



**COUNCIL
AGENDA**
for the meeting
on
31 January 2022 at
6.30 pm

To: To All Members of the Council

Date: 21 January 2022

A meeting of the **COUNCIL** which you are hereby summoned to attend, will be held on **Monday, 31 January 2022 at 6.30 pm** in **Council Chamber, Town Hall, Katharine Street, Croydon CR0 1NX**

JOHN JONES
Monitoring Officer
London Borough of Croydon
Bernard Weatherill House
8 Mint Walk, Croydon CR0 1EA

Democratic Services
Democratic.Services@croydon.gov.uk
www.croydon.gov.uk/meetings
21 January 2022

Residents are able to attend this meeting in person, however we recommend that you watch the meeting remotely via the following link:

<https://webcasting.croydon.gov.uk/croydon/meetings/>

If you would like to attend in person please note that spaces are extremely limited and are allocated on a first come first served basis. If you would like to attend in person please email democratic.services@croydon.gov.uk by 5pm the day prior to the meeting to register your interest.

If you would like to record the meeting, we ask that you read the guidance on the recording of public meetings [here](#) before attending.

The agenda papers for all Council meetings are available on the Council website www.croydon.gov.uk/meetings

If you require any assistance, please contact officer as detailed above.

AGENDA – PART A

1. Apologies for Absence

To receive any apologies for absence from any Members.

2. Disclosure of Interests

In accordance with the Council's Code of Conduct and the statutory provisions of the Localism Act, Members and co-opted Members of the Council are reminded that it is a requirement to register disclosable pecuniary interests (DPIs) and gifts and hospitality to the value of which exceeds £50 or multiple gifts and/or instances of hospitality with a cumulative value of £50 or more when received from a single donor within a rolling twelve month period. In addition, Members and co-opted Members are reminded that unless their disclosable pecuniary interest is registered on the register of interests or is the subject of a pending notification to the Monitoring Officer, they are required to disclose those disclosable pecuniary interests at the meeting. This should be done by completing the Disclosure of Interest form and handing it to the Democratic Services representative at the start of the meeting. The Chair will then invite Members to make their disclosure orally at the commencement of Agenda item 3. Completed disclosure forms will be provided to the Monitoring Officer for inclusion on the Register of Members' Interests.

3. Urgent Business (if any)

To receive notice of any business not on the agenda which in the opinion of the Chair, by reason of special circumstances, be considered as a matter of urgency.

4. Announcements

To receive Announcements, if any, from the Mayor, the Leader, Head of Paid Service and Returning Officer.

5. Croydon Question Time (Pages 5 - 8)

a) Public Questions (30 minutes)

To receive questions from the public gallery and questions submitted by residents in advance of the meeting.

b) Leader and Cabinet Member Questions (105 minutes)

To receive questions from Councillors.

6. Council Debate Motions

To debate any motions submitted in accordance with Council Procedure Rules.

7. Appointment of Corporate Director of Resources and Chief Finance Officer (S151) (Pages 9 - 12)

To consider the report of the Chief Executive.

8. Recommendations of Cabinet or Committees to Council for decision (Pages 13 - 458)

To consider the recommendations made by Cabinet or Committees since the last ordinary Council meeting relating to the following matters:

- i. Review of Council Tax Support Scheme – 2022/23
- ii. Education Estates Strategy
- iii. Report in the Public Interest October 2020 – Quarter 3 Update
- iv. Council Diary 2022-23

9. Exclusion of the Press and Public

The following motion is to be moved and seconded where it is proposed to exclude the press and public from the remainder of a meeting:

“That, under Section 100A(4) of the Local Government Act, 1972, the press and public be excluded from the meeting for the following items of business on the grounds that it involves the likely disclosure of exempt information falling within those paragraphs indicated in Part 1 of Schedule 12A of the Local Government Act 1972, as amended.”

PART B

Agenda Item 5

REPORT TO:	COUNCIL 31 JANUARY 2022
SUBJECT:	CROYDON QUESTION TIME: PUBLIC QUESTIONS LEADER AND CABINET QUESTIONS
LEAD OFFICER:	John Jones, Monitoring Officer
WARDS:	ALL
CORPORATE PRIORITY/POLICY CONTEXT: The business reports of the Leader and Cabinet are prepared in accordance with the Council Procedure Rules at Part 4A of the Constitution.	

1. EXECUTIVE SUMMARY

- 1.1 This report outlines the process for:
- a) public questions; and
 - b) questions to the Leader and Cabinet from Councillors.

2. BACKGROUND

- 2.1 Part 4A of the Constitution details the process that allows for the Leader and Cabinet Members to take oral questions. Question Time is split into two part; public questions and Councillors' questions to the Leader and Cabinet.

Public Questions

- 2.2 Public questions can be asked of the Leader or Cabinet Members on issues of policy at the Meeting as set out within the Constitution Part 4A, Sections 3.12 – 3.15. Any questions of a purely factual or of a detailed nature that cannot be answered on the evening shall be noted and shall receive a written response within three weeks following the meeting. The responses shall be published on the Council's website.
- 2.3 Public Questions shall only be taken at Ordinary Council meetings and shall be allocated a total time of 30 minutes. This timeframe shall include both the questions and responses by the relevant Cabinet Members or Leader.
- 2.4 The Mayor has absolute discretion to decline to allow any question to be dealt with under this procedure on the grounds that it addresses matters that would be inappropriate to consider at the meeting, including where the questions being asked are repetitive or have already been addressed.

2.5 Following advice from the Government and Public Health England to enforce social distancing and prevent the spread of Coronavirus, the Council is holding public meetings in the Town Hall under strict conditions to limit the risk of all those attending public meetings. As a result, attendance in the public gallery is limited to 10 persons and any residents wishing to ask questions in person are encouraged to register their attendance in advance to avoid disappointment.

2.6 However, in accordance with Part 4A, paragraph 3.15(ii), the Mayor may also accept questions from Members of the Public submitted by email to the designated email address by 12 noon on the Friday prior to an ordinary Council meeting. The Mayor will put questions received by email to the Leader or the relevant Cabinet Member and, where a number of questions are received on the same subject, the Mayor may put a summary of those questions instead.

Leader and Cabinet Questions:

2.7 This item is to enable Members to ask questions of the Leader and Cabinet on issues of policy. Any questions of a purely factual or of a detailed nature that cannot be answered on the evening shall be noted and shall receive a written response within three weeks following the meeting. The responses shall be published on the Council's website.

2.8 Questions which relate to a current planning or licensing matter or any matter relating to an individual or entity in respect of which that individual or entity has a right of recourse to a review or right of appeal conferred by or under any enactment shall not be permitted. In addition, questions shall not be received or responded to where they pertain to anticipated or ongoing litigation, conciliation or mediation or any employment or personnel related issues or disputes.

2.9 The Leader shall be the first to respond to questions under this item and the total time allocated to questions by Members to, and responses from the Leader, shall be 15 minutes. The first two minutes of the Leader's 15 minute slot may be used by the Leader to make any announcements.

2.10 Cabinet Members, divided up into three 'pools' of three Members each, shall thereafter respond to questions by other Members of the Council. The total time allocated to each 'pool' of Cabinet Members shall be 30 minutes. The three Cabinet Members shall each be permitted to use two minutes of this 30 minute slot to make announcements.

2.11 The 'pools' for this meeting will be as follows:

Pool 1

Name	Portfolio
Janet Campbell	Cabinet Member for Families, Health & Social Care
Oliver Lewis	Cabinet Member for Culture & Regeneration
Alisa Flemming	Cabinet Member for Children, Young People & Learning

Pool 2

Name	Portfolio
Patricia Hay-Justice	Cabinet Member for Homes
Manju Shahul-Hameed	Cabinet Member for Communities, Safety & Business Recovery
Muhammad Ali	Cabinet Member for Sustainable Croydon

Pool 3

Name	Portfolio
Stuart King	Deputy Leader and Cabinet Member for Croydon Renewal
Callton Young	Cabinet Member for Resources & Financial Governance

- 2.12 Representatives of political groups may give advance notice to the Council Solicitor by 12 noon on the Friday preceding an ordinary Council Meeting, the names of the first two Members of their respective political group that they wish the Mayor to call to ask a question of each Member of the Cabinet, including the Leader of the Council.
- 2.13 After those Members have been called, the Mayor will call Members that indicate they have a question, with a presumption of inviting questions from as many different Members as possible. Each Member asking a question will also be allowed to ask a supplementary questions.

CONTACT OFFICER: Cliona May
Senior Democratic Services and Governance Officer –
Council & Regulatory

BACKGROUND DOCUMENTS: None

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REPORT TO:	COUNCIL 31 January 2022
SUBJECT:	APPOINTMENT OF CORPORATE DIRECTOR OF RESOURCES AND CHIEF FINANCE OFFICER (S151)
LEAD OFFICER:	Katherine Kerswell Chief Executive
WARDS:	ALL

1. RECOMMENDATIONS

Council is recommended to:

- 1.1 Note the decision of the Appointments Committee on 17 January 2022 to permanently appoint to the role of Corporate Director of Resources; and
- 1.2 Agree the appointment of Jane West as the Council's Chief Finance Officer and Section 151 officer under the Local Government Act 1972.
- 1.3 Agree the above recommendations subject to the receipt of satisfactory pre-employment clearances.

2. EXECUTIVE SUMMARY

- 2.1 The role of Corporate Director of Resources includes the statutory responsibility to act as the Council's Chief Finance Officer and section 151 Officer.
- 2.2 Councillors are asked to note the permanent appointment of Jane West as the Council's Corporate Director of Resources following the unanimous decision of the Appointments Committee on 17 January 2022.
- 2.3 Councillors are also asked to agree the appointment of Jane West as the Council's statutory Chief Finance Officer and Section 151 Officer.
- 2.4 The appointment is subject to the receipt of satisfactory pre-employment checks.

3. APPOINTMENT OF SECTION 151 OFFICER, CORPORATE DIRECTOR RESOURCES

- 3.1 Section 151 of the Local Government Act 1972 requires local authorities to make arrangements for the proper administration of their financial affairs and appoint a S151 Officer, also known as a Chief Finance Officer, to have responsibility for those arrangements.

- 3.2 As such, the Chief Finance Officer must lead on a local authority's financial functions and ensure they are fit for purpose. Chief Finance Officers must be professionally qualified and suitably experienced. They cannot also hold the position of Monitoring Officer and their full duties are detailed in Article 12 of the Constitution.
- 3.3 In accordance with the Local Government Finance Act 1988 the Chief Finance Officer must be a member of one of the following bodies in order to qualify as a responsible officer:
- (a) the Institute of Chartered Accountants in England and Wales;
 - (b) the Institute of Chartered Accountants of Scotland;
 - (c) the Chartered Association of Certified Accountants;
 - (d) the Chartered Institute of Public Finance and Accountancy;
 - (e) the Institute of Chartered Accountants in Ireland;
 - (f) the Chartered Institute of Management Accountants; and
 - (g) any other body of accountants established in the United Kingdom and for the time being approved by the Secretary of State for the purposes of this section.
- 3.4 Following a recruitment process involving Members of both political groups, and in accordance with powers set out in Part 3 of the Constitution Responsibility for Functions paragraph 2.1 and paragraph 3.3(1) of Part 4J of the Constitution, the Appointments Committee unanimously agreed the permanent appointment of Jane West as the Corporate Director Resources and recommended her appointment also as the Council's Chief Finance Officer and Section 151 Officer subject to pre-employment clearances.

4. FINANCIAL AND RISK ASSESSMENT CONSIDERATIONS

- 4.1 There are no new financial implications arising from the recommendations in the report.

Approved by Richard Ennis, Interim Corporate Director of Resources (Section 151)

5. LEGAL CONSIDERATIONS

- 5.1 The Council may generally appoint such staff as it considers necessary for the proper discharge of its functions, as the Council thinks fit. However, there are certain statutory appointments to which the Council has a duty to designate one of its officers. One such role is the Chief Finance Officer and Section 151 Officer (S151).
- 5.2 In accordance with the Local Authorities (Standing Orders) (England) Regulations 2001, matters relating to the appointment of a Chief Finance Officer and Section 151 Officer are reserved to full Council.

- 5.2 Separately the Council's Constitution provides in the Staff Employment Procedure Rules at part 4J the procedures to be followed for the appointment of Chief Officers (which includes the Corporate Director Resources, Section 151 Officer), the declaration which must be made by candidates and a notification process to ensure that the Leader and any other Cabinet Members have no objections to the offer of appointment.
- 5.3 This report is designed to ensure compliance with the statutory responsibilities placed upon the Council regarding such an appointment.

Approved by Sandra Herbert on behalf of the Interim Director of Legal Services & Deputy Monitoring Officer

6. HUMAN RESOURCES IMPACT

- 6.1 There are no Human Resources implications beyond those detailed in the body of the report.

Approved by: Dean Shoesmith, Interim Chief People Officer

7. EQUALITIES IMPACT

- 7.1 The appointment processes for both roles set out in this report have been undertaken in accordance with the Council's agreed processes.

Approved by: Gavin Handford, Director of Policy, Programmes and Performance

CONTACT OFFICER: Katherine Kerswell, Chief Executive

BACKGROUND DOCUMENTS: There are no unpublished documents which have been relied on in the production of this report.

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REPORT TO:	COUNCIL 31 January 2022
SUBJECT:	RECOMMENDATIONS OF CABINET REFERRED TO THE COUNCIL FOR DECISION
LEAD OFFICER:	John Jones, Monitoring Officer
WARDS:	ALL
CORPORATE PRIORITY/POLICY CONTEXT:	
The Recommendations of Cabinet referred to the Council for decision report is prepared in accordance with the Council Procedure Rules at Part 4A of the Constitution.	

<p>The Council is asked to approve the following recommendations:</p> <p style="text-align: center;">RECOMMENDATIONS FROM CABINET HELD ON 24 JANUARY 2022</p> <p>Review of Council Tax Support Scheme – 2022/23</p> <p>1.1 That the Councils Council Tax Support Scheme is amended to an income band scheme subject to the changes made following the consultation, from 1 April 2022. A full copy of the Council’s Council Tax Support Scheme in the form to be recommended, is circulated as Appendix 1 to this report [Appendix 1 to the Cabinet report].</p> <p>Education Estates Strategy</p> <p>1.2 To agree the proposed community schools’ Admission Arrangements for the 2023/24 academic year attached as Appendix 5 [Appendix 1 to the Cabinet report].</p> <p style="text-align: center;">Report in the Public Interest October 2020 – Quarter 3 Update</p> <p>1.3 To note the progress the Council has made in regard to achieving the recommendations set out by external auditor in the Report in the Public Interest October 2020 with 65 out of 99 actions complete;</p> <p>1.4 To note the outcome of internal audit of actions delivered to properly evidence what has been achieved so far, in order to provide full assurance to members and residents on the changes achieved;</p> <p>1.5 To note the refreshed Action Plan including actions marked complete, progress updates against open actions and identification of actions to be embedded going forward as business as usual.</p>

RECOMMENDATIONS FROM GENERAL PURPOSES & AUDIT COMMITTEE HELD ON 25 JANUARY 2022

Council Diary 2022-23

- 1.6 To note the schedule of Full Council meeting dates for 2022/23, as agreed by the General Purposes & Audit Committee.
- 1.7 To note the schedule of Cabinet meeting dates for 2023/23 as detailed in paragraphs 3.6 and 3.12 of the report; and
- 1.8 To note the proposed schedule of remaining meeting dates for 2022/23, as recommended by the General Purposes & Audit Committee, as detailed in Appendix 17 and Appendix 18, depending on the outcome from GPAC on 25 January 2022.

2. EXECUTIVE SUMMARY

- 2.1. The Recommendations of Cabinet and Committees referred to the Council for decision report comprises of matters of business formally undertaken by the Leader and Cabinet as well as Committees since the last ordinary meeting of the Council that require Full Council approval.
- 2.2. Recommendations 1.1-1.5 from Cabinet are subject to the meeting being held on 24 January 2022.
- 2.3. Recommendations 1.6-1.8 from the General Purposes & Audit Committee are subject to the meeting being held on 25 January 2022.

3. BACKGROUND

- 3.1. Part 4A of the Constitution requires that Cabinet and Committees include any recommendations that it has made to Council within this report.
- 3.2. These rules do not apply to any recommendations contained in the Annual Report of the Scrutiny and Overview Committee.
- 3.3. The Leader or Chair of the Committee making the recommendation may exercise a right to introduce the recommendation; in so doing the Leader or Chair of the Committee shall speak for a maximum of 3 minutes.
- 3.4. The recommendation shall be seconded without any further speakers and if not deferred for debate shall immediately be put to the vote.
- 3.5. Any Member supported by a seconder, may ask that a recommendation be deferred for debate and the recommendation shall immediately stand deferred.
- 3.6. In the event that any Cabinet or Committee recommendations have not been reached when the time limit for the meeting has expired, those recommendations shall immediately be put to the vote without further debate.

CONTACT OFFICER:	Cliona May Senior Democratic Services and Governance Officer – Council & Regulatory
APPENDIX 1:	Review of Council Tax Support Scheme – 2022/23 – Cabinet Report
APPENDIX 2:	Review of Council Tax Support Scheme – 2022/23 – Appendix 1 to the Cabinet Report
APPENDIX 3:	Review of Council Tax Support Scheme – 2022/23 – Appendix 2 to the Cabinet Report
APPENDIX 4:	Education Estates Strategy – Cabinet Report
APPENDIX 5:	Education Estates Strategy – Appendix 1a to the Cabinet Report
APPENDIX 5:	Education Estates Strategy – Appendix 1b to the Cabinet Report
APPENDIX 6:	Education Estates Strategy – Appendix 2 to the Cabinet Report
APPENDIX 7:	Education Estates Strategy – Appendix 2a to the Cabinet Report
APPENDIX 8:	Education Estates Strategy – Appendix 3 to the Cabinet Report
APPENDIX 9:	Education Estates Strategy – Appendix 4 to the Cabinet Report
APPENDIX 10:	Education Estates Strategy – Appendix 5 to the Cabinet Report
APPENDIX 11:	Education Estates Strategy – Appendix 6 to the Cabinet Report
APPENDIX 12:	Report in the Public Interest October 2020 – Quarter 3 Update – Cabinet Report
APPENDIX 13:	Report in the Public Interest October 2020 – Quarter 3 Update – Appendix 1a to the Cabinet Report
APPENDIX 14:	Report in the Public Interest October 2020 – Quarter 3 Update – Appendix 1b to the Cabinet Report
APPENDIX 15:	Report in the Public Interest October 2020 – Quarter 3 Update – Appendix 2 to the Cabinet Report

APPENDIX 16: Council Diary 2022-23 – General Purposes & Audit Committee Report

APPENDIX 17: Council Diary 2022-23 – Appendix 1 to the General Purposes & Audit Committee Report

APPENDIX 18: Council Diary 2022-23 – Appendix 2 to the General Purposes & Audit Committee Report

BACKGROUND DOCUMENTS: None

REPORT TO:	CABINET 24th January 2022
SUBJECT:	Review of Council Tax Support Scheme – 2022/23
LEAD OFFICER:	Richard Ennis – Interim Corporate Director of Resources (Section 151) and Deputy Chief Executive Catherine Black – Head of Payments, Revenue and Benefits
CABINET MEMBER:	Cllr Stuart King Cabinet Member for Croydon Renewal Cllr Callton Young Cabinet Member for Resources & Financial Governance
WARDS:	All
<p>COUNCIL PRIORITIES 2020-2024</p> <p>In accordance with the Local Government Finance Act 1992, as amended, the Council was required to agree a local Council Tax Support scheme for working age residents who were on no or low income. The scheme replaced the Council Tax Benefit scheme which was administered by Local Authorities on behalf of the Department for Work and Pension. The local scheme was agreed and introduced on 1st April 2013, the scheme should be reviewed each year to ensure that it is an effective local Council Tax Support scheme, which will provide continued support to Croydon’s most vulnerable residents and residents who are most in need of support.</p> <p>Council’s priorities</p>	
<p>FINANCIAL IMPACT - The consulted scheme was expected to save £5.7m and is included in the MTFS proposals for 2022/23. The revised scheme is expected to save £4.4m (a reduction of £1.3m) having taken into account the representations made from consultation responses</p>	
<p>FORWARD PLAN KEY DECISION REFERENCE NO. Not a Key Decision</p>	

The Leader of the Council has delegated to the Cabinet the power to make the decisions set out in the recommendations below

1. RECOMMENDATIONS

- 1.1 Cabinet is asked to recommend changes to Croydon’s Council Tax Support Scheme following review and due regard to the statutory consultation feedback. The new scheme will take effect from 1 April 2022.
- 1.2 Note the proposed income banded scheme that was consulted upon and the further changes that have been made to the scheme in-line with the resident and community feedback received.
- 1.3 Recommend to full Council, that the Councils Council Tax Support Scheme is amended to an income band scheme subject to the changes made following the

consultation, from 1 April 2022. A full copy of the Council's Council Tax Support Scheme in the form to be recommended, is circulated separately as Appendix 1.

- 1.4 It is recommended that Cabinet annually review the CTS Scheme, the principles of the income banded scheme and the addition of a hardship fund in August 2022 and then annually.
- 1.5 Cabinet is asked to accept and recommend to full council that a hardship fund is agreed to support resident's transition to the new CTS Scheme.

2. EXECUTIVE SUMMARY

- 2.1 Croydon's Council Tax Support scheme [CTS] has not been reviewed since it was introduced in 2013 as a replacement to the former Council Tax Benefit scheme which was a national scheme, and which remains the default scheme for pensioner claimants. A review is needed to ensure that the scheme is still achieving the aims of protecting our most vulnerable residents.
- 2.2 Cabinet received a report in October 2021 which outline the principles of the proposed changes to the CTS scheme which were agreed, and that statutory consultation on the suggested scheme with residents and preceptors should commence.
- 2.3 The consultation ran between 28th October 2021 and 9th December 2021, and having now considered those responses, recommendations are now being made for approval to change the existing CTS scheme to an income banded CTS scheme with effect from 1st April 2022 and refines the proposal taking into account consultation responses.
- 2.4 Each financial year the Council is required to review its CTS scheme in accordance with the requirements of schedule 1A of the Local Government Finance Act 1992 and to either maintain the scheme or to change it.
- 2.5 The current CTS scheme was introduced from 1st April 2013 when it replaced the Central Government funded Council Tax Benefit regime for families on low or no income. From its inception, the funding available to the Council from Government was 90% and it has reduced year on year. The table below shows how Croydon's Settlement Funding has reduced but the Council Tax Support Funding has stayed the same, this is creating a financial pressure for the council.

	2013	2021
Council Tax Support Funding (CTSF)	£26m	£26m
Settlement Funding Assessment (SFA)	£162m	£88m
% of SFA for CTSF	16%	30%

- 2.6 Since its introduction in 2013 Croydon's CTS scheme has remained unchanged. Over this time the costs have grown from £28.7m to £35.04m. The introduction

of Universal Credit has reduced the information Government share with the Council, significantly increasing the administrative burden on the Council and making the application process for the CTS scheme far more complex for residents.

2.7 By recommending that the Council changes the CTS scheme to an income banded scheme, we will remove the complexity for our residents and simplify the process for making a claim and remove the administrative burden on the Council of processing claims.

2.8 It is recommended that in line with consultation a review of our scheme will impact the amount of support awarded based on a residents income and protect the most vulnerable residents, including disabled residents not working, carers and families.

2.9 By accepting the feedback from the consultation a financial impact of £4.4m savings is expected, this is a reduction from the originally consulted changes to the scheme of £1.3m.

2.10 Consultation feedback asked that we look to further support the following residents:

- Single parents with children under 5 years old
- Families with children
- Carers
- Disabled residents not in work
- Residents in receipt of Universal Credit Housing Element

2.11 After listening to resident’s feedback during the consultation period the proposed changes to Croydon’s CTS Income Banded Scheme is summarised in the table below.

Resident Type	Pensioners	Disabled Not Working	Disabled Working	Single Parents (With a Child Under 5)	Families	Working Age Residents
Number of Residents in Scheme	8,000	7,000	820	2,320	7,910	4,300
Amount of Capital Before Nil Entitled	No Changes to this group of Residents	16,000	8,000	8,000	8,000	8,000
Band Cap		No Band Cap	Council Tax Band: D			
Incomes Disregarded		100% of Child Care Costs 100% of Child Maintenance 100% of Universal Credit Housing Element 50% of Carer's Allowance				
Earned Income Disregard		Nil	£50 per week	Nil	Nil	Nil

Non-Dependant Deductions		No no-dep deductions	£5 non-working £10 up to £23,999 £30 for £23,000 over
Self-Employed Min. Income Floor		Will be applied in-line with Universal Credit (UC)	

2.12 By changing the CTS Scheme we aim to bring the support offered up-to-date in-line with residents changing needs. Fairly providing more support to those on a lower income whilst simplifying the scheme so it is easier for residents to understand and make a claim.

2.13 Cabinet agree to continue to invest £30m into the revised CTS Income Banded Scheme.

2.14 A hardship fund is being made available to support residents' transition to the Income Banded CTS Scheme. The value of the hardship fund is recommended to be £640,000. The hardship fund would be grant funded and will be available to support residents for more than 1 year.

3. DETAIL

3.1 CTS scheme was introduced by Central Government in April 2013 as a replacement for the Council Tax Benefit scheme, administered on behalf of the Department for Work and Pensions (DWP). As part of the introduction the Government:

- Placed the duty to create a local scheme for Working Age claimants with local authorities;
- Reduced initial funding by the equivalent of 10% from the level paid through benefit subsidy to Local Authorities under the previous Council Tax Benefit scheme; and
- Prescribed that persons of Pension Age would be dealt with under the existing regulations set by Central Government and not the Local Authorities local scheme

3.2 Since that time, funding for the CTS scheme has been absorbed into other Central Government grants paid to Local Authorities and also within the Business Rates Retention regime. It is now generally accepted that it is not possible to identify the amount of funding actually provided from Central Government sources for the CTS scheme, but in real terms, funding to the Council has continued to reduce since 2013, whilst the number of claimants has increased. So the funding gap is growing each year.

3.3 The current CTS scheme created by the Council is divided into two schemes, with pension age claimants receiving support under the rules prescribed by Central Government, and the scheme for working age claimants being determined solely by the local authority.

