with these issues. They've got that frontline knowledge, and we rely a lot on that equally when they find new trends. (Participant Two)

Therefore, rather than strictly hierarchical or autocratic there was evidence of supportive and mutually beneficial coopetition. There was also an emphasis on empowering the third sector service providers, rather than overly controlling their actions.

Independence

Concerns were also raised in interviews about the independence of the authorities and, especially, TSOs. The concern is that contracting out signifies a shift from delivering a voluntary service to a public service, which can cause challenging dynamics between commitment to the interests of the public versus the interests of the contractor (the authority), which is suggested to result in 'mission drift' (Cunningham, 2008, p.19). A particular issue raised in the Cambridgeshire County Council minutes, during discussions on a 2015 report on CLAS, was the politicisation of independent voluntary organisations. In a committee meeting about training food bank volunteers to refer clients to CLAS to reduce the duplication of services and reach out/target those in crisis, Councillors raised concerns that linking foodbanks to the authority in a formal capacity would interfere with the independence of the charity by bringing it into the political network.

> During discussion of the report Members highlighted that food banks were apolitical and did not rely on central government funding. There was a concern that Council involvement would result in food banks becoming politicised. (Cambridgeshire County Council Adults Committee, 2015)

The concern is that TSOs risk their autonomy and independent reputation because they are perceived as falling under the ambit of the state, as an 'agent of government' (Craig et al. 2002;

Taylor and Warburton 2003; Blackmore, 2004). However, some Councillors dismissed these concerns as an excuse.

> The view was expressed that they could not support it stating that it was an excuse not to provide funding to food banks. The funding was aimed at providing a helping hand to food banks not to take over the running of them. (Cambridgeshire County Council Adults Committee, 2015)

Similarly, as part of the CHS charity network, there are public, voluntary, faith, and community-based organisations that have different motivation and objectives. There were some concerns that bringing these groups together would force some to surrender their principles. However, one interviewee made it clear that these organisations were connected to a common purpose and could operate within that without compromising their beliefs. The interviewee suggested that relationships were built on mutual understandings of the emergency need, where people and organisations put
political, religious, or other opinions aside to unite in supporting vulnerable citizens:

> That's left at the door. You know, it's just about helping people. So, for example this one charity, which is Community Church, they will accept referrals…and they don't mind where it comes from, you know? And they don't. They don't. (Participant One)

When participants were asked if the changes in the political control of the LA had brought about any changes in the schemes, one participant did suggest that the political change had had an impact on reinforcing an existing rhetoric:

> there's only been a notable difference, I guess is the greater emphasis on decentralisation. Which from a kind of Local assistance scheme isn't necessarily anything different, but further enforces the importance of real local network of [charities] that are integrated into their local area. I think because politically there is a real drive for that, if anything that isn't a change to the local assistance scheme, but it almost is a further kind of emphasis of the

> importance of working in that way. So, working in a way that identifies those local solutions that might be held at a kind of county level contract but is really delivered at a really local level. So, I'd say that that's probably the only thing that feels further reinforced rather than a change in direction necessarily. (Participant Three)

Nevertheless, interviewees overwhelmingly answered that they supposed it must have some impact, but the nature of crisis support was difficult for any political party to dismiss. An interviewee who has been in their role since the devolution of LWA and seen LWA through political change stated:

> I haven't really seen any difference. It is a political issue but it's not kind of like a normal political issue. Like if you've got people in your area who are struggling financially, you want someone to be doing something about it, regardless of which political party you might be badged as, and we have people across all of the parties who are very supportive of the local assistance scheme. Like I say, particularly since 2020 it's gained a lot of additional support and I wouldn't put that down to any one party, I'd say that's across the board. (Participant Two)

In other words, the implications of local politics were not evident to the research participants, despite the political correlations found in the previous chapter.

Consistency

Both Cambridgeshire and Lancashire's LWA Schemes are heavily dependent on the TSO and their networks. There is evidence this can be beneficial because the third sector is more expert and will provide a better and more efficient service (Lamothe and Lamothe, 2012). However, this was identified in the minutes to be problematic because it created inconsistency in the geographical availability of LWA. For instance, both Schemes are reliant on a range of TSOs across their counties to promote the Scheme and make referrals on behalf of claimants. This means that the availability and accessibility of the Scheme is driven by the members at the periphery of the network of support.

> Broadly speaking the eligibility criteria are seen to be right but at the moment both the type and volume of applications are driven by the number and location of authorised agents. (Cambridgeshire County Council Adults Committee, 2014, p.7)

It was identified in Cambridgeshire County Council minutes that: 'The range and geographical spread of agents and applications is wide but not consistent' (Cambridgeshire County Council Adults Committee, 2014, p.6). This does cause some concerns for the availability of services because of geographical variation, which threatens the consistency of the availability and accessibility of the Scheme. Similarly, the quality of service is dependent on the quality the TSOs service provision.

> You're at greater risk of creating something ad hoc and postcode based if you're kind of working with partners, unless you're able to work with the partner that's able to support you to offer something that's more holistic across the locality…and it's also, what's the driver of those, why are community sector organisations wanting to deliver that support? Is it because they see it as like a route to funding to and to support their own kind of sustainability? Or is
> it because they think they're best placed to respond to residents? (Participant Nine)

One interviewee identified that geographical variation is particularly concerning because TSOs are vulnerable to closure under the immense pressure of welfare reform, Covid-19 and the cost-of-living crisis, in combination with the need to put forward competitive bids during the procurement process, leaves holes in the support across the county. Lancashire's Scheme saw the closure of a foodbank and Cambridgeshire's Scheme saw two recycled goods partners close down during lockdown, meaning 'access to refurbished white goods has been scarce.' (CLAS Annual Service Report, 2021)

> For a lot of them, it's a struggle as well with the cost-of-living crisis and stuff. So, if they collapse or they can't keep going, then there's a big hole that's left in in communities.
> …That's the thing like with the voluntary community sector organisations, it's great that it's

there. But it is also slightly precarious, because we never know when the next round of

> funding is coming, so if local authorities come to rely on that and it's just not renewed…it's going to be disastrous. (Participant Eight)

Nevertheless, one interviewee noted that the Cambridgeshire Champions were able to flex to meet the shifting need during Covid-19, despite being subject to their own challenging financial and health environments:

> When we moved into the COVID situation, the situation changed. Suddenly food became the overriding topic in every one of these meetings, which it still is, no surprise with the cost of
>
> living, food, electric, etcetera are the issues. So, the Champions have…flexed to reflect what the current need is. And I'm hoping that as we move out of this situation at some point that they'll flex into whatever the need is thereafter. (Participant Two)

Therefore, the TSOs and the partners that ran these Scheme during the Covid-19 pandemic showed great resilience.

Accountability

The final concern that was raised by participants was the availability of accountability mechanisms. For instance, accountability mechanisms for Cambridgeshire's Scheme are increasingly complex because of the number of CLAS Champions, who have the ability to make awards themselves, and the number of referral partners who make decisions as to whether to refer a citizen. They are difficult to oversee and hold accountable for such decisions because of their relational distance from the CHS group and because of the number of them.

> There's not a huge amount of accountability for councils around it. Some of its statutory responsibilities, like council-tax support, some non-statutory requirements like local welfare assistance schemes. I think the fact that it's messy, the fact that there's not a huge amount of focus means there's very limited accountability in this space and means historically there's

> not been able to create lots of kind of space and things like good practise sharing. (Participant Nine).

The ability to access a review procedure was raised as particularly important by one participant because many claimants are successful in the review process. This interviewee (five) estimated that a third to half of applicants challenge a decision because they were in 'dire circumstances, but it's just they're in less dire circumstances than others' but had nowhere else to turn. In the review process participants were often successful but with a lower award than was requested:

> I'm not sure they've ever done it where it's like, they've asked for four things, been totally rejected, then just got the four things. It'd be more like, say you ask for the four things you had rejected maybe you get one or two or something like that, or you get slightly different things to what you asked for. (Participant Five)

The data in this section has displayed outsourcing of LWA as inherently precarious. Precarious for the TSO who take on the contract because of the risks associated with being placed in a hierarchical relationship with the state which threatens the independence of the organisation. Precarious for the LA and citizens because the range of organisations involved in the administration of welfare creates a network that is vulnerable to geographical inconsistency and unpredictable closure. It also places citizens in a precarious situation because they have limited means of challenging a decision.

5.7 Conclusions

This chapter has explored how LA outsourcing of LWA has impacted upon the exercise of discretion at the meso-level, the role of TSOs in design decisions and administration, and the implications for administrative justice. The central finding of this chapter is that the design and delivery of LWA exists within an incredibly complex system. This system encompasses LAs, meso-level actors, third sector contractors, champions, and referral partners, as well as subcontracted advice services and delivery partners, to name but a few. In other words, the design and administration of LWA is structured by, and employs, relational discretion which is dispersed over networks of actors and

organisations

within 'local ecosystems of support'. The question is therefore, can (and does) relational discretion satisfy the principles of administrative justice? In these case studies it appeared that the acceptability of relational discretion was largely dependent on the quality of relationships. Central features that build longstanding and positive relationships include trust, honesty, and vulnerability. Strong relationships support TSOs in showing great resilience in the face of precarious fiscal environments but these relationships, especially in a climate of hostility and austerity, are rather precarious and vulnerable to dependence, overreliance, and inconsistency.

There is an expanding body of literature about the TSOs potential 'multi-functionality (Buckingham, 2012; Kendall, 2003; Evers, 1995). More recently, this literature turned to focus on the 'hybridity' of the third sector, which is the 'ability to combine the characteristics associated with other sectors' (Buckingham, 2012, p.585). In the context of this thesis TSOs have taken on distinctive roles not previously occupied by third sector workers. They take on responsibility for secondary policy creation, management, oversight, partial funding, and front-line administration. In doing so, they carve out and occupy a space both on the front-line but also between the meso- and micro-level. In other words, TSOs are positioned in the 'in-between'. Working in the bureaucratic hierarchy of public administration, they are, on one hand, subordinates subject to the orders and guidance of central government. On the other, they are managers, aiming to create policy and guide the work of their own subordinates, in this case working closer to the front-line, receiving direction from the community. It is in this 'in-between' position that third sector actors fulfil a crucial but overlooked role in public administration, they co-determine the public policies, and are policymakers.

