

REPORT TITLE: COUNCIL TAX COVID-19 HARDSHIP FUND

20 MAY 2020

REPORT OF CABINET MEMBER: Cllr Neil Cutler, Deputy Leader and Cabinet Member for Finance and Risk

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WARD(S): ALL

PURPOSE

To seek approval from Council for the introduction of a discretionary Council Tax discount funded by a Government grant as part of their response to Covid-19. The discount follows the Government's guidance and aims to support financially vulnerable residents and their households.

RECOMMENDATIONS:

1. That Council approve this scheme and the distribution of funding in line with Appendix 1 – the Council Tax COVID-19 Hardship Fund Policy, to be administered by the Revenues & Benefits teams under the Service Lead for Revenues & Benefits;
2. That Council agree to delegate any further amendments to how funding will be distributed from October 2020, where required and including the event that any further funding is committed by Government, to the Section 151 Officer and in consultation with the Deputy Leader and Cabinet Member for Finance and Risk.

IMPLICATIONS:**1 COUNCIL PLAN OUTCOME**

- 1.1 The Government Hardship Fund and the policy proposed in this report will support the delivery of both the Homes for All and Living Well outcomes in the Council Plan.
- 1.2 The council is committed to providing support for the most vulnerable residents in the district to help them maintain their housing provision and to address health inequalities, particularly for residents who at times need more help to live well.

2 FINANCIAL IMPLICATIONS

- 2.1 The council has received a grant of £659,680 to deliver its Council Tax Hardship Fund.
- 2.2 Money has been allocated to billing authorities on the basis of their share of the national caseload of working age local council tax support (LCTS) recipients.
- 2.3 The money will be paid out as soon as possible to billing authorities through a grant under section 31 of the Local Government Act 2003.

The forecast below sets out the estimated costs of the recommended options: Funding Forecast	£'000
Cost of initial £150 grant for working-age CTR claimants	250
Additional cost of increasing grant up to £300 for working-age CTR claimants	175
Total allocated to working-age CTR claimants	425
Hardship Fund allocation	100
Local Welfare fund for LRC use	25
Recommended contingency until mid-year review	110
Total Grant Allocated	660

3 LEGAL AND PROCUREMENT IMPLICATIONS

- 3.1 Central government's grant funded discretionary Council Tax scheme follows the Government's guidance and aims to support financially vulnerable residents and their households. In this way the public sector equality duty is of importance and the proposed implementation fully meets this duty.
- 3.2 The Government guidance anticipates that billing authorities will primarily use their grant allocation to reduce the council tax liability of individuals in their area, using their discretionary powers under s13A(1)(c) of the Local Government Finance Act 1992. The council policy set out in the Appendix takes full account of this expectation.

- 3.3 In accordance with the council constitution decisions made under s13A(1)(c) of the Local Government Finance Act 1992 require a full council resolution.

WORKFORCE IMPLICATIONS

- 3.4 This is a very busy time in the Revenues and Benefits teams as they are also dealing with the Business Support Grants and spikes in service use from those residents trying to access benefits. Where additional resources are required this will be organised by the Service Lead from within the Council and, if necessary, external agency staff.

4 PROPERTY AND ASSET IMPLICATIONS

- 4.1 NONE

5 CONSULTATION AND COMMUNICATION

- 5.1 An assessment of schemes being implemented throughout Hampshire has been reviewed. However, most local authorities are still in the early stages of developing their schemes. Any detail available suggests that the basis of most schemes is very similar to our own.
- 5.2 On agreement of this scheme the policy at Appendix 1 will be published on the Council Tax web pages.

6 ENVIRONMENTAL CONSIDERATIONS

- 6.1 NONE

7 EQUALITY IMPACT ASSESSEMENT

- 7.1 The overall Government Hardship Fund proposals would have been subject to full impact assessment ahead of the final guidance being prepared. The proposed policy fully accords with the guidance.

8 DATA PROTECTION IMPACT ASSESSMENT

- 8.1 Appropriate data protection statements make clear that personal data held for Council tax purposes will only be used for that purpose. All additional information provided by applicants will be administered in accordance with the existing statement.