- 3.4 Pensioners, subject to their income, can receive up to 100% support towards their Council Tax. The Council has no powers to change the level of support provided to pensioners and therefore any changes to the level of CTS can only be made to working age scheme.
- 3.5 On 22nd November 2012 the Government published regulations governing this area namely the Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012, which came into force on 27 November 2012. In addition, the Government published the Council Tax Reduction Schemes (Default Scheme) (England) Regulations 2012 which came into force on 18th December 2012.
- 3.6 The principles of the existing CTS scheme for working age residents remain in place for the new income banded CTS scheme. It should be noted the CTS scheme including the principles are reviewed each year to ensure the scheme supports residents most in need.
- **Council Tax Support should be paid to those with minimal savings** – residents who have Capital of more than £8,000 cannot claim;
 - **Council Tax Support should be property related** – Residents can only receive Council Tax Support to a maximum of band D;
 - **Everyone should pay something** - all residents will be asked to contribute something towards Council Tax unless they are in one of the protected groups;
 - **Everyone in the household should pay something** – Other adults living in a household who are not the main taxpayer or their partner will contribute to meeting the cost of Council Tax for the property;
 - **Make Work pay** – the discount is paid incrementally, the lower the income the higher the discount awarded; and
 - **Protecting the vulnerable** – Residents who are either pensioners, or care leavers under 25 years of age and disabled people not working.
- 3.7 Since the introduction of the existing scheme in 2013 no revisions have been made to align the existing CTS scheme with Housing Benefit or Universal Credit. This means that the Council is administering multiple support schemes for residents, which is not only complex and confusing for residents, it is administratively burdensome and time-intensive for the Council.
- 3.8 There are a number of issues with the current scheme that will need to be addressed if the system is to continue to provide effective support to low-income residents, and also if the Council is to be able to provide the service in an efficient manner. The main issues are:
- The Introduction of Universal Credit for working age claimants and
 - The need for a simplification of the scheme
- 3.9 The introduction of Universal Credit has brought a number of significant challenges to both the administration of CTS scheme and also the collection of Council Tax generally. We have experienced the following:
- The reluctance of Universal Credit claimants to make a prompt claim for CTS leading to a loss in entitlement;

- A high number of changes to Universal Credit cases received from the Department for Work and Pensions requiring a change to CTS entitlement. On average 40% of Universal Credit claimants have between 8 and 12 changes in entitlement per year. These changes result in amendments to Council Tax liability, the re-calculation of instalments, delays and a potential loss in collection; and
- The increased costs of administration through multiple changes with more staff time being required.

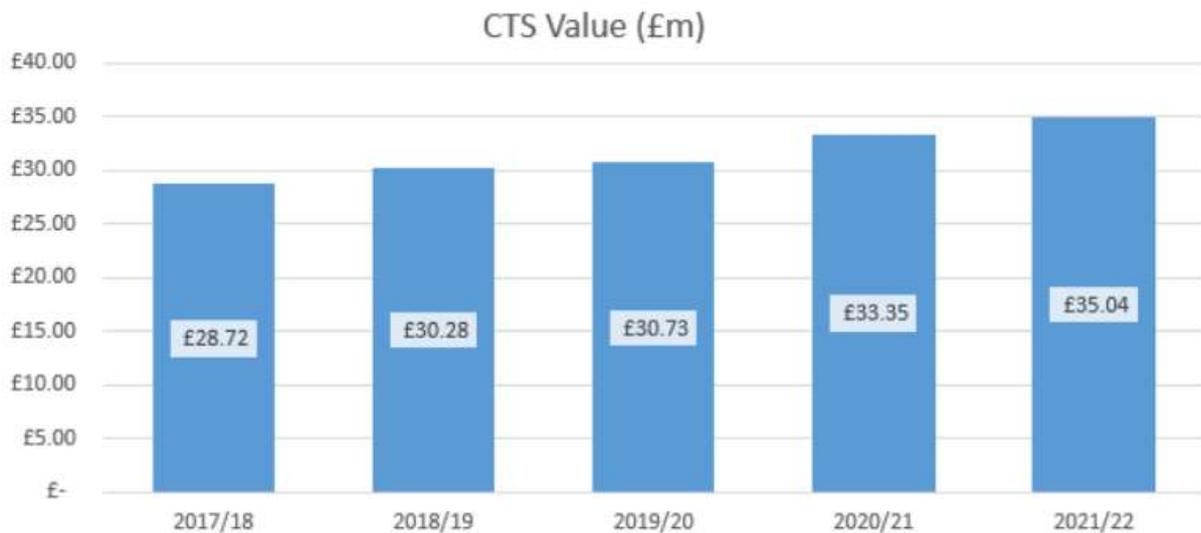
3.10 It is clear the existing means tested CTS scheme, which is too reactive to change in circumstances, will not be viable in the longer term now that Universal Credit has been rolled out significantly within the borough. It had been anticipated when the furlough scheme ended at the start of October that we would see an increase in claims for Universal Credit and Council Tax Support. However, the ending of the furlough scheme has not resulted in an increase in claims for Council Tax Support or increased claims in Universal Credit so we can be confident that residents have not yet been unduly affected by the ending of the furlough scheme.

3.11 The need for a simplified approach to the CTS scheme is because the existing scheme is based mainly on “old fashioned” means tested benefit scheme, meaning:

- It is difficult for residents to understand based on the complex calculation of entitlement;
- The administration for staff is complex, with staff having to request significant amounts of information and evidence from residents;
- Staff have to undergo significant training to be proficient in processing claims; and
- The timescale for processing claims is delayed mainly due to the complexity and evidence required to support the claims

There is a need to simplify the existing scheme not only to mitigate the effects of Universal Credit, but to make it easier for residents to make a claim and reduce the costs of administration.

3.12 The funding that Croydon receives each year towards the cost of CTS scheme expenditure is contained within the annual government Settlement Funding Assessment. Whilst Central Government grant funding is reducing year on year, CTS scheme expenditure is increasing year on year. The following table details the value of expenditure from 2017/18 to 2021/22:



Option to adopt an Income banded scheme

3.13 In view of the challenges being experienced with the current scheme, Cabinet agreed in October 2021 to undertake a statutory consultation into changing the current CTS scheme to an income banded scheme. The consultation ran from 28th October 2021 to 9th December 2021, the result from the consultation is detailed in sections 5, 6 and 7 below. Income banded schemes have already been adopted by other London boroughs including Camden, Barnet, Sutton and Brent.

Options to retain the existing CTS scheme or to make minor adjustment to the existing scheme were considered but not progressed as they would not address the existing financial or administrative challenges resulting from the introduction of Universal Credit.

3.14 An income banded scheme takes into consideration the net combined household income of a claimant and partner only. A Council Tax discount would be paid incrementally, e.g. residents in receipt of the lowest income would receive the highest discount towards their Council Tax liability, and residents in receipt of higher income would receive a lower discount towards their Council Tax liability. This means support is targeted at households with the lowest incomes and in the greatest need.

3.15 The final details of any new scheme will need to take account of the outcome of the public consultation which can be seen at sections 5, 6 and 7 below. Cabinet agreed the following principles for the design of a new scheme as the basis for the public consultation between 28th October 2021 and 9th December 2021:-

- Retain 100% protection for pensioners, care leavers under 25 and disabled non-working residents;
- Income bands should be based on intervals of £50;
- The maximum level of income per week before someone is not eligible for CTS of £450 per week or £23,400 per year;
- The maximum discount awarded for (non-protected) working age residents should be 80%; and

- Introduce a Hardship Fund to support residents transition for the current CTS scheme to an income banded scheme

3.16 The table below demonstrates a £50 income banded scheme which provides 80% discount to residents on the lowest income.

Net Weekly Income in £50 Banded Schemes	Yearly income	% Discount Awarded
1. Claimant and/or partner with disability benefits and not working		100%
£0 to £150	£0 - £7,800	80%
£151 to £200	£7,800 - £10,400	70%
£201 to £250	£10,400 - £13,000	60%
£251 to £300	£13,000 - £15,600	50%
£301 to £350	£15,600 - £18,200	40%
£351 to £400	£18,200 - £20,800	30%
£401 to £450	£20,800 - £23,400	20%

3.17 In simplifying CTS to an income banded scheme, the only other information that is needed before calculating entitlement is the banding of the property (which we will know), and the income of any other adults (non-dependents) living the property, for which we will make a deduction. These deductions have been simplified into 3 groups for ease of administration. A non-dependent is another adult living in the property who is not the claimant or partner, a non-dependent could be an adult son or daughter living with their parents. All adults are expected to contribute towards payment of Council Tax and therefore we make a deduction to the amount of CTS entitlement, which is called a non-dependent deduction. The non-dependent deductions are £5.00 where the non-dependent is not working e.g. claiming Universal Credit or Job Seekers Allowance, £10.00 where the non-dependent earns less than £23,999 and £30.00 where the non-dependent is earning £24,000 or above.

3.18 The table below demonstrates the financial implications of moving to a £50 income banded scheme, where pensioner claimants and vulnerable claimants not expected to work are 100% protected from any changes to the scheme, and the maximum discount awarded to residents on the lowest income is 80%.

Income Band Scheme Example

Income Bands of £30 with no CTS paid if earned income over £300 per week CONTAINS ALL CHANGES DONE FOR PREVIOUS MODELLING											
Income Banded with Vulnerable Protection	Original Income Bands for DISABWORK and INCOMEBAND			As per the cabinet report all income Revisions below have been taken into consideration in calculating the total savings - see 6.3.1-16 of Cabinet Report.							
	Net Weekly Income in £s	% Discount Awarded	% Council Tax To Be Paid								
Disabled Residents Not able to work = 100% Protected	0 to 150	80	20	Income banded with vul protection							
Disabled Residents who are able to work = not 100% Protected	151 to 200	70	30	Band D Cap							
All other claims, not 100% Protected	201 to 250	60	40	New Non-Dependent Deductions							
	251 to 300	50	50	FBK Capital limit applied							
	301 to 350	40	60	Changes to Child Maintenance ie first £50 disregarded							
	351 to 400	30	70	Minimum income floor for self employed earnings							
	401 to 450	20	80	Removal of 2 AR							
				PENSIONABLE	DISABWORK	DISABWORK	INCOMEBAND	TOTAL FINANCIAL IMPACT	LBC FINANCIAL IMPACT	HARDSHIP FUND	NET FINANCIAL IMPACT
Amount		-	-	665,032.95	64,762.78	-	7,584,626.98	-8,184,898.49	-6,547,918.79	818,489.85	-5,729,428.95

- 3.19 The total financial impact is a reduction in expenditure of £8.18m, the impact to Croydon is 80% £6.54m, and we are also proposing a hardship scheme which is 10% of the total financial impact £818k and reducing the net financial impact to £5.72m.
- 3.20 Further to the principles set out at 3.14 above, the proposed scheme has been designed to protect the most vulnerable residents including care leavers under 25 and disabled residents not able to work.
- 3.21 Any income disregarded (i.e., not counted) under the current scheme will continue to be disregarded under the new scheme, e.g., Disability benefits such as Disability Living Allowance and Personal Independence Payments. Any disregards on war pensions and war disablement pensions will continue.
- 3.22 Where a disabled resident is working we will disregard (remove) £50 from their earned income prior to calculation of CTS under and income banded scheme in order to provide additional protection.
- 3.23 Leaving Care residents under 25 are not affected by these changes as they will receive a Council Tax Reduction of 100% and so continue to have no Council Tax liability to pay.
- 3.24 A hardship scheme consisting of 10% of the financial impact was proposed to support those most in need to transition from the existing CTS scheme onto the new income banded scheme. The hardship scheme will be administered by the Revenues team who are best placed to understand household circumstances and resident's ability to pay Council Tax. Eligibility for the hardship scheme will be clearly defined once the new CTS scheme has been confirmed, but in principle households could qualify for the hardship scheme where:
- Specific families or circumstances mean families are not able to afford the changes; and
 - Households need support for a certain period of time in order to be able to amend their income and expenditure arrangements, to meet the changes in their Council Tax liability.

4. CONSULTATION AND OUTCOMES

4.1 It is important that residents and other stakeholder's views are taken into account and reflected in the final design of any changes to the CTS scheme. A full and comprehensive consultation allowed us to seek feedback and explore options and to further mitigate any negative impacts of the changes to the income banded CTS scheme.

4.2 The statutory consultation ran between 28th October 2021 and 9th December 2021.

4.3 Section 13A of the Local Government Act 1992 requires the Council as the billing authority to make a localised Council Tax Support scheme in accordance with section 1A of the Act. Each financial year the council must consider whether it wants to revise the scheme, leave as is or replace it. Consultation must occur on any option required to change the scheme prior to introduction, and is set out in Schedule 1A (3) of the Local Government Finance Act 1992:

- Consult any major precepting authority which has power to issue a precept to it;
- Publish a draft scheme in such a manner as it thinks fit; and
- Consult such other persons as it considers are likely to have an interest in the operation of the scheme

4.4 When consulting the following guiding principles for a fair consultation must have been adhered to:

- At a time when the proposal are at a formative stage;
- Include sufficient reasons to enable those consulted to give consideration and respond;
- Awareness of the factors which are of decisive relevance to the decision;
- Adequate time for consideration and response; and
- The result of the consultation should be conscientiously taken into account by the decision makers when the decision is made.

4.5 Consultation took place with the following:

- Major Precepting Authorities – a formal request has been made for comments on the proposed scheme. This was done through writing to the GLA giving a 14 day timescale for any response. Experience from previous consultations have shown that preceptors will be focussed on the effect on the Council Tax base as well as the effect on residents. The GLA have responded to our consultation and this can be seen in paragraph 6.2 below. The GLA also suggested that we notify our local London Assembly member which we did on 5th November 2021;
- Public – an open invitation has be given to all residents of Croydon to comment on the proposed new scheme, irrespective of whether they are in receipt of Council Tax Support or not. We have contacted all (30,000) CTS recipients both working age and pension age residents, and we have encouraged them to respond, although it should be noted that the scheme for pension age claimants is prescribed by Central Government. The Council can only change the working age Council Tax Support scheme; and
- An online survey was made available via the Council's website, and a new web page was developed, we also had a comprehensive communications plan to ensure as much feedback as possible.

The link to the webpages and consultation is [here](#)

4.6 The consultation has been publicised using our social media accounts as well as being publicised in community newsletters.

4.7 All residents in receipt of Council Tax Support were contacted to advise them about the proposed changes to the Council Tax Support scheme.

4.8 13,000 emails were sent to residents in receipt of Council Tax Support, where email details were held.

4.9 5,000 SMS messages were sent to residents in receipt of Council Tax Support where mobile phone numbers were held.

4.10 3,500 letters were sent to residents in receipt of Council Tax Support where no contact details were held.

- Other stakeholders – including commissioned providers as follows:
 - Age UK Lead – Disability Croydon & Croydon Vision;
 - Citizens Advice Bureau (CAB);
 - MIND;
 - Purley Cross Community Information Centre;
 - Royal Association for Deaf (RAD) People; and
 - John Whitgift Foundation / Carers Information Service

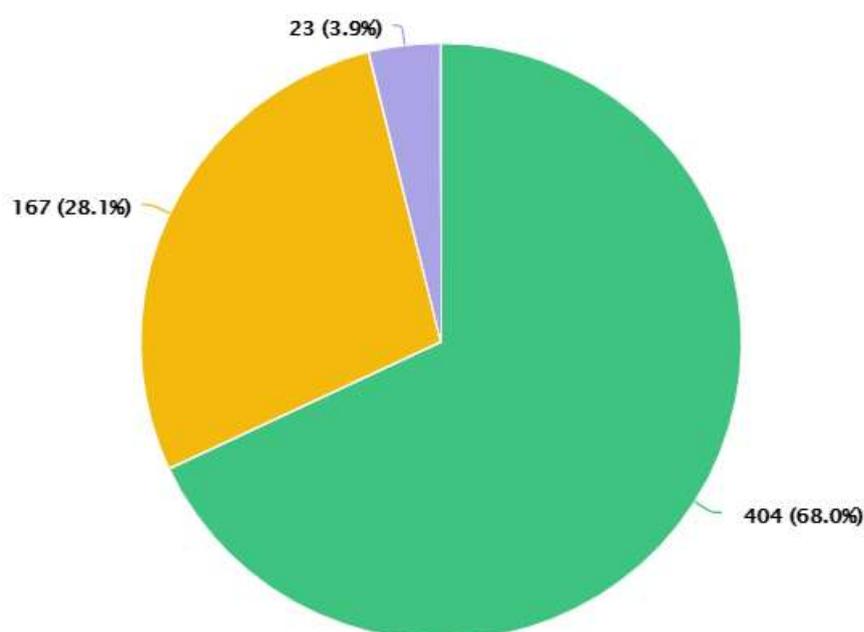
4.11 The Council also contacted other interested stakeholders such as Money Advice and Pension Service (MAPS), South West London Law Centre.

- 4.12 A stakeholder engagement session was held face to face in the Town Hall on Tuesday 2nd November 2021.
- 4.13 We also met with the Asian Resource Centre of Croydon Limited to discuss their concerns with the consolation and the affects any change would have on our residents.
- 4.14 A Money Matters event in conjunction with Hammerson was carried out over 2 days. Croydon Council had a presence in the Whitgift centre to promote the changes in Council Tax Support. During the event other stakeholders were present, such as our Gateway service team, the Money Advice and Pension Service, South West London Law Centre and the Credit Union (Croydon Plus).
- 4.15 Conversations took place with individual residents discussing the new scheme, and what these changes meant for them. Residents were encouraged to complete the survey and did so with assistance when unsure.
- 4.16 Approval to commence consultation by officers was agreed by Cabinet in October 2021, to enable adequate consideration of proposals resulting from the consultation by December 2021, being the year prior to the scheme being implemented.
- 4.17 In addition to formal consultation, the Council will provide information on its website as to the proposed changes.
- 4.18 The Council will contact any Council Tax payers affected by these changes.

5. RESPONSES TO CONSULTATION

- 5.1 The consultation period resulted in 594 responses to the proposed changes. When Croydon Council consulted in 2013 on changes to the scheme, around 450 responses were received.
- 5.2 **Percentage of respondents currently in receipt of Council Tax Support**
- 5.3 68% (404) of respondents are currently in receipt of Council Tax Support, we can be confident that those who completed the survey will potentially be affected by any proposed changes. 28.1% of responders were not in receipt of Council Tax Support, which indicates a certain level of engagement from those who do not rely upon financial support to pay their Council Tax. 3.9% (23) of residents did not know if they were in receipt of Council Tax Support.

Responses from Residents, by CTS Receipt Status



In receipt of CTS | Not in receipt of CTS | Not Sure

There are no themes to these responses as the question replies were just a yes, no or do not know.

5.4 Where do our Consultation Respondents Live?

5.5 The survey received 98.5% responses from residents who live in the London Borough of Croydon. We can be confident the responses to this consultation have been received from local residents.



5.6 18.7% also confirmed that they work in Croydon, 1.3% own a business in Croydon, 3.2% stated they visit Croydon and 0.5% of responses came from those who live outside the London Borough of Croydon.

5.7 Protecting Pensioners, Vulnerable Residents and Care Leavers under 25

5.8 When asked during the consultation if people would support or not support Croydon continuing to protect pensioners, vulnerable residents not able to work and care leavers under 25. 55.4% strongly supported protecting these groups.

24.4% were in support, with 7.4% neither supporting nor not supporting and 4.4% having no opinion. 3.5% do not support this proposal and 4.9% (29) strongly did not support the scheme protecting the aforementioned groups. We can be confident that those who responded were of the opinion the scheme should protect these groups.



Themes from strongly support and support responses:

- Right thing to do for vulnerable residents;
- Duty to protect the mental health of residents especially during the pandemic;
- Most pensioners cannot work so it is right to protect this group; and
- Everyone should receive the same level of support if circumstances not changed.

Themes from strongly do not support and do not support responses:

- More than 3 categories should be protected, such as carers;
- Single people with children under 5 should be protected;
- Croydon Council's financial position should not result in benefit cuts; and
- Support should continue and not change.

5.9 Introduction of a hardship Scheme

5.10 When asked if residents would support the introduction of a one year hardship fund to help residents adversely affected by changes to our Council Tax Support scheme 45.3% strongly supported introducing a hardship fund. 24.1% supported this action with 12.3% neither supporting nor not supporting. 6.4% did not support introducing a hardship scheme and 7.1% strongly did not support, with 4.9% having no opinion. We can be confident an overwhelmingly large percentage of respondents believe introducing a hardship scheme is the right thing to do.



Themes from strongly support and support responses:

- It is the right thing to do;
- Support will be required for those who have to pay more as a result;
- Important to support those who need it; and
- Short term supported needed to allow sufficient time to adjust.

Themes from strongly do not support and do not support responses:

- Does not encourage correct people to adjust by re-budgeting their finances;
- The changes are to reduce costs, so why introduce a hardship scheme;
- One year will not be enough; and
- Croydon Council's financial position should not result in benefit cuts.

5.11 **New charges for working age adults living in the property (who are not the claimant or partner)**

5.12 Deductions are currently made to Council Tax Support for residents who have a non-dependant adult of working age (18 or over) living in the property, depending on the income the non-dependant is in receipt of. 32.3% of respondents either supported or strongly supported changing the deductions currently charged. 25.5% either had no opinion or neither supported or did not support these changes. 39.3% of respondents did not support these changes.

5.13 It should be noted the new charges being proposed make it simpler for residents in receipt of Council Tax Support to understand how they will be affected.

5.14 Whilst a large proportion of respondents do not agree with the changes proposed this also represents the outcome from the previous consultation regarding Council Tax Support in 2013 and non-dependant deductions have always been applied to Council Tax Support.



Themes from strongly support and support responses:

- Non dependant deductions have always been applied;
- Deduction should be based on the salary of a non-dependant; and
- Everyone should pay and contribute to household bills.

Themes from strongly do not support and do not support responses:

- Young people working and studying will not be able afford to contribute;
- It's not fair on young people;
- Will penalise parents with children; and
- Croydon Council's financial position should not result in benefit cuts.

5.15 Supporting low-income households

5.16 Of those who responded 81.0% support the principle a Council Tax Support Scheme should prioritise residents on a low income. 19% felt this was not something the scheme should do.



Themes from strongly support and support responses:

- It is the right thing to do;
- Single parents need help and support;
- Poorest should be helped to prevent poverty; and
- Everyone deserves help.

Themes from strongly do not support and do not support responses:

- Others are struggling not just those on a low income need support;
- Everyone should pay the same;
- Should encourage more people to work; and
- Croydon Council's financial position should not result in benefit cuts.

5.17 Introduction of an Income Band Scheme for Council Tax Support

5.18 49.3% of respondents either strongly supported or supported the introduction of an income banded scheme for Council Tax Support. 26.1% did not support or strongly not support the income band approach. 24.6% either had no opinion or neither supported or not support.

5.19 The results of the consultation show a vast majority support an income band approach.



Themes from strongly support and support responses:

- Easier and simpler to understand;
- Those who can afford to pay should pay;
- Good idea; and
- Single parents need help and support.

Themes from strongly do not support and do not support responses:

- People not able to find higher paid work;
- Increase in cost of living means less disposable income; and
- Income threshold should be increased.

5.20 Increasing the amount of Council Tax residents have to pay for those not in a protected group

5.21 28.9% of respondents strongly supported or supported the principle those who are not in a protected group should have to contribute more towards their council tax. 22.4% of respondents had no opinion or neither supported or not support this principle. Whereas 48.6% of respondents did not support or strongly not support this principle. The previous results indicate we should be protecting vulnerable residents but these results show that when it comes to paying more, almost half do not agree they should pay more if they are not in a protected category



Themes from strongly support and support responses:

- Right thing to do;
- Higher income should result in having to pay more;
- Vulnerable groups need more support; and
- Should pay according to income.

Themes from strongly do not support and do not support responses:

- Increase in cost of living means less disposable income;
- Don't want to pay any more as Council Tax is already very high; and
- Unable to access Council Services

5.22 £50 weekly income bands for Council Tax Support entitlement

5.23 34.9% of respondents strongly support or support introducing the £50 a week income band when assessing entitlement to Council Tax Support. 29.8% had no opinion or neither supported or did not support this approach. 35.7% of respondents did not support or strongly did not support this approach.



Themes from strongly support and support responses:

- Right thing to do;
- Adequately designed for the purpose; and
- Reflects residents income.

Themes from strongly do not support and do not support responses:

- Income threshold should be increased;
- Cuts will continue to affect residents already struggling;
- Percentage should be reviewed as not generous enough; and
- Current scheme should not be changed.

5.24 Maximum income level of £450 to be entitled to receive Council Tax Support

5.25 46.7% of those who responded felt having a weekly income over £450 should mean there is no entitlement to Council Tax Support. 19.9% had no opinion or neither support or not support this income level. 33.5% strongly did not support or not support this income level being the threshold for entitlement. The majority agree this level of income, £450 per week, should mean no support should be provided in the way of Council Tax Support.



Themes from strongly support and support responses:

- It is fair;
- Help lower income feeling supported; and
- Brings in line with the benefit cap.

Themes from strongly do not support and do not support responses:

- Cost of living is increasing;
- Should be encouraged to work;
- Income threshold is not high enough; and
- Income should be lowered to £401.

5.26 Demographic responses

5.27 Age

5.28 Out of the 594 respondents, 591 answered the questions regarding to the age of the respondent. 40.1% were between the ages of 26-45, 20% were between the ages of 46-55. 18.8% were aged 56-65, 13.9% aged 66 or over 5.9% preferred not to declare their age and 1.4% were between the ages of 18-25. As the changes to the scheme affect residents of working age, the proportion of responses reflects those who would be affected by any changes.



5.29 The council tax support caseload indicates that 43% of those who claim are between the age of 26-46 and the response to the consultation closely mirrors those who would be affected.

5.30 Gender

5.31 578 residents answered the question regarding gender, of which 62.8% confirmed they identified as being female (including male to female Trans women). 20.2% identified as being male (including female to male trans men), 0.5% confirmed they identified as being non-binary, 12.5% preferred not to say what they identified their gender to be and 4.0% preferred to self-describe the gender identity.



5.32 Data on gender identity is not routinely captured. A person's innate sense of their own gender, whether male, female or something else may or may not correspond to the sex assigned at birth.

5.33 We will attempt to collect data on all protected characteristics when we transition onto a new supplier for Council Tax Support online application forms. The estimated time line for this is during the financial year 2022/23.

5.34 Ethnicity

5.35 When asked about ethnicity 544 respondents answered this query and 50 declined to answer.

- 54.6% of those who responded confirmed their ethnicity to be white (British, Irish or any other white background);
- 5% confirmed their ethnicity to be Asian (Indian, Pakistani, Bangladeshi Chinese's or any other Asian background);
- 22% stated they regarded their ethnicity to be black (Caribbean, African or any other black background); and
- 14.9% preferred not to declare their ethnicity and 3.5% confirmed their ethnicity to be other.

5.36 The Caseload for Council Tax support shows that 42.9% of Council Tax Support recipients are of a white background, 13.24% have declared their

ethnicity to be Asian and 37.08% are Black. It has to be stated almost 50% of Council Tax Support recipients do not complete details regarding ethnicity and 14.2% of those responding to the consultation chose not to declare their ethnicity (which would be 17.8% including those who stated other).

5.37 Whilst the demographic of respondents does not exactly mirror the council tax support caseload we can be confident that our responses are reflective of a diverse population and reflects the make-up of our authority.



5.38 Disability

5.39 584 respondents confirmed whether or not they considered themselves having a disability.

