

<b>Board/Committee:</b>	FULL COUNCIL
<b>Date of meeting:</b>	10 <sup>th</sup> February 2023
<b>Title:</b>	Local Council Tax Support Scheme-Exceptional Hardship Policy
<b>Author:</b>	Head of Benefits, Procurement & Insurance
<b>Status:</b>	FOR DECISION

## **Purpose**

This report details the review and updates made to the Local Council Tax Support (LCTS) Exceptional Hardship Policy originally introduced in 2017.

## **Recommendation**

**That full Council approves the updated LCTS Exceptional Hardship Policy attached as Appendix 1 to this report.**

### **1.0 Background**

**1.1** Under Section 13A 1 (a) of the Local Government Finance Act 1992 the Council is required to provide a Local Council Tax Support Scheme (LCTS) to enable the financial support of vulnerable residents. The scheme is reviewed and approved each year by full Council. The Exceptional Hardship Policy (EHP) is applied under Section 1(a) of the legislation.

**1.2** In addition to the main LCTS scheme and the EHP the Council has additional discretionary powers under Section 13A1 (c) to enable it to reduce Council Tax liability where statutory discounts, exemptions and reductions do not apply or in such circumstances where the Council feels the level of discount, exemption or reduction is insufficient given the circumstances.

This is a general power that has always been available to the Council.

#### **13A Reductions by billing authority**

(1)The amount of council tax which a person is liable to pay in respect of any chargeable dwelling and any day (as determined in accordance with sections 10 to 13)—

(a)in the case of a dwelling situated in the area of a billing authority in England, is to be reduced to the extent, if any, required by the authority's council tax reduction scheme (see subsection (2));

(b)N/A

(c) in any case, may be reduced to such extent (or, if the amount has been reduced under paragraph (a) or (b), such further extent) as the billing authority for the area in which the dwelling is situated thinks fit.

## **2.0 Report**

**2.1** In 2017 the Council approved its EHP under which residents can apply for additional help if their award of LCTS does not cover their full Council Tax liabilities after any discounts and LCTS entitlement are applied.

**2.2** The EHP clearly sets out the Council's Policy on awarding any additional assistance to LCTS applicants who are suffering extreme financial hardship and ensures transparency of decision making and equality of service to our residents.

**2.3** The EHP has been reviewed and updated to ensure it reflects recent changes to welfare payments, particularly additional payments made by the Council on behalf of central government, most recently grant of up to £25 to all recipients of LCTS. A separate report to this Council sets out the details of that scheme.

**2.4** From 1/4/2023 the scope of the EHP has been slightly widened to allow recent applicants to LCTS who do not qualify on income grounds to apply for a payment under EHP within one month of that claim.

This is to ensure equality to all applicants in circumstances where the claimant's excess income maybe very small, as little as 1pence excess but their circumstances leading up to the claim or at the time of the claim mean they are suffering extreme hardship. All claims will follow the same assessment process which considers all income and circumstances of the household.

These cases will be very few in number, are time limited and if not included would require a separate claim under Section 13A1(c)

**2.5** A review and update of the IIA has been undertaken to ensure equitable treatment of all applicants under the policy and is attached to this report.

**2.6** The EHP is advertised with a simple claim form on the Council website and all staff within the Benefits and Council Tax sections are trained to highlight the scheme to applicants who may be facing exceptional hardship. Application numbers have been low since the Policy was introduced but staff continue to identify possible applicants and work with partner agencies to do likewise.

## **3.0 Financial Implications:**

**3.1** The cost of the EHP scheme is funded via the Collection fund and has been taken into account in the setting of the Council Taxbase for 2023/24.

Any awards made under Section 13A 1 (c) fall to the general fund.

## **3.0 Risk Assessment**

**3.1** A full review and update of the IIA to the EH Policy has been undertaken.

#### **4.0 Conclusion**

The EHP is an important element of the Councils welfare work to support our most vulnerable residents and Members are requested to approve the recommendation above.

<b>Financial Services comments:</b>	<i>Contained within the report</i>
<b>Legal Services comments:</b>	
<b>Equality and Diversity:</b>	<i>Contained within the report</i>
<b>Climate Change implications:</b>	<i>None</i>
<b>Crime and Disorder:</b>	<i>N/A</i>
<b>Service Improvement Plan implications:</b>	<i>None</i>
<b>Corporate Plan:</b>	The scheme helps to support customers with additional financial support thereby providing “the best service to our residents”
<b>Risk Assessment:</b>	<i>Included within report</i>
<b>Background Papers:</b>	<i>None</i>
<b>Appendices:</b>	<i>Appendix 1 –EHP Policy Appendix 2- IEA</i>
<b>Report Author/Lead Officer:</b>	<i>Stephanie Lucking</i>