The data illustrates that when LWA is outsourced to TSOs, they become front and centre in the administration of this public service. Edmiston et al, (2022) argue that these TSOs take on an important role in 'mediating the claims-making process' between citizens and LAs (Edmiston et al. 2022, pp.789-787). However, these workers carve out a space somewhere between the meso-level of LA governance and the micro-level of front-line work, which can be called 'in-between', which takes

on a role beyond mediation. The third sector helps to identify local need, support hard-to-reach communities, administer support and provide holistic support in a more 'comfortable' manner. TSOs also support claimants navigating the LWA system and in doing so, often mediate between the claimant and LA. However, following the expansion of outsourcing, TSOs have become an important component in designing, funding, and directly administering LWA. The third sector's role is evolving from 'mediators' to being directly responsible for designing and awarding crisis support.

Chapter Six: Conclusion

There has been an absence of academic curiosity into the localisation of social security, and an almost complete dearth of empirical academic literature on LWA. Instead, there has, and continues to be, much emphasis on centralised welfare matters, from the examination of welfare schemes (such as Universal Credit) to critiques of welfare conditionality (including welfare-to-work, two-child limits, and the bedroom tax). These studies touch on entitlement-based benefits that are controlled by central government and held to account through tribunal procedures. These are undoubtedly critical areas of welfare scholarship that need to be subjected to thorough research but the lack of similar rigour in the field of localised social security has created something of an imbalance. This thesis hoped to begin to redress this disparity by investigating an under-studied local welfare scheme – Local Welfare Assistance.

Despite the apparent academic ambivalence of social security scholars, the study of local welfare is important for several reasons. First, there has been a trend towards localisation of welfare.

Significant schemes, including LWA and Council Tax Reduction, have been transferred to LAs. This trend sparks fresh debates about the balance between local and central welfare, discretionary and entitlement-based welfare, and appropriate administrative justice mechanisms. Therefore, discussions on whether local welfare is a successful method of delivering support and the associated concerns are crucial to exploring this move and informing ongoing policy decisions. Second, the issue of local welfare has broader implications, particularly in the political arena. For instance, Meers

(2019) argued that the availability of local welfare was used to placate concerns over the availability of central support for the victims of the Grenfell fire. Therefore, exploration of these schemes is

important to properly critique the use of political externalisations of responsibility through local welfare and similar mobilisations of these welfare schemes. Third, there has been increased reliance

on these funds by welfare claimants failed by the central system. These funds, particularly LWA, are often the difference between a claimant being swept into financial crisis and being kept afloat.

Discussing whether these schemes are achieving this aim is important to ensure that claimants are receiving adequate and fair support.

This thesis sought to answer three key questions. How do LAs or meso-level actors exercise discretion in designing LWA schemes? What competing factors or pressures guide, constrain and/or influence design decisions? What are the potential implications for debates on localism,

discretionary welfare, and administrative justice? Building on these research questions this thesis aimed to contribute to three areas of literature. First, it aimed to understand the response of meso- level organisations and actors to the localisation of a discretionary social security scheme in the context of financial stringency and rising demand for crisis support. Second, this thesis aimed to contribute to the socio-legal scholarship on discretion by drawing attention to the lesser studied meso-level of administration and design decisions. Third, it sought to understand whether the outcome of the design decisions, in the form of welfare schemes, achieved administrative justice for claimants. In this concluding chapter, this thesis reflects upon the seven arguments made in this thesis.

First, the impact of conferring responsibility for social security to the meso-level can only be understood if placed in the modern political, economic, and social context in which LAs operate. The Coalition Government embedded a 'new' form of public welfare administration, premised on localised accountability mechanisms, emphasised market involvement, extensive funding cuts, and a break from centralised control. This has created an elevated role for the meso-level, which requires theories of discretion in administration to move away from an abstracted understanding of local welfare to be revisited from a meso-perspective with an appreciation for the importance of the meso-level. In the context of LWA, LAs are being empowered with new responsibilities under a different form of localism in a challenging financial environment. The conflict between localism and austerity has created a challenging environment for LAs, who must manage these competing policy

requirements. This ‘new’ form of acceptable decision-making and conflicting responsibilities form the basis upon which decisions were made by LAs.

Second, many dangers of discretion raised in existing literature are present at the meso-level. The data in this thesis found that the conferral of responsibility for social security has prompted a variety of reactions and activities from meso-level actors and organisations. To manage the conflicting responsibilities and manage the burden of LWA, LAs relied on discretionary strategies that made schemes difficult to access and undermined welfare claimants. For instance, some LAs established restrictive eligibility criteria, allowing access only to claimants deemed ‘deserving’ and restricting ‘undeserving’ claimants, such as those deemed not to have prevented their circumstances from arising. Although there were broad commonalities in the strategies employed by LAs, such as limiting and rationing, overwhelmingly this thesis found that variation in the responses of the meso-level, even within these commonalities, went beyond that which would be expected to precipitate localisation of a public service. Specifically, the design decisions of LAs have created a postcode lottery of support between LA boundaries which, as predicted in existing studies of discretion, inevitably leads to uncertainty, unpredictability, and insecurity for LWA claimants. These finding suggest that many of the assertions made in the existing frontline literature about the use of discretion in the absence of adequate resources are also applicable to the meso-level.

Third, discretion at the meso-level adds nuance to the existing theories of discretion. Although there were many similarities with current theorisations, there were also findings that differentiated the meso-level from street-level. Meso-level actors can formally displace discretion. The data found that LAs practice this strategy by requiring claimants to have sought help elsewhere, putting in place referral systems, and at its most extreme outsourcing part of the service. The result is displaced and dispersed discretion, with individuals and local communities becoming salient

features of LWA. These occur in diverse contexts, framed as a means of reducing welfare dependency and creating systems that are reliant on those best placed and with local knowledge.

Some of these

features do have the capacity to improve the claimant experience. For instance, referral systems mediate between the claimant and LA supporting the application process, and third sector contractors are often seen to be more approachable than the LA. However, overall, the shifting of responsibility exaggerates any existing variation in the systems of support. As a result, this displaced discretion creates risks to the consistency, adequacy, and accessibility of the local welfare system. This suggests that discretion exercised at the meso-level can reveal unexplored intricacy of the uses of discretion.

Fourth, the political control of LAs is a particularly influential factor in the exercise of discretion by the meso-level. In their attempts to make design decisions under pressure, LAs in the study drew on political understandings of 'deservingness' and welfare which allowed politically minded members of LAs to emphasis political difference. The data presented here found that the design features of LWA schemes had a significant political correlation, for instance the use of neoliberal policies like outsourcing to external service providers was dominated by conservative-led LAs, whereas more liberal policies such as the inclusion of people subject to no resource to public funds was overwhelmingly conducted by labour-led LAs. Put simply, LAs relied heavily on the political agenda and practices of their political party to design of the LWA schemes. In turn this allowed them to explain design decisions by reference to the political model which positioned the LA. Interestingly, the level of deprivation of the LA played a much less significant role, suggesting that there are ways to overcome financial environment. These findings support previous arguments (Hick, 2022) that even in most challenging of circumstances there is the potential for political difference.

Fifth, a significant guiding factor in the exercise of discretion was the quality of relationships and networks. LAs exist in an 'ecosystem of support' made up of meso-level and street-level actors and organisations, as well as a host of TSOs, including voluntary, advice sector, charitable organisations. The data reported here revealed that many LAs not only exist within but increasingly rely on networks in a variety of ways to mitigate the absence of adequate resources. This thesis

focused on LAs that involved the 'ecosystem' in LWA by outsourcing responsibility to TSOs for the design and delivery of LWA. It was found that, in these circumstances, the relationships in the

system, and particularly the quality of relationships (between the LA and TSO but also between TSOs) alter and change the outcome of the design decisions and outcome of individual claims. For instance, LAs that developed close working relationships had mutual interest in supporting one another,

whereas LAs that had lost trust in the service provider distanced themselves from the administration. In the context of competition for scarce local resources, there is a concern that relationships will struggle to meet the necessary positive attributes of honesty, trust, and vulnerability. This has the potential to create precarious 'ecosystems of support', vulnerable to the challenges associated with subjugation, loss of independence, overreliance, and overdependence. This thesis has displayed that the ability of meso-level organisations to displace discretion has wide ranging implications for the exercise of discretion and the outcome of decisions. In this vein, it is important in future studies to pay close attention to the role of organisations that exist in the 'ecosystem of support' and the quality of relationships within.

Sixth, the concerns raised by discretion call into question the appropriateness of localisation as a means of delivering social security and suggest a secondary hollowing out of the welfare state. The emergence of a 'new' form of localism has promoted a modern approach to welfare, where central government withdraws from involvement in the administration which gives LAs greater freedom to design and administer welfare schemes. This has legitimised the decision to design LWA schemes differently, because local need is different between administrative boundaries. In this approach universal entitlement is substituted for individualised discretionary support, and local variation is desirable. However, the extent of variation calls into question the success of localisation and threatens the idea that LAs 'know best'. This is particularly concerning because the variation does not exclusively exist between administrative boundaries but within administrative boundaries.

For instance, there was evidence of seasonal lotteries of support, whereby LAs run a scheme annually until the funds were exhausted meaning that a claimant cannot be certain whether a

scheme was available at the time of application. This has created 'patchy retrenchment' (Turner, 2019) and in this context, localised crisis support is antithetical to the interests of marginalised and vulnerable communities.

Additionally, localisation is more than just a challenge to the handling of welfare by central government but also challenges state-centric perceptions of welfare administration. As LAs displace discretionary power, TSOs increasingly take up the responsibility for crisis support. In this way the TSOs are taking on a role 'in-between' the LA and welfare claimant, going beyond merely mediating claims because they take on responsibilities for designing and delivering LWA. In this context, they prompt discussion about the suitability of TSOs in the delivery of state funded welfare, particularly about the degree of accountability than can be expected from TSOs. This appears to represent something of a return to the ideology of the poor law era, where church or charitable organisations take up the slack from state-based organisations. It is argued that in combination this represents a second wave of hollowing out the welfare state by passing responsibility to LAs to achieve 'administrative justice' within LWA, at the same time as resources and capacity is being substantially reduced. Which then results in extreme variation in the availability and accessibility of provision, the slack often being taken up by TSOs whose role in state funded welfare is concerning.