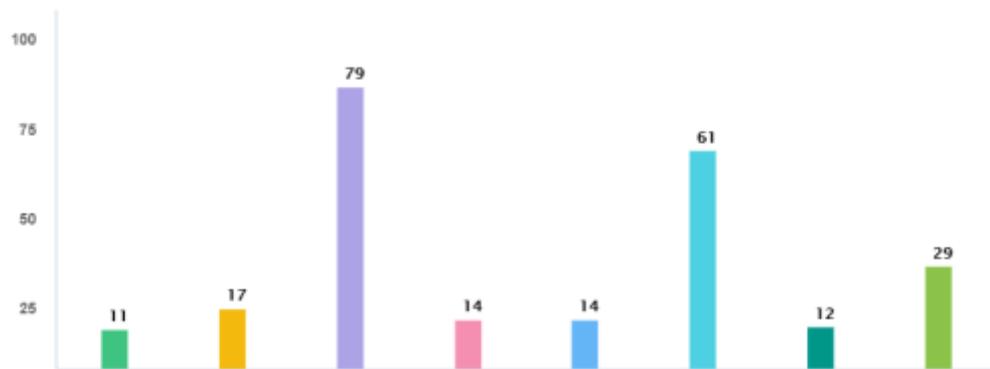
5.40 27.1% considered themselves having a disability, 59.1% answered no and 13.9% preferred not to say.



5.41 157 of the above went on to declare the disability that was identified.

- 7% were visually impaired;
- 10.8% declared a hearing impairment;
- 50.3% identified having a mobility disability;
- 8.9% declared a learning disability;
- 8.9% had communication difficulty;
- 38.9% had a hidden disability; and
- 7.6% preferred not to say

- 18.5% stated they identified as having another disability



6. FORMAL CONSULTATION RESPONSES

6.1 Following engagement with our external stakeholders we received official responses, details of which can be seen below.

6.2 Greater London Authority – GLA

6.3 The proposed minimum contribution rate of 80 per cent is in line with a number of other authorities and is lower than some. Similarly, the approach to excluding certain types of income, such as disability benefits, is in common with many other authorities. The GLA supports the principle of targeting support at households with the lowest incomes and in the greatest need and believes the use of percentage discounts and £50 band intervals is an appropriate approach.

6.4 The GLA recognises that local authorities have faced difficult choices on CTS schemes, as overall funding from central government has reduced and funding for CTS is no longer identifiable within the settlement. Moreover, the GLA is aware of the Council's current financial position and recognises that the proposed scheme is in accordance with the general principles set out by Government.

6.5 Concerns raised regarding families with children being adversely impacted and raised this as an area for review, but welcomed the proposal for a hardship scheme to assist those affected.

6.6 Reference was made to signing up to the Citizens Advice Protocol and recommended Croydon sign up. Croydon are one of the 8 London Boroughs who signed up to the protocol and did so almost 3 years ago

6.7 The Money Advice and Pension Service – MAPS

6.8 There were no concerns regarding the proposed scheme. MAPS have however offered to support residents affected by changes to the scheme by providing third party debt advice. Croydon are already a partner with the Monday Advice and Pension Service.

6.9 Asian Resource Centre of Croydon Limited – ARCC

- 6.10 Concerns were raised regarding the length of consultation – Croydon’s consultation period was for 6 weeks.
- 6.11 Croydon reviewed the consultation requirements and are satisfied our consultation period is aligned to government guidance and other local authorities who consulted on changing their CTS scheme. The previous consultation carried out in 2013 was also for a 6 week period.
- 6.12 There was a concern regarding our Equality Impact Assessment not being shared during the consultation. However, after discussing this matter with other local authorities the EQIA was only made available after the consultation period had ended and the full report published and made available in the public domain.
- 6.13 Concerns were raised regarding the impact of our changes to parents with children. This has been a common theme raised within the consultation.
- 6.14 In relation to engaging with 3rd party stakeholders, ARCC raised concerns that they were not involved in the stakeholder meeting that took place on 2 November 2021. The stakeholder engagement session was held with stakeholders that have ongoing regular engagement/liason meetings regarding their client base with the council, including the revenues and benefits service.
- 6.15 Issues regarding Universal Credit income was also raised.

6.16 South West London Law Centre – SWLLC

- 6.17 Concerns were raised regarding the length of the consultation, but as stated above, the period has been considered in line with guidance and other local authorities.
- 6.18 The matter of enforcement action against those in receipt of Council Tax Support was raised, however, no enforcement action is currently taken against residents who are in receipt of Council Tax Support.
- 6.19 Questions were also raised regarding the operation of the Hardship Fund.

6.20 The Royal British Legion

- 6.21 They were concerned how certain war/military pensions were treated under the new scheme as there was no reference to these incomes, however, as this income is currently disregarded under our current scheme it will remain to be disregarded under the new scheme.

6.22 Child Poverty Action Group – CPAG

- 6.23 CPAG were concerned that no adjustments were made for household size in the proposed new scheme.

- 6.24 They also raised concerns around child poverty CPAG suggested the new scheme should include some mitigation for families with children.
- 6.25 They are suggesting that all benefit income should be disregarded from CTS.
- 6.26 They proposed that Croydon's scheme should reflect the fact that larger families need more money to meet their basic needs.
- 6.27 They raised concerns for single parents with children under 5 who are currently 100% protected.
- 6.28 Academic research has shown that families on the lowest incomes have been severely affected by the pandemic, particularly families with children
- 6.29 The £20 cut to universal credit and the sharp rise in the cost of living, could push some residents into crisis

7. OUTCOME FROM THE CONSULTATION

- 7.1 The consultation period ended on December 9th 2021 with the outcome confirming an overwhelming majority supporting protecting the most vulnerable residents, such as Pensioners, Vulnerable residents not working and Care Leavers under the age of 25.
- 7.2 The majority of those who responded support introducing a hardship scheme, but some felt one year was not long enough for the scheme.
- 7.3 With respect to changing the deductions taken from Council Tax Support based on the income of any other working age adult over the age of 18, the majority did not support this. There are current non-dependant deductions in place in the existing Council Tax Support Scheme. Non-dependant deductions were part of the Council Tax Benefit scheme, non-dependant deductions exist as part of the pensioner prescribed scheme, and non-dependant deductions will form part of the new income banded scheme. This aligns to the principle that everyone in the household should pay something. It should be noted that this feedback was similar to the previous consultation regarding non dependant deductions in 2013.
- 7.4 Respondents agreed that it was the right thing to provide financial support to those on the lowest incomes
- 7.5 The consultation responses approved with introducing an income banded scheme, as this made the scheme fairer and easier to understand.
- 7.6 Respondents agreed that we should protect pensioners, vulnerable residents not working and care leavers under 25. However, they did not want to pay more towards their council tax as a result of providing this protection.
- 7.7 Almost an equal proportion of responses supported or did not support the level of income bands within the scheme being proposed. Some believed this approach was fair where others were concerned with the increase in the cost of

living meant there would be additional strains on families struggling to pay Council Tax.

7.8 The income threshold of £450 per week or £24,300 per year was supported as being the amount of income a person could receive and not be eligible for support under the new Council Tax Support Scheme.

7.9 The key themes for consideration from the formal consultation were to offer more protection to:

- **Universal Credit Housing Element** (11,720 Claims);
- **Disabled Residents** (7,000 Claims);
- **Lone parents** (2,320 Claims);
- **Families with children** (7,910 Claims); and
- **Carers** (2,310 Claims).

8. REVIEW OF CONSULTATION RESPONSES AND RECOMMENDED CHANGES TO PROPOSED CTS SCHEME

8.1 The principles of the consulted scheme are set out below:

- Retain 100% protection for pensioners, care leavers under 25 and disabled non-working residents;
- Income bands should be based on intervals of £50;
- The maximum level of income per week before someone is not eligible for CTS of £450 per week or £23,400 per year;
- The maximum discount awarded for (non-protected) working age residents should be 80% ; and
- Introduce a Hardship Fund to support residents transition for the current CTS scheme to an income banded scheme.

8.2 Following feedback from the consultation, some changes to the principles are being recommended below:

Principle	Proposed new scheme
Retain 100% protection for pensioners, care leavers under 25 and disabled non-working residents	Agreed – no change
Income bands should be based on intervals of £50	Agreed – no change
The maximum level of income per week before someone is not eligible for CTS of £450 per week or £23,400 per year	Recommended change
The maximum discount awarded for (non-protected) working age residents should be 80%	Recommended change for some residents
Introduce a Hardship Fund to support residents transition for the current CTS scheme to an income banded scheme	Agreed – no change

8.3 Consulted scheme

8.4 The table below confirms the proposed value of the income bands together with the proposed percentage discount awarded (Table 1)

Proposed value of income bands (£)	Proposed percentage discount awarded
0 to 150	80%
151 to 200	70%
201 to 250	60%
251 to 300	50%
301 to 350	40%
351 to 400	30%
401 to 450	20%
451+	0%

8.5 We are proposing 2 new variations to the value of income bands and percentage discounts awarded.

8.6 Lone Parents (Table 2)

Proposed new scheme (£)	Lone Parents (children under 5)
0 to 100	80%
101 to 150	70%
151 to 200	60%
201 to 250	50%
251 to 300	40%
301 to 350	30%
351 to 400	20%
401+	0%

8.7 All other working age residents not protected (Table 3)

Proposed new scheme (£)	All other CTS recipients
0 to 100	75%
101 to 150	60%
151 to 200	40%
201 to 250	30%
251 to 300	20%
301 to 350	15%
351 to 400	10%
401+	0%

- 8.8 The explanation for the proposed changes is clarified in paragraph 8.24
- 8.9 Taking the consultation feedback themes in order, as at paragraph 7.9 above the following changes are being recommended:

8.10 Universal Credit [UC] Housing Element Protection

Current CTS Scheme	Consulted Scheme	Revised Recommendations
The UC housing element is currently not treated as separate income, rather a premium is applied to offset the housing element.	All Universal Credit income is considered as income, including the Housing Element.	The Housing Element has been disregarded as income for UC residents. This change would treat both Housing Benefit and UC residents equally.

- 8.11 The financial impact by making this changed resulted in a loss of £2.2m to the MTFS savings.
- 8.12 It is therefore necessary to review all of the proposed changes to the income banded scheme in an attempt to make up the £2.2m loss above. This includes the value of income bands and percentage discounts awarded as per 8.6 (Table 2) and 8.7 (Table 3) above.

8.13 Disabled Residents Not Working

- 8.14 All disabled residents not working will continue to be protected, in some cases the new scheme provides additional protection. We have simplified how we categorise disabled resident not working.
- 8.15 Only when a resident starts work will they move to an income banded scheme. Until then, they will receive 100% support on their Council Tax.
- 8.16 We simplified how we identify when a disabled residents is not working and as a result of this change, we have increased the numbers of residents who qualify for this support, resulting in additional support of £255,000.

8.17 Lone Parent Protection

Current CTS Scheme	Consulted Scheme	Revised Recommendations
Protected to high levels	Consulted income banded scheme – 80% protection for those in the lowest income band. Minimum amount of protection of 20% for all lone parents that are entitled as part of this scheme.	The proposed new bands continue to offer support at the same 80-20% banding however the income bands are brought down offering those on the lowest income maximum support. Lone parents are provided more support than other working age residents.

8.18 Families with Children

Current CTS Scheme	Consulted Scheme	Revised Recommendations
Childcare costs expenses are disregarded from a claim at a rate of £175 for 1 child and £300 for 2 or more children.	Childcare costs expenses are not disregarded in the consulted scheme	100% of child care costs expenses are disregarded as income from a claim.
Child Maintenance is 100% disregarded.	The first £50 of Child Maintenance is disregarded.	100% of Child Maintenance is disregarded.
Child benefit is not considered as income.	Child benefit is not considered as income.	Child benefit is not considered as income.

8.19 Carer Protection

Current CTS Scheme	Consulted Scheme	Revised Recommendations
A premium of £31 is awarded to residents in receipt of Carer's Allowance, this equates to 46% of the allowance.	No disregard of Carer's Allowance.	A 50% disregard for Carer's Allowance.

8.20 Other Recommended changes following consultation

8.21 As we are recommending the housing element of Universal Credit is fully disregarded resulting in a loss of £2.2m savings as per paragraph 8.10 and 8.11, as a result we have reviewed the value of income bands and percentage discounts awarded.

8.22 Whilst we have kept the same number of income bands, we are recommending changes to the value of the bands and the percentage discounts awarded.

8.23 We are also recommending a change to the maximum income threshold to £401 per week, which is aligned to the London living wage of £397 per week from 1 April 2022.

8.24 The changes to the income bands values and percentage discounts are detailed below:

Value of Bands

Consulted Bands	Revised Bands
0 to 150	0 to 100
151 to 200	101 to 150
201 to 250	151 to 200

251 to 300	201 to 250
301 to 350	251 to 300
351 to 400	301 to 350
401 to 450	351 to 400
451+	401+

Percentage Discount awarded

	Lone Parents	Working Age
0 to 100	80%	75%
101 to 150	70%	60%
151 to 200	60%	40%
201 to 250	50%	30%
251 to 300	40%	20%
301 to 350	30%	15%
351 to 400	20%	10%
401+	0%	0%

8.25 Comparing the proposed scheme to that of other London Authorities can be seen in the table below

	Proposed Scheme	Sutton	Barnet	Camden	Brent
Protected residents	Pensioners Disabled Not Working Parents Carers	Pensioners Disabled not Working	Pensioners	Pensioners Parents	Pensioners
Capital Tariff	No Tariff	No Tariff	No Tariff	No Tariff	Schedule 6 of the 2012 Prescribed Regulations
Capital Limit	£8,000	£10,000	£6,000	£16,000	£6,000
Band Cap	D	D non-Protected expected to pay 20% of band D rate	No	No	No
Income Disregards	100 %Child Maintenance disregard 100% Child benefit disregard 50% Carer's Allowance Disregard £50 earned income disregard for Disabled Working	Earned income: £20 for non-vulnerable households £50 for vulnerable households Child Maintenance £50 75% Child benefit disregard	Earned income will be calculated net of income tax, national insurance and 50% of pension contributions, there will be no other deductions.	In accordance with Schedule 5 of Prescribed Requirements Regulations	All DWP and HMRC benefits are disregarded
Non-Dependant Deductions	£5 non-working £10 up to £23,999 £30 for £23,000 over No deduction for Disabled Scheme	£5 non-working £10 up to £23,999 £30 for £23,000 over	£0 - DLA £5 - non-working up to £199.99 £11 - Earning more than £200	If working 30% of liability is deducted from CTS if income over £86.79	£5 - Not working £10 - up to £150 net £15 up to £200 net £20 over £200 net

9 PRE-DECISION SCRUTINY

- 9.1 No pre-decision scrutiny made as of yet as the consultation period has just ended and no final decision has been made.

10 FINANCIAL AND RISK ASSESSMENT CONSIDERATIONS

- 10.1 The current CTS scheme costs around £35m of which 80% or £28m is borne by the Council's Collection Fund. The remaining 20% or £7m is attributed to the GLA.

- 10.2 The cost of CTS has increased year on year whilst Central Government funding has reduced year on year, so the financial gap is growing each year. As Central Government grant funding is contained within the Revenue Support Grant and has been amalgamated with Business Rates Retention scheme, it is not possible to determine the exact extent of the current funding gap.

- 10.3 Should CTS continue to growth at the existing pace, and no change is made to the existing scheme, the cost of the scheme could rise as follows:

- 2022/2023 £36.8m
- 2023/2024 £38.7m
- 2024/2025 £40.6m

10.4 Revenue and Capital consequences of report recommendations

There is an income saving of £4.4m set in the Medium Term Financial Strategy for each of the years 2022/23, 2023/24 and 2024/25.

- 10.5 The effect of the decision to move to an income banded scheme is two fold

- Some working age resident will be asked to contribute more towards their Council Tax, whilst pensioners and disabled residents will remain 100% protected from any change to their current CTS entitlement; and
- The new scheme will be simplified with less complexity and it will be easier and faster for residents to make a claim.

- 10.6 Risks – as we are asking some residents to pay more towards their Council Tax there is a risk that they may struggle to make the requested payments. To mitigate this risk, the Council will implement a hardship scheme to support those most in need or unable to pay their Council Tax due to the transition from the existing CTS scheme. In addition to this the Council have close working partnerships with welfare agencies e.g. CAB and MAPS to further support residents in need.

- 10.7 The financial impact of the recommendation set out in this report will be included in the budget setting and MTFS proposals 2022/23.

Approved by: Matthew Davis Interim Director of Finance (Deputy 151)

11. LEGAL CONSIDERATIONS

- 11.1 The Head of Litigation and Corporate comments on behalf of the Interim Director of Legal Services that the Council is required, under the Local Government Finance Act 1992 ('the 1992 Act'), for each financial year, to consider whether to revise or replace its CTS scheme. The Council's first substantive review, detailed in this report, complies with this requirement.
- 11.2 The 1992 Act provides that a billing authority's Council Tax Reduction Scheme must include proscribed matters set out in the Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012. As a consequence the Council is required, without any exercise of discretion, to amend the CTS Scheme, to reflect any changes made to those regulations.
- 11.3 This report includes a recommendation in relation to the revised and proposed CTS scheme which has been consulted upon to reflect both the regulations under this requirement and the other changes set-out within this report.
- 11.4 When a billing authority decides to revise or replace its scheme it is required to comply with the preparation requirements set-out in the 1992 Act. Any proposals over and above from what is required by statute must ensure these preparation requirements are adhered to. This includes publishing the draft scheme and consulting upon it.
- 11.5 Details of the consultation which has been undertaken are set-out within the report. The consultation process was required to be conducted in accordance with the Gunning principles, as set-out at paragraph 4.4.
- 11.6 Under the 1992 Act, a decision to revise a billing authority's scheme is required to be made by the authority, not its executive.

Approved by: Sandra Herbert Head of Litigation and Corporate Law on behalf of the interim Director of Legal Services and Deputy Monitoring Officer

12. HUMAN RESOURCES IMPACT

- 12.1 There are no immediate HR issues arising from this report for LBC employees or staff. Any impacts would be managed through the appropriate Council procedures and in consultation with the recognized trade unions.

Approved by: Gillian Bevan Head of HR Resources and Assistant Chief Executives.

13. EQUALITIES IMPACT

- 13.1 An equalities impact assessment has been completed and this will be reviewed after the statutory consultation has taken place and results have been analysed.

- 13.2 The Council recognised that some people may be affected more than others. The groups listed below were identified by the Council to be affected by the new CTS scheme
- Families with children
 - Lone parents with children under 5 years
 - Carers
 - Full time and part time workers
 - Single people and couples with children
 - Single people and couples who are not working and receiving means tested benefit or Universal Credit
- 13.3 In the absence of relevant data, it is not possible at this time to determine whether there is a correlation between the aforementioned groups who may be more affected by the scheme and the equality characteristics. It is noted that consultation will be taking place with other interested stakeholders such as Citizens Advice Bureau and Money Advice and Pension Service along with groups providing welfare advice to residents. Once such consultations have taken place and feedback received with regard to the characteristics of service users of these support organisations, it will be necessary to review the impact on each protected characteristic.
- 13.4 There are four potential outcomes of an Equality Analysis these are:
- No major change - the Equality Analysis demonstrates that the policy is robust and that the evidence shows no potential for discrimination and that all opportunities to advance equality have been taken;
 - Adjust the proposed change to lessen the impact should it adversely impact the Council's ability to meet any of the Public Sector Duties and/or remove barriers or better promote;
 - Continue the proposed change despite potential for possible adverse impact or missed opportunities to promote equality – as we are satisfied that these will not lead to unlawful discrimination and there are justified reasons to continue as planned;
 - Stop and remove the change – if there will be potential for adverse effects on one or more protected groups that are not justified and cannot be mitigated it must be stopped and removed or changed.
- 13.5 Until full Council have made their decision around what changes will be made to the existing scheme (if any), it is not possible to confirm the outcomes of an Equality Analysis. This will be updated once we are made aware of the Full Council decision in January 2022.

Approved by: Denise McCausland, Equalities Programme Manager

14. ENVIRONMENT AND CLIMATE CHANGE IMPACT

- 14.1 Failure to adopt a new simplified scheme will lead to an increase in administration. This in turn will lead to an increase use of resources.
- 14.2 Moving to an income banded scheme will result in less effort, evidence and information sharing. Further automation will be used, and as a result of this less

resources will be used. And this will have a positive impact on environment and climate change.

- 14.3 The Council has a commitment to address environmental sustainability as an integral part of all activity. The Green Commitment and Environmental Procurement Policy are key relevant policies.

15. CRIME AND DISORDER REDUCTION IMPACT

- 15.1 No impact on Crime and Disorder.

16. REASONS FOR RECOMMENDATIONS/PROPOSED DECISION

- 16.1 The current scheme is closely based on the old Council Tax Benefit scheme, so does protect the most vulnerable residents, any changes to the scheme would mean that some residents will be asked to pay more towards their Council Tax. However, the current scheme is at significant cost to the Council, and many Councils have moved away from the old CTB scheme to income banded schemes which are simpler and less complex to administer and understand.
- 16.2 It is not known how much funding the Council receives from Central Government to help pay for CTS expenditure, which is currently £35.04m. What we do know is that expenditure is increasing year on year and that funding is decreasing year on year. The Council is not in a financial position to continue with the existing CTS scheme.
- 16.3 The Council is therefore recommended to agree a move to an income banded CTS scheme as per this report.

17. OPTIONS CONSIDERED AND REJECTED

- 17.1 Cabinet has previously considered 3 Options in relation to CTS scheme, and these are:
- Do nothing to change the existing CTS scheme
 - Make slight changes to the existing CTS scheme
 - Move to a new income banded CTS scheme
- 17.2 They have rejected the options to do nothing, or make slight changes to the existing scheme as they are not viable. They agreed to move to an income banded CTS scheme.

18. DATA PROTECTION IMPLICATIONS

- 18.1 None required. The new scheme uses only existing data held. No further personal data will be requested, obtained, held or published.
- 18.1 **WILL THE SUBJECT OF THE REPORT INVOLVE THE PROCESSING**

OF 'PERSONAL DATA'?

YES

Name, Address, Date of birth, National insurance number, income details, capital information and household information which may include special category data, such as ethnicity and health information

18.2 HAS A DATA PROTECTION IMPACT ASSESSMENT (DPIA) BEEN COMPLETED?

YES

Approved by: Catherine Black, Head of Payments, Revenue and Benefit

CONTACT OFFICER: Catherine Black, Head of Payments, Revenue and Benefit

APPENDICES: Appendix 1 Copy of Council Tax Support Scheme
Appendix 2 Equalities Impact Assessment

BACKGROUND DOCUMENTS: None

The Council Tax Reduction Scheme
(London Borough of Croydon April 2022)

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The Council Tax Reduction Scheme

(Persons who are not Pensioners) (London Borough of Croydon) 2022

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Preamble

1.0 Introduction

From 1 April 2013, council tax support in the form of council tax benefit (CTB) was abolished by Central Government. It was the duty of each billing authority in England to create a localised council tax support scheme, in the form of a council tax reduction scheme, by 31 January 2013, for that scheme to come into force when the CTB regime was abolished.

The enabling provisions are contained in section 10 of, and Schedule 4 to, the Local Government Finance Act 2012, which inserted section 13A and Schedule 1A respectively into the Local Government Finance Act 1992.

The provisions allow the Council, as the Billing Authority (the Authority) to use its discretion to design a scheme to support those not of pension age. The scheme is however required to contain certain prescribed provisions. The provisions which must be included in local council tax reductions schemes are set out in The Council Tax Reduction Schemes (Prescribed Requirements Scheme) (England) Regulations 2012 SI 2885, as amended (the Prescribed Requirements Regulations).

1.1 Pensioners

Billing authorities must protect pensioners by providing the same level of support as operated under the CTB scheme. This has been provided by a prescribed local scheme for pensioners with national rules.

This means that the Authority has no discretion over the method, or level of support, provided to pensioners. Pensioners are protected from any further reductions in the current level of support by Parts 1 to 3 of, and Schedules 1 to 6, 7 and 8 to, the Prescribed Requirements Regulations, where they apply to Pensioners.

This document therefore concentrates on the local council tax support scheme for persons who are not pensioners; the scheme for pensioners is set out in The Council Tax Reduction Scheme (Pensioners) (London Borough of Croydon) 2013

1.2 Persons who are not pensioners

The Authority was required by regulations to design a local council tax reduction scheme for people of working age, subject to certain prescribed requirements, by 31 January 2013. Each financial year since that date the Authority has been required to consider whether to revise or replace its scheme.

1.3 Work Incentives

The Authority's scheme is required to meet the basic requirements of encouraging and incentivising work. The Government does not prescribe by regulations how the Authority provides for work incentives in its scheme; it is for the Authority to decide how best to provide work incentives for its individual communities.

The Authority will introduce working disregards to incentivise work in their April 2022 Income Band Scheme. A £50 per week work disregard is awarded disabled residents unable to work. For the purposes of this scheme the definition of vulnerability is described in the next section.

1.4 Vulnerability

The Government does not prescribe by regulation which class of person(s) is/are defined as vulnerable. Instead, it is for the Authority to decide, having regard to its duties under the Acts referred to below.

In making its scheme, the Authority has had due regard to the Equality Act 2010, public sector equality duties with regard to –

- age, disability, gender reassignment, pregnancy and maternity, race, religion
- or belief, sex or sexual orientation, and
- Child Poverty Act 2010, the duty to mitigate effects of child poverty, and
- Disabled Persons (Services, Consultation and Representation) Act 1986, and
- Chronically Sick and Disabled Persons Act 1970, the duties relating to the welfare needs of disabled people, and
- Housing Act 1996, the duty to prevent homelessness, and
- Armed Forces Covenant, to recognise what our Armed Forces do for us, especially the injured and the bereaved

The following classes of person are deemed to be vulnerable for the purpose of Class A2 (see Regulation 35 of the Scheme) - applicant or any partner who is registered / certified as blind; an applicant who would under the preceding scheme have had an underlying entitlement to a -

- disability premium;
- enhanced disability premium;
- severe disability premium;
- component (employment and support allowance)
- disabled child premium; or
- enhanced disabled child premium;
- Applicant or any partner who is awarded the universal credit capability for work element
- applicant or any partner who receives a permitted work earnings disregard;
- applicant or any partner who receives a War Disablement Pension; applicant who receives a War Widow's or War Widowers Pension

- Applicant or any partner who is a care leaver within the scope of the provisions of the scheme.

1.5 Financial Considerations

The financial risks associated with any council tax support system were transferred from central government to local government in 2013/14.

The government reduced the grant paid to the authority for council tax support by at least 10% of the sum paid for council tax benefit. This means the authority had at least a predicted £1.1 million (excluding GLA) less money available for council tax reduction in 2013/14 than it had for Council Tax Benefit (CTB) 2012/13.

The government also changed the way in which it pays the grant to the Authority for the amount of money paid out as council tax reduction instead of the Authority making a subsidy claim at the end of the financial year and being reimbursed almost pound for pound for money spent on CTTB entitlements, the government provides an up-front sum of money at the beginning of the financial year; a fixed grant that is not ring-fenced to local council tax reduction schemes.

The grant is a pre-set sum of money that is not adjusted at the end of the financial year to take account of any overspend or underspend due to increases or decreases in the number and amount of entitlements to a council tax reduction. The Authority is not prevented from using its own financial resource to add to the spend.

The Authority has also considered the financial implications to its precepting authorities, the Greater London Authority, the Metropolitan Police, the London Fire and Emergency Planning Authority and Transport for London.