9 RISK MANAGEMENT

- 9.1 The financial modelling of any scenario will be directly impacted by the number of new CTR claims coming into the system. This is something that is entirely outside of the Council's control.

Risk	Mitigation	Opportunities
<i>Property</i>	None	
<i>Community Support</i>	The purpose of this policy is to support those Council Tax payers in our community.	The swift delivery of support to those residents in need will only enhance the reputation of the City Council.
<i>Timescales</i> Funding not allocated before the 31 st March 2021	It is critical to implement this funding scheme immediately. Software support has already been purchased to assist the administration of the scheme which should allow a speedy implementation of Part 1 of the policy.	To deliver this hardship support as quickly and efficiently as possible.
<i>Project capacity</i>	None	
<i>Financial / VfM</i> The financial modelling of any scenario will be directly impacted by the number of new CTR claims coming into the system. This is something that is entirely outside of the Council's control. So the risk is that the scheme exceeds the funding provided by the Government	Spending of the grant will be closely monitored and a review of the policy will be undertaken half-way through the year to make any adjustments to the scheme necessary to keep it within budget.	To allocate all of the funding provided by government, in support of our residents, and maximise the assistance for those most in need.
<i>Legal</i>		
<i>Innovation</i>		
<i>Reputation</i>	The policy is designed to ensure that those most financially vulnerable will be prioritised and assisted with payment of their Council Tax through this scheme.	The Council has the ability through the policy to support the most vulnerable Council Tax payers in the district.
<i>Other</i>		

10 SUPPORTING INFORMATION:

Background

- 10.1 As part of its response to COVID-19, the Government announced in the Budget on 11 March that it would provide local authorities in England with £500m of new grant funding to support economically vulnerable people and households in their local area.
- 10.2 The Government's expectation is that the majority of the hardship fund will be used to provide council tax relief, alongside existing local Council Tax Reduction (CTR) schemes.
- 10.3 The Government recognises that COVID-19 is likely to cause fluctuations in household incomes and that, as a result, some individuals may struggle to meet council tax payments. Councils have already established their CTR schemes for 2020-21 which cannot be amended. The Government therefore expects that billing authorities will primarily use their grant allocation to reduce the council tax liability of individuals in their area, using their discretionary powers under s13A(1)(c) of the Local Government Finance Act 1992. Councils may also want to use some funding to deliver increased financial assistance through other local support mechanisms, having considered local circumstances.
- 10.4 The Government has confirmed that it will fund billing authorities in full for the new burdens cost for delivering the support.
- 10.5 Winchester's allocation of the funding is £659,680.

10.6 Summary of the scheme

- 10.7 The details of how funding will be allocated are contained in the policy document at Appendix 1. This has been created in accordance with the Government's guidance note [Council Tax: COVID-19 hardship fund 2020-2021 – Local Authority Guidance](#), which was published by the Ministry of Housing, Communities and Local Government on 24th March 2020. The scheme will be split into three parts for the purpose of administration.
- a) Part 1: Eligibility for Working Age CTR Claimants (WACTR)
- (i) This part of the fund will provide up to a £300 discount on Council Tax for the 2020/21 financial year which will be applied to all Council Tax payers in receipt of working age Council Tax Reduction between 1st April 2020 and 30th September 2020.
- b) Part 2: Eligibility for Council Tax Hardship Fund (CTHF)
- (i) This part of the fund is for Council Tax payers experiencing financial hardship on a case-by-case basis. This is for households which are either not eligible for CTR or, receiving

CTR, plus the top-up described in Part 1 of the policy, but still have Council Tax to pay. In both scenarios they must be struggling to pay their Council Tax. Circumstances created by the COVID-19 pandemic are such that, for some people, income levels have been much reduced but essential household or personal outgoings have not. This fund will enable more targeted relief to those most financially challenged as a result of the current climate and should be used in conjunction with WACTR detailed in Part 1 of the policy.

c) Part 3: Eligibility for Local Welfare fund

- (i) Payments from this fund will be administered through the Local Response Centre (LRC) with guidance from the Housing team. It may provide further funding for food, hot meals and emergency support outside of housing costs.