Finally, there is significant scope for further work. This thesis has drawn attention to the many ways in which meso-level actors and organisations have responded to the conferral of responsibility for local crisis support schemes. Their responses have taken many forms and adopted different strategies. What is clear from these finding is that there is significant potential for further research in two veins. First, this thesis argued in Chapter Two, that the literature in administrative justice pursued the argument that ideological shifts in the political, social, and economic environment contributed to the development of different ideal types of decision-making or models of acceptable decision-making. It is argued here that the shift instigated by the Coalition Government towards localisation, and particularly localisation of social security, provided scope to develop an alternative

ideal type of decision-making, premised on the factors that legitimate and encompass the differences that localised discretion involves. Second, this thesis has begun to discuss the different ways that LAs design LWA, and the broad strategies that are used to manage the responsibility in a challenging financial environment. However, there are areas that were beyond the scope of this thesis that are worthy of further research. Studying LAs that make the choice not to offer LWA, and the legitimisations and motivations behind such a decision. It would, to encapsulate LA responses, be useful to develop a typology of LWA schemes. The author of this thesis hopes to undertake further work in this field as part of the DPhil programme and begin to develop this model and typology.

Bibliography

Adler, M. (2003) 'A socio-legal approach to administrative justice' *Law & Policy*, 25(4), pp. 323-352.

_ _ (2006a) 'Fairness in context', *Journal of Law and Society*, 33(4), pp. 615-638.

_ _ (2006b) 'Tribunal reform: Proportionate Dispute Resolution and the pursuit of administrative justice', *The Modern Law Review*, 69(6), pp. 958-985.

_ _, and Henman, P. (2005) 'Computerizing the welfare state: An International comparison of computerization in social security', *Information, Community & Society*, *8*(3), pp. 315-342.

_ _, and Longhurst, B. (1994) *Discourse, Power and Justice: Towards a New Sociology of Imprisonment*. London: Routledge.

Alcock, P. (1990) 'The end of the line for social security: Thatcherite restructuring of welfare', *Critical Social Policy*, 10(30), pp. 88-105.

_ _ (2010) 'Building the Big Society: a new policy environment for the third sector in England', *Voluntary sector review*, *1*(3), pp. 379-389.

Alden, S. (2015) 'Discretion on the frontline: The street level bureaucrat in English statutory homelessness services', *Social Policy and Society*, 14(1), pp. 63-77.

Alexopoulou, S., Åström, J., and Karlsson, M. (2022) 'The grey digital divide and welfare state regimes: a comparative study of European countries', *Information Technology & People*, *35*(8), pp. 273-291.

Askitas, N., and Zimmermann, K. F. (2015) 'The internet as a data source for advancement in social sciences', *International Journal of Manpower*, *36*(1), pp. 2-12.

Atkinson, P and Coffey, A. (2011) 'Analysing Documentary Realities' in Silverman, D. *Qualitative Research.* 3rd edn. SAGE Publications, pp. 77-92.

Barnett, P. and Barnett, J. R. (2006) ‘New times, new relationships: mental health, primary care and public health in New Zealand’, in C. Milligan and D. Conradson. *Landscapes of voluntarism*. Bristol: The Policy Press, pp 73–90.

Batty, E., Beatty, C. and Casey, R. (2015) *Homeless People’s Experiences of Welfare Conditionality and Benefit Sanctions*. London: The Crisis.

Baumard, P. (1999) *Tacit knowledge in organizations*. London: SAGE Publications.

Baumgartner, M. P. (1992) ‘The myth of discretion’ in Hawkins, K. *The uses of discretion*. 2nd edn. Oxford: Clarendon Press, pp. 129–162

BBC. (2021) *Cambridgeshire County Council: Lib Dems, Labour and Independents form alliance*. Available at: https://www.bbc.co.uk/news/uk-england-cambridgeshire-57113987 (Accessed: 25 July 2023)

Bell, J. (1992) ‘Discretionary Decision-Making a Jurisprudential View’ in *Hawkins, K. The uses of discretion*. 2nd edn. Oxford: Clarendon Press, pp. 89-111.

Benish, A. (2014) ‘Outsourcing, discretion, and administrative justice: Exploring the acceptability of privatized decision making’, *Law & Policy*, 36(2), pp. 113-133.

Berelson, B (1952) *Content analysis in communication research*. Birmingham: Free Press.

Blackmore, A. (2004) *Standing Apart, Working Together: A Study of the Myths and Realities of Voluntary and Community Sector Independence*. Available at: Standing-apart-working-together-a-study-of-the-myths-and-realities-of-voluntary-and-community-sector-independence%20(2).pdf (Accessed: 6 September 2023).

Boland, T., Doyle, K., and Griffin, R. (2022) ‘Passing Stigma: Negotiations of Welfare Categories as Street Level Governmentality’, *Social Policy and Society*, 21(4), pp. 657-667.

Bondy, V. and Le Sueur, A. (2012) 'Designing redress: A study about grievances against public bodies', *The Public Law Project*, 121.

Bourne, L. (2017) 'Welfare Assistance Schemes: Question for Department for Communities and Local Government, *Hansard: House of Lords Debate*, 6 November 2017, UIN HL2941. Available at: https://questions-statements.parliament.uk/written-questions/detail/2017-11-06/HL2941 (Accessed 5 September 2023).

Bovaird, T. (2016) 'The ins and outs of outsourcing and insourcing: what have we learnt from the past 30 years?', *Public Money & Management*, *36*(1), pp. 67-74.

Boyle, D. (2009) *Localism: Unravelling the supplicant state*. London: New Economics Foundation.

Brodkin, E. Z. (1997), 'Inside the welfare contract: Discretion and accountability in state welfare administration', *Social Service Review*, *71*(1), pp. 1-33.

Brown, R.L. (2008) 'Designing a social security pension system', *International Social Security Review*, 61(1), pp. 61-79.

Buckingham, H. (2009) 'Competition and contracts in the voluntary sector: exploring the implications for homelessness service providers in Southampton', *Policy & Politics*, 37(2), pp. 235-254.

_ _ (2012) 'Capturing diversity: a typology of third sector organisations' responses to contracting based on empirical evidence from homelessness services', *Journal of Social Policy*, 41(3), pp. 569-589.

Butler, P. (2013) Homeless? Here, have a tent… . Available at: https://www.theguardian.com/society/patrick-butler-cuts-blog/2013/jun/03/homeless-pensioner-offered-tent-by-council (Accessed: 23 August 2023).

_ _ (2014) *Local welfare funds: government to reconsider scrapping of £180m grant.* Available at: Local welfare funds: government to reconsider scrapping of £180m grant | Local government | The Guardian (Accessed: 2 June 2023).

_ _ (2015) *Is U-turn on local welfare funds a victory?* Available at: https://www.theguardian.com/society/2015/feb/24/u-turn-local-welfare-funds-victory (Accessed: 2 June 2023).

Cabinet of the Working Group on the Care and Urgent Needs Support Scheme. (2014) *Final Report of the Cabinet Working Group on the Care and Urgent Needs Support Scheme*. Available at: https://council.lancashire.gov.uk/documents/s50653/Appendix%20A.pdf (Accessed: 30 April 2023).

Cambridgeshire County Council Adults Committee. (2014) *CAMBRIDGESHIRE LOCAL ASSISTANCE SCHEME (CLAS) – FUTURE OPTIONS.* Available at: https://cambridgeshire.cmis.uk.com/CCC_live/Document.ashx?czJKcaeAi5tUFL1DTL2UE4zNRBcoShgo=e61MbXKv6ABCz2UyfVdmeCUDdKwhO1wbfS6SgudJMTc%2fH26SeRtPbA%3d%3d&rUzwRPf%2bZ3zd4E7Ikn8Lyw%3d%3d=pwRE6AGJFLDNlh225F5QMaQWCtPHwdhUfCZ%2fLUQzgA2uL5jNRG4jdQ%3d%3d&mCTIbCubSFfXsDGW9IXnlg%3d%3d=hFflUdN3100%3d&kCx1AnS9%2fpWZQ40DXFvdEw%3d%3d=hFflUdN3100%3d&uJovDxwdjMPoYv%2bAJvYtyA%3d%3d=ctNJFf55vVA%3d&FgPlIEJYlotS%2bYGoBi5olA%3d%3d=NHdURQburHA%3d&d9Qjj0ag1Pd993jsyOJqFvmyB7X0CSQK=ctNJFf55vVA%3d&WGewmoAfeNR9xqBux0r1Q8Za60lavYmz=ctNJFf55vVA%3d&WGewmoAfeNQ16B2MHuCpMRKZMwaG1PaO=ctNJFf55vVA%3d (Accessed: 22 July 2023).

_ _ (2015) *CAMBRIDGESHIRE LOCAL ASSISTANCE SCHEME (CLAS).* Available at: https://cambridgeshire.cmis.uk.com/CCC_live/Document.ashx?czJKcaeAi5tUFL1DTL2UE4zNRBcoShgo=c8ezdf0Ri925p2%2bsKP5gjmcrHH0Mj8YTkAwhrpF2lVxxMK61CUcRLw%3d%3d&rUzwRPf%2bZ3zd4E7Ikn8Lyw%3d%3d=pwRE6AGJFLDNlh225F5QMaQWCtPHwdhUfCZ%2fLUQzgA2uL5jNRG4jdQ%3d%3d&mCTIbCubSFfXsDGW9IXnlg%3d%3d=hFflUdN3100%3d&kCx1AnS9%2fpWZQ40DXFvdEw%3d%3d=hFflUdN3100%3d&uJovDxwdjMPoYv%2bAJvYtyA%3d%3d=ct

NJFf55vVA%3d&FgPlIEJYlotS%2bYGoBi5olA%3d%3d=NHdURQburHA%3d&d9Qjj0ag1Pd993jsyOJqFvmyB7X0CSQK=ctNJFf55vVA%3d&WGewmoAfeNR9xqBux0r1Q8Za60lavYmz=ctNJFf55vVA%3d&WGewmoAfeNQ16B2MHuCpMRKZMwaG1PaO=ctNJFf55vVA%3d (Accessed: 15 July 2023).