2.0 Matters to be included

2.1 Interpretation

2.1.1 “scheme” means council tax reduction scheme

2.1.2 In relation to the scheme “the authority” means the billing authority which made the scheme, that is London Borough of Croydon

2.1.3 “1992 Act” means the Local Government Finance Act of 1992

2.1.4 “2012 Act” means Local Government Finance Act 2012

2.1.5 “Prescribed Requirements” means The Council Tax Reduction Schemes (Prescribed Requirements Scheme) (England) Regulations 2012 SI 2885

2.2 Matters to be included in the scheme

2.2.1 A scheme must state the classes of person who are to be entitled to a reduction under the scheme.

2.2.2 The classes may be determined by reference to, in particular -

- (a) the income of any person liable to pay council tax to the authority in respect of a dwelling;
- (b) the capital of any such person;
- (c) the income and capital of any other person who is a resident of the dwelling;
- (d) the number of dependents of any person within paragraph (a) or (c);
- (e) Whether the person has made an application for the reduction.

2.2.3 A scheme must set out the reduction to which persons in each class are to be entitled; and different reductions may be set out for different classes.

2.2.4 A reduction may be—

- (a) a discount calculated as a percentage of the amount which would be payable apart from the scheme,
- (b) a discount of an amount set out in the scheme or to be calculated in accordance with the scheme,
- (c) expressed as an amount of council tax to be paid (lower than the amount which would be payable apart from the scheme) which is set out in the scheme or is to be calculated in accordance with it, or
- (d) The whole amount of council tax (so that the amount payable is nil).

2.2.5 A scheme must state the procedure by which a person may apply for a reduction under the scheme or under Section 13A (1) (c) of the 1992 Act.

2.2.6 A scheme must state the procedure by which a person can make an appeal against any decision of the authority which affects -

- (a) The person’s entitlement to a reduction under the scheme, or (b) the amount of any reduction to which the person is entitled.

2.2.7 A scheme must state -

- (a) classes of person which must or must not be included in a scheme;
- (b) reductions, including minimum or maximum reductions, which must be applicable to persons in stated classes;
- (c) requirements which must be met by the procedure mentioned in 2.2.5

2.2.8 Subject to compliance with the Prescribed Requirements, a scheme may make provision that is equivalent to provisions made or capable of being made under -

- (a) sections 131 to 133 of the Social Security Contributions and Benefits Act 1992 (council tax benefit);
- (b) sections 134 to 137 of that Act (general provisions about income-related benefits) so far as applying in relation to council tax benefit;
- (c) section 1 of the Social Security Administration Act 1992 (entitlement to benefit dependent on claim) so far as applying in relation to council tax benefit;
- (d) section 6 of that Act (regulations about council tax benefit administration),
- (e) section 32 to 34 of the Welfare Reform Act 2007 (benefit for persons taking up employment) so far as applying in relation to council tax benefit as it had effect on the day on which the Local Government Finance Act 2012 was passed and with such modifications as the authority thinks fit.

2.2.9 In exercising any function relating to its scheme, the authority must have regard to any guidance issued by the Secretary of State

2.3 Revisions to and replacement of scheme

2.3.1 For each financial year, the authority must consider whether to revise its scheme or to replace it with another scheme.

2.3.2 The authority must make any revision to its scheme, or any replacement scheme, no later than 31 January in the financial year preceding that for which the revision or replacement scheme is to have effect.

2.3.3 If any revision to a scheme, or any replacement scheme, has the effect of reducing or removing a reduction to which any class of persons is entitled, the revision or replacement must include such transitional provision relating to that reduction or removal as the authority thinks fit.

The Council Tax Reduction Scheme (Persons who are not Pensioners)

Approved and Made by Council – TBC

Coming into effect April 2022

London Borough of Croydon makes the following Scheme in exercise of the functions conferred by section 13A (1) (a), (2), (3) of, and Schedule 1A to, the Local Government Finance Act 1992 and all other enabling powers, accordance with Parts 1 to 3 of, and Schedules 7 to 8 to, The Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012.

Citation, commencement and application

- (1) This scheme may be cited as the Council Tax Reduction Scheme (Persons who are not Pensioners) (London Borough of Croydon) 2022 and comes into effect on 01 April 2022.
- (2) This scheme applies in relation to the billing authority in England known as London Borough of Croydon (the Authority).

Prescribed Statutory Requirements

The Authority sets out in Chapter 1, Parts 1 - 9, the Prescribed Requirements that must apply to all applicants for a council tax reduction in accordance with Parts 1 to 3 of, and Schedules 7 to 8 to, the Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012

Leader of the Council

Date

Chapter 1 - Prescribed Statutory Requirements

Part 1 - Introduction

1. Citation, amendment and application

- (1) This scheme may be cited as the Council Tax Reduction Scheme (Persons who are not Pensioners) (London Borough of Croydon) 2022 and comes into effect on 1st April 2022

- (2) This scheme applies in relation to the billing authority in England known as London Borough of Croydon and references in this scheme to “an authority” and “the authority” shall be to London Borough of Croydon unless the context otherwise requires.
- (3) This scheme applies to all persons who are not pensioners.
- (4) If this scheme omits or is inconsistent with any of the requirements relating to persons who are not pensioners contained in the Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012 (including any re-enactment or amendments thereof), the scheme shall be construed in such a way as to correct the omission or inconsistency.
- (5) Typographical or clerical errors in the scheme may be corrected subject to the approval of the officer with overall responsibility for council tax matters (currently interim Corporate Director of Resources).

Part 2 - Interpretation

2. Interpretation

- (1) In this scheme -

“the 1992 Act” means the Local Government Finance Act 1992;

“the Administration Act” means the Social Security Administration Act 1992;

“Abbeyfield Home” means an establishment run by the Abbeyfield Society including all bodies corporate or unincorporated which are affiliated to that society;

“adoption leave” means a period of absence from work on ordinary or additional adoption leave by virtue of section 75A or 75B of the Employment Rights Act 1996

“AFIP” means an armed forces independence payment payable in accordance with an armed and reserve forces compensation scheme established under section 1(2) of the Armed Forces (Pensions and Compensation) Act 2004;

“applicant” means a person who has made an application;

“application” means an application for a reduction under a scheme;

“assessment period” means -

- (a) In relation to the earnings of an employed earner, in accordance with paragraph 47 for the purpose of calculating the weekly earnings of the applicant, or
- (b) in relation to the earnings of a self-employed earner, in accordance with paragraph 48 for the purpose of calculating the weekly earnings of the applicant; or
- (c) in relation to any other income, in accordance with paragraph 55 for the purpose of calculating the weekly income of the applicant;

“attendance allowance” means -

- (a) an attendance allowance under Part 3 of SSCBA
- (b) an increase of disablement pension under section 104 or 105 of that Act;
- (c) a payment by virtue of article 14, 15, 16, 43 or 44 of the Personal Injuries (Civilians) Scheme 1983 or any analogous payment; or;
- (d) any payment based on need for attendance which is paid as part of a war disablement pension;

“the authority” means the London Borough of Croydon in relation to whose area this scheme has effect by virtue of paragraph 4(6) of Schedule 1A to the 1992 Act; “basic rate” has the meaning given by the Income Tax Act 2007;

“the benefit Acts” means the SSCBA, the Jobseeker's Act 1995, the State Pension Credit Act 2002 and the Welfare Reform Act 2007;

“board and lodging accommodation” means accommodation provided to a person or, if he is a member of a family, to him or any other member of his family, for a charge which is inclusive of the provision of that accommodation and at least some cooked or prepared meals which both are cooked or prepared (by a person other than the person to whom the accommodation is provided or a member of his family) and are consumed in that accommodation or associated premises;

“care home” has the meaning given by section 3 of the Care Standards Act 2000 and in Scotland means a care home service within the meaning given by section 2(3) of the Regulation of Care (Scotland) Act 2001 and in Northern Ireland means a nursing home within the meaning of Article 11 of the Health and Personal Social Services (Quality, Improvement and Regulation) (Northern Ireland) Order 2003 or a residential care home within the meaning of Article 10 of that Order;

“care leaver” means a person who;-

- (a) has not attained the age of 25 years and was formerly provided with accommodation under section 20 of the Children Act 1989;
- (b) who has not attained the age of 25 years and has ceased to be subject to a supervision requirement by a children's hearing under section 70 of the Children (Scotland) Act 1995 ("the 1995 Act") made in respect of him which had continued after he attained the age of 16 years, other than a case where—
 - (i) the ground of referral was based on the sole condition as to the need for compulsory measures of care specified in section 52(1)(i) of the 1995 Act (commission of offences by child); or
 - (ii) he was required by virtue of the supervision requirement to reside with a parent or guardian of his within the meaning of the 1995 Act, or with a friend or relative of his or of his parent or guardian;
- (c) who has not attained the age of 25 years and has ceased to be a child in relation to whom the parental rights and responsibilities were transferred to a local authority under a parental responsibilities order made in accordance with section 86 of the 1995 Act or treated as so vested in accordance with paragraph 3 of Schedule 3 to that Act or has ceased to be a child in relation to whom a permanence order under section 80 of the Adoption and Children (Scotland) Act 2007 has been made, or treated as being made, either—
 - (i) after he attained the age of 16 years; or
 - (ii) before he attained the age of 16 years, but had continued after he attained that age; or
- (f) who has not attained the age of 25 years and has ceased to be provided with accommodation by a local authority under section 25 of the 1995 Act where he has previously been provided with accommodation by the authority under that provision either—
 - (i) after he attained the age of 16 years; or
 - (ii) before he attained the age of 16 years, but had continued to be in such accommodation after he attained that age; or
- (g) who is a person who has not attained the age of 25 years and has ceased to be subject to a compulsory supervision order within the meaning of section 83 of the Children's Hearings (Scotland) Act 2011 ("the 2011 Act") which had continued after that person attained the age of 16 years, other than a case where—
 - (i) the section 67 ground (within the meaning of that Act) was based on the sole condition as to the need for compulsory measures of supervision specified in section 67(2)(j) (the child has committed an offence) of the 2011 Act; or
 - (ii) that person was required by virtue of the compulsory supervision order to reside with a parent or guardian of that person within the meaning of the 1995 Act, or with a friend or relative of that person or of that person's parent or guardian.

“the Caxton Foundation” means the charitable trust of that name established on 28th March 2011 out of funds provided by the Secretary of State for the benefit of certain persons suffering from hepatitis C and other persons eligible for payment in accordance with its provisions;

“child” means a person under the age of 16;

“child benefit” has the meaning given by section 141 of the SSCBA;

“child tax credit” means a child tax credit under section 8 of the Tax Credits Act 2002;

“close relative” means a parent, parent-in-law, son, son-in-law, daughter, daughter-in-law, step-parent, step-son, step-daughter, brother, sister, or if any of the preceding persons is one member of a couple, the other member of that couple;

“concessionary payment” means a payment made under arrangements made by the Secretary of State with the consent of the Treasury which is charged either to the National Insurance Fund or to a Departmental Expenditure Vote to which payments of benefit or tax credits under the benefit Acts or the Tax Credits Act 2002 are charged;

“contributory employment and support allowance” means a contributory allowance under Part 1 of the Welfare Reform Act 2007; as amended by the provisions of Schedule 3, and Part 1 of Schedule 14, to the Welfare Reform Act 2012 that remove references to an income-related allowance and a contributory allowance under Part 1 of the Welfare Reform Act 2007 as that Part has effect apart from those provisions;

“council tax benefit” means council tax benefit under Part 7 of the SSCBA;

“couple” has the meaning given by paragraph 4;

“Default Scheme Regulations” means the Council Tax Reduction Schemes (Default Scheme) (England) Regulations 2012;

“designated office” means the office of an authority designated by it for the receipt of applications -

- (a) by notice upon or with a form supplied by it for the purpose of making an application;
- (b) by reference upon or with such a form to some other document from it and sent by electronic means or otherwise on application and without charge; or
- (c) by any combination of the provisions set out in paragraphs (a) and (b);

“disability living allowance” means a disability living allowance under section 71 of the SSCBA;

“earnings” has the meaning given by paragraph 51;

“the Eileen Trust” means the charitable trust of that name established on 29th March 1993 out of funds provided by the Secretary of State for the benefit of persons eligible for payment in accordance with its provisions;

“electronic communication” has the same meaning as in section 15(1) of the Electronic Communications Act 2000;

“employed earner” is to be construed in accordance with section 2(1)(a) of the SSCBA and also includes a person who is in receipt of a payment which is payable under any enactment having effect in Northern Ireland and which corresponds to statutory sick pay or statutory maternity pay;

“the Employment, Skills and Enterprise Scheme” means a scheme under section 17A (schemes for assisting persons to obtain employment: “work for your benefit” schemes etc.) of the Jobseekers Act 1995 known by that name and provided pursuant to arrangements made by the Secretary of State that is designed to assist claimants or job-seekers allowance to obtain employment, including self-employment, and which may include for any individual work-related activity (including work experience or job search);

“employment zone” means an area within Great Britain designated for the purposes of section 60 of the Welfare Reform and Pensions Act 1999 and an “employment zone programme” means a programme established for such an area or areas designed to assist claimants for a jobseeker’s allowance to obtain sustainable employment;

“enactment” includes an enactment comprised in, or in an instrument made under, an Act of the Scottish Parliament;

“extended reduction (qualifying income-related benefit)” means a reduction under this scheme for which a person is eligible under Part 19;

“extended reduction period” means the period for which a person is in receipt of an extended reduction in accordance with paragraphs 24, 88 and 93;

“extended reduction (qualifying contributory benefits)” means a reduction under this scheme for which a person is eligible in accordance with Part 19; “family” has the meaning given by paragraph 6;

“the Fund” means moneys made available from time to time by the Secretary of State for the benefit of persons eligible for payment in accordance with the provisions of a scheme established by the Secretary of State on 24th April 1992 or, in Scotland, on 10th April 1992;

“Grenfell Tower support payment” means a payment made to a person because that person was affected by the fire on 14th June 2017 at Grenfell Tower, or a payment to the personal representative of such a person—

- (a) from the £5 million fund announced on 16th June 2017 for the benefit of certain persons affected by the fire on 14th June at Grenfell Tower and known as the Grenfell Tower Residents’ Discretionary Fund;
- (b) by the Royal Borough of Kensington and Chelsea; or
- (c) by a registered charity;”;

“guarantee credit” is to be construed in accordance with sections 1 and 2 of the State Pension Credit Act 2002;

“a guaranteed income payment” means a payment made under article 15(1) (c) or 29(1) (a) of the Armed Forces and Reserve Forces (Compensation Scheme) Order 2011;

“housing benefit” means housing benefit under Part 7 of the SSCBA;

“Housing costs element” has the meaning given by regulation 21 of the Universal Credit Regulations 2012;

“an income-based jobseeker’s allowance” and “a joint-claim jobseeker’s allowance” have the meanings given by the Jobseeker’s Act 1995 by virtue of section 1(4) of that Act;

“income-related employment and support allowance” means an income-related allowance under Part 1 of the Welfare Reform Act 2007;

“independent hospital” -

- (a) in England means a hospital as defined by section 275 of the National Health Service Act 2006 that is not a health service hospital as defined by that section;
- (b) in Wales has the meaning given by section 2 of the Care Standards Act 2000; and
- (c) in Scotland means an independent healthcare service as defined by section 10F of the National Health Service (Scotland) Act 1978;

“the Independent Living Fund (2006)” means the Trust of that name established by a deed dated 10th April 2006 and made between the Secretary of State for Work and Pensions of the one part and Margaret Rosemary Cooper, Michael Beresford Boyall and Marie Theresa Martin of the other part;

“invalid carriage or other vehicle” means a vehicle propelled by a petrol engine or by electric power supplied for use on the road and to be controlled by the occupant;

“the London Bombings Relief Charitable Fund” means the company limited by guarantee (number 5505072), and registered charity of that name established on 11th July 2005 for the purpose of (amongst other things) relieving sickness, disability or financial need of victims (including families or dependents of victims) of the terrorist attacks carried out in London on 7th July 2005;

“lone parent” means a person who has no partner and who is responsible for and a member of the same household as a child or young person;

“the Macfarlane (Special Payments) Trust” means the trust of that name, established on 29th January 1990 partly out of funds provided by the Secretary of State, for the benefit of certain persons suffering from haemophilia;

“the Macfarlane (Special Payments) (No 2) Trust” means the trust of that name, established on 3rd May 1991 partly out of funds provided by the Secretary of State, for the benefit of certain persons suffering from haemophilia and other beneficiaries;

“the Macfarlane Trust” means the charitable trust, established partly out of funds provided by the Secretary of State to the Haemophilia Society, for the relief of poverty or distress among those suffering from haemophilia;

“main phase employment and support allowance” means an employment and support allowance where the calculation of the amount payable in respect of the applicant includes a component under section 2(1)(b) or 4(2)(b) of the Welfare Reform Act 2007;

“maternity leave” means a period during which a woman is absent from work because she is pregnant or has given birth to a child, and at the end of which she has a right to

return to work either under the terms of her contract of employment or under Part 8 of the Employment Rights Act 1996;

“maximum council tax reduction” means the amount determined in accordance with paragraph 41;

“member of a couple” means a member of a married or unmarried couple;

“MFET Limited” means the company limited by guarantee (number 7121661) of that name, established for the purpose in particular of making payments in accordance with arrangements made with the Secretary of State to persons who have acquired HIV as a result of treatment by the NHS with blood or blood products;

“mobility supplement” means a supplement to which paragraph 13 of Schedule 3 refers;

“mover” means an applicant who changes the dwelling in which the applicant is resident, and in respect of which the applicant is liable to pay council tax, from a dwelling in the area of one authority to a dwelling in the area of a second authority;

“the National Emergencies Trust” means the registered charity of that name (number 1182809) established on 28th March 2019;

“net earnings” means such earnings as are calculated in accordance with paragraph 52 (calculation of net earnings of employed earners);

“net profit” means such profit as is calculated in accordance with paragraph 67 (calculation of net profit of self-employed earners);

“new dwelling” means, for the purposes of the definition of “second authority” and paragraphs 90 and 95 the dwelling to which an applicant has moved, or is about to move, in which the applicant will be resident;

“non-dependant” has the meaning given by paragraph 9;

“occasional assistance” means any payment or provision made by a local authority, the Welsh Ministers or the Scottish Ministers for the purposes of—

- (a) meeting, or helping to meet an immediate short-term need—
 - (i) arising out of an exceptional event or exceptional circumstances, or
 - (ii) that needs to be met to avoid a risk to the well-being of an individual, and

(b) enabling qualifying individuals to establish or maintain a settled home, and—

- (i) “local authority” has the meaning given by section 270(1) of the Local Government Act 1972; and
- (ii) “qualifying individuals” means individuals who have been, or without the assistance might otherwise be—
 - (aa) in prison, hospital, an establishment providing residential care or other institution, or
 - (bb) homeless or otherwise living an unsettled way of life;

“occupational pension” means any pension or other periodical payment under an occupational pension scheme but does not include any discretionary payment out of a fund established for relieving hardship in particular cases;

“occupational pension scheme” has the same meaning as in section 1 of the Pension Schemes Act 1993

“parental bereavement leave” means leave under section 80EA of the Employment Rights Act 1996(b);”

“partner”, in relation to a person, means -

- (a) where that person is a member of a couple, the other member of that couple;
- (b) subject to paragraph (c), where that person is polygamously married to two or more members of his household, any such member to whom he is married; or
- (c) where that person is polygamously married and has an award of universal credit with the other party to the earliest marriage that still subsists, that other party to the earliest marriage;

“paternity leave” means a period of absence from work on ordinary paternity leave by virtue of section 80A or 80B of the Employment Rights Act 1996

“pension fund holder” means with respect to a personal pension scheme or an occupational pension scheme, the trustees, managers or scheme administrators, as the case may be, of the scheme concerned;

“pensionable age” has the meaning given by the rules in paragraph 1 of Schedule 4 to the Pensions Act 1995;

“pensioner” has the meaning given by paragraph 3(a);

“person on income support” means a person in receipt of income support;

“person treated as not being in Great Britain” has the meaning given by paragraph 12;

“person who is not a pensioner” has the meaning given by paragraph 3(b);

“personal independence payment” has the meaning given by Part 4 of the Welfare Reform Act 2012;

“personal pension scheme” means -

- (a) a personal pension scheme as defined by section 1 of the Pension Schemes Act 1993;
- (b) an annuity contract or trust scheme approved under section 620 or 621 of the Income and Corporation Taxes Act 1988 or a substituted contract within the meaning of section 622(3) of that Act which is treated as having become a registered pension scheme by virtue of paragraph 1(1)(f) of Schedule 36 to the Finance Act 2004;
- (c) a personal pension scheme approved under Chapter 4 of Part 14 of the Income and Corporation Taxes Act 1988 which is treated as having become a registered pension scheme by virtue of paragraph 1(1)(g) of Schedule 36 to the Finance Act 2004;

“policy of life insurance” means any instrument by which the payment of money is assured on death (except death by accident only) or the happening of any contingency dependent

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on human life, or any instrument evidencing a contract which is subject to payment of premiums for a term dependent on human life;

“polygamous marriage” means any marriage to which paragraph 5 applies;

“qualifying age for state pension credit” means (in accordance with section 1(2) (b) and (6) of the State Pension Credit Act 2002) - (a)

in the case of a woman, pensionable age; or

- (b) in the case of a man, the age which is pensionable age in the case of a woman born on the same day as the man;

“qualifying contributory benefit” means-

- (a) severe disablement allowance;
- (b) incapacity benefit;

- (c) contributory employment and support allowance;

“qualifying income-related benefit” means -

- (a) income support;
- (b) income-based jobseeker’s allowance;

- (c) income-related employment and support allowance;

“qualifying person” means;

- (a) a person in respect of whom a Grenfell Tower support payment has been made, a payment has been made from the Fund, the Eileen Trust, MFET Limited, the Skipton Fund, the Caxton Foundation, the Scottish Infected Blood Support Scheme, an approved blood scheme, the London Emergencies Trust, the We Love Manchester Emergency Fund, the Windrush Compensation Scheme, the National Emergencies Trust or the London Bombings Relief Charitable Fund;

“reduction week” means a period of seven consecutive days beginning with a Monday and ending with a Sunday;

“relative” means a close relative, grandparent, grandchild, uncle, aunt, nephew or niece;

“relevant week”, in relation to any particular day, means the week within which the day in question falls;

“remunerative work” has the meaning given by paragraph 10;

“rent” means “eligible rent” to which regulation 12 of the Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations 2006 refer, less any deductions in respect of non-dependants which fall to be made under paragraph 48 (non- dependant deductions);

“savings credit” is to be construed in accordance with sections 1 and 3 of the State Pension Credit Act 2002;

“second authority” means the authority to which a mover is liable to make payments for the new dwelling;

“self-employed earner” is to be construed in accordance with section 2(1) (b) of the SSCBA;

“shared parental leave” means leave under section 75E or 75 G of the Employment Rights

Act
1996

“single applicant” means an applicant who neither has a partner nor is a lone parent;

“the Skipton Fund” means the ex-gratia payment scheme administered by the Skipton Fund Limited, incorporated on 25th March 2004, for the benefit of certain person’s scheme’s provisions;

“sports award” means an award made by one of the Sports Councils named in section 23(2) of the National Lottery Act 1993 out of sums allocated to it for distribution under that section;

“the SSCBA” means the Social Security Contributions and Benefits Act 1992;

“state pension credit” means state pension credit under the State Pension Credit Act 2002;

“statutory parental bereavement pay” means a payment to which a person is entitled in accordance with section 171ZZ6 of the Social Security Contribution and Benefits Act 1992(c);”;

“student” has the meaning given by paragraph 73;

“tax year” means a period beginning with 6th April in one year and ending with 5th April in the next;

“training allowance” means an allowance (whether by way of periodical grants or otherwise) payable -

- (a) out of public funds by a Government department or by or on behalf of the Secretary of State, Skills Development Scotland, Scottish Enterprise or Highlands and Islands Enterprise or the Welsh Ministers;
- (b) to a person for his maintenance or in respect of a member of his family; and
- (c) for the period, or part of the period, during which he is following a course of training or instruction provided by, or in pursuance of arrangements made with, that department or approved by that department in relation to him or so provided or approved by or on behalf of the Secretary of State, Skills Development Scotland, Scottish Enterprise or Highlands and Islands Enterprise or the Welsh Ministers,

but it does not include an allowance paid by any Government department to or in respect of a person by reason of the fact that he is following a course of full-time education, other than under arrangements made under section 2 of the Employment and Training Act 1973, or is training as a teacher;

“the Trusts” (except where the context otherwise requires) means the Macfarlane Trust, the Macfarlane (Special Payments) Trust and the Macfarlane (Special Payments) (No 2) Trust and “Trustees” is to be construed accordingly;

“universal credit” has the meaning given by section 1 of the Welfare Reform Act 2012

“voluntary organisation” means a body, other than a public or local authority, the activities of which are carried on otherwise than for profit;

“the Windrush Compensation Scheme” means—

- (a) the scheme of that name(d) operated by the Secretary of State for the purpose of compensating individuals who have suffered loss in connection with being unable to demonstrate their lawful status in the United Kingdom; and .
- (b) the policy entitled “Windrush Scheme: Support in urgent and exceptional circumstances”(e) which was operated by the Secretary of State for the purpose of compensating individuals who, for urgent and exceptional reasons, required support in advance of the scheme referred to in paragraph (a) of this definition becoming operational;”

“week” means a period of seven days beginning with a Monday;

“war disablement pension” means any retired pay or pension or allowance payable in respect of disablement under an instrument specified in section 639(2) of the Income Tax (Earnings and Pensions) Act 2003;

“war pension” means a war disablement pension, a war widow’s pension or a war widower’s pension;

“war widow’s pension” means any pension or allowance payable to a woman as a widow or to a surviving civil partner under an instrument specified in section 639(2) of the Income Tax (Earnings and Pensions) Act 2003 in respect of the death or disablement of any person

“war widower’s pension” means any pension or allowance payable to a man as a widower or to a surviving civil partner under an instrument specified in section 639(2) of the Income Tax (Earnings and Pensions) Act 2003 in respect of the death or disablement of any person;

“water charges” means -

- (a) as respects England and Wales, any water and sewerage charges under Chapter 1 of Part 5 of the Water Industry Act 1991,
- (b) as respects Scotland, any water and sewerage charges established by Scottish Water under a charges scheme made under section 29A of the Water Industry (Scotland) Act 2002, in so far as such charges are in respect of the dwelling which a person occupies as his home;

“working tax credit” means a working tax credit under section 10 of the Tax Credits Act 2002;

“young person” means a person who falls within the definition of qualifying young person in section 142 of the SSCBA.