11 OTHER OPTIONS CONSIDERED AND REJECTED

- 11.1 Other levels of funding for 'WACTR' were considered in Part 1 of the scheme. The following table shows the amount of grant required to cover the *estimated* caseload of working age CTR in 2020/21:

Grant to CTR Claimants	£150	£300	£400	£500
Award based on existing caseload	137,747	249,987	311,207	361,447
Estimated increased in caseload for 2020/21	96,423	174,991	217,845	253,013
Total Cost	234,170	424,978	529,052	614,460
Balance of Fund Available	425,510	234,702	130,628	45,220

- 11.2 At this point in the year it would not be prudent to grant the maximum award in the table above as this leaves a relatively small balance available for the 'CTHF' and Local Welfare parts of the fund. The recommendation is to award up to £300 to all existing working age CTR claimants, plus any new claimants up to 30th September. At this point a full review of the scheme can be undertaken and a clearer picture of the emerging position for 2020/21 will be known. To clarify, the table above reflects the estimated cost for all working age CTR in 2020/21.

BACKGROUND DOCUMENTS:

Previous Committee Reports:

NONE

Other Background Documents:

None

APPENDICES:

Appendix 1 - Council Tax COVID-19 Hardship Fund Policy

Council Tax COVID-19 Hardship Fund Policy

Introduction

As part of its response to COVID-19, the Government announced in the Budget on 11 March that it would provide local authorities in England with new grant funding to support economically vulnerable people and households in their local area.

The expectation is that the majority of the hardship fund will be used to provide council tax relief, alongside existing local Council Tax Reduction (CTR) schemes.

COVID-19 is likely to cause fluctuations in household incomes and that, as a result, some individuals may struggle to meet council tax payments. Councils have already established their CTR schemes for 2020-21 so cannot amend them for this year to take account of these changes. It's expected that billing authorities will primarily use their grant allocation to reduce the council tax liability of individuals in their area, using their discretionary powers under s13A(1)(c) of the Local Government Finance Act 1992.

Councils are also able to use some funding to deliver increased financial assistance through other local support mechanisms, having considered local circumstances.

Winchester's allocation of the funding is **£659,680**.

Summary of Scheme

The scheme will be split in to three parts for the purpose of administration and will be delivered in accordance with the Government's guidance note [Council Tax: COVID-19 hardship fund 2020-2021 – Local Authority Guidance](#), which was published by the Ministry of Housing, Communities and Local Government on 24th March 2020.

Part 1 will provide up to a £300 discount on Council Tax for the 2020/21 financial year. This will apply to all Council Tax payers with domestic residences that existed in the Council Tax valuation list on 1st April 2020, and who were in receipt of working age Council Tax Reduction between 1st April 2020 and 30th September 2020.

Part 2 will be an allocation of the fund set aside for Council Tax hardship on a case-by-case basis. This is for households which are either not eligible for CTR or, receiving CTR, plus the top-up described in Part 1 of the policy, but still have Council Tax to pay. In both scenarios the Council Tax payer must be financially struggling to pay their Council Tax. Circumstances created by the COVID-19 pandemic are such that, for some people, income levels have been much reduced but essential household or personal outgoings have not. This fund will enable more targeted relief to those most financially challenged as a result of the current climate and should be used in conjunction with WACTR (detailed below).

The scheme will also provide a Local Welfare fund to be administered through the Local Response Centre (LRC) with guidance from the Housing team.

In the event that the Government commits to further funding to the Council in respect of this scheme, or that an amount of initial funding remains unspent, then this scheme will be extended under the Council's discretion for an amount up to or equivalent to 100% of outstanding Council Tax for the Council Tax payers described above and in accordance with the eligibility criteria listed below.