_ _ (2016) *CAMBRIDGESHIRE LOCAL ASSISTANCE SCHEME (CLAS) FOR 2016/17*. Available at: https://cambridgeshire.cmis.uk.com/CCC_live/Document.ashx?czJKcaeAi5tUFL1DTL2UE4zNRBcoShgo=lwGJ0U8GdjBcVpiU%2bDlEo44n2z4pUt7KaeBUSMNNTz4R62G5P7HEQA%3d%3d&rUzwRPf%2bZ3zd4E7Ikn8Lyw%3d%3d=pwRE6AGJFLDNlh225F5QMaQWCtPHwdhUfCZ%2fLUQzgA2uL5jNRG4jdQ%3d%3d&mCTIbCubSFfXsDGW9IXnlg%3d%3d=hFflUdN3100%3d&kCx1AnS9%2fpWZQ40DXFvdEw%3d%3d=hFflUdN3100%3d&uJovDxwdjMPoYv%2bAJvYtyA%3d%3d=ctNJFf55vVA%3d&FgPlIEJYlotS%2bYGoBi5olA%3d%3d=NHdURQburHA%3d&d9Qjj0ag1Pd993jsyOJqFvmyB7X0CSQK=ctNJFf55vVA%3d&WGewmoAfeNR9xqBux0r1Q8Za60lavYmz=ctNJFf55vVA%3d&WGewmoAfeNQ16B2MHuCpMRKZMwaG1PaO=ctNJFf55vVA%3d (Accessed: 22 August 2023).

Cambridgeshire County Council Adults Policy and Service Committee. (2015) *Annual Report 2014/15*. Available at: https://cambridgeshire.cmis.uk.com/CCC_live/Document.ashx?czJKcaeAi5tUFL1DTL2UE4zNRBcoShgo=maXRGpWF2GHwCu%2f93nHiibYvdqixd%2bchmaYqvbn6XbmZsBGruVEypg%3d%3d&rUzwRPf%2bZ3zd4E7Ikn8Lyw%3d%3d=pwRE6AGJFLDNlh225F5QMaQWCtPHwdhUfCZ%2fLUQzgA2uL5jNRG4jdQ%3d%3d&mCTIbCubSFfXsDGW9IXnlg%3d%3d=hFflUdN3100%3d&kCx1AnS9%2fpWZQ40DXFvdEw%3d%3d=hFflUdN3100%3d&uJovDxwdjMPoYv%2bAJvYtyA%3d%3d=ctNJFf55vVA%3d&FgPlIEJYlotS%2bYGoBi5olA%3d%3d=NHdURQburHA%3d&d9Qjj0ag1Pd993jsyOJqFvmyB7X0CSQK=ctNJFf55vVA%3d&WGewmoAfeNR9xqBux0r1Q8Za60lavYmz=ctNJFf55vVA%3d&WGewmoAfeNQ16B2MHuCpMRKZMwaG1PaO=ctNJFf55vVA%3d

Cambridgeshire County Council. (No Date) *Previous election results*. Available at: https://www.cambridgeshire.gov.uk/council/elections/previous-election-results (Accessed: 25 July 2023).

Cameron, D. (2010). 'The Big Society Speech' [Speech]. London, UK: Hugo Young Lecture. Available at: https://www.gov.uk/government/speeches/big-society-speech (Accessed 10 August 2023).

Cane, P. (2009) *Administrative tribunals and adjudication*. 1st edn. Hart Publishing.

Cartier, G. (2005) 'Administrative discretion as dialogue: a response to John Willis (or: from theology to secularization)', *The University of Toronto Law Journal*, *55*(3), pp. 629-656.

Centre for Cities. (2018) *Cities Outlook*. Available at: https://www.centreforcities.org/wp-content/uploads/2018/01/18-01-12-Final-Full-Cities-Outlook-2018.pdf (Accessed: 1 June 2023).

Centre for Responsible Credit. (2015) *Where now for local welfare schemes?*. Available at: https://www.responsible-credit.org.uk/portfolio-items/building-financially-healthy-lives-and-communities/ (Accessed 17 March 2023).

_ _ (2017) *The decline of crisis and community care support in England: Why a new approach is needed*. Available at: https://barrowcadbury.org.uk/wp-content/uploads/2017/09/Centre-for-Responsible-Credit-Decline-in-Local-Welfare-Schemes.pdf (Accessed: 23 August 2023).

Child Poverty Action Group. (2014) *Judicial Review Against Funding Cut for Local Welfare Assistance Schemes – CPAG Intervention*. Available at: https://cpag.org.uk/welfare-rights/test-cases/concluded/judicial-review-against-funding-cut-local-welfare-assistance (Accessed: 15 June 2023).

_ _ (2015). *Local Welfare: Tips and Tactics*. Available at: https://cpag.org.uk/welfare-rights/resources/article/local-welfare-tips-and-tactics (Accessed: 21 June 2023).

_ _ (2022) *'You have to take it back to the bricks' Reforming emergency support to reduce demand for food banks*. Available at: https://cpag.org.uk/sites/default/files/files/policypost/Back_to_the_bricks_FINAL.pdf (Accessed: 1 August 2023)

Child Poverty Commission. (2021) *The safety net beneath the safety net? A briefing on local welfare assistance in the North East*. Available at: https://nechildpoverty.org.uk/content/images/uploads/The_safety_net_beneath_the_safety_net.pdf (Accessed: 24 August 2023).

Children's Society. (2019) *Nowhere to Turn: Strengthening the safety net for children and families facing crisis*. Available at: https://www.childrenssociety.org.uk/sites/default/files/2021-01/crisis-support-one-family.pdf (Accessed: 23 August 2023).

_ _ (2020) *Leave no family behind: strengthening Local Welfare Assistance during Covid-19*. Available at: https://www.childrenssociety.org.uk/sites/default/files/2020-10/leave-no-family-behind.pdf (Accessed: 8 August 2023).

Church Action on Poverty. (2018) *Compassion in crisis: how do people in poverty stay afloat at time of emergency*. Available at: http://www.church-poverty.org.uk/wp-content/uploads/2019/06/Compassion-in-Crisis.pdf (Accessed 23 August 2023).

Clarke, J., and Newman, J. (1997) *The managerial state: Power, politics and ideology in the remaking of social welfare*. London: Sage.

CLAS Annual Service Report. (2021) *CLAS Annual Service Report*. Available at: https://makingmoneycount.org.uk/assets/uploads/2023/06/CLAS-Annual-Service-Report-FY-21_22.pdf (Accessed: 22 August 2023).

Clayton, J., Donovan, C., and Merchant, J. (2015) 'Emotions of austerity: Care and commitment in public service delivery in the North East of England', *Emotion, Space and Society*, 14, pp. 24-32.

Cochrane, A. (1993) *Whatever happened to local government?* Buckingham: Open University Press.

Coffey, A. (2014) 'Analysing documents', in Flick, U. *The SAGE handbook of qualitative data analysis*. United Kingdom: SAGE Publications, pp. 367-379.

Considine, M. (1996) 'Market Bureaucracy? Exploring the Contending Rationalities of Contemporary Administrative Regimes', *Labour and Industry*, 7(1), pp. 1–28.

Contracting Out (Functions of Local Authorities: Income-Related Benefits) Order 2002 (SI 2002/1888)

Cook, K. E. (2012) 'Social support in single parents' transition from welfare to work: Analysis of qualitative finding 1' *International Journal of Social Welfare*, 21(4), pp. 338-350.

Cordella, A., and Willcocks, L. (2010) 'Outsourcing, bureaucracy and public value: Reappraising the notion of the "contract state"', *Government information quarterly*, 27(1), pp. 82-88.

Costa-Font, J., and Greer, S. L. (2013) 'Territory and health: perspectives from economics and political science', in Costa-Font, J. and Greer, S. L. *Federalism and decentralization in European health and social care*. Palgrave Macmillan, pp.13-43.

Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012 (SI 2012/2885)

Cowan, D. and Wincott, D. (2016) *Exploring the 'Legal' in Socio-Legal Studies'*. New York: Palgrave MacMillan.

Cowman, K. (2002) ''Minutes of the Last Meeting Passed': The Huddersfield Women's Social and Political Union Minute Book January 1907-1909, a New Source for Suffrage History', *Twentieth Century British History*, 13(3), pp. 298-315

Craig, G., Taylor, M., Monro, S., Wilkinson, M., Bloor, K., and Syed, A. (2002). *Contract or Trust?* Bristol: The Policy Press.

Cranston, R. (1979) *Regulating business: Law and consumer agencies*. London: The MacMillan Press

Creutzfeldt, N., Mason, M., and McConnachie, K. (2019) *Routledge handbook of socio-legal theory and methods.* Routledge.

Crouch, C. (2011) *The strange non-death of neo-liberalism*. Cambridge: Polity Press.

Cunningham, I. (2008) 'Reshaping employment relations in the UK voluntary sector: an exploratory study into the impact of best value', *Local Government Studies*, 34(3), pp. 379-396.

Dagdeviren, H., Donoghue, M., and Wearmouth, A. (2019) 'When rhetoric does not translate to reality: Hardship, empowerment and the third sector in austerity localism', *The Sociological Review*, 67(1), pp. 143-160.

Daguerre, A, (2007) 'Welfare Reform in the United Kingdom: Helping or Forcing People Back into Work?' in Daguerre, A. *Active Labour Market Policies and Welfare Reform: Europe and the US in Comparative Perspective.* London: Palgrave Macmillan UK, pp. 58-81.

Daly, S., Chapman, R., and Pegan, A. (2023) 'Local government officers, pragmatism and creativity during austerity–the case of Urban Green Newcastle', *Local Government Studies*, pp. 1-19.

Davis, K. C. (1969) *Discretionary justice: A preliminary inquiry*. LSU Press.

_ _ (1970) 'Discretionary justice', *Journal of Legal Education*, *23*(1), pp. 56-62.

De Mauley, R. P. (2012) 'Welfare Reform Bill', *Hansard: House of Commons debates*, 25 January, 734, c. 1073. Available at: https://hansard.parliament.uk/Lords/2012-01-25/debates/12012534000324/WelfareReformBill (Accessed: 2 April 2023).