- (2) In this scheme, where an amount is to be rounded to the nearest penny, a fraction of a penny must be disregarded if it is less than half a penny and must otherwise be treated as a whole penny.
- (3) For the purpose of this scheme, a person is on an income-based jobseeker’s allowance on any day in respect of which an income-based jobseeker’s allowance is payable to him and on any day -
 - (a) in respect of which he satisfies the conditions for entitlement to an income-based jobseeker’s allowance but where the allowance is not payable because of a reduction paid in accordance with regulation 27A of the Jobseeker’s Allowance Regulations 1996 or section 19 or 19A or regulations made under section 17A or 19B of the Jobseeker’s Act 1995 (circumstances in which a jobseeker’s allowance is not payable);
 - (b) which is a waiting day for the purposes of paragraph 4 of Schedule 1 to that Act and which falls immediately before a day in respect of which an income-based jobseeker’s allowance is payable to him or would be payable to him but for section 19 or 19A or regulations made under section 17A or 19B of that Act; or
 - (c) in respect of which an income-based jobseeker’s allowance would be payable but for a restriction imposed pursuant to section 6B, 7, 8 or 9 of the Social Security Fraud Act 2001 (loss of benefit provisions).
- (4) For the purposes of this scheme, a person is on an income-related employment and support allowance on any day in respect of which an income-related employment and support allowance is payable to him and on any day -

- (a) in respect of which he satisfies the conditions for entitlement to an income-related employment and support allowance but where the allowance is not paid in accordance with section 18 of the Welfare Reform Act (disqualification); or
 - (b) which is a waiting day for the purposes of paragraph 2 of Schedule 2 to that Act (employment and support allowance; supplementary provisions) and which falls immediately before a day in respect of which an income-related employment and support allowance is payable to him or would be payable to him but for section 18 of that Act.
- (5) For the purposes of this scheme, two persons shall be taken to be estranged only if their estrangement constitutes a breakdown of the relationship between them.
- (6) In this scheme, references to any person in receipt of state pension credit includes a person who would be in receipt of state pension credit but for regulation 13 of the State Pension Credit Regulations 2002 (small amounts of state pension credit).
- (7) In this scheme, references to a person in class A1 or A2 (as the case may be) is a reference to class A1 or A2 described in paragraphs 34 and 35.
- (8) References in this scheme to an applicant participating as a service user are to—
- (a) a person who is being consulted by or on behalf of—
 - (i) a body which has a statutory duty to provide services in the field of health, social care or social housing; or
 - (ii) a body which conducts research or undertakes monitoring for the purpose of planning or improving such services, in their capacity as a user, potential user, carer of a user or person otherwise affected by the provision of those services;
 - (aa) a person who is being consulted by or on behalf of—
 - (i) the Secretary of State in relation to any of the Secretary of State's functions in the field of social security or child support or under section 2 of the Employment and Training Act 1973; or
 - (ii) a body which conducts research or undertakes monitoring for the purpose of planning or improving such functions, in their capacity as a person affected or potentially affected by the exercise of those functions or the carer of such a person; or
 - (b) the carer of a person consulted as described in sub-paragraph (a) or (aa) where the carer is not being consulted as described in that sub-paragraph.

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3. Application of scheme: pensioners and persons who are not pensioners

In this scheme a person is-

- (a) a “pensioner” if -
 - (i) he has attained the qualifying age for state pension credit; and
 - (ii) he is not, or, if he has a partner, his partner is not -
 - (aa) a person on income support, on an income-based jobseeker’s allowance or on an income-related employment and support allowance; or
 - (bb) a person with an award of universal credit; and
- (b) a “person who is not a pensioner” if -
 - (i) he has not attained the qualifying age for state pension credit; or
 - (ii) he has attained the qualifying age for state pension credit and he, or if he has a partner, his partner, is -
 - (aa) a person on income support, on income-based jobseeker’s allowance or an income-related employment and support allowance; or
 - (bb) a person with an award of universal credit.

4. Meaning of “couple”

- (1) In this scheme “couple” means –
 - (a) two people who are married to, or civil partners of, each other and are members of the same household; or
 - (b) two people who are not married to, or civil partners of, each other but are living together as if they were a married couple or civil partners.

5. Polygamous marriages

- (1) This paragraph applies to any case where -
 - (a) a person is a husband or wife by virtue of a marriage entered into under a law which permits polygamy; and

(b) either party to the marriage has for the time being any spouse additional to the other party.

(2) For the purposes of paragraph 4 neither party to the marriage is to be taken to be a member of a couple.

6. Meaning of “family”

(1) In this scheme “family” means-

(a) a couple;

(b) a couple and a member of the same household for whom one of them is or both are responsible and who is a child or a young person; or

(c) a person who is not a member of a couple and a member of the same household for whom that person is responsible and who is a child or a young person.

(2) The references to a child or young person in sub-paragraph (1)(b) and (c) include a child or young person in respect of whom section 145A of the SSCBA applies for the purposes of entitlement to child benefit, but only for the period prescribed under section 145A(1).

(3) The references to a young person in sub-paragraph (1)(b) and (c) do not include a young person who is -

(a) on income support, an income-based jobseeker’s allowance or an income-related employment and support allowance;

(b) a person to whom section 6 of the Children (Leaving Care) Act 2000 (exclusion from benefits) applies; or

(c) entitled to an award of Universal Credit.

7. Circumstances in which a person is to be treated as responsible or not responsible for another

(1) A person is to be treated as responsible for a child or young person who is normally living with him, including a child or young person to whom paragraph 6(2) applies.

(2) Where a child or young person spends equal amounts of time in different households, or where there is a question as to which household he is living in, the child or young person must be treated for the purposes of sub-paragraph (1) as normally living with -

- (a) the person who is receiving child benefit in respect of that child or young person, or
 - (b) if there is no such person—
 - (i) where only one claim for child benefit has been made in respect of him, the person who made that claim, or
 - (ii) in any other case the person who has the primary responsibility for him.
- (3) For the purposes of this scheme, a child or young person is the responsibility of only one person in any reduction week and any person other than the one treated as responsible for the child or young person under this regulation is to be treated as not so responsible.

8. Households

- (1) Subject to sub-paragraphs (2) and (3), an applicant and any partner and, where the applicant or his partner is treated, by virtue of sub-paragraph 7, as responsible for a child or young person, that child or young person and any child of that child or young person, are to be treated as members of the same household notwithstanding that any of them is temporarily absent from that household.
- (2) A child or young person is not to be treated as a member of the applicant's household where he is -
 - (a) placed with the applicant or his partner by a local authority under section 22C or 23(2)(a) of the Children Act 1989 or by a voluntary organisation under section 59(1)(a) of that Act, or in Scotland boarded out or placed with the applicant or his partner under a relevant enactment or in Wales, placed with the applicant or the applicant's partner by a local authority under section 81 of the Social Services and Well-being (Wales) Act 2014 or by a voluntary organisation under section 59(1)(a) of the Children Act 1989; or
 - (b) placed, or in Scotland boarded out, with the applicant or his partner prior to adoption; or
 - (c) placed for adoption with the applicant or his partner in accordance with the Adoption and Children Act 2002 or the Adoption Agencies (Scotland) Regulations 2009 or the Adoption (Northern Ireland) Order 1987.
- (3) Subject to sub-paragraph (4), sub-paragraph (1) does not apply to a child or young person who is not living with the applicant and who -

- (a) is being looked after by, or in Scotland is in the care of, a local authority under a relevant enactment; or
 - (b) has been placed, or in Scotland boarded out, with a person other than the applicant prior to adoption; or
 - (c) has been placed for adoption in accordance with the Adoption and Children Act 2002 or the Adoption Agencies (Scotland) Regulations 2009.
- (4) An authority must treat a child or young person to whom sub-paragraph (3)(a) applies as being a member of the applicant's household in any reduction week where -
- (a) that child or young person lives with the applicant for part or all of that reduction week; and
 - (b) the authority considers that it is reasonable to do so taking into account the nature and frequency of that child's or young person's visits.
- (5) In this paragraph "relevant enactment" means-
- (a) the Army Act 1955;
 - (b) the Air Force Act 1955;
 - (c) the Naval Discipline Act 1957;
 - (d) the Matrimonial Proceedings (Children) Act 1958;
 - (e) the Social Work (Scotland) Act 1968;
 - (f) the Family Law Reform Act 1969;
 - (g) the Children and Young Persons Act 1969; (h) the Matrimonial Causes Act 1973;
 - (i) the Children Act 1975;
 - (j) the Domestic Proceedings and Magistrates' Courts Act 1978;
 - (k) the Adoption and Children (Scotland) Act 2007;
 - (l) the Family Law Act 1986; (m) the Children Act 1989;
 - (n) the Children (Scotland) Act 1995; and
 - (na) the Children's Hearings (Scotland) Act 2011; and
 - (o) the Legal Aid, Sentencing and Punishment of Offenders Act 2012.

9. Non-dependents

- (1) In this scheme, “non-dependent” means any person, except someone to whom sub-paragraph (2) applies, who normally resides with an applicant or with whom an applicant normally resides.
- (2) This paragraph applies to -
- (a) any member of the applicant’s family;
 - (b) if the applicant is polygamous married, any partner of his and any child or young person who is a member of his household and for whom he or one of his partners is responsible;
 - (c) a child or young person who is living with the applicant but who is not a member of his household by virtue of paragraph 8 (households);
 - (d) subject to sub-paragraph (3), any person who, with the applicant, is jointly and severally liable to pay council tax in respect of a dwelling for any day under section 6 or 7 of the 1992 Act (persons liable to pay council tax);
 - (e) subject to sub-paragraph (3), any person who is liable to make payments on a commercial basis to the applicant or the applicant’s partner in respect of the occupation of the dwelling;
 - (f) a person who lives with the applicant in order to care for him or a partner of his and who is engaged by a charitable or voluntary organisation which makes a charge to the applicant or his partner for the services provided by that person.
- (3) Excepting persons to whom sub-paragraph (2)(a) to (c) and (f) refer, a person to whom any of the following paragraphs applies is a non-dependent -
- (a) a person who resides with the person to whom he is liable to make payments in respect of the dwelling and either -
 - (i) that person is a close relative of his or his partner; or
 - (ii) the tenancy or other agreement between them is other than on a commercial basis;
 - (b) a person whose liability to make payments in respect of the dwelling appears to the authority to have been created to take advantage of a scheme except someone who was, for any period within the eight weeks prior to the creation of the agreement giving rise to the liability to make such payments, otherwise liable to make payments of rent in respect of the same dwelling;

- (c) a person who becomes jointly and severally liable with the applicant for council tax in respect of a dwelling and who was, at any time during the period of eight weeks prior to his becoming so liable, a non-dependent of one or more of the other residents in that dwelling who are so liable for the tax, unless the change giving rise to the new liability was not made to take advantage of a scheme.

10. Remunerative work

- (1) Subject to the following provisions of this paragraph, a person must be treated for the purposes of this scheme as engaged in remunerative work if he is engaged, or, where his hours of work fluctuate, he is engaged on average, for not less than 16 hours a week, in work for which payment is made or which is done in expectation of payment.
- (2) Subject to sub-paragraph (3), in determining the number of hours for which a person is engaged in work where his hours of work fluctuate, regard must be had to the average of hours worked over -
 - (a) if there is a recognisable cycle of work, the period of one complete cycle, including, where the cycle involves periods in which the person does not work, those periods but disregarding any other absences;
 - (b) in any other case, the period of 5 weeks immediately prior to the date of application, or such other length of time as may, in the particular case, enable the person's weekly average hours of work to be determined more accurately.
- (3) Where, for the purposes of sub-paragraph (2) (a), a person's recognisable cycle of work at a school, other educational establishment or other place of employment is one year and includes periods of school holidays or similar vacations during which he does not work, those periods and any other periods not forming part of such holidays or vacations during which he is not required to work must be disregarded in establishing the average hours for which he is engaged in work.
- (4) Where no recognisable cycle has been established in respect of a person's work, regard must be had to the number of hours or, where those hours will fluctuate, the average of the hours, which he is expected to work in a week.
- (5) A person must be treated as engaged in remunerative work during any period for which he is absent from work referred to in sub paragraph (1) if the absence is either without good cause or by reason of a recognised, customary or other holiday.

- (6) A person on income support, an income-based jobseeker's allowance or an income-related employment and support allowance for more than 3 days in any reduction week must be treated as not being in remunerative work in that week.
- (7) A person must not be treated as engaged in remunerative work on any day on which the person is on maternity leave, paternity leave, shared parental leave, parental bereavement leave, or adoption leave, or is absent from work because he is ill.
- (8) A person must not be treated as engaged in remunerative work on any day on which he is engaged in an activity in respect of which -
 - (a) a sports award has been made, or is to be made, to him; and
 - (b) no other payment is made or is expected to be made to him.

Part 3 - Prescribed classes of persons

11. Pensioners

Pensioners are a class of person prescribed for the purposes of paragraph 2(9) (b) of Schedule 1A to the 1992 Act and who are included in the authority's scheme under The Council Tax Reduction Scheme (Pensioners) (London Borough of Croydon) 2013.

12. Persons treated as not being in Great Britain

- (1) Persons treated as not being in Great Britain are a class of person prescribed for the purposes of paragraph 2(9) (b) of Schedule 1A to the 1992 Act and which must not be included in an authority's scheme.
- (2) Except where a person falls within sub-paragraph (5) or (6), a person is to be treated as not being in Great Britain if the person is not habitually resident in the United Kingdom, the Channel Islands, the Isle of Man or the Republic of Ireland.
- (3) A person must not be treated as habitually resident in the United Kingdom, the Channel Islands, the Isle of Man or the Republic of Ireland unless the person has a right to reside in one of those places.
- (4) For the purposes of sub-paragraph (3), a right to reside does not include a right which exists by virtue of, or in accordance with—
 - (a) regulation 13 of the EEA Regulations; or
 - (aa) regulation 14 of the EEA Regulations, but only in a case where the right exists under that regulation because the person is—
 - (i) a jobseeker for the purpose of the definition of "*qualified person*" in regulation 6(10) of those Regulations, or
 - (ii) a family member (within the meaning of regulation 7 of those Regulations) of such a jobseeker;

- (b) regulation 16 of the EEA Regulations, but only in a case where the right exists under that regulation because the applicant satisfies the criteria in paragraph (5) of that regulation.
- (4A) For the purposes of paragraph (3), a right to reside does not include a right which exists by virtue of a person having been granted limited leave to enter, or remain in, the United Kingdom under the Immigration Act 1971(a) by virtue of—
- (b) Appendix EU to the immigration rules made under section 3(2) of that Act;
 - (c) being a person with a Zambrano right to reside as defined in Annex 1 of Appendix EU to the immigration rules made under section 3(2) of that Act; or
 - (d) having arrived in the United Kingdom with an entry clearance that was granted under Appendix EU (Family Permit) to the immigration rules made under section 3(2) of that Act.
- (5) A person falls within this paragraph if the person is—
- (a) a qualified person for the purposes of regulation 6 of the EEA Regulations as a worker or a self-employed person;
 - (b) a family member of a person referred to in sub-paragraph (a)
 - (c) a person who has a right to reside permanently in the United Kingdom by virtue of regulation 15(1)(c), (d) or (e) of the EEA Regulations;
 - (ca) a family member of a relevant person of Northern Ireland, with a right to reside which falls within paragraph (4A) (b), provided that the relevant person of Northern Ireland falls within paragraph (5) (a), or would do so but for the fact that they are not an EEA national
 - (cb) a frontier worker within the meaning of regulation 3 of the Citizens' Rights (Frontier Workers) (EU Exit) Regulations 2020
 - (cc) a family member of a person referred to in sub-paragraph (cb), who has been granted limited leave to enter, or remain in, the United Kingdom by virtue of Appendix EU to the immigration rules made under section 3(2) of the Immigration Act 1971(8)
 - (d) a person recorded by the Secretary of State as a refugee within the definition in Article 1 of the Convention relating to the Status of Refugees done at Geneva on 28th July 1951, as extended by Article 1(2) of the Protocol relating to the Status of Refugees done at New York on 31st January 1967;
 - (e) a person who has been granted, or who is deemed to have been granted, leave outside the rules made under section 3(2) of the Immigration Act 1971 where that leave is—
 - (i) discretionary leave to enter or remain in the United Kingdom,

- (ii) leave to remain under the Destitution Domestic Violence concession which came into effect on 1st April 2012, or
 - (iii) leave deemed to have been granted by virtue of regulation 3 of the Displaced Persons (Temporary Protection) Regulations 2005
- (f) a person who has humanitarian protection granted under those rules; or
- (g) a person who is not a person subject to immigration control within the meaning of section 115(9) of the Immigration and Asylum Act 1999 and who is in the United Kingdom as a result of his deportation, expulsion or other removal by compulsion of law from another country to the United Kingdom.
- (h) in receipt of income support on an income-related employment and support allowance; or
- (ha) in receipt of an income-based jobseeker's allowance and has a right to reside other than a right to reside falling within paragraph (4);
- (6) A person falls within this paragraph if the person is a Crown servant or member of Her Majesty's forces posted overseas.
- (7) A person mentioned in sub-paragraph (6) is posted overseas if the person is performing overseas the duties of a Crown servant or member of Her Majesty's forces and was, immediately before the posting or the first of consecutive postings, habitually resident in the United Kingdom.
- (8) In this scheme -
- “claim for asylum” has the same meaning as in section 94(1) of the Immigration and Asylum Act 1999;
- “Crown servant” means a person holding an office or employment under the Crown;
- “EEA national” has the meaning given in regulation 2(1) of the EEA Regulations;”
- “EEA Regulations” means the Immigration (European Economic Area) Regulations 2016(c); and references to the EEA Regulations are to be read with Schedule 4 to the Immigration and Social Security Co-ordination (EU Withdrawal) Act 2020 (Consequential, Saving, Transitional and Transitory Provisions) Regulations 2020
- “family member” has the meaning given in regulation 7(1)(a), (b) or (c) of the EEA Regulations, except that regulation 7(4) of the EEA Regulations does not apply for the purposes of paragraphs (4B) and (5)(ca)
- “relevant person of Northern Ireland” has the meaning given in Annex 1 of Appendix EU to the immigration rules made under section 3(2) of the Immigration Act 1971
- “Her Majesty's forces” has the same meaning as in the Armed Forces Act 2006

13. Persons subject to immigration control.

- (1) Subject to sub-paragraph (1A), persons subject to immigration control are a class of person prescribed for the purposes of paragraph 2(9) (b) of Schedule 1A to the 1992 Act and which must not be included in an authority's scheme.
- (1A) A person who is a national of a state which has ratified the European Convention on Social and Medical Assistance 3 (done in Paris on 11th December 1953) or a state which has ratified the Council of Europe Social Charter (signed in Turin on 18th October 1961) and who is lawfully present in the United Kingdom is not a person subject to immigration control for the purpose of sub-paragraph (1).
- (2) "Person subject to immigration control" has the same meaning as in section 15(9) of the Immigration and Asylum Act 1999.

Part 4 - Procedural Matters

14. Procedure by which a person may apply for a reduction under this authority's scheme.

- (1) Sub-paragraphs (2) to (11) apply to an application made under the authority's scheme.
- (2) An application may be made,-
 - (a) in writing,
 - (b) by means of an electronic communication in accordance with Part 5 , or
 - (c) where the authority has published a telephone number for the purpose of receiving such applications, by telephone.
- (3) An application which is made in writing must be made to the designated office of the authority on a properly completed form.
- (4) The form must be provided free of charge by the authority for the purpose.
- (5) Where an application made in writing is defective because -
 - (a) it was made on the form supplied for the purpose but that form is not accepted by the authority as being properly completed; or
 - (b) it was made in writing but not on the form approved for the purpose and the authority does not accept the application as being in a written form which is sufficient in the circumstances of the case having regard to the sufficiency of the written information and evidence, the authority may, in a case to which sub-paragraph (5)(a) applies, request the applicant complete the defective application or, in the case to which sub-paragraph (5)(b) applies, supply the

applicant with the approved form or request further information and evidence.

- (6) An application made on a form provided by the authority is properly completed if it is completed in accordance with the instructions on the form, including any instructions to provide information and evidence in connection with the application.
- (7) If an application made by electronic communication is defective the authority must provide the person making the application with an opportunity to correct the defect.
- (8) An application made by electronic communication is defective if the applicant does not provide all the information the authority requires.
- (9) In a particular case the authority may determine that an application made by telephone is only valid if the person making the application approves a written statement of his circumstances provided by the authority.
- (10) If an application made by telephone is defective the authority must provide the person making the application with an opportunity to correct the defect.
- (11) An application made by telephone is defective if the applicant does not provide all the information the authority requests during the telephone call.

15. Procedure by which a person may appeal against certain decisions of the authority

- (1) A person who is aggrieved by a decision of the authority which affects -
 - (a) the person's entitlement to a reduction under its scheme, or
 - (b) the amount of any reduction to which that person is entitled,

May serve a written notice on the authority stating the matter by which, and the grounds on which, he is aggrieved.

- (2) The authority must -
 - (a) consider the matter to which the notice relates;
 - (b) notify the aggrieved person in writing -
 - (i) that the ground is not well founded, giving reasons for that belief; or
 - (ii) That steps have been taken to deal with the grievance, stating the steps taken.

- (3) Where, following notification under sub-paragraph (2) (b) (i) or (ii), the person is still aggrieved, or if the authority fails to notify the person aggrieved in accordance with sub-paragraph (2) (b) within two months of the service of his notice, he may appeal to a valuation tribunal under section 16 of the 1992 Act.

16. Procedure for an application for a discretionary reduction under Section 13(1)(c) of the 1992 Act.

- (1) An application to the authority for a reduction under section 13A(1)(c) of the 1992 Act must be made -
- (a) in writing,
 - (b) by means of an electronic communication in accordance with Part 5 of this scheme or
 - (c) where the authority has published a telephone number for the purpose of receiving such applications, by telephone.
- (2) Where—
- (a) the authority has made a determination under section 13A(1)(c) in relation to a class of case in which liability is to be reduced; and
 - (b) a person in that class would otherwise be entitled to a reduction under its scheme, that person's application for a reduction under the authority's scheme may also be treated as an application for a reduction under section 13A(1)(c).

Part 5 - Electronic Communication

17. Interpretation

In this part -

"information" includes an application, a certificate, notice or other evidence; and

"official computer system" means a computer system maintained by or on behalf of the authority for sending, receiving, processing or storing of any information.

18. Conditions for the use of electronic communication

- (1) The authority may use an electronic communication in connection with applications for, and awards of, council tax reductions under this scheme.
- (2) A person other than that authority may use an electronic communication in connection with the matters referred to in sub-paragraph (1) if the conditions specified in sub-paragraphs (3) to (6) are satisfied.

- (3) The first condition is that the person is for the time being permitted to use an electronic communication by an authorisation given by means of a direction of the Chief Executive of the authority.
- (4) The second condition is that the person uses an approved method of-
 - (a) authenticating the identity of the sender of the communication;
 - (b) electronic communication;
 - (c) authenticating any application or notice delivered by means of an electronic communication; and
 - (d) subject to sub-paragraph (7), submitting to the authority any information.
- (5) The third condition is that any information sent by means of an electronic communication is in a form approved for the purposes of this part.
- (6) The fourth condition is that the person maintains such records in written or electronic form as may be specified in a direction given by the Chief Executive of the authority.
- (7) Where the person uses any method other than the method approved of submitting any information, that information is to be treated as not having been submitted.(8) In this paragraph "approved" means approved by means of a direction given by the Chief Executive of the authority for the purposes of this

Part.

19. Use of intermediaries

The authority may use intermediaries in connection with -

- (a) the delivery of any information by means of an electronic communication; and
- (b) the authentication or security of anything transmitted by such means,

and may require other persons to use intermediaries in connection with those matters.

20. Effect of delivering information by means of electronic communication

- (1) Any information which is delivered by means of an electronic communication is to be treated as having been delivered in the manner or form required by any provision of the authority's scheme on the day the conditions imposed -
 - (a) by this Part; and
 - (b) by or under an enactment, are satisfied.

- (2) The authority may, determine that any information is to be treated as delivered on a different day (whether earlier or later) from the day provided for in sub-paragraph (1).
- (3) Information may not be taken to have been delivered to an official computer system by means of an electronic communication unless it is accepted by the system to which it is delivered.

21. Proof of identity of sender or recipient of information

If it is necessary to prove, for the purpose of any legal proceedings, the identity of -

- (a) the sender of any information delivered by means of an electronic communication to an official computer system; or
- (b) the recipient of any such information delivered by means of an electronic communication from an official computer system,

the sender or recipient, as the case may be, is to be presumed to be the person whose name is recorded as such on that official computer system.

22. Proof of delivery of information

- (1) If it is necessary to prove, for the purpose of any legal proceedings, that the use of an electronic communication has resulted in the delivery of any information this is presumed to have been the case where -
 - (a) any such information has been delivered to the relevant authority, if the delivery of that information has been recorded on an official computer system; or
 - (b) any such information has been delivered by the relevant authority, if the delivery of that information has been recorded on an official computer system.
- (2) If it is necessary to prove, for the purpose of any legal proceedings, that the use of an electronic communication has resulted in the delivery of any such information this is presumed not to be the case, if that information delivered to the relevant authority has not been recorded on an official computer system.
- (3) If it is necessary to prove, for the purpose of any legal proceedings, when any such information sent by means of an electronic communication has been received, the time and date of receipt is presumed to be that recorded on an official computer system.

23. Proof of content of information

If it is necessary to prove, for the purpose of any legal proceedings, the content of any information sent by means of an electronic communication, the content is presumed to be that recorded on an official computer system.

Part 6 - Extended Reductions: Movers

24. Extended reductions: movers into an authority's area

Where—

- (a) an application is made to an authority (“the current authority”) for a reduction under its scheme, and
- (b) the applicant or the partner of the applicant, is in receipt of an extended reduction from—
 - (i) another billing authority in England; or
 - (ii) a billing authority in Wales,

the current authority must reduce any reduction to which the applicant is entitled under its scheme by the amount of that extended reduction.

Part 7 - Applications

25. Making an application

- (1) In the case of a couple or members of a polygamous marriage an application is to be made by whichever one of them they agree should so apply or, in default of agreement, by such one of them as the authority determines.
- (2) Where a person who is liable to pay council tax in respect of a dwelling is unable for the time being to act, and -
 - (a) a deputy has been appointed by the Court of Protection with power to apply, or as the case may be, receive benefit on his behalf; or
 - (b) in Scotland, his estate is being administered by a judicial factor or any guardian acting or appointed under the Adults with Incapacity (Scotland) Act 2000 who has power to apply or, as the case may be, receive benefit on his behalf; or

- (c) an attorney with a general power or a power to apply or, as the case may be, receive benefit, has been appointed by that person under the Powers of Attorney Act 1971, the Enduring Powers of Attorney Act 1985 or the Mental Capacity Act 2005 or otherwise,

that deputy, judicial factor, guardian or attorney, as the case may be, may make an application on behalf of that person.

- (3) Where a person who is liable to pay council tax in respect of a dwelling is unable for the time being to act and sub-paragraph (2) does not apply to him, an authority may, upon written application made to them by a person who, if a natural person, is over the age of 18, appoint that person to exercise on behalf of the person who is unable to act, any right to which that person might be entitled under the authority's scheme and to receive and deal on his behalf with any sums payable to him.
- (4) Where a person who is liable to pay council tax in respect of a dwelling is for the time being unable to act and the Secretary of State has appointed a person to act on his behalf under regulation 33 of the Social Security (Claims and Payments) Regulations 1987 (persons unable to act), the authority may if that person agrees, treat him as if he had been appointed by them under sub-paragraph (3).
- (5) Where the authority has made an appointment under sub-paragraph (3) or treated a person as an appointee under sub-paragraph (4) -
 - (a) it may at any time revoke the appointment;
 - (b) the person appointed may resign his office after having given 4 weeks' notice in writing to the authority of his intention to do so;
 - (c) any such appointment terminates when the authority is notified of the appointment of a person mentioned in sub-paragraph (2).
- (6) Anything required by an authority's scheme to be done by or to any person who is for the time being unable to act may be done by or to the persons mentioned in sub-paragraph (2) above or by or to the person appointed or treated as appointed under this paragraph and the receipt of any such person so appointed shall be a good discharge to the authority for any sum paid.
- (7) The authority must -
 - (a) inform any person making an application of the duty imposed by paragraph 29(1)(a);
 - (b) explain the possible consequences (including prosecution) of failing to comply with that duty; and

- (c) set out the circumstances a change in which might affect entitlement to the reduction or its amount.