Part 1: Eligibility for Working Age CTR Claimants (WACTR)

- Any application must be made by the person responsible for paying Council Tax at the property.
- The property address must be within the Winchester District.
- The property must be occupied.
- The Council Tax payer must be, or have been, in receipt of Working Age CTR for at least one week between 1st April 2020 and 30th September 2020
- The discount will apply regardless of whether the Council Tax payer has been impacted by COVID-19, or not.

Where eligible, a discount will be applied to the relevant Council Tax account for up to £300. Where a taxpayer's liability for the year is less than £300 after the application of CTR and any other discounts, then their liability would be reduced to nil. Where a taxpayer's liability is already nil, no reduction to the Council Tax bill will be available. To clarify, in no circumstances will a cash credit of 'excess' discount be awarded.

The discount for all current CTR claimants will be awarded automatically by the Revenues team to the relevant Council Tax accounts. Any new claims received after this will be awarded by the Benefits & Welfare team who are responsible for the administration of the CTR scheme.

Part 2: Eligibility for Council Tax Hardship Fund (CTHF)

- The application must be made by the person responsible for paying Council Tax at the property.
- The property address must be within the Winchester District.
- The property may be occupied or unoccupied, furnished or unfurnished.
- The Council Tax payer must have been considered for CTR since 1st April 2020, or be in receipt of CTR, before being considered for CTHF. A discount may be awarded to a Council Tax payer who is not eligible for CTR.
- This discount will only apply to Council Tax payers who have been impacted by COVID-19.

- To qualify for this discount clear evidence of financial hardship must be provided. Wage slips, bank statements and any other relevant documentation must be produced as requested and the appropriate application form and financial statement completed. It is at the discretion of the Council to require the provision of any other information necessary to consider a discount under this scheme.
- This discount will be awarded to Council Tax payers after all other discounts, exemptions or CTR have been applied.
- The discount may be awarded to Council Tax payers who are in receipt of Benefits which are administered by the Council, the DWP in respect of Universal Credit or other DWP benefits, or HMRC in respect of Tax Credits.
- A discount may be awarded for an amount that would be equivalent to CTR in the case where CTR is unable to be backdated during the 2020/21 financial year.

Where eligible, a discount will be applied to the relevant Council Tax account for up to £300 (in addition to any amount for the WACTR discount) or, in exceptional circumstances, up to 100% of the outstanding Council Tax for 2020/21. Where a taxpayer's liability for the year is less than £300 after the application of CTR, any other discounts and exemptions, or payments, then their liability will be reduced to nil. Where a taxpayer's liability is already nil, an application for this discount is not relevant. To clarify, in no circumstances will a cash credit of 'excess' discount be awarded to the Council Tax payer

The Service Lead for Revenues and Benefits will be responsible for overseeing the award of these discounts to Council Tax under WACTR and CTHF.

Part 3: Eligibility for Local Welfare fund

- The property address of the claimant of this payment must be within the Winchester District.
- Any payments from this fund will be through the LRC as authorised by the Service Lead for Communities and Wellbeing. This may include further funding for food and hot meals and emergency support outside of housing costs, including:
 - a) Adding credit to a mobile telephone where the applicant has no credit and no means to top up themselves.
 - b) Repaying emergency credit on a pre-payment fuel meter in order to start or re-start the supply

- c) Purchasing or providing a piece of equipment to replace vital domestic facilities such as cooking or washing facilities, items essential to sanitation, to the value of the very basic model or service of the item
- d) Any other exceptional circumstance deemed eligible

Application process

- The scheme will be administered through Winchester City Council.
- An online application form will be available for Council Tax payers to use
- An application must be made as soon as reasonably practicable. Any delay in applying may affect the decision to award a discount.
- The Council reserves the right to verify the evidence via any reasonable means.
- The discount will be awarded after all other discounts have been applied.

Review and use of contingency

A review will be undertaken at mid-year to consider any changes in the above criteria. At this point the amount reserved as a contingency against any increased demand beyond that included in the calculations above, will be released. The final allocation will be proportionate to the spend already made on the three funds detailed above, taking in to account any recent patterns in spend and information relating to possible future demand to 31st March 2021.