Deas, I. (2013) 'Towards post-political consensus in urban policy? Localism and the emerging agenda for regeneration under the Cameron government', *Planning Practice & Research*, *28*(1), pp. 65-82

Dennis, N. (1997) *The Invention of Permanent Poverty*. London: Institute of Economic Affairs.

Department for Communities and Local Government. (2011a) *A plain English guide to the Localism Act.* Available at:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/5959/1896534.pdf (Accessed: 25 August 2023).

_ _ (2011b) *Localising Support for Council Tax in England*. Available at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/8463/19510253.pdf (Accessed: 1 August 2023).

Department for Work & Pensions. (2020) *COVID Winter Grant Scheme guidance for local councils: 1 December 2020 to 16 April 2021*. Available at: https://www.gov.uk/Government/publications/covid-winter-grant-scheme/covid-winter-grant-scheme-guidance-for-local-councils (Accessed: 22 August 2023).

_ _ (2011a) 'Local support to replace Community Care Grants and Crisis Loans for living expenses in England'. Available at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/184703/social-fund-localisation-response.pdf.pdf (Accessed: 18 June 2023).

_ _ (2011b) 'Abolition of elements of the discretionary Social Fund and replacement with new local welfare assistance'. Available at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/220189/social-fund-localisation-wr2011-ia.pdf (Accessed: 22 July 2023).

_ _ (2012) *Annual Report by the Secretary of State for Work and Pensions on the Social Fund 2011/2012*. Available at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/214337/2012-annual-report-social-fund.pdf (Accessed: 15 August 2023).

_ _ (2014) *Local welfare provision review*. Available at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/370775/2-local-welfare-provision-review-nov-2014.pdf (Accessed: 23 August 2023).

De Wilde, M., Van Oorschot, W., Roosma, F., Meuleman, B. and Reeskens, T., (2017) *The social legitimacy of targeted welfare: Attitudes to welfare deservingness*. Edward Elgar, pp.225-240.

Digby, J., Mankoo, A., Paz, A., and Wright, A. (2022). *Understanding digital poverty and inequality in the UK*. The British Academy.

Discretionary Financial Assistance Regulations 2001 (SI 2001/1167)

Donmoyer, R. (2000) 'Generalizability and the single-case study', in Gomm, R., Foster, P. and Hammersley, M., *Case Study Method: Key Issues, Key Texts*. London: SAGE Publications, pp. 45-68.

Dworkin, R. (1977) *Taking rights seriously*. London: Duckworth.

Dwyer, P. (2018) 'Punitive and ineffective: Benefit sanctions within social security', *Journal of Social Security Law*, 25(3), pp. 142–157.

Eagle, R., Jones, A., and Greig, A. (2017) 'Localism and the environment: A critical review of UK Government localism strategy 2010–2015', *Local Economy*, *32*(1), pp. 55-72.

Edkins, J. (2023) *Local Council Political Compositions*. Available at: https://www.theedkins.co.uk/uklocalgov/makeup.htm (Accessed: 23 June 2023).

Edmiston, D., Robertshaw, D., Young, D., Ingold, J., Gibbons, A., Summers, K., Scullion, L., Geiger, B.B. and de Vries, R. (2022) 'Mediating the claim? How 'local ecosystems of support' shape the operation and experience of UK social security', *Social Policy & Administration*, *56*(5), pp. 775-790.

Elias, P. (1978) 'Remedies in Administrative Law—A Less than Modest Reform', *The Cambridge Law Journal*, *37*(2), pp. 205-208.

Emerson, R. M., and Paley, B. (1992) 'Organizational horizons and complaint-filing' in Hawkins, K., *The uses of discretion*. Oxford: Clarendon Press, pp. 48.

End Furniture Poverty, (no date). Local Welfare Assistance Finder. Available at: https://endfurniturepoverty.org/research-campaigns/rebuilding-crisis-support-local-welfare-assistance/local-welfare-assistance-finder/ (Accessed: 1 September 2023).

_ _ (2021) *The Postcode Lottery of Crisis Support*. Available at: https://endfurniturepoverty.org/wp-content/uploads/2022/10/ThePostcodeLotteryofCrisisSupportFinalOnline.pdf (Accessed: 19 July 2023).

_ _ (2022a) *The State of Crisis Support: Local Welfare Assistance through Covid and Beyond*. Available at: https://endfurniturepoverty.org/wp-content/uploads/2023/05/The-State-of-Crisis-Support-Final.pdf (Accessed: 25 August 2023).

_ _ (2022b) *Resetting Crisis Support: Local Welfare Assistance 2021/22 & Household Support Fund*. Available at: https://endfurniturepoverty.org/wp-content/uploads/2022/12/EFP-Resetting-Crisis-Support-Final.pdf (Accessed 5 April 2023).

Eule, T., Borrelli T.M., Lindberg, A. and Wyss, A. (2019) *Migrants before the Law: Contested Migration Control in Europe*. Palgrave Macmillan: London.

Evans, M., Marsh, D., and Stoker, G. (2013) 'Understanding localism', *Policy studies*, 34(4), pp. 401-407.

Evans, T. (2013) 'Organisational rules and discretion in adult social work', *British Journal of Social Work*, *43*(4), pp. 739-758.

_ _ (2015) 'Professionals and discretion in street-level bureaucracy', in Buffat, A., Hill, M. and Hupe, P. *Understanding street-level bureaucracy*. Bristol: Policy Press, pp. 279-294

_ _ (2016) *Professional discretion in welfare services: Beyond street-level bureaucracy*. Routledge.

Evers, A. (1995) ‘Part of the welfare mix: The third sector as an intermediate area’, *Voluntas: International Journal of Voluntary and Nonprofit Organizations*, *6*, pp. 159-182.

Featherstone, D., Ince, A., Mackinnon, D., Strauss, K., and Cumbers, A. (2012) ‘Progressive localism and the construction of political alternatives’, *Transactions of the Institute of British Geographers*, *37*(2), pp. 177-182.

Feenan, D. (2013) *Exploring the ‘socio’ of socio-legal studies*. Palgrave MacMillan.

Fenwick, J., and Gibbon, J. (2016) ‘Localism and the third sector: New relationships of public service?’, *Public Policy and Administration*, *31*(3), pp. 221-240.

Finck, M. (2020) ‘Automated decision-making and administrative law’, in Lindseth, P. L., Cane, P., Hofmann, H. C. and Ip. E. *The Oxford Handbook of Comparative Administrative Law*. Oxford: Oxford University Press, pp. 656-676.

Fitzpatrick, C., McKeever, G. and Simpson, M. (2019) ‘Conditionality, discretion and TH Marshall’s ‘right to welfare’’, *Journal of Social Welfare and Family Law*, 41(4), pp. 445-462.

Fitzpatrick, P. and Hunt, A. (1987) ‘Critical legal studies’, *Journal of Law and Society*, 14(1), pp. 1-19.

Fitzpatrick, S., Pawson, H., and Watts, B. (2020) ‘The limits of localism: a decade of disaster on homelessness in England’, *Policy & Politics*, 48(4), pp. 541-561.

Friedman, L.M. (1986) ‘The Law and Society Movement’, *Stanford Law Review*, 38, pp. 763-780.

Galligan, D.J. (1990) *Discretionary powers: A legal study of official discretion*. Oxford University Press.

Gardiner, L. (2019) *The shifting shape of social security*. Available at: https://www.resolutionfoundation.org/app/uploads/2019/11/The-shifting-shape-of-social-security.pdf (Accessed 5 August 2023).

Gilboy, J. A. (1991) ‘Deciding who gets in: Decisionmaking by immigration inspectors’, *Law and Society Review*, 25(3) pp. 571-599.

Gilson, L. (2015) ‘Michael Lipsky, ‘Street-level bureaucracy: Dilemmas of the individual in public service’’, in S. J. Balla, M. Lodge, and E. Page. *The Oxford handbook of classics in public policy and administration*. Oxford: Oxford University Press, pp. 383-404.

Glennerster, H. (2020) *The post war welfare state: stages and disputes*. St Louis: Centre for Analysis of Social Exclusion.

Goodin, R E. (1986) ‘Welfare, Rights and Discretion’, *Oxford Journal of Legal Studies*, 6(2), pp. 232–61.

_ _ (1988) *Reasons for welfare: The political theory of the welfare state*. 4th edn. Princeton: Princeton University Press.

GOV.UK. (2011) *Open Public Services White Paper*. Available at: https://www.gov.uk/government/publications/open-public-services-white-paper (Accessed: 12 July 2023).

_ _ (2016) *Local government structure and elections*. Available at: https://www.gov.uk/guidance/local-government-structure-and-elections (Accessed: 23 July 2023).

Gray, M., and Barford, A. (2018) ‘The depths of the cuts: the uneven geography of local government austerity’, *Cambridge journal of regions, economy and society*, *11*(3), pp. 541-563.

Greater Manchester Poverty Action Group. (2020a) *Strengthening the role of local welfare assistance*. Available at: https://www.gmpovertyaction.org/wp-content/uploads/2020/12/LWAS-report.pdf (Accessed: 20 August 2023).

_ _ (2020b) *‘Cash first’ – Responding to the needs of low income residents provision of local welfare support*. Available at: https://www.gmpovertyaction.org/wp-content/uploads/2020/08/GMPA-Briefing-%E2%80%98Cash-first-August-2020.pdf (Accessed: 27 August 2023).

Green, D. (1998) *Benefit Dependency: How Welfare Undermines Independence*. London: Civitas.

Grover, C. (2012a) 'Localism and poverty in the United Kingdom: the case of Local Welfare Assistance', *Policy Studies*, 33(4), pp. 349-365.

_ _ (2014) 'From the social fund to local welfare assistance: Central–local government relations and 'special expenses'', *Public Policy and Administration*, 29(4), pp. 313-330.

H.M. Treasury. (2010) *Spending Review*. London: Stationery Office. Available at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/203826/Spending_review_2010.pdf (Accessed: 2 June 2023).

Hajer, M. (2003) 'Policy without polity? Policy analysis and the institutional void', *Policy sciences*, *36*(2), pp. 175-195.

Hall, M. and Hampden-Thompson, G. (2022) 'The teacher as street-level bureaucrat: science teacher's discretionary decision-making in a time of reform', *International Journal of Science Education*, 44(6), 980-999.

Halliday, S. (2004) *Judicial review and compliance with administrative law*. United Kingdom: Hart Publishing.