26. Date on which a n application is made

(1) Subject to sub-paragraph (7), the date on which an application is made is -

(a) in a case where -

- (i) an award of income support, an income-based jobseeker's allowance or an income-related employment and support allowance or an award of universal credit has been made to the applicant or his partner, and

- (ii) the application for a reduction is made within one month of the date on which the claim for income support, jobseeker's allowance, employment and support allowance or universal credit was received,

the first day of entitlement to income support, an income-based jobseeker's allowance, an income-related employment and support allowance or universal credit arising from that claim;

(b) in a case where -

- (i) an applicant or his partner is a person on income support, an income-based jobseeker's allowance or a n income-related employment and support allowance or has an award of universal credit,

- (ii) the applicant becomes liable for the first time to pay council tax in respect of the dwelling which he occupies as his home, and

- (iii) the application for a reduction is received at the designated office within one month of the date of the change,

the date on which the change takes place;

(c) in a case where -

- (i) an applicant is the former partner of a person who was, at the date of his death or their separation, entitled to a reduction under an authority's scheme, and

- (ii) the applicant makes an application for a reduction under that scheme within one month of the date of the death or the separation,

the date of the death or separation;

(d) in a case where a properly completed application is received within one month, or such longer period as the authority considers reasonable, of the date on which an application form was issued to the applicant following

the applicant first notifying, by whatever means, the authority of an intention to make an application, the date of first notification;

- (e) in any other case, the date on which an application is received at the designated office.
- (2) For the purposes only of sub-paragraph (1)(a) a person who has been awarded an income- based jobseeker's allowance or an income-related employment and support allowance is to be treated as entitled to that allowance for any days which immediately precede the first day in that award and on which he would, but for regulations made under -
- (a) in the case of income-based jobseeker's allowance, paragraph 4 of Schedule 1 to the Jobseeker's Act 1995 (waiting days); or
 - (b) in the case of income-related employment and support allowance, paragraph 2 of Schedule 2 to the Welfare Reform Act 2007 (waiting days), have been entitled to that allowance.
- (3) Where the defect referred to in paragraph 14(10) (applications by telephone)-
- (a) is corrected within one month, or such longer period as the authority considers reasonable, of the date the authority last drew attention to it the authority must treat the application as if it had been duly made in the first instance;
 - (b) is not corrected within one month, or such longer period as the authority considers reasonable, of the date the authority last drew attention to it, and the authority must treat the application as if it had been duly made in the first instance where it considers it has sufficient information to decide the application.
- (4) An authority must treat a defective application as if it had been validly made in the first instance if, in any particular case, the conditions specified in sub-paragraph (5) (a), (b) or (c) are satisfied.
- (5) The conditions are that -
- (a) where paragraph 14(5)(a) (incomplete form) applies, the authority receives at its designated office the properly completed application or the information requested to complete it or the evidence within one month of the request, or such longer period as the authority may consider reasonable; or
 - (b) where paragraph 14(5)(b) (application not on approved form or further information requested by authority) applies -

- (i) the approved form sent to the applicant is received at the designated office properly completed within one month of it having been sent to him; or, as the case may be,
- (ii) the applicant supplies whatever information or evidence was requested under paragraph 14(5) within one month of the request, or,

in either case, within such longer period as the authority may consider reasonable; or

- (c) where the authority has requested further information, the authority receives at its designated office the properly completed application or the information requested to complete it within one month of the request or within such longer period as the authority considers reasonable.
- (6) Except in the case of an application made by a person treated as not being in Great Britain, where a person has not become liable for council tax to an authority but it is anticipated that he will become so liable within the period of 8 weeks (the relevant period), he may apply for a reduction under that authority's scheme at any time in that period in respect of that tax and, provided that liability arises within the relevant period, the authority must treat the application as having been made on the day on which the liability for the tax arises.
- (7) Except in the case of an application made by a person treated as not being in Great Britain, where the applicant is not entitled to a reduction under an authority's scheme in the reduction week immediately following the date of his application but the authority is of the opinion that unless there is a change of circumstances he will be entitled to a reduction under its scheme for a period beginning not later than—
- (a) in the case of an application made by a person who has attained, or whose

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partner has attained, the age which is 17 weeks younger than the qualifying age for state pension credit, the seventeenth reduction week following the date on which the application is made, or

- (b) in the case of an application made by a person who is not a pensioner, the thirteenth reduction week following the date on which the application is made,

the authority may treat the application as made on a date in the reduction week immediately preceding the first reduction week of that period of entitlement and award a reduction accordingly.

- (8) In this paragraph “appropriate DWP office” means an office of the Department for Work and Pensions dealing with state pension credit or an office which is normally open to the public for the receipt of claims of income support, a jobseekers allowance or an employment and support allowance.

27. Information and evidence

- (1) Subject to sub-paragraph (3), a person who makes an application for a reduction under the authority’s scheme must satisfy sub-paragraph (2) in relation both to himself and to any other person in respect of whom he is making the application.
- (2) This sub-paragraph is satisfied in relation to a person if-
- (a) the application is accompanied by -
 - (i) a statement of the person’s national insurance number and information or evidence establishing that that number has been allocated to the person; or
 - (ii) information or evidence enabling the authority to ascertain the national insurance number that has been allocated to the person; or
 - (b) the person has made an application for a national insurance number to be allocated to him and the application for the reduction is accompanied by -
 - (i) evidence of the application for a national insurance number to be so allocated; and
 - (ii) the information or evidence enabling it to be so allocated.
- (3) Sub-paragraph (2) does not apply -
- (a) in the case of a child or young person in respect of whom an application for a reduction is made;
 - (b) to a person who -
 - (i) is a person treated as not being in Great Britain for the purposes ;
 - (ii) is subject to immigration control within the meaning of section 115(9)(a) of the Immigration and Asylum Act 1999; and
 - (iii) has not previously been allocated a national insurance number.
- (4) Subject to sub-paragraph (5), a person who makes an application, or a person to whom a reduction under the authority’s scheme has been awarded, must furnish

such certificates, documents, information and evidence in connection with the application or the award, or any question arising out of the application or the award, as may reasonably be required by the authority in order to determine that person's entitlement to, or continuing entitlement to a reduction under its scheme and must do so within one month of the authority requiring him to do so or such longer period as the authority may consider reasonable.

- (5) Nothing in this paragraph requires a person to furnish any certificates, documents, information or evidence relating to which sub-paragraph (7) applies;
- (6) Where an authority makes a request under sub-paragraph (4), it must -
 - (a) inform the applicant or the person to whom a reduction under its scheme has been awarded of his duty under paragraph 29 (duty to notify change of circumstances) to notify the authority of any change of circumstances; and
 - (b) without prejudice to the extent of the duty owed under paragraph 29, indicate to him either orally or by notice or by reference to some other document available to him on application and without charge, the kind of change of circumstances which must be notified.
- (7) This sub-paragraph applies to any of the following payments -
 - (a) a payment which is made under or by the Trusts, the Fund, the Eileen Trust, MFET Limited, the Skipton Fund, the Caxton Foundation, the London Emergencies Trust, the we love Manchester Emergency Fund, the Windrush Compensation Scheme, the National Emergencies Trust or the London Bombings Relief Charitable Fund;
 - (b) a payment which is disregarded under paragraph 29 of Schedule 3 (payments made under certain trusts and certain other payments), other than a payment under the Independent Living Fund (2006);
 - (c) a payment which is disregarded under paragraph 42(9).
- (8) Where an applicant or a person to whom a reduction under the authority's scheme has been awarded or any partner has attained the qualifying age for state pension credit and is a member of, or a person deriving entitlement to a pension under, a personal pension scheme, he must where the authority so requires furnish the following information -
 - (a) the name and address of the pension fund holder;
 - (b) such other information including any reference or policy number as is needed to enable the personal pension scheme to be identified.

28. Amendment and withdrawal of application

- (1) A person who has made an application may amend it at any time before a decision has been made on it by a notice in writing delivered or sent to the designated office.
- (2) Where the application was made by telephone in accordance with paragraph 14, the amendment may also be made by telephone.
- (3) Any application amended in accordance with sub-paragraph (1) or (2) will be treated as if it had been amended in the first instance.
- (4) A person who has made an application may withdraw it at any time before a decision has been made on it by notice to the offices of the authority.
- (5) Where the application was made by telephone in accordance with paragraph 14, the withdrawal may also be made by telephone.
- (6) Any notice of withdrawal given in accordance with sub-paragraph (4) or (5) has effect when it is received.
- (7) Where a person, by telephone, amends or withdraws an application the person must (if required to do so by the authority) confirm the amendment or withdrawal by a notice in writing delivered or sent to the designated office.

29. Duty to notify changes of circumstances

- (1) Subject to sub-paragraphs (3) and (6) an applicant (or any person acting on his behalf) must comply with sub-paragraph (2) if there is a relevant change of circumstances at any time -
 - (a) between the making of an application and a decision being made on it, or
 - (b) after the decision is made (where the decision is that the applicant is entitled to a reduction under an authority's scheme) including at any time while the applicant is in receipt of such a reduction .
- (2) The applicant (or any person acting on his behalf) must notify any change of circumstances which the applicant (or that person) might reasonably be expected to know might affect his entitlement to, or the amount of, a reduction under the authority's scheme (a "relevant change of circumstances") by giving notice to the authority -
 - (a) in writing; or
 - (b) by telephone -
 - (i) where the authority has published a telephone number for that purpose or for the purposes of paragraph 14 unless the authority determines that in any particular case or class of case notification may not be given by telephone; or

- (ii) in any case or class of case where the authority determines that notice may be given by telephone; or
 - (c) by any other means which the authority agrees to accept in any particular case, within a period of 21 days beginning with the day on which the change occurs, or as soon as reasonably practicable after the change occurs, whichever is later.
- (3) The duty imposed on a person by sub-paragraph (1) does not extend to notifying-
 - (a) changes in the amount of council tax payable to the authority;
 - (b) changes in the age of the applicant or that of any member of his family;
 - (c) in the case of an applicant in receipt of a relevant benefit, changes in circumstances which affect the amount of the benefit but not the amount of the reduction under the authority's scheme to which he is entitled, other than the cessation of that entitlement to the benefit.
- (4) For the purposes of sub-paragraph (3) (c) "relevant benefit" means income support, an income-based jobseeker's allowance or an income-related employment and support allowance or universal credit.
- (5) Notwithstanding sub-paragraph (3)(b) or (c) an applicant is required by sub-paragraph (1) to notify the authority of any change in the composition of his family arising from the fact that a person who was a member of his family is now no longer such a person because he has ceased to be a child or young person.

PART 8 - Decisions by the authority

30. Decision by the authority

The authority must make a decision on an application under this scheme within 14 days of paragraphs 25 and 26 being satisfied, or as soon as reasonably practicable thereafter.

31. Notification of decision

- (1) The authority must notify any person affected by a decision made by it under this scheme in writing -
 - (a) in the case of a decision on an application, forthwith or as soon as reasonably practicable thereafter;
 - (b) in any other case, within 14 days of that decision or as soon as reasonably practicable thereafter.
- (2) Where the decision is to award a reduction the notification under sub-paragraph (1) must include a statement -
 - (a) informing the person affected of the duty imposed by paragraph 29;

- (b) explaining the possible consequences (including prosecution) of failing to comply with that duty; and
 - (c) setting out examples of the circumstances, a change in which might affect entitlement to a reduction or its amount.
- (3) Where the decision is to award a reduction, the notification under sub-paragraph (1) must include a statement as to how that entitlement is to be discharged.
- (4) In any case, the notification under sub-paragraph (1) must inform the person affected of the procedure by which an appeal may be made and must refer the person to the provisions in the authority's scheme relating to the procedure for making an appeal.
- (5) A person affected to whom an authority sends or delivers a notification of decision may, within one month of the date of the notification of that decision request in writing the authority to provide a written statement setting out the reasons for its

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Decision on any matter set out in the notice.

- (6) The written statement referred to in sub-paragraph (2) must be sent to the person requesting it within 14 days or as soon as reasonably practicable thereafter.
- (7) For the purposes of this paragraph a person is to be treated as a person affected by a decision of the authority under its scheme where the rights, duties or obligations of that person are affected by that decision and the person falls within sub-paragraph (6).
- (8) This paragraph applies to -
 - (a) the applicant;
 - (b) in the case of a person who is liable to pay council tax in respect of a dwelling and is unable for the time being to act -
 - (i) a deputy appointed by the Court of Protection with power to claim, or as the case may be, receive benefit on his behalf; or
 - (ii) in Scotland, a judicial factor or any guardian acting or appointed under the Adults with Incapacity (Scotland) Act 2000 who has power to apply or, as the case may be, receive benefit on the person's behalf; or
 - (iii) an attorney with a general power or a power to apply or, as the case may be, receive benefit, has been appointed by that person under the Powers of Attorney Act 1971, the Enduring Powers of Attorney Act 1985 or the Mental Capacity Act 2005 or otherwise,
 - (c) a person appointed by the authority under paragraph 25(3); (persons appointed to act for a person unable to act).

PART 9 - Award or payment of reduction

32. Payment where there is joint and several liability

- (1) Where—
 - (a) a person is entitled to a reduction under this scheme in respect of his liability for the authority's council tax as it has effect in respect of a chargeable financial year;

- (b) the person entitled to the reduction is jointly and severally liable for the council tax; and
 - (c) the authority determines that discharging his entitlement by reducing the amount of his liability to which regulation 20(2) of the Council Tax (Administration and Enforcement) Regulations 1992 refers would be inappropriate it may make a payment to him of the amount of the reduction to which he is entitled, rounded where necessary to the nearest penny.
- (2) Subject to sub-paragraph (3) any payment made under sub-paragraph (1) must be made to the person who is entitled to the reduction.
 - (3) Where a person other than a person who is entitled to a reduction under an authority's scheme made the application and that first person is a person acting pursuant to an appointment under paragraph 25(3) or is treated as having been so appointed by virtue of paragraph 25(4), the amount of the reduction may be paid to that person.

Chapter 2 - Local Scheme Requirements

Part 10 - Classes of person entitled to a reduction under this scheme

33. Classes of person entitled to a reduction under this scheme

- (1) The classes of person described in paragraphs 34 and 35 may be entitled to a reduction under this scheme.
- (2) In those paragraphs, references to the applicant's capital refer to the applicant's capital as determined in accordance with Parts 13 and 15 of this scheme.

34. Class A1: Persons who are entitled to a reduction

On any day Class A1 consists of any person -

- (a) who is for that day liable to pay council tax in respect of a dwelling of which he is a resident;
- (b) who, subject to paragraph 36 (periods of absence from a dwelling), is not absent from the dwelling throughout the day;
- (c) in respect of whom a maximum council tax reduction amount can be calculated;
- (d) who does not fall within a class of person not entitled to a reduction under this scheme; and
- (e) who has made an application, or is treated as having made an application, for a reduction under paragraph 25.

35. Class A2: Persons who are entitled to a reduction and are considered to require additional financial assistance

On any day Class A2 consists of any person -

- (a) who is for that day liable to pay council tax in respect of a dwelling of which he is a resident;
- (b) who, subject to paragraph 36 (periods of absence from a dwelling), is not absent from the dwelling throughout the day;
- (c) in respect of whom a maximum council tax reduction amount can be calculated;
- (d) who does not fall within a class of person not entitled to a reduction under this scheme;
- (e) who has made an application, or is treated as having made an application, for a reduction under paragraph 25, and
- (f) is a person who falls within one or more of the following categories –
 - (i) the applicant, or the applicant's partner, is registered / certified as blind;
 - (ii) the applicant, or the applicant's partner, satisfies one or more of the conditions described in Schedule 1 (supplementary qualifying conditions for persons whom the authority considers require additional financial assistance);
 - (iii) the applicant, or the applicant's partner, is in receipt of an award of universal credit that includes either the limited capability for work, or the limited capability for work related activity element;
 - (iv) the applicant, or the applicant's partner receives a permitted work earnings disregard;
 - (v) the applicant, or the applicant's partner, receives a War Disablement Pension;
 - (vi) the applicant, or the applicant's partner is in receipt of an award of income related employment and support allowance that includes either the work related activity group, or the support group component.

36. Periods of absence from a dwelling

A person is not absent from a dwelling in relation to any day which falls within a period of temporary absence from that dwelling.

- (1) In sub-paragraph (1), a "period of temporary absence" means -
 - (a) a period of absence not exceeding 13 weeks beginning with the first whole day on which a person resides in residential accommodation where and for so long as -
 - (i) the person resides in that accommodation;

- (ii) the part of the dwelling in which he usually resided is not let or sub-let;
and
- (iii) that period of absence does not form part of a longer period of absence from the dwelling of more than 52 weeks,

where he has entered the accommodation for the purpose of ascertaining whether it suits his needs and with the intention of returning to the dwelling if it proves not to suit his needs;

- (b) a period of absence not exceeding One calendar month beginning with the first whole day of absence from the dwelling, where and for so long as -
 - (i) the person intends to return to the dwelling;
 - (ii) the part of the dwelling in which he usually resided is not let or sub-let;
and
 - (iii) that period is unlikely to exceed 13 weeks; and
- (c) a period of absence not exceeding 52 weeks, beginning with the first whole day of that absence, where and for so long as -
 - (i) the person intends to return to the dwelling;
 - (ii) the part of the dwelling in which he usually resided is not let or sub-let;
 - (iii) the person is a person to whom sub-paragraph (3) applies; and
 - (iv) the period of absence is unlikely to exceed 52 weeks or, in exceptional circumstances, is unlikely substantially to exceed that period.

(2) This sub-paragraph applies to a person who -

- (a) is detained in custody on remand pending trial or required, as a condition of bail, to reside -
 - (i) in a dwelling, other than the dwelling referred to in sub-paragraph (1), or
 - (ii) in premises approved under section 13 of the Offender Management Act 2007, or is detained in custody pending sentence upon conviction;
- (b) is resident in a hospital or similar institution as a patient;
- (c) [6 MONTHS ABSENCE] is undergoing, or whose partner or dependent child is undergoing, in the United Kingdom or elsewhere, medical treatment, or medically approved convalescence, in accommodation other than residential accommodation;

- (d) is following, in the United Kingdom or elsewhere, a training course;
 - (e) is undertaking medically approved care of a person residing in the United Kingdom or elsewhere;
 - (f) is undertaking the care of a child whose parent or guardian is temporarily absent from the dwelling normally occupied by that parent or guardian for the purpose of receiving medically approved care or medical treatment;
 - (g) 6 months absence is, in the United Kingdom or elsewhere, receiving medically approved care provided in accommodation other than residential accommodation;
 - (h) is a student;
 - (i) 6 months absence is receiving care provided in residential accommodation and is not a person to whom sub-paragraph (2)(a) applies; or
 - (j) has left the dwelling he resides in through fear of violence, in that dwelling, or by a person who was formerly a member of the family of the person first mentioned.
- (3) This sub-paragraph applies to a person who is -
- (a) detained in custody pending sentence upon conviction or under a sentence imposed by a court (other than a person who is detained in hospital under the provisions of the Mental Health Act 1983, or, in Scotland, under the provisions of the Mental Health (Care and Treatment) (Scotland) Act 2003 or the Criminal Procedure (Scotland) Act 1995) or, in Northern Ireland, under Article 4 or 12 of the Mental Health (Northern Ireland) Order 1986; and
 - (b) on temporary release from detention in accordance with Rules made under the provisions of the Prison Act 1952(86) or the Prisons (Scotland) Act 1989(87).
- (4) Where sub-paragraph (4) applies to a person, then, for any day when he is on temporary release -
- (a) if such temporary release was immediately preceded by a period of temporary absence under sub-paragraph (2)(b) or (c), he must be treated, for the purposes of sub-paragraph (1), as if he continues to be absent from the dwelling, despite any return to the dwelling;

- (b) for the purposes of sub-paragraph (3)(a), he must be treated as if he remains in detention; (c) if he does not fall within paragraph (a), he is not to be considered to be a person who is liable to pay council tax in respect of a dwelling of which he is a resident.
- (5) In this paragraph -

“medically approved” means certified by a medical practitioner;

“patient” means a person who is undergoing medical or other treatment as an in-patient in any hospital or similar institution;

“residential accommodation” means accommodation which is provided in -

- (a) a care home;
- (b) an independent hospital;
- (c) an Abbeyfield Home; or
- (d) an establishment managed or provided by a body incorporated by Royal Charter or constituted by Act of Parliament other than a local social services authority;

“training course” means a course of training or instruction provided wholly or partly by or on behalf of or in pursuance of arrangements made with, or approved by or on behalf of, Skills Development Scotland, Scottish Enterprise, Highlands and Islands Enterprise, a government department or the Secretary of State.

36A. Temporary absence from Great Britain.

- (1) Any person who is normally habitually resident in and who is temporarily absent from Great Britain shall be treated, for the duration of that absence, as if they were not habitually resident unless;
 - (a) the person was entitled to a reduction by virtue of this scheme immediately before the beginning of the period of temporary absence; and

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- (b) either—
 - (i) the absence is not expected to exceed, and does not exceed, one month,
 - (ii) sub-paragraph (3) or (4) applies, or
 - (iii) sub-paragraph (6) of paragraph 12 applies.
- (2) The period of one month in sub-paragraph (1)(b) may be extended by up to a further month if the temporary absence is in connection with the death of—
 - (a) the person's partner or a child or qualifying young person for whom the person was responsible; or
 - (b) a close relative of the person, or of their partner or of a child or qualifying young person for whom the person or their partner was responsible,

and the authority considers that it would be unreasonable to expect the person to return to Great Britain within the first month.

- (3) This sub-paragraph applies where the absence is not expected to exceed, and does not exceed, 6 months and is solely in connection with—
- (a) the person undergoing—
 - (i) treatment for an illness or physical or mental impairment by, or under the supervision of, a qualified practitioner, or
 - (ii) medically approved convalescence or care as a result of treatment for an illness or physical or mental impairment, where the person had that illness or impairment before leaving Great Britain; or
 - (b) the person accompanying their partner or a child or qualifying young person for whom they are responsible for treatment or convalescence or care as mentioned in sub-paragraph (a).
- (4) This sub-paragraph applies where the absence is not expected to exceed, and does not exceed, 6 months and the person is—
- (a) a mariner; or
 - (b) a continental shelf worker who is in a designated area or a prescribed area.

(5) In this paragraph—

“continental shelf worker” means a person who is employed, whether under a contract of service or not, in a designated area or a prescribed area in connection with any activity mentioned in section 11(2) of the Petroleum Act 1998;

“designated area” means any area which may from time to time be designated by Order in Council under the Continental Shelf Act 1964 as an area within which the rights of the United Kingdom with respect to the seabed and subsoil and their natural resources may be exercised;

“mariner” means a person who is employed under a contract of service either as a master or member of the crew of any ship or vessel, or in any other capacity on board any ship or

vessel where—

- (a) the employment in that other capacity is for the purposes of that ship or vessel or its crew or any passengers or cargo or mails carried by the ship or vessel; and
- (b) the contract is entered into in the United Kingdom with a view to its performance (in whole or in part) while the ship or vessel is on its voyage;

“medically approved” means certified by a registered medical practitioner;

“prescribed area” means any area over which Norway or any member State (other than the United Kingdom) exercises sovereign rights for the purpose of exploring the seabed and subsoil and exploiting their natural resources, being an area outside the territorial seas of Norway or such member State, or any other area which is from time to time specified under section 10(8) of the Petroleum Act 1998;

“qualified practitioner” means a person qualified to provide medical treatment, physiotherapy or a form of treatment which is similar to, or related to, either of those forms of treatment.

37. Classes of person excluded from this scheme

The classes of person described in paragraph **12, 13, 36, 38, 39** and **40** are not entitled to a reduction under this scheme.

38. Class of person excluded from this scheme: capital limit

- (1) the class of person described in this paragraph consists of any person whose capital exceeds **£8,000**
- (2) Capital for the purpose of sub-paragraph (1) is to be calculated -
 - (a) for an applicant awarded Universal Credit in accordance with paragraph 46, and
 - (b) in all other cases in accordance with Part 15 of this scheme.

39. Class of person excluded from this scheme: students

The class of person described in this paragraph consists of any student to whom paragraph 75(1) applies.

40. Class of person excluded from this scheme: deprivation of Tax Credits or relevant Social Security Benefit.

- (1) The class of person described in this paragraph consists of any person who appears to the authority to meet the conditions in sub-paragraph (2).
- (2) The conditions referred to in sub-paragraph (1) are that: - (a) the applicant, or any partner residing with him, would be entitled to a tax credit or a relevant social security benefit, as administered by Her Majesty’s Revenue and Customs or the Department for Work and Pensions; and

- (b) such person or persons have deliberately failed to claim the tax credits or benefits to which they would be entitled for the purpose of reducing their income and with the intention of increasing their entitlement to a reduction under this scheme.

Part 11 - Maximum council tax reduction

41. Maximum council tax reduction under this scheme

- (1) Subject to sub-paragraphs (2) to (5), a person's maximum council tax reduction in respect of a day is 100 per cent of the amount A/B where -
 - (a) A is the amount set by the authority as the council tax for the relevant financial year in respect of the dwelling in which he is a resident and for which he is liable, subject to -
 - (i) the condition that for the purposes of calculating A, the council tax shall not exceed the amount set by the authority for a dwelling in council tax band D, and
 - (ii) any discount which may be appropriate to that dwelling under the 1992 Act; and
 - (b) B is the number of days in that financial year,

less any deductions in respect of non-dependants which fall to be made under paragraph 42 (non-dependent housing costs contribution).
- (2) In calculating a person's maximum council tax reduction under this scheme any reduction in the amount that person is liable to pay in respect of council tax, which is made in consequence of any enactment in, or made under, the 1992 Act (other than a reduction under this scheme), is to be taken into account.
- (3) Subject to sub-paragraph (4), where an applicant is jointly and severally liable for council tax in respect of a dwelling in which he is resident with one or more other persons, in determining the maximum council tax reduction in his case the amount A is to be divided by the number of persons who are jointly and severally liable for that tax.
- (4) Where an applicant is jointly and severally liable for council tax in respect of a dwelling with only his partner, paragraph (3) does not apply in his case.
- (5) The reference in sub-paragraph (3) to a person with whom an applicant is jointly and severally liable for council tax does not include a student to whom paragraph 75(2) (entitlement of students to a reduction under this scheme) applies.

- (6) In this paragraph “relevant financial year” means, in relation to any particular day, the financial year within which the day in question falls.