_ _, and Scott, C. (2010) 'A cultural analysis of administrative justice' in Adler, M. *Administrative Justice in Context*, Oxford: Hart Publishing, pp. 183-202.

Handler, J. (1986) *The conditions of discretion*. New York: Russell Sage Foundation.

Handscomb, K (2022) *Sticking plasters: An assessment of discretionary welfare support*. Available at: https://www.resolutionfoundation.org/app/uploads/2022/10/Sticking-plasters.pdf (Accessed: 1 August 2023).

Harlow, C., and Rawlings, R. (2006) *Law and administration*. 2nd edn. Cambridge: Cambridge University Press.

Hart, H. L. (2013) 'Discretion', *Harvard Law Review*, *127*(2), pp. 652-665.

Hastings, A., Bailey, N., Besemer, K., Bramley, G., Gannon, M., and Watkins, D. (2013) '*Coping with the cuts? Local government and poorer communities*', *Local government studies*, 41(4), pp. 601-621.

Hawkins, K. (1984) *Environment and Enforcement: Regulation and the Social Definition of Pollution*. Oxford: Oxford University Press.

_ _ (1992) *The uses of discretion*. Oxford: Clarendon Press.

_ _ (2002) *Law as last resort: Prosecution decision-making in a regulatory agency*. Oxford: Oxford University Press.

Hetherington, P. 2010. Pickles's localism is not what it seems. Available at: http://www.guardian.co.uk/society/joepublic/2010/aug/04/eric-pickles-definition-of-localism (Accessed: 17 May 2023).

Hewson, C., Vogel, C., and Laurent, D. (2015) *Internet research methods*. City Road: Sage.

Hick, R. (2022) 'Austerity, localism, and the possibility of politics: Explaining variation in three local social security schemes between elected councils in England', *Sociological Research Online*, 27(2), pp. 251-272.

Hildreth, P. (2011) 'What is localism, and what implications do different models have for managing the local economy?', *Local Economy*, *26*(8), pp. 702-714.

HM Government. (2014) *Local Welfare Provision in 2015/16: A consultation document*. Available at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/362995/141010_Consultation_on_how_LWP_should_be_funded_in_15-16.pdf (Accessed: 1 August 2023).

Hodder, I. (2000) 'The interpretation of document and material culture', in Denzin, N.K. and Lincoln, Y.S. *Handbook of qualitative research*. 2nd edn. Thousand Oaks: Sage, pp. 703-715.

Hodgson, A., and Spours, K. (2012) 'Three versions of 'localism': implications for upper secondary education and lifelong learning in the UK', *Journal of education policy*, *27*(2), pp. 193-210.

Hood, C. (1991) 'A public management for all seasons?', *Public administration*, *69*(1), pp. 3-19.

_ _ (1995) 'Contemporary public management: a new global paradigm?', *Public policy and administration*, *10*(2), pp. 104-117.

_ _ (1997) 'Which contract state? Four perspectives on over-outsourcing for public services', *Australian Journal of Public Administration*, 56(3), pp. 120-131.

Hoyle, C., and Sato, M. (2019). *Reasons to doubt: Wrongful convictions and the criminal cases review commission*. Oxford: Oxford University Press.

Hupe, P., and van Kooten, E. (2015) 'First-line supervisors as gate-keepers: Rule processing by head teachers', in Buffat, A., Hill, M and Hupe, P. *Understanding street-level bureaucracy*. Bristol: Policy Press, pp. 227-242.

Hunt, T. (2019) *Building Jerusalem: the rise and fall of the Victorian city*. London: Penguin Books.

Information Commissioner's Office. (no date) *What should be published? Minutes and agendas*. Available at: https://ico.org.uk/media/for-organisations/documents/1156/minutesandagendas.pdf (Accessed: 5 August 2023).

_ _ (2021) 'Definition document for principal local authorities (county councils, unitary authorities, metropolitan district councils, borough councils, city councils and district councils, the council of the Isles of Scilly and local authorities in Wales)'. Available at: https://ico.org.uk/media/for-organisations/documents/definition-documents-2021/4018891/dd-principal-local-authorities-20211029.pdf (Accessed: 1 June 2023).

Jacobs, K., and Manzi, T. (2013) 'New localism, old retrenchment: The "big society", housing policy and the politics of welfare reform', *Housing, Theory and Society*, 30(1), pp. 29-45.

Jessen, J. T., and Tufte, P. A. (2014) 'Discretionary decision-making in a changing context of activation policies and welfare reforms', *Journal of Social Policy*, *43*(2), pp. 269-288.

Joseph Rowntree Foundation. (2006) *The Social Fund: Current role and future direction*. Available at: https://core.ac.uk/download/pdf/288387088.pdf (Accessed: 5 August 2023).

_ _. (2015) The Cost of the Cuts: The Impact on Local Government and Poorer Communities. Available at: https://www.jrf.org.uk/sites/default/files/jrf/migrated/files/Summary-Final.pdf (Accessed: 9 August 2023).

Jowell, J. L. (1975) *Law and bureaucracy: Administrative discretion and the limits of legal action*. New York: Dunellen Pub Co.

Jupp, E. (2021) 'The time-spaces of austerity urbanism: Narratives of 'localism' and UK neighbourhood policy', *Urban Studies*, *58*(5), pp. 977-992.

Keep, E. (2011) 'The English skills policy narrative' in A. Hodgson, K. Spours, and M. Waring. *Post-compulsory education and lifelong learning across the UK*: *Policy*, *organization and governance*. London: IOE Publications

Keiser, L.R. (2010) 'Understanding street-level bureaucrats' decision making: Determining eligibility in the social security disability program', *Public Administration Review*, 70(2), pp. 247-257.

Kendall, J. (2003) *The voluntary sector: Comparative perspectives in the UK*. London: Routledge.

Kennedy, S. *Localising of the Social Fund*. Available at: https://researchbriefings.files.parliament.uk/documents/SN06413/SN06413.pdf (Accessed: 23 June 2023).

Kjellberg, F. (1995) 'The changing values of local government', *The Annals of the American Academy of Political and Social Science*, *540*(1), pp. 40-50.

Klein, R. (1980) 'The Welfare State: A Self-Inflicted Crisis', *The Political Quarterly*, 51 (1), pp. 24–34.

KPMG. (2008) *Social Fund Reform Feasibility Study*. Available at: https://data.parliament.uk/DepositedPapers/Files/DEP2014-1543/Feasibility_Study_for_the_Resettlement_of_the_BIOT_Draft_Report.pdf (Accessed: 18 July 2023).

Krippendorff, K. (1989) Content analysis: An Introduction to Its Methodology. 2nd edn. Sage Publications.

Lamothe, M., and Lamothe, S. (2012) 'To trust or not to trust? What matters in local government-vendor relationships?', *Journal of Public Administration Research and Theory*, *22*(4), pp. 867-892.

Lancashire County Council. (No Date b) *Election Results*. Available at: https://elections.lancashire.gov.uk/results/2013/alldivs.asp (Accessed: 25 July 2023).

_ _ (2023) *More than £260k awarded to community groups in Lancashire to tackle food insecurity*. Available at: https://news.lancashire.gov.uk/news/more-than-gbp-260k-awarded-to-community-groups-in-lancashire-to-tackle-food-insecurity (Accessed: 25 July 2023).

Lapuente, V., and Van de Walle, S. (2020) 'The effects of new public management on the quality of public services', *Governance*, *33*(3), pp. 461-475.

Larner, W., and Butler, M. (2005) 'Gove Rnme Ntalities of local partnerships: The rise of a "partnering state" in New Zealand', *Studies in Political Economy*, 75(1), pp. 79-101.

Lascoumes, P., and Le Bourhis, J. P. (1996) 'From Illegitimate Favours to Legal Channels: The Socio-Juridic Implementation of Public Policies', *Droit et Societe*, *32*, 51-76.

Lee, R., Fielding, N., and Blank, G. (2017) 'Online research methods in the social sciences: An editorial introduction' in Fielding, N .G., Blank, G. and Raymond, M. L. *The SAGE handbook of online research methods*. United Kingdom: Sage Publications, pp. 1-16.

Levitas, R. (2012) 'The Just's Umbrella: Austerity and the Big Society in Coalition policy and beyond', *Critical social policy*, *32*(3), pp. 320-342.

Lipsky, M. (1980) *Street-level bureaucracy: Dilemmas of the individual in public service*. New York: Russell Sage Foundation.

Llewellyn, K. (1951) *The Bramble Bush*. New York: Oceana.

Loveland, I. (1987) 'Politics, organisation and environment–influences on the exercise of administrative discretion within the housing benefit scheme', *The Journal of Social Welfare & Family Law*, *9*(4), pp. 216-236.

_ _ (1989) 'Policing welfare: Local authority responses to claimant fraud in the housing benefit scheme', *Journal of law and society*, 16, pp. 187-209.

Lowndes, V., and Gardner, A. (2016) 'Local governance under the conservatives: Super-austerity, devolution and the 'smarter state'', *Local government studies*, *42*(3), pp. 357-375.

Lowndes, V., and McCaughie, K. (2013) 'Weathering the perfect storm? Austerity and institutional resilience in local government', *Policy & Politics*, *41*(4), pp. 533-549.

Lowndes, V. and Pratchett, L. (2008) 'Public policy and social capital', in Castiglione, D., Van Deth, J. and Wolleb, G. *The handbook of social capital*. Oxford: Oxford University Press.

_ _ (2012) 'Local governance under the coalition government: Austerity, localism and the 'Big Society'', *Local government studies*, *38*(1), pp. 21-40.

MacDonald, K. (2001) 'Using Documents' in Gilbert, N. *Researching Social Life*. 2nd edn. London: SAGE Publications, pp. 194-210

MacLeavy, J. (2011) 'A 'new politics' of austerity, workfare and gender? The UK coalition government's welfare reform proposals', *Cambridge journal of regions, economy and society*, *4*(3),

pp. 355-367.

Maclennan, D., and O'Sullivan, A. (2013) 'Localism, devolution and housing policies', *Housing Studies*, 28(4), pp. 599-615.

Macmillan, R. (2013) 'Decoupling the state and the third sector? The 'Big Society' as a spontaneous order', *Voluntary Sector Review*, *4*(2), pp. 185-203.

Mannheim, K. (1982) *Structures of Thinking*. London: Routledge & Kegan Paul.

Manning, P. K. (1992) 'Big bang decisions: notes on a naturalistic approach', in Hawkins, K. *The uses of discretion*. Oxford: The Clarendon Press.

Martin, R. (2021) 'Administrative Decision-Making on the Frontline' in Hertogh, M., Kirkham, R., Thomas, R., and Tomlinson, J. *The Oxford handbook of administrative justice*. Oxford: Oxford University Press, pp. 3-23.

Mascini, P. (2020) 'Discretion from a legal perspective', in Evans, T. and Hupe, P. L. *Discretion and the quest for controlled freedom*. London: Palgrave Macmillan, pp. 121-141.

Mashaw, J. L. (1983) *Bureaucratic justice: Managing social security disability claims*. New Haven and London: Yale University Press.

_ _ (2022) 'Models of Administrative Justice', in Hertogh, M., Kirkham, R., Thomas, R., and Tomlinson, J. *The Oxford handbook of administrative justice*. Oxford: Oxford University Press, pp. 375-396.

Matsen, E. and Thogersen, O. (2004) 'Designing social security – a portfolio choice approach', *European Economic Review*, 48(4), pp. 883-904.

May, J., Williams, A. Cloke, P and Cherry, L. (2019) 'Welfare Convergence, Bureaucracy, and Moral Distancing at the Foodbank', *Antipode*, 51(4), pp. 1251-1275.

May, P. J., and Wood, R. S. (2003) 'At the regulatory front lines: Inspectors' enforcement styles and regulatory compliance', *Journal of Public Administration Research and Theory*, 13(2), pp. 117-139.

Maynard-Moody, S. W., and Musheno, M. C. (2022). *Cops, teachers, counselors: Stories from the front lines of public service*. Ann Arbor: University of Michigan Press.

McKay, S., and Rowlingson, K. (2016) 'Social security under the coalition and Conservatives: shredding the system for people of working age; privileging pensioners', in Hugh, B. and Powell, M. *The Coalition government and social policy*. Bristol: Policy Press, pp. 179-200.

McKenzie, H. J., and McKay, F. H. (2017) 'Food as a discretionary item: The impact of welfare payment changes on low-income single mother's food choices and strategies', *Journal of Poverty and Social Justice*, *25*(1), pp. 35-48.

Meers, J. (2014) ''Shifting the place of social security': The 'Bedroom Tax', discrimination and discretionary housing payments', *Journal of Social Welfare and Family Law*, *36*(1), pp. 85-87.

_ _ (2018) 'Awarding discretionary housing payments: constraints of time, conditionality and the assessment of income/expenditure', *Journal of Social Security Law*, 25(2), pp. 102-119.

_ _ (2019) 'Discretion as blame avoidance: passing the buck to local authorities in 'welfare reform'', *Journal of Poverty and Social Justice*, 27(1), pp. 41-60.

Menkel-Meadows, C. (2023) *Is socio-legal studies a science?* [Lecture]. Centre for Socio-Legal Studies Seminar Series: Oxford University.

Miaz, J., and Achermann, C. (2022) 'Bureaucracies under judicial control? Relational discretion in the implementation of immigration detention in Swiss cantons', *Administration & Society*, *54*(4), pp. 629- 659.

Ministry of Housing, Communities & Local Government. (2019) *English Indices of Deprivation 2019: File 11 Local Authority District Summaries (upper tier).* Available at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/834001/File_11_-_IoD2019_Local_Authority_District_Summaries___upper-tier__.xlsx (Accessed: 5 July 2023).

Molander, A. (2016) *Discretion in the welfare state: Social rights and professional judgement*. Oxon: Taylor & Francis.

_ _, Grimen, H., and Eriksen, E. O. (2012) 'Professional discretion and accountability in the welfare state', *Journal of Applied Philosophy*, 29(3), pp. 214-230.

Morse, Sir Amyas (2018) 'Oral Evidence before the House of Commons Public Administration and Constitutional Affairs Committee, Sourcing public services: lessons to be learned from the collapse of Carillion', *House of Commons*, 24 April, 748. Available at: https://committees.parliament.uk/event/11376/formal-meeting-oral-evidence-session/ (Accessed: 12 August 2023).

Nagarajan, V. (2013) *Discretion and Public Benefit in a Regulatory Agency*. The Australian National University: ANU Press.

Nguyen Long, L. A., Foster, M., and Arnold, G. (2019) 'The impact of stakeholder engagement on local policy decision making', *Policy Sciences*, *52*, pp. 549-571.

Nygård, M., Lindberg, M., Nyqvist, F., Hartull, C. (2019) 'The Role of Cash Benefit and In-Kind Benefit Spending for Child Poverty in Times of Austerity: An Analysis of 22 European Countries 2006–2015', *Social Indicators Research*, 146, pp. 533–552. doi: https://doi.org/10.1007/s11205-019-02126-8

Oakley, M. (2014) *Independent review of the operation of Jobseeker's Allowance sanctions validated by the Jobseekers Act 2013*. London, UK: Department for Work and Pensions.

Oberfield, Z. W. (2010) 'Rule following and discretion at government's frontlines: Continuity and change during organization socialization', *Journal of Public Administration Research and Theory*, 20(4), pp. 735-755.

Office for Budget Responsibility. (2016) *Welfare trends report charts and tables – October 2016*. Available at: http://obr.uk/data/ (Accessed 3 August 2023).

Open Council Data UK. (No date). *English Councils 2023 (Total 315)*. Available at: Open Council Data UK - compositions councillors parties wards elections (Accessed: 12 April 2023).

Osborne, S.P. (1997) 'Managing the Coordination of Social Services in the Mixed Economy of Welfare: Competition, Cooperation or Common Cause?', *British Journal of Management*, 8(4), pp. 317–328.

Page, E.C. (2001) *Governing by Numbers: Delegated Legislation and Everyday Policy- Making*. Oxford: Hart Publishing

Patrick, R. (2012) 'All in it together? Disabled people, the Coalition and welfare to work', *Journal of Poverty and Social Justice*, *20*(3), pp. 307-322.

Policy in Practice. (2023) *Evaluation of Local Welfare Assistance: Final framework and research findings*. Available at: https://policyinpractice.co.uk/wp-content/uploads/Evaluation-of-Local-Welfare-Assistance-Policy-in-Practice-January-2023-2.pdf (Accessed: 23 August 2023).

Portillo, S. (2012) 'The paradox of rules: Rules as resources and constraints', *Administration & Society*, *44*(1), pp. 87-108.

Pottie, L., and Sossin, L. (2005) 'Demystifying the boundaries of public law: Policy, discretion, and social welfare', *University of British Columbia Law Review.*, 38(1), pp. 147-187.

Pound, R. (1910) 'Law in book and law in action', *American Law Review* 44, pp.12-36.

Powell, M. and Hewitt, M. (1998) 'The end of the welfare state?', *Social Policy and Administration*, 32(1), pp. 1–13.

Power, M., Doherty, B., Pybus, K., and Pickett, K. (2020) 'How COVID-19 has exposed inequalities in the UK food system: The case of UK food and poverty', 2 *Emerald Open Research*, pp. 11-34.

Pratchett, L. (2004) 'Local autonomy, local democracy and the 'new localism'', *Political studies*, *52*(2), pp. 358-375.

Pratt, A., and Sossin, L. (2009) 'A brief introduction of the puzzle of discretion', *Canadian Journal of Law and Society/La Revue Canadienne Droit et Société*, *24*(3), pp. 301-312.

Prior, L. (2003) *Using Documents in Social Research.* London: SAGE Publications

_ _ (2011) 'Using Documents in Social Research' in Silverman, D. *Qualitative Research.* 3rd edn. SAGE Publications, pp. 93-110

Prosser, T. (1981) 'The politics of discretion: aspects of discretionary power in the supplementary benefits scheme', in M. Adler and S. Asquith. *Discretion and Welfare*. London: Heinemann Educational Studies, pp. 148–70.

Prottas, J. (1979) 'People-processing: The street-level bureaucrat in public service bureaucracies', *Urban Affairs Quarterly*, 13(3), pp. 285-312.

Raco, M. (2013) 'The new contractualism, the privatization of the welfare state, and the barriers to open source planning', *Planning Practice & Research*, *28*(1), pp. 45-64.

Raso, J. (2019) 'The In-Between Space of Administrative Justice: Reconciling Norms at the Front-Lines of Social Assistance Agencies', in Varuhas, J. and Stark, S.W. *The Frontiers of Public Law*. Oxford: Hart Publishing.

Rees, J., Mullins, D., and Bovaird, T. (2012) 'Third sector partnerships for public service delivery: an evidence review', *Third Sector Research Centre Working Paper*, 60, pp. 1-43.

Reich, C. A. (1963) 'Midnight Welfare Searches and the Social Security Act', *The Yale Law Journal*, 72(7), pp. 1347-1359

Richards-Gray, L. (2022) 'Political discourse and gendered welfare reform: a case study of the UK Coalition government', *Journal of Elections*, *Public Opinion and Parties*, *32*(2), pp. 358-376.

Riddell, S., Adler, M., Mordaunt, E., and Farmakopoulou, N. (2000) 'Special educational needs and competing policy frameworks in England and Scotland', *Journal of Education Policy*, *15*(6), pp. 621-635.

Roberts, J.M. and Devine, F. (2003) 'The hollowing out of the welfare state and social capital', *Social Policy and Society*, 2(4), pp. 309-318.

Romano, S. (2015) 'Idle paupers, scroungers and shirkers: past and new social stereotypes of the undeserving welfare claimant in the UK', *In defence of welfare*, *2*, pp. 65-8.

Rothstein, B. (2008) 'Political legitimacy and the welfare state: Five basic models', *QoG Working Paper Series*, *9*, 1-24.

Sainsbury, R. (2008) 'Administrative justice, discretion and the 'welfare to work' project', *Journal of Social Welfare & Family Law*, 30(4), pp. 323-338.

Scharpf, F.W. (1994) 'Games real actors could play: positive and negative coordination in embedded negotiations', *Journal of Theoretical Politics*, 6, pp. 27–53.