42. Non-dependant housing costs contribution

- (1) The non-dependant housing costs contribution in respect of a day referred to in paragraph 41 is –
- (a) in respect of a non-dependant aged 18 or over who does not work, £5.00 x 1/7;
 - (b) in respect of a non-dependant aged 18 or over whose gross earnings are equal to or less than £461.54 a week, £10.00 x 1/7
 - (c) in respect of a non-dependant aged 18 or over whose gross earnings are equal to or greater than £461.55 a week, £30.00 x 1/7
 - (d) In respect of a non-dependant who receives a state pension credit, £0.00.
- (2) Only one housing costs contribution is to be made under this paragraph in respect of a couple or, as the case may be, members of a polygamous marriage (other than where there is an award of universal credit) and, where, but for this paragraph, the amount that would fall to be deducted in respect of one member of a couple or polygamous marriage is higher than the amount (if any) that would fall to be deducted in respect of the other, or any other member, the higher amount is to be deducted.
- (3) In applying the provisions of sub-paragraph (1) in the case of a couple or, as the case may be, a polygamous marriage, regard must be had, for the purpose of that paragraph, to the couple’s or, as the case may be, all members of a polygamous marriage joint weekly gross earnings.
- (4) Where in respect of a day -
- (a) a person is a resident in a dwelling but is not himself liable for council tax in respect of that dwelling and that day;
 - (b) other residents in that dwelling (the liable persons) have joint and several liability for council tax in respect of that dwelling and that day otherwise than by virtue of section 9 of the 1992 Act (liability of spouses and civil partners); and
 - (c) the person to whom sub-paragraph (a) refers is a non-dependant of two or more of the liable persons,

the housing costs contribution in respect of that non-dependant must be apportioned equally between those liable persons.

- (5) No housing costs contribution is to be made in respect of any non-dependant occupying an applicant’s dwelling if the applicant or his partner is -

- (a) blind or treated as blind by virtue of paragraph 10 of Schedule 1 (additional condition for the disability premium); or
- (b) receiving in respect of himself -
 - (i) attendance allowance, or would be receiving that allowance but for—
 - (aa) a suspension of benefit in accordance with regulations under section 113(2) of the SSCBA; or
 - (bb) an abatement as a result of hospitalisation; or
 - (ii) the care component of the disability living allowance, or would be receiving that component but for -
 - (aa) a suspension of benefit in accordance with regulations under section 113(2) of the SSCBA; or
 - (bb) an abatement as a result of hospitalisation; or
 - (iii) the daily living component of personal independence payment, or would be receiving that allowance but for a suspension of benefit in accordance with regulations under section 86 of the Welfare Reform Act 2012 (hospital in- patients); or
 - (iv) an AFIP, or would be receiving that payment but for a suspension of it in accordance with any terms of the armed and reserve forces compensation scheme which allows for a suspension because a person is undergoing medical treatment in a hospital or similar institution
- (6) No housing costs contribution is to be made in respect of a non-dependant if -
 - (a) although he resides with the applicant, it appears to the authority that his normal home is elsewhere; or
 - (b) he is in receipt of a training allowance paid in connection with youth training established under section 2 of the Employment and Training Act 1973 or section 2 of the Enterprise and New Towns (Scotland) Act 1990; or
 - (c) he is not residing with the applicant because he has been a patient for a period in excess of 52 weeks, and for these purposes -
 - (i) “patient” has the meaning given in paragraph 36(6), and
 - (ii) where a person has been a patient for two or more distinct periods separated by one or more intervals each not exceeding 28 days, he is to be treated as having

been a patient continuously for a period equal in duration to the total of those distinct periods.

- (7) No housing costs contribution is to be made in respect of a non-dependent to whom Schedule 1 to the 1992 Act applies (persons disregarded for purposes of discount) but this paragraph does not apply to a non-dependant who is a student to whom paragraph 4 of that Schedule refers.
- (8) In the application of paragraph (2) there is to be disregarded from the non-dependant's gross weekly income -
 - (a) any attendance allowance, disability living allowance, personal independence or an AFIP payment received by him;
 - (b) any payment made under or by the Trusts, the Fund, the Eileen Trust, MFET Limited, the Skipton Fund, the Caxton Foundation or the Independent Living Fund (2006); which, had his income fallen to be calculated under paragraph 54 (calculation of income other than earnings), would have been disregarded under paragraph 28 of Schedule 3 (income in kind);and
 - (c) any payment which, had his income fallen to be calculated under paragraph 54 (Calculation of income other than earnings), would have been disregarded under paragraph 41 of Schedule 3 (payments made under certain trusts and certain other payments).

PART 12 - Amount of reduction

43. Amount of reduction under this scheme:

- (1) Where a person is entitled to a reduction under this scheme in respect of any day, the amount of reduction is determined by reference to their income (as calculated in accordance with the following provisions of the scheme) for the week in which that day falls.
- (2) For the purpose of this paragraph each week begins on a Monday.
- (3) The applicant's reduction shall be the appropriate percentage of their maximum reduction (as calculated in accordance with paragraph 41) as follows-
 - (a) For any persons who by virtue of paragraph 35 the authority considers require additional financial assistance where;
 - (i) neither the applicant nor their partner's income includes earnings from either employment or self-employment, or
 - (ii) the applicant and their partner's earnings are treated as being zero by virtue of paragraph 6 of schedule 2.

- (iii) the reduction is 100% of the maximum permitted under this scheme.
- (b) In all other cases the relevant percentage is shown by reference to the corresponding weekly income in columns 1 and 2 of the following Tables -
- (c) Working age applicant (who is not a lone parent with at least one child under the age of 5 years)

Proposed new scheme (£)	All other CTS recipients
0 to 100	75%
101 to 150	60%
151 to 200	40%
201 to 250	30%
251 to 300	20%
301 to 350	15%
351 to 400	10%
401+	0%

- (4) Working age applicant who is a lone parent with at least one child under the age of 5 years

Proposed value of income bands (£)	Proposed percentage discount awarded
0 to 100	80%
101 to 150	70%
151 to 200	60%
201 to 250	50%
251 to 300	40%
301 to 350	30%
351 to 400	20%
401+	0%

43A. Annual Increase:

- (a) In accordance with the provisions of this paragraph, on 1 April 2023, and in each subsequent financial year, the income band values (as prescribed in paragraph 43(3) (b)) will increase by the percentage increase in the Consumer Price Index, in the twelve month period, to 1st September preceding the tax year in which the Council Tax Reduction Scheme comes into force.

- (2) In any year where; there is no increase in the consumer price index, at the prescribed date (1 September), the values prescribed by paragraph 43(3)(b) will not change by virtue of this paragraph.
- (3) The annual increase will change the lower and upper earnings limits of each reduction band, as prescribed in paragraph 43(3)(b), by the following conditions only;
 - (a) Subject to sub-paragraph (2), the lower income limit of the fifty percent income band will increase by the amount prescribed in sub-paragraph (1),
 - (b) The initial value subject to this paragraph is (the lower income limit of the fifty percent reduction band on 1 April 2022 £201.00
 - (c) Any increase, to the value prescribed by sub-paragraph (3)(b), will be rounded up to the nearest whole pound(sterling),
 - (d) The lower income limit of the eighty percent reduction band is fixed at £0.00,
 - (e) The upper income limit of the eighty percent reduction band will be, the lower income limit of the seventy percent reduction band less £0.01,
 - (f) There is no upper income limit to the zero percent reduction band, and
 - (g) Exclusive only of the conditions prescribed by sub-paragraphs d, e and f, the difference between the lower and upper income limit of each reduction band is fixed at £49.99
- (4) The reduction bands, set annually in accordance with this paragraph, will be published alongside any other revisions to the scheme by 31 March, preceding the tax year at which the changes come into force.

PART 13 - Income and capital - General

44. Calculation of income and capital: applicant's family and polygamous marriages

- (1) The income and capital of –
 - (a) an applicant; and
 - (b) any partner of that applicant,is to be calculated in accordance with the provisions of this Part, Part 14 and Part 15.
- (2) The income and capital of any partner of the applicant is to be treated as income and capital of the applicant, and in this Part any reference to the applicant applies equally to any partner of that applicant.

- (3) Except where paragraph 46 (income and capital where there is an award of universal credit) applies, where an applicant or the partner of an applicant is married polygamously to two or more members of his household -
 - (a) the applicant must be treated as possessing capital and income belonging to each such member; and
 - (b) the income and capital of that member is to be calculated in accordance with the following provisions of this Part in like manner as for the applicant.

45. Circumstances in which income and capital of non-dependant is to be treated as the applicant's.

- (1) Sub-Paragraph (2) applies where it appears to the authority that a non-dependant and an applicant have entered into arrangements in order to take advantage of this scheme and the non-dependant has more income and capital than the applicant.
- (2) Except where the applicant is on income support, an income-based jobseeker's allowance or an income-related employment and support allowance, the authority must treat the applicant as possessing income and capital belonging to that non-dependant and, in such a case, any income and capital which the applicant does possess is to be disregarded.
- (3) Where an applicant is treated as possessing income and capital belonging to a non-

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dependant under sub-paragraph (2) the income and capital of that non-dependant must be calculated in accordance with the following provisions of this Part in like manner as for the applicant and, except where the context otherwise requires, any reference to the "applicant" is to be construed for the purposes of this Part as if it were a reference to that non-dependant.

Part 14. Income and capital where there is an award of universal credit

46. Calculation of income and capital: persons who have an award of universal credit

- (1) In determining the income of an applicant-
 - (a) who has, or
 - (b) who (jointly with his partner) has,
 - an award of universal credit, the authority must, subject to the following provisions of this paragraph, use the calculation or estimate of the amount of income of the applicant, or the applicant and his partner jointly (as the case may be), made by the Secretary of State for the purpose of determining the award of universal credit.
- (2) The authority must adjust the amount of the income referred to in sub-paragraph (1) by multiplying the amount by 12 and dividing the product by 52.

- (3) In making a determination under this provision the authority shall take no account of;
- (a) any assumed yield from capital as prescribed by Regulation 72 of the Universal Credit Regulations 2013
 - (b) any deduction made by virtue of the Council Tax (Deductions from Income Support) Regulations 1993
 - (c) the amount of any sanction determined under chapter 2 of the Universal Credit Regulations 2013 that reduces the applicant's award of universal credit
 - (d) the amount of any hardship payment made under chapter 3 of the Universal Credit Regulations 2013
 - (e) any deduction made in consequence of Schedules 5, 6 and 7 of the Universal Credit, Personal Independence Payment, Jobseeker's Allowance and Employment and Support Allowance (Claims and Payments) Regulations 2013.
 - (f) the amount of the housing costs elements determined by the Secretary of State for the purpose of making the award of universal credit; subject to the condition that where the amount of any eligible housing costs exceeds the amount of universal credit payable the authority shall instead treat that award as zero.
- (4) The authority shall modify the amount of the income provided by the Secretary of State only in so far as necessary to take into account—
- (a) the amount of the award of universal credit payable as calculated in accordance with this paragraph,

- (b) any childcare charges, in respect of dependent children of the applicant, taken into account under paragraph 57(1)(b) (Calculation of income on a weekly basis);
- (c) the amount disregarded under this scheme in respect of—
 - (i) earnings as prescribed by paragraphs 4, 5 and 6 of Schedule 2
 - (ii) payments of maintenance, whether under a court order or not, which are made or due to be made by—
 - (aa) the applicant's former partner, or the applicant's partner's former partner; or
 - (bb) the parent of a child or young person where that child or young person is a member of the applicant's family except where that parent is the applicant or the applicant's partner;
- (e) the income and capital of any partner of the applicant who is treated as a member of the applicant's household under paragraph 8 (Households) to the extent that it is not taken into account in determining the net income of the person in receipt of universal credit;
- (f) Paragraph 45 (circumstances in which the income and capital of a non-dependant is to be treated as the applicant's), if the authority determines that this paragraph applies in the applicant's case;
- (g) any modification under section 134(8) of the Administration Act (modifications by resolution of an authority) which is applicable in the applicant's case.
- (h) such further reduction (if any) as the authority thinks fit under section 13A (1) (c) of the 1992 Act (power of the billing authority to reduce the amount of council tax payable).
- (5) paragraphs 47 to 65 shall not apply to the amount of the income to be taken into account by the authority under sub-paragraph (1), but shall apply (so far as relevant) for the purpose of determining any modifications which fall to be made to that amount under sub-paragraph (4).
- (6) Where, save for any adjustment falling within sub-paragraph (2) and neither sub-paragraph 3 (c) or (d) apply, the applicant is entitled to the maximum award of every element of universal credit applicable in his circumstances his income for the purpose of this scheme shall be treated as zero.
- (7) In determining the capital of an applicant-

(a) who has, or

(b) who (jointly with his partner) has, an award of universal credit, the authority must use the calculation or estimate of the amount of capital of the applicant, or the applicant and his partner jointly (as the case may be), made by the Secretary of State for the purpose of determining the award of universal credit.

Part 15 - Income - those not receiving Universal Credit

47. Average weekly earnings of employed earners

- (1) Where the income of an applicant consists of earnings from employment as an employed earner his average weekly earnings must be estimated by reference to his earnings from that employment -
 - (a) over a period immediately preceding the reduction week in which the application is made or treated as made and being a period of -
 - (i) 5 weeks, if he is paid weekly; or
 - (ii) 2 months, if he is paid monthly; or
 - (b) whether or not paragraph (a)(i) or (ii) applies, where an applicant's earnings fluctuate, over such other period preceding the reduction week in which the application is made or treated as made as may, in any particular case, enable his average weekly earnings to be estimated more accurately.
- (2) Where the applicant has been in his employment for less than the period specified in sub-paragraph (1)(a)(i) or (ii) -
 - (a) if he has received any earnings for the period that he has been in that employment and those earnings are likely to represent his average weekly earnings from that employment his average weekly earnings must be estimated by reference to those earnings;
 - (b) in any other case, the authority must estimate the applicant's average weekly earnings.
- (3) Where the amount of an applicant's earnings changes the authority must estimate his average weekly earnings by reference to his likely earnings from the employment over such period as is appropriate in order that his average weekly earnings may be estimated accurately but the length of the period must not in any case exceed 52 weeks.
- (4) For the purposes of this paragraph the applicant's earnings are to be calculated in accordance with paragraph 51 (earnings of employed earners) and 52 (calculation of net earnings of employed earners).

48. Average weekly earnings of self-employed earners

- (1) Where the income of an applicant consists of earnings from employment as a self-employed earner his average weekly earnings must be estimated by reference to his earnings from that employment over such period as is appropriate in order that his average weekly earnings may be estimated accurately but the length of the period must not in any case exceed a year.

- (2) For the purposes of this paragraph the applicant's earnings must be calculated in accordance with paragraphs 53, 61, 62 and 65 (earnings, net profit, minimum income floor and deduction of tax and contributions).

49. Average weekly income other than earnings

- (1) The income of an applicant which does not consist of earnings must, except where sub-paragraph (2) applies, be estimated over such period as is appropriate in order that his average weekly income may be estimated accurately but the length of the period must not in any case exceed 52 weeks; and nothing in this paragraph authorises the authority to disregard any such income other than that specified in Schedule 3 (Sums disregarded in the calculation of income other than earnings).

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- (2) The period over which any benefit under the benefit Acts is to be taken into account is to be the period in respect of which that benefit is payable.
- (3) For the purposes of this paragraph income other than earnings is to be calculated in accordance with paragraph 54 (calculation of income other than earnings).

50. Calculation of weekly income of employed earners

- (1) For the purposes of paragraph 47 (average weekly earnings of employed earners), 49 (average weekly income other than earnings) and 59 (calculation of average weekly income from tax credits), where the period in respect of which a payment is made -
 - (a) does not exceed a week, the weekly amount is to be the amount of that payment;
 - (b) exceeds a week, the weekly amount is to be determined -
 - (i) in a case where that period is a month, by multiplying the amount of the payment by 12 and dividing the product by 52;
 - (ii) in any other case, by dividing the amount of the payment by the number equal to the number of days in the period to which it relates and multiplying the product by 7.
- (2) For the purposes of paragraph 48 (average weekly earnings of self-employed earners) the weekly amount of earnings of an applicant is to be determined by dividing his earnings over the assessment period by the number equal to the number of days in that period and multiplying the product by 7.

51. Earnings of employed earners

- (1) Subject to sub-paragraph (2), "earnings", in the case of employment as an employed earner of a person means any remuneration or profit derived from that employment and includes -
- (a) any bonus or commission;
 - (b) any payment in lieu of remuneration except any periodic sum paid to an applicant on account of the termination of his employment by reason of redundancy;
 - (c) any payment in lieu of notice or any lump sum payment intended as compensation for the loss of employment but only in so far as it represents loss of income;
 - (d) any holiday pay except any payable more than 4 weeks after termination or interruption of the employment;
 - (e) any payment by way of a retainer;
 - (f) any payment made by the applicant's employer in respect of expenses not wholly, exclusively and necessarily incurred in the performance of the duties of the employment, including any payment made by the applicant's employer in respect of -
 - (i) travelling expenses incurred by the applicant between his home and place of employment;
 - (ii) expenses incurred by the applicant under arrangements made for the care of a member of his family owing to the applicant's absence from home;
 - (g) any award of compensation made under section 112(4) or 117(3)(a) of the Employment Rights Act 1996 (remedies and compensation for unfair dismissal);
 - (h) any payment or remuneration made under section 28, 34, 64, 68 or 70 of the Employment Rights Act 1996 (right to guarantee payments, remuneration on suspension on medical or maternity grounds, complaints to employment tribunals);
 - (i) any such sum as is referred to in section 112 of the SSCBA (certain sums to be earnings for social security purposes);
 - (j) any statutory sick pay, statutory maternity pay, statutory paternity pay or statutory adoption pay, or a corresponding payment under any enactment having effect in Northern Ireland;

- (k) any remuneration paid by or on behalf of an employer to the applicant who for the time being is on maternity leave, paternity leave or adoption leave or is absent from work because he is ill;
- (l) the amount of any payment by way of a non-cash voucher which has been taken into account in the computation of a person's earnings in accordance with Part 5 of Schedule 3 to the Social Security (Contributions) Regulations 2001.
- (2) Earnings does not include -
- (a) subject to sub-paragraph (3), any payment in kind;
- (b) any payment in respect of expenses wholly, exclusively and necessarily incurred in the performance of the duties of the employment;
- (c) any occupational pension;
- (d) any payment in respect of expenses arising out of the applicant's participation in a service user group.
- (3) Sub-paragraph (2) (a) does not apply in respect of any non-cash voucher referred to in sub-paragraph (1) (l).

52. Calculation of net earnings of employed earners

- (1) For the purposes of paragraph 47 (average weekly earnings of employed earners), the earnings of an applicant derived or likely to be derived from employment as an employed earner to be taken into account must, subject to sub-paragraph (2), be his net earnings.
- (2) There is to be disregarded from an applicant's net earnings, any sum, where applicable, specified in paragraphs 1 to 11 of Schedule 2 (sums disregarded in

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the calculation of earnings).

- (3) For the purposes of sub-paragraph (1) net earnings must, except where sub-paragraph (6) applies, be calculated by taking into account the gross earnings of the applicant from that employment over the assessment period, less -

- (a) any amount deducted from those earnings by way of -
 - (i) income tax;
 - (ii) primary Class 1 contributions under the SSCBA;
 - (b) one-half of any sum paid by the applicant by way of a contribution towards an occupational pension scheme;
 - (c) one-half of the amount calculated in accordance with paragraph (5) in respect of any qualifying contribution payable by the applicant; and
 - (d) where those earnings include a payment which is payable under any enactment having effect in Northern Ireland and which corresponds to statutory sick pay, statutory maternity pay, statutory paternity pay or statutory adoption pay, any amount deducted from those earnings by way of any contributions which are payable under any enactment having effect in Northern Ireland and which correspond to primary Class 1 contributions under the SSCBA.
- (4) In this paragraph “qualifying contribution” means any sum which is payable periodically as a contribution towards a personal pension scheme.
- (5) The amount in respect of any qualifying contribution is to be calculated by multiplying the daily amount of the qualifying contribution by the number equal to the number of days in the assessment period; and for the purposes of this paragraph the daily amount of the qualifying contribution is to be determined -
- (a) where the qualifying contribution is payable monthly, by multiplying the amount of the qualifying contribution by 12 and dividing the product by 365;
 - (b) in any other case, by dividing the amount of the qualifying contribution by the number equal to the number of days in the period to which the qualifying contribution relates.
- (6) Where the earnings of an applicant are estimated under paragraph 47(2)(b) (average weekly earnings of employed earners), his net earnings is to be calculated by taking into account those earnings over the assessment period, less -
- (a) an amount in respect of income tax equivalent to an amount calculated by applying to those earnings the basic rate of tax applicable to the assessment period less only the personal relief to which the applicant is entitled under sections 35 to 37 of the Income Tax Act 2007 (personal allowances) as is appropriate to his circumstances but, if the assessment period is less than a year, the earnings to which the basic rate of tax is to be applied and the amount of the personal relief deductible under this paragraph is to be calculated on a pro rata basis;

- (b) an amount equivalent to the amount of the primary C lass 1 contributions that would be payable by him under the SSCBA in respect of those earnings if such contributions were payable; and
- (c) one-half of any sum which would be payable by the applicant by way of a Contribution towards an occupational or personal pension scheme, if the earnings so estimated were actual earnings.

53. Earnings of self-employed earners

- (1) Subject to sub-paragraph (2), “earnings”, in the case of employment as a self-employed earner of a person means the gross income of the employment.
- (2) “Earnings” does not include any payment to which paragraph 31 or 32 of Schedule 3 refers (payments in respect of a person accommodated with the applicant under arrangements made by a local authority or voluntary organisation and payments made to the applicant by a health authority, local authority or voluntary organisation in respect of persons temporarily in the applicant’s care) nor does it include any sports award.
- (3) This paragraph applies to -
 - (a) royalties or other sums paid as a consideration for the use of, or the right to use, any copyright, design, patent or trade mark; or
 - (b) any payment in respect of any -
 - (i) book registered under the Public Lending Right Scheme 1982; or analogous to the Public Lending Scheme 1982,
 - (ii) work made under any international public l ending right scheme that is where the applicant is the first owner of the copyright, design, patent or trade mark, or an original contributor to the book or work concerned.
- (4) Where the applicant’s earnings consist of any items to which sub-paragraph (3) applies, those earnings must be taken into account over a period equal to such number of weeks as is equal to the number obtained (and any fraction is to be treated as a corresponding fraction of a week) by dividing the earnings by -
 - (a) the amount of reduction under this scheme to which the applicant would have been entitled had the payment not been made, plus
 - (b) an amount equal to the total of the sums which would fall to be disregarded from the payment under Schedule 2 (sums disregarded in the calculation of earnings) as appropriate in the applicant’s case.

54. Calculation of income other than earnings

- (1) For the purposes of paragraph 49 (average weekly income other than earnings), the income of an applicant which does not consist of earnings to be taken into account must, subject to sub-paragraphs (2) to (8), be his gross income and any capital treated as income under paragraph 55 (capital treated as income).
- (2) There is to be disregarded from the calculation of an applicant's gross income under sub-paragraph (1), any sum, where applicable, specified in Schedule 3.
- (3) Where the payment of any benefit under the benefit Acts is subject to any deduction by way of recovery the amount to be taken into account under paragraph (1) must be the gross amount payable.
- (4) Where the applicant or, where he is a member of a couple, his partner is receiving

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- a contributory employment and support allowance and that benefit has been reduced under regulation 63 of the Employment and Support Allowance Regulations 2008), the amount of that benefit to be taken into account is the amount as if it had not been reduced.
- (5) Where an award of any working tax credit or child tax credit under the Tax Credits Act 2002 is subject to a deduction by way of recovery of an overpayment of working tax credit or child tax credit which arose in a previous tax year the amount to be taken into account under paragraph (1) is to be the amount of working tax credit or child tax credit awarded less the amount of that deduction.
- (6) Sub-paragraphs (7) and (8) apply where -
- a a relevant payment has been made to a person in an academic year; and
- b that person abandons, or is dismissed from, his course of study before the payment to him of the final instalment of the relevant payment.
- (7) Where a relevant payment is made quarterly, the amount of a relevant payment to be taken into account for the assessment period for the purposes of sub-paragraph (1) in respect of a person to whom sub-paragraph (7) applies, is to be calculated by applying the formula—
- (A - (B x C)) / D** where -
- (a) A = the total amount of the relevant payment which that person would have received had he remained a student until the last day of the academic term in which he abandoned, or was dismissed from, his course, less any deduction under paragraph 81(5) (costs of travel, books and equipment);
- (b) B = the number of reduction weeks from the reduction week immediately following that which includes the first day of that academic year to the reduction week which includes the day on which the person abandoned, or was dismissed from, his course;
- (c) C = the weekly amount of the relevant payment, before the application of the £10 disregard, which would have been taken into account as income under paragraph 81(2) (treatment of student loans) had the person not abandoned or been dismissed from, his course and, in the case of a person who was not entitled to a reduction under this scheme immediately before he abandoned or was dismissed from his course, had that person, at that time, been entitled to housing benefit;
- (d) D = the number of reduction weeks in the assessment period.

- (8) Where a relevant payment is made by two or more instalments in a quarter, the amount of a relevant payment to be taken into account for the assessment period for the purposes of sub-paragraph (1) in respect of a person to whom sub-paragraph (6) applies, is to be calculated by applying the formula in sub-paragraph (7) but as if -

A = the total amount of relevant payments which that person received, or would have received, from the first day of the academic year to the day the person abandoned the course, or was dismissed from it, less any deduction under paragraph 81(5) .

- (9) In this paragraph -

“academic year” and “student loan” have the same meanings as in Part 17 (students)

“assessment period” means -

- (a) in a case where a relevant payment is made quarterly, the period beginning with the reduction week which includes the day on which the person abandoned, or was dismissed from, his course and ending with the reduction week which includes the last day of the last quarter for which an instalment of the relevant payment was payable to that person;
- (b) in a case where the relevant payment is made by two or more instalments in a quarter, the period beginning with the reduction week which includes the day on which the person abandoned, or was dismissed from, his course and ending with the reduction week which includes -
- (i) the day immediately before the day on which the next instalment of the relevant payment would have been due had the payments continued; or
- (ii) the last day of the last quarter for which an instalment of the relevant payment was payable to that person,

whichever of those dates is earlier;

“quarter” in relation to an assessment period means a period in that year beginning on either;

- (a) 1st January and ending on 31st March;
- (b) 1st April and ending on 30th June;
- (c) 1st July and ending on 31st August; or

(d) 1st September and ending on 31st December;

“relevant payment” means either a student loan or an amount intended for the maintenance of dependents referred to in paragraph 76(7) or both.

- (10) For the avoidance of doubt there must be included as income to be taken into account under sub-paragraph (1) -
- (a) any payment to which paragraph 51(2) (Earnings of employed earners) (payments not earnings) applies; or
 - (b) in the case of an applicant who is receiving support under section 95 or 98 of the Immigration and Asylum Act 1999 including support provided by virtue of regulations made under Schedule 9 to that Act, the amount of such support provided in respect of essential living needs of the applicant and his dependents (if any) as is specified in regulations made under paragraph 3 of Schedule 8 to the Immigration and Asylum Act 1999.