Shepherd, E., Stevenson, A., and Flinn, A. (2010) 'Information governance, records management, and freedom of information: A study of local government authorities in England', *Government Information Quarterly*, *27*(4), pp. 337-345.

Sossin, L. (1994) 'Redistributing democracy: An inquiry into authority, discretion and the possibility of engagement in the welfare state', *Ottawa Law Review*, *26*, 1-46.

Srivastava, P., and Hopwood, N. (2009) 'A practical iterative framework for qualitative data analysis', *International journal of qualitative methods*, *8*(1), pp. 76-84.

Stewart, F. (2000) 'Crisis prevention: Tackling horizontal inequalities', *Oxford Development Studies*, *28*(3), pp. 245-262.

Stoker, G. (2004) *Transforming local governance: from Thatcherism to New Labour*. Basingstoke: Palgrave Macmillan.

_ _ (2011) 'If town halls don't pay the piper then they can't really call the tune', *Parliamentary Brief*, 17.

Strong, S. (2020) 'Food banks, actually existing austerity and the localisation of responsibility', *Geoforum*, 110, pp. 211-219.

Tata, C. (2007) 'Sentencing as craftwork and the binary epistemologies of the discretionary decision process', *Social & Legal Studies*, 16(3), pp. 425–447.

Taylor, M., and Lansley, J. (1992) 'Ideology and welfare in the UK: the implications for the voluntary sector', *Voluntas: International Journal of Voluntary and Nonprofit Organizations*, 3, pp. 153-174.

Taylor, M., and Warburton, D. (2003) 'Legitimacy and the role of UK third sector organizations in the policy process', *Voluntas: International Journal of Voluntary and Nonprofit Organizations*, 14, pp. 321-338.

Taylor-Gooby, P. (2012) 'Root and branch restructuring to achieve major cuts: The social policy programme of the 2010 UK coalition government', *Social Policy & Administration*, *46*(1), pp. 61-82.

_ _ and Stoker, G. (2011) 'The coalition programme: a new vision for Britain or politics as usual?', *The Political Quarterly*, 82(1), pp. 4–15

Thomas, R. (2013) 'Agency rule-making, rule-type, and immigration administration', *Public Law*, 1, pp. 135-153.

_ _ (2021) 'Does outsourcing improve or weaken administrative justice? A review of the evidence', *Public Law*, 3, pp. 542–564.

_ _ (2022) 'The outsourcing perspective', in Adler, M. *A Research Agenda for Social Welfare Law, Policy and Practice*. Edward Elgar Publishing, pp. 247-264.

Titmuss, R.M. (1971) 'Welfare 'Rights', Law and Discretion', *The Political Quarterly*, 42(2), pp. 113-132.

Tomlins, C. (2019) 'Debt, Death and Redemption: Towards a Soterial-Legal History of the Turner Rebellion, in Cowan, D. and Wincott., *Exploring the 'Legal' in Socio-legal Studies*, New York: Palgrave MacMillan, pp. 35-57.

Tomlinson, J. (2019) 'How digital administrative justice is made', in *Justice in the Digital State*. Bristol: Policy Press, pp. 63-88.

Trussell Trust. (2022) Cash-First Approaches to Supporting People Facing Financial Hardship Locally: A Literature Review. Available at: https://www.trusselltrust.org/wp-content/uploads/sites/2/2022/11/Cash-first-literature-review.pdf (Accessed: 22 July 2023).

_ _ (2023) *Hunger in the UK*. Available at: https://www.trusselltrust.org/wp-content/uploads/sites/2/2023/08/2023-The-Trussell-Trust-Hunger-in-the-UK-report-web-updated-10Aug23.pdf (Accessed: 1 August 2023).

Tummers, L. L., Bekkers, V., Vink, E., and Musheno, M. (2015) 'Coping during public service delivery: A conceptualization and systematic review of the literature', *Journal of Public Administration Research and Theory*, *25*(4), pp. 1099-1126.

Turn2Us. (2021) *Coalition of MPs urge government to review local welfare provision.* Available at: https://www.turn2us.org.uk/About-Us/Media-Centre/Press-releases-and-comments/Coalition-of-MPs-urge-government-to-review-local-w (Accessed: 7 May 2023).

Turner, E. (2019) 'Empowering local government or just passing the austerity buck? The changing balance of central and local government in welfare provision in England 2008–2015', *Regional & Federal Studies*, *29*(1), pp. 45-65.

Verhoeven, I., and Van Bochove, M. (2018) 'Moving away, toward, and against: How front-line workers cope with substitution by volunteers in Dutch care and welfare services', *Journal of Social Policy*, 47(4), pp. 783-801.

Walker, B. and Niner, P. 'The Use of Discretion in a Rule-Bound Service: Housing benefit administration and the introduction of Discretionary Housing Payments in Great Britan', *Public Administration*, 83(1), pp. 47-66.

Watts, B., Fitzpatrick, S., Bramley, G., and Watkins, D. (2014) 'Welfare sanctions and conditionality in the UK', *Joseph Rowntree Foundation*.

Webb, S. (2012) *Letter from Steve Webb MP, Minister of State for Pensions, to Council Chief* Executives. Available at: https://webarchive.nationalarchives.gov.uk/ukgwa/20130128102031/http://www.dwp.gov.uk/docs/discretionary-social-fund-settlement-letter-2012.pdf (Accessed: 5 August 2023).

Weber, L. (2003) 'Down that wrong road: Discretion in decisions to detain asylum seekers arriving at UK ports', *The Howard Journal of Criminal Justice*, 42(3), pp. 248-262.

Weber, M. (1978) 'Economy and society: An outline of interpretive sociology', in *Readings in Economic Sociology*. Oxford, UK: Blackwell Publishes, pp. 24-37.

Webley, L. (2019) 'The why and how to of conducting socio-legal empirical research project', in Creutzfeldt, N., Mason, M., and McConnachie, K., *Routledge Handbook of Socio-Legal Theory and Methods*. Routledge, pp. 58-69.

Wheeler, S. (2020) 'Socio-legal studies in 2020', *Journal of Law and Society*, 47, pp. 209-226.

Whitehead, M. (2003) ''In the shadow of hierarchy': meta-governance, policy reform and urban regeneration in the West Midlands', *Area*, 35(1), pp. 6-14.

Wiggan, J. (2012) ‘Telling stories of 21st century welfare: The UK Coalition government and the neo-liberal discourse of worklessness and dependency’, *Critical Social Policy*, 32, pp. 383–405.

Wills, J. (2020) ‘The Geo-Constitution and Responses to Austerity: Institutional Entrepreneurship, Switching and Rescaling in the UK’, *Transactions Institute of British Geographers*, 45(4), pp. 817–832.

Wilson D. (2003) ‘Unravelling Control Freakery: Redefining Central-Local Government Relations’, *British Journal of Politics and International Relations*, 5 (3), pp. 317–46.

_ _, Game, C. (2011) *Local government in the United Kingdom*. Bloomsbury Publishing.

Wright, S. (2012) ‘Welfare-to-work, agency and personal responsibility’, *Journal of Social Policy*, *41*(2), pp. 309-328.

Yin, Robert K. (2014) *Case study research: Design and methods*. Los Angeles, CA: Sage.

Appendix 1: Criteria that Informed the Analysis of Websites

1. Basic Information on the Local Welfare Assistance Scheme
    - Name of Local Authority
    - Political Control of Authority
    - Type of Local Authority
    - Open/Closed
    - Name of Scheme
    - Description of the Scheme
    - Objectives of the Scheme
    - Devolved or In-House
        - Partnership Type
2. Application Process
    - Application Channel
    - Documents/Information Required
    - Assistance Offered/Required
    - Data Sharing
3. Eligibility Criteria
    - Interpretation of 'Need'/'Emergency'/'Crisis'
    - Requirement to Seek/Have Help Elsewhere
    - Requirement to Be in Receipt of Other Welfare
    - Repeat Awards Allowed
        - Number of Applications Allowed
    - Local Connection Criteria
    - Immigration Criteria
    - Income/Savings Requirements/Restrictions
    - Age Restrictions
    - Conditionality
    - Requirement to be Known to the Council
4. Types of Support
    - Fund Will Cover
    - Fund Won't Cover
    - Level of Award
    - Loan Schemes
    - Cash Payments
    - Direct Purchasing Arrangements
    - In-Kind Support
    - Wraparound Support
5. Method of Notification
    - Time Taken to Receive Support
6. Review Monitoring Processes
7. Communication and Awareness
    - Number of Clicks
    - Level and Accessibility of Information
    - Policy Documents/Decision-Making Framework
    - Decision Matrix/Framework
8. Resources/Budget/Expenditure

Appendix 2: Interview Questions for Local Authority and Third Sector Organisation Members

Consent.

Professional Role:

- What does your role entail?
- What is your involvement in local welfare

assistance? The Local Authority/Third Sector Organisation:

- Could you tell me a bit more about your authority/organisation?
    - Driving force? What are the challenges/pressures/demands? How are these managed?

Local Welfare Assistance:

- What drove the decision to maintain local welfare assistance?
    - How were the decisions made?
    - What role did you play in the decision process?
    - Were there any other options put forward?
- What are the main challenges you have come across in administering or maintaining local welfare assistance? (Competing pressures?)
- Is there a particular case study or study from LWA history that stands out to

you? Contracting Out:

- What drove the decision to devolve local welfare assistance? Why?
- What/how was the process and experience of taking on LWA?
    - Could you walk me through the events/your experience?
- How is the relationship set up?
    - On what basis does the relationship rest? (Contract?) Who does what? How much involvement does each partner have? Could you describe the relationship?
- How is the scheme designed?
    - Who designs it? What factors come into play when you are deciding how to design the policy? (flexibility/control)
    - How is the scheme funded? (administrative costs/other funders?)
    - Who creates the policy? (eligibility criteria?)
    - Who provides

oversight/reviews? Relationships:

- Could you describe the relationship/dynamics between councillors, LA officers, and third sector workers?
    - Are there any positives or tensions?

Discretion:

- Do you feel that as a local authority/third sector you have much discretion in designing and administering schemes?
    - Are there any factors constraining or guiding the exercise of discretion? (legal/social/political/economic?)

- Any interactions with ‘law’/’statute?

Localisation of Welfare:

- What is your take on localising welfare more generally?
- How do you feel about contracting out welfare?