55. Capital treated as income

- (1) Any capital payable by instalments which are outstanding at the date on which the application is made or treated as made, or, at the date of any subsequent revision

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or supersession, must, if the aggregate of the instalments outstanding and the amount of the applicant's capital otherwise calculated in accordance with Part 15 exceeds £10,000, be treated as income.

- (2) Any payment received under an annuity is to be treated as income.
- (3) Any earnings to the extent that they are not a payment of income is to be treated as income.
- (4) Any Career Development Loan paid pursuant to section 2 of the Employment and Training Act 1973 is to be treated as income.
- (5) Where an agreement or court order provides that payments must be made to the applicant in consequence of any personal injury to the applicant and that such payments are to be made, wholly or partly, by way of periodic payments, any such periodic payments received by the applicant (but not a payment which is treated as capital by virtue of this Part), is to be treated as income.

56. Notional income

- (1) An applicant who is to be treated as possessing income of which he has deprived himself for the purpose of securing entitlement to a reduction under a council tax reduction scheme or increasing the amount of the reduction.
- (2) Except in the case of -
 - (a) a discretionary trust;
 - (b) a trust derived from a payment made in consequence of a personal injury;
 - (c) a personal pension scheme, occupational pension scheme or a payment made by the Board of the Pension Protection Fund where the applicant has not attained the qualifying age for state pension credit;
 - (d) any sum to which paragraph 50(2)(a) of Schedule 4 (capital disregard) applies which is administered in the way referred to in paragraph 50(1)(a);
 - (e) any sum to which paragraph 51(a) of Schedule 4 refers;
 - (f) rehabilitation allowance made under section 2 of the Employment and Training Act 1973;
 - (g) child tax credit;
 - (h) working tax credit, or
 - (i) any sum to which sub-paragraph (11) applies, any income which would become available to the applicant upon application being made, but which has not been acquired by him, is to be treated as possessed by the applicant but only from the date on which it could be expected to be acquired were an application made.
- (3) Any payment of income, other than a payment of income specified in sub-paragraph (4), made -
 - (a) to a third party in respect of a single applicant or a member of the family (but not a member of the third party's family) must, where that payment is a payment of an occupational pension, a pension or other periodical payment

made under a personal pension scheme or a payment made by the Board of the Pension Protection Fund, be treated as possessed by that single applicant or, as the case may be, by that member;

- (b) to a third party in respect of a single applicant or in respect of a member of the family (but not a member of the third party's family) must, where it is not a payment referred to paragraph (a), be treated as possessed by that single applicant or by that member to the extent that it is used for the food, ordinary clothing or footwear, household fuel or rent of that single applicant or, as the case may be, of any member of that family or is used for any council tax or water charges for which that applicant or member is liable;
 - (c) to a single applicant or a member of the family in respect of a third party (but not in respect of another member of that family) must be treated as possessed by that single applicant or, as the case may be, that member of the family to the extent that it is kept or used by him or used by or on behalf of any member of the family.
- (4) Sub-paragraph (3) does not apply in respect of a payment of income made -
- (a) under or by the Macfarlane Trust, the Macfarlane (Special Payments) Trust, the Macfarlane (Special Payments) (No. 2) Trust, the Fund, the Eileen Trust, MFET Limited, the Skipton Fund, the Caxton Foundation or the Independent Living Fund (2006);
 - (b) pursuant to section 19(1)(a) of the Coal Industry Act 1994 (concessionary coal); (c) pursuant to section 2 of the Employment and Training Act 1973 in respect of a person's participation -
 - (i) in an employment programme specified in regulation 75(1)(a)(ii) of the Jobseeker's Allowance Regulations 1996;
 - (ii) in a training scheme specified in regulation 75(1)(b)(ii) of those Regulations; (iii) in the Intense Activity Period specified in regulation 75(1) (a) (iv) of those Regulations;
 - (iv) in a qualifying course within the meaning specified in regulation 17A(7) of those Regulations; or
 - (v) in the Flexible New Deal specified in regulation 75(1)(a)(v) of those Regulations;
 - (d) in respect of a person's participation in the Work for Your Benefit Pilot Scheme;
 - (e) in respect of a person's participation in the Mandatory Work Activity Scheme;

- (f) in respect of an applicant's participation in the Employment, Skills and Enterprise Scheme;
- (g) under an occupational pension scheme, in respect of a pension or other periodical payment made under a personal pension scheme or a payment made by the Board of the Pension Protection Fund where -
 - (i) a bankruptcy order has been made in respect of the person in respect of whom the payment has been made or, in Scotland, the estate of that person is subject to sequestration or a judicial factor has been appointed
On that person's estate under section 41 of the Solicitors (Scotland) Act 1980;
 - (ii) the payment is made to the trustee in bankruptcy or any other person acting on behalf of the creditors; and
 - (iii) the person referred to in sub-paragraph (i) and any member of his family does not possess, or is not treated as possessing, any other income apart from that payment.
- (5) Where an applicant is in receipt of any benefit under the benefit Acts and the rate of that benefit is altered with effect from a date on or after 1st April in any year but not more than 14 days thereafter, the authority must treat the applicant as possessing such benefit at the altered rate from either 1st April or the first Monday in April in that year, whichever date the authority selects, to the date on which the altered rate is to take effect.
- (6) Subject to sub-paragraph (7), where -
 - (a) an applicant performs a service for another person; and
 - (b) that person makes no payment of earnings or pays less than that paid for a comparable employment in the area,the authority must treat the applicant as possessing such earnings (if any) as is reasonable for that employment unless the applicant satisfies the authority that the means of that person are insufficient for him to pay or to pay more for the service.
- (7) Sub-paragraph (6) does not apply -
 - (a) to an applicant who is engaged by a charitable or voluntary organisation or who is a volunteer if the authority is satisfied in any

of those cases that it is reasonable for him to provide those services free of charge; or

- (b) in a case where the service is performed in connection with -
- (i) the applicant's participation in an employment or training programme in accordance with regulation 19(1)(q) of the Jobseeker's Allowance Regulations 1996, other than where the service is performed in connection with the applicant's participation in the Intense Activity Period specified in regulation 75(1) (a) (iv) of those Regulations; or
 - (ii) the applicant's or the applicant's partner's participation in an employment or training programme as defined in regulation 19(3) of those Regulations for which a training allowance is not payable or, where such an allowance is payable, it is payable for the sole purpose of reimbursement of travelling or meal expenses to the person participating in that programme; or
- (c) to an applicant who is participating in a work placement approved by the Secretary of State (or a person providing services to the Secretary of State) before the placement starts.
- (8) In sub-paragraph (7) (c) "work placement" means practical work experience which is not undertaken in expectation of payment.
- (9) Where an applicant is treated as possessing any income under any of sub-paragraphs (1) to (8), the foregoing provisions of this Part apply for the purposes of calculating the amount of that income as if a payment had actually been made and as if it were actual income which he does possess.
- (10) Where an applicant is treated as possessing any earnings under sub-paragraph (6) the foregoing provisions of this Part apply for the purposes of calculating the amount of those earnings as if a payment had actually been made and as if they were actual earnings which he does possess except that paragraph 52(3) (calculation of net earnings of employed earners) do not apply and his net earnings are to be calculated by taking into account those earnings which he is treated as possessing, less -
- (a) an amount in respect of income tax equivalent to an amount calculated by applying to those earnings the basic rate of tax applicable to the assessment period less only the personal relief to which the applicant is entitled under sections 35 to 37 of the Income Tax Act 2007 (personal allowances) as is appropriate to his circumstances; but, if the assessment period is less than a year, the earnings to which the basic rate of tax is to be applied and the amount of the personal relief deductible under this paragraph is to be calculated on a pro rata basis;

- (b) an amount equivalent to the amount of the primary Class 1 contributions that would be payable by him under the SSCBA in respect of those earnings if such contributions were payable; and
 - (c) one-half of any sum payable by the applicant by way of a contribution towards an occupational or personal pension scheme.
- (11) Sub-paragraphs (1), (2), (3) and (6) do not apply in respect of any amount of income other than earnings, or earnings of an employed earner, arising out of the applicant's participation in a service user group.

57. Calculation of income on a weekly basis

- (1) Subject to paragraph 60 (disregard of changes in tax, etc.), the income of an applicant is to be calculated on a weekly basis-
 - (a) by estimating the amount which is likely to be his average weekly income in accordance with this Part;
 - (b) deducting from that sum any relevant child care charges to which paragraph 58 (treatment of child care charges) applies from any earnings which form part of the average weekly income or, in a case where the conditions in sub-paragraph (2) are met, from those earnings plus whichever credit specified in sub-paragraph (2)(b) is appropriate, up to a maximum deduction in respect of the applicant's family of whichever of the sums specified in sub-paragraph (3) applies in his case.
- (2) The conditions of this paragraph are that -
 - (a) the applicant's earnings which form part of his average weekly income are less than the lower of either his relevant child care charges or whichever of the deductions specified in sub-paragraph (3) otherwise applies in his case; and
 - (b) that applicant or, if he is a member of a couple either the applicant or his partner, is in receipt of either working tax credit or child tax credit.
- (3) The maximum deduction to which sub-paragraph (1)(b) above refers is to be -

- (a) where the applicant's family includes child/ren of whom relevant child care charges are paid, 100% of the amount paid per week

58. Treatment of child care charges

- (1) This paragraph applies where an applicant (within the meaning in this paragraph) is incurring relevant child care charges and,
- (a) is a lone parent;
 - (b) is a member of a couple both; or
 - (c) is a member of a couple where one member is engaged in remunerative work and the other -
 - (i) is incapacitated;
 - (ii) is an in-patient in hospital; or
 - (iii) is in prison (whether serving a custodial sentence or remanded in custody awaiting trial or sentence),
- (2) For the purposes of sub-paragraph (1) and subject to sub-paragraph (4), a person to whom sub-paragraph (3) applies must be treated as engaged in remunerative work for a period not exceeding 28 weeks during which he -
- (a) is paid statutory sick pay;
 - (b) is paid short-term incapacity benefit at the lower rate under sections 30A to 30E of the SSCBA;
 - (c) is paid an employment and support allowance;
 - (d) is paid income support on the grounds of incapacity for work under regulation 4ZA of, and paragraph 7 or 14 of Schedule 1B to, the Income Support (General) Regulations 1987; or
 - (e) is credited with earnings on the grounds of incapacity for work or limited capability for work under regulation 8B of the Social Security (Credits) Regulations 1975.
- (3) This paragraph applies to a person who was engaged in remunerative work immediately before -

- (a) the first day of the period in respect of which he was first paid statutory sick pay, short-term incapacity benefit, employment and support allowance or income support on the grounds of incapacity for work; or
 - (b) the first day of the period in respect of which earnings are credited, as the case may be.
- (4) In a case to which sub-paragraph (2)(d) or (e) applies, the period of 28 weeks begins on the day on which the person is first paid income support or on the first day of the period in respect of which earnings are credited, as the case may be.
- (5) Relevant child care charges are those charges for care to which sub-paragraphs (6) and (7) apply, and are to be calculated on a weekly basis in accordance with sub-paragraph (10).
- (6) The charges are paid by the applicant for care which is provided -
- (a) in the case of any child of the applicant's family who is not disabled, in respect of the period beginning on that child's date of birth and ending on the day preceding the first Monday in September following that child's fifteenth birthday; or
 - (b) in the case of any child of the applicant's family who is disabled, in respect of the period beginning on that person's date of birth and ending on the day preceding the first Monday in September following that person's sixteenth birthday.
- (7) The charges are paid for care which is provided by one or more of the care providers listed in sub-paragraph (8) and are not paid -
- (a) in respect of the child's compulsory education;
 - (b) by an applicant to a partner or by a partner to an applicant in respect of any child for whom either or any of them is responsible in accordance with paragraph 7 (circumstances in which a person is treated as responsible or not responsible for another); or
 - (c) in respect of care provided by a relative of the child wholly or mainly in the child's home.
- (8) The care to which sub-paragraph (7) refers may be provided -
- (a) out of school hours, by a school on school premises or by a local authority -

- (i) for children who are not disabled in respect of the period beginning on their eighth birthday and ending on the day preceding the first Monday in September following their fifteenth birthday; or
 - (ii) for children who are disabled in respect of the period beginning on their eighth birthday and ending on the day preceding the first Monday in September following their sixteenth birthday; or
- (b) by a child care provider approved in accordance with the Tax Credit (New Category of Child Care Provider) Regulations 1999; or
- (c) by persons registered under Part 2 of the Children and Families (Wales) Measure 2010; or
- (d) by a person who is excepted from registration under Part 2 of the Children and Families (Wales) Measure 2010 because the child care that person provides is in a school or establishment referred to in article 11, 12 or 14 of the Child Minding and Day Care Exceptions (Wales) Order 2010; or
- (e) by -
 - (i) persons registered under section 59(1) of the Public Services Reform (Scotland) Act 2010; or
 - (ii) local authorities registered under section 83(1) of that Act,

where the care provided is child minding or day care of children within the meaning of that Act; or
- (f) by a person prescribed in regulations made pursuant to section 12(4) of the Tax Credits Act 2002; or
- (g) by a person who is registered under Chapter 2 or 3 of Part 3 of the Childcare Act 2006; or
- (h) by any of the schools mentioned in section 34(2) of the Childcare Act 2006 in circumstances where the requirement to register under Chapter 2 of Part 3 of that Act does not apply by virtue of section 34(2) of that Act; or
- (i) by any of the schools mentioned in section 53(2) of the Childcare Act 2006 in circumstances where the requirement to register under Chapter 3 of Part 3 of that Act does not apply by virtue of section 53(2) of that Act; or
- (j) by any of the establishments mentioned in section 18(5) of the Childcare Act

2006 in circumstances where the care is not included in the meaning of “childcare” for the purposes of Part 1 and Part 3 of that Act by virtue of that subsection; or

- (k) by a foster parent or kinship carer under the Fostering Services Regulations 2002, the Fostering Services (Wales) Regulations 2003 or the Looked After Children (Scotland) Regulations 2009 in relation to a child other than one whom the foster parent is fostering or kinship carer is looking after; or
 - (l) by a provider of personal care within the meaning of paragraph 1 of Schedule 1 to the Health and Social Care Act 2008 (Regulated Activities) Regulations 2010 and being a regulated activity prescribed by those Regulations; or
 - (m) by a person who is not a relative of the child wholly or mainly in the child’s home.
- (9) In sub-paragraphs (6) and (8) (a), “the first Monday in September” means the Monday which first occurs in the month of September in any year.
- (10) Relevant child care charges must be estimated over such period, not exceeding a year, as is appropriate in order that the average weekly charge may be estimated accurately having regard to information as to the amount of that charge provided by the child minder or person providing the care.
- (11) For the purposes of sub-paragraph (1)(c) the other member of a couple is incapacitated where -
- (a) the applicant would fall to be treated as person who formerly would have been entitled a disability premium by virtue of paragraph 2 of Schedule 1 on account of the other member’s incapacity or the support component or the work-related activity component on account of his having limited capability for work;
 - (b) the applicant would fall to be treated as person who formerly would have been entitled a disability premium by virtue of paragraph 2 of Schedule 1 on account of the other member’s incapacity but for that other member being treated as capable of work by virtue of a determination made in accordance with regulations made under section 171E of the SSCBA;
 - (c) the applicant’s applicable amount would include the support component or the work-related activity component on account of the other member having limited capability for work but for that other member being treated as not having limited capability for work by virtue of a determination made in accordance with the Employment and Support Allowance Regulations 2008;

- (d) he is, or is treated as, incapable of work and has been so incapable, or has been so treated as incapable, of work in accordance with the provisions of, and regulations made under, Part 12A of the SSCBA (incapacity for work) for a continuous period of not less than 196 days; and for this purpose any two or more separate periods separated by a break of not more than 56 days must be treated as one continuous period;
- (e) he has, or is treated as having, limited capability for work and has had, or been treated as having, limited capability for work in accordance with the Employment and Support Allowance Regulations 2008 for a continuous period of not less than 196 days and for this purpose any two or more separate periods separated by a break of not more than 84 days must be treated as one continuous period;
- (f) there is payable in respect of him one or more of the following pensions or allowances -
- (i) long-term incapacity benefit or short-term incapacity benefit at the higher rate under Schedule 4 to the SSCBA;
 - (ii) attendance allowance under section 64 of the SSCBA;
 - (iii) severe disablement allowance under section 68 of the SCBA;
 - (iv) disability living allowance under section 71 of the SSCBA;
 - (v) personal independence payment; (vi) an AFIP;
 - (vii) increase of disablement pension under section 104 of the SSCBA;
 - (viii) a pension increase paid as part of a war disablement pension or under an industrial injuries scheme which is analogous to an allowance or increase of disablement pension under sub-paragraph (ii), (iv), (v), (vi) or (vii) above;
 - (ix) main phase employment and support allowance;
- (g) a pension or allowance to which sub-paragraph (vii) or (viii) of sub-paragraph (f) above refers was payable on account of his incapacity but has ceased to be payable in consequence of his becoming a patient, which in this article means a person (other than a person who is serving a sentence of imprisonment or detention in a youth custody institution) who is regarded as receiving free in-patient treatment within the meaning of regulation 2(4) and (5) of the Social Security (Hospital In-Patients) Regulations 2005;
- (h) an attendance allowance under section 64 of the SSCBA or disability

living allowance under section 71 of that Act would be payable to that person but for -

- (i) a suspension of benefit in accordance with regulations under section 113(2) of the SSCBA; or
 - (ii) an abatement as a consequence of hospitalisation;
- (i) the daily living component of personal independence payment would be payable to that person but for a suspension of benefit in accordance with regulations under section 86 of the Welfare Reform Act 2012 (hospital in-patients);
- (j) an AFIP would be payable to that person but for any suspension of payment in accordance with any terms of the armed and reserve forces compensation scheme which allow for a suspension because a person is undergoing medical treatment in a hospital or similar institution
- (k) paragraph (f), (g), (h) or (i) would apply to him if the legislative provisions referred to in those sub-paragraphs were provisions under any corresponding enactment having effect in Northern Ireland; or
- (l) he has an invalid carriage or other vehicle provided to him by the Secretary of State or a clinical commissioning group under paragraph 9 of Schedule 1 to the National Health Service Act 2006 or under section 46 of the National Health Service (Scotland) Act 1978 or provided by the Department of Health, Social Services and Public Safety in Northern Ireland under Article 30(1) of the Health and Personal Social Services (Northern Ireland) Order 1972.
- (12) For the purposes of sub-paragraph (11), once sub-paragraph (11)(d) applies to the person, if he then ceases, for a period of 56 days or less, to be incapable, or to be treated as incapable, of work, that sub-paragraph shall, on his again becoming so incapable, or so treated as incapable, of work at the end of that period, immediately thereafter apply to him for so long as he remains incapable, or is treated as remaining incapable, of work.
- (13) For the purposes of sub-paragraph (11), once sub-paragraph (11)(e) applies to the person, if he then ceases, for a period of 84 days or less, to have, or to be treated as having, limited capability for work, that paragraph is, on his again having, or being treated as having, limited capability for work at the end of that period, immediately thereafter apply to him for so long as he has, or is treated as having, limited capability for work.
- (14) For the purposes of sub-paragraphs (6) and (8)(a), a person is disabled if he is a person -
- (a) to whom an attendance allowance or the care component of disability allowance is payable or would be payable but for -
 - (i) a suspension of benefit in accordance with regulations under section 113(2) of the SSCBA; or
 - (ii) an abatement as a consequence of hospitalisation;
 - (b) to whom the daily living component of personal independence payment is payable or would be payable but for a suspension of benefit in

accordance with regulations under section 86 of the Welfare Reform Act 2012 (hospital in-patients);

- (c) who is registered as blind in a register compiled under section 29 of the National Assistance Act 1948 (welfare services) or, in Scotland, has been certified as blind and in consequence he is registered as blind in a register maintained by or on behalf of a council constituted under section 2 of the Local Government (Scotland) Act 1994 or is registered as severely sight-impaired in a register kept by a local authority in Wales under section 18(1) of the Social Services and Well-being (Wales) Act 2014; or
 - (d) who ceased to be registered as blind in such a register within the period beginning 28 weeks before the first Monday in September following that person's fifteenth birthday and ending on the day preceding that person's sixteenth birthday.
- (15) For the purposes of sub-paragraph (1) a person on maternity leave, paternity leave or adoption leave is to be treated as if he is engaged in remunerative work for the period specified in sub-paragraph (16) ("the relevant period") provided that -
- (a) in the week before the period of maternity leave, paternity leave, shared parental leave or adoption leave began he was in remunerative work;
 - (b) the applicant is incurring relevant child care charges within the meaning of sub-paragraph (5); and
 - (c) he is entitled to either statutory maternity pay under section 164 of the SSCBA, ordinary statutory paternity pay by virtue of section 171ZA or 171ZB of that Act, additional statutory paternity pay by virtue of section 171ZEA or 171ZEB of that Act, statutory adoption pay by of section 171ZL of that Act, maternity allowance under section 35 of that Act or qualifying support.
- (16) For the purposes of sub-paragraph (15) the relevant period begins on the day on which the person's maternity, paternity leave, shared parental or adoption leave commences and ends on -
- (a) the date that leave ends;
 - (b) if no child care element of working tax credit is in payment on the date that entitlement to maternity allowance, qualifying support (if relevant), statutory maternity pay, ordinary or additional statutory paternity pay or statutory adoption pay ends, the date that entitlement ends; or
 - (c) if a child care element of working tax credit is in payment on the date that entitlement to maternity allowance or qualifying support, statutory maternity

pay, ordinary or additional statutory paternity pay or statutory adoption pay ends, the date that entitlement to that award of the childcare element of the working tax credit ends, whichever occurs first.

(17) In Sub-paragraphs (15) and (16)

- (a) “qualifying support” means income support to which that person is entitled by virtue of paragraph 14B of Schedule 1B to the Income Support (General) Regulations 1987; and
- (b) “child care element” of working tax credit means the element of working tax credit prescribed under section 12 of the Tax Credits Act 2002 (child care element).

59. Calculation of average weekly income from tax credits

- (1) This paragraph applies where an applicant receives a tax credit.
- (2) Where this paragraph applies, the period over which a tax credit is to be taken into account is the period set out in paragraph (3).
- (3) Where the instalment in respect of which payment of a tax credit is made is- (a) a daily instalment, the period is 1 day, being the day in respect of which the instalment is paid;
 - (b) a weekly instalment, the period is 7 days, ending on the day on which the instalment is due to be paid;
 - (c) a two weekly instalment, the period is 14 days, commencing 6 days before the day on which the instalment is due to be paid;
 - (d) a four weekly instalment, the period is 28 days, ending on the day on which the instalment is due to be paid.
- (4) For the purposes of this paragraph “tax credit” means child tax credit or working tax credit.

60. Disregard of changes in tax and contributions etc.

In calculating the applicant’s income the authority may disregard any legislative change-

- (a) in the basic or other rates of income tax;
- (b) in the amount of any personal tax relief;
- (c) in the rates of social security contributions payable under the SSCBA or in the lower earnings limit or upper earnings limit for Class 1 contributions under that Act, the lower or upper limits applicable to Class 4 contributions under that Act or the amount specified in section 11(4) of that Act (small earnings exception in relation to Class 2 contributions);
- (d) in the amount of tax payable as a result of an increase in the weekly rate of Category A, B, C or D retirement pension or any addition thereto or any graduated pension payable under the SSCBA;

- (e) in the maximum rate of child tax credit or working tax credit,

for a period not exceeding 30 reduction weeks beginning with the reduction week immediately following the date from which the change is effective.

61. Calculation of net profit of self-employed earners

- (1) For the purposes of paragraphs 48 (average weekly earnings of self-employed earners) and 57 (calculation of income on a weekly basis) the earnings of an applicant to be taken into account must be -
 - (a) in the case of a self-employed earner who is engaged in employment on his own account, the net profit derived from that employment;
 - (b) in the case of a self-employed earner who is a pensioner whose employment is carried on in partnership, his share of the net profit derived from that employment, less -
 - (i) an amount in respect of income tax and of social security contributions payable under the SSCBA calculated in accordance with paragraph 68 (deduction of tax and contributions of self-employed earners); and
 - (ii) one-half of the amount calculated in accordance with sub-paragraph (11) In respect of any qualifying premium;
 - (c) in the case of a self-employed earner whose employment is carried on in partnership or is that of a share fisherman within the meaning of the Social Security (Mariners' Benefits) Regulations 1975, his share of the net profit derived from that employment, less -
 - (i) an amount in respect of income tax and of social security contributions payable under the SSCBA calculated in accordance with paragraph 68 (deduction of tax and contributions for self-employed earners); and
 - (ii) one-half of the amount calculated in accordance with sub-paragraph (11) in respect of any qualifying premium.
- (2) There must be disregarded from the net profit of an applicant, any sum, where applicable, specified in paragraphs 1 to 11 of Schedule 2 (sums disregarded in the calculation of earnings).
- (3) For the purposes of sub-paragraph (1)(a) the net profit of the employment must, except where sub-paragraph (9) applies, be calculated by taking into account the earnings of the employment over the assessment period less -

- (a) subject to sub-paragraphs (5) to (8), any expenses wholly and exclusively incurred in that period for the purposes of that employment;
 - (b) an amount in respect of -
 - (i) income tax; and
 - (ii) social security contributions payable under the SSCBA, calculated in accordance with paragraph 68 (deduction of tax and contributions for self- employed earners); and
 - (c) one-half of the amount calculated in accordance with sub-paragraph (11) in respect of any qualifying premium.
- (4) For the purposes of paragraph (1)(b) the net profit of the employment is to be calculated by taking into account the earnings of the employment over the assessment period less, subject to sub-paragraphs (5) to (8), any expenses wholly and exclusively incurred in that period for the purposes of the employment.
- (5) Subject to sub-paragraph (6), no deduction is to be made under sub-paragraph (3)(a) or (4), in respect of -
- (a) any capital expenditure;
 - (b) the depreciation of any capital asset;
 - (c) any sum employed or intended to be employed in the setting up or expansion of the employment;
 - (d) any loss incurred before the beginning of the assessment period;
 - (e) the repayment of capital on any loan taken out for the purposes of the employment;
 - (f) any expenses incurred in providing business entertainment; and
 - (g) in the case of an applicant who is not a pensioner, any debts, except bad debts proved to be such, but this paragraph does not apply to any expenses incurred in the recovery of a debt.
- (6) A deduction is to be made under sub-paragraph (3)(a) or (4) in respect of the repayment of capital on any loan used for -
- (a) the replacement in the course of business of equipment or machinery; or

- (b) the repair of an existing business asset except to the extent that any sum is payable under an insurance policy for its repair.
- (7) The authority must refuse to make a deduction in respect of any expenses under sub-paragraph (3) (a) or (4) where it is not satisfied given the nature and the amount of the expense that it has been reasonably incurred.
- (8) For the avoidance of doubt -
- (a) a deduction must not be made under sub-paragraphs (3)(a) or (4) in respect of any sum unless it has been expended for the purposes of the business;
- (b) a deduction must be made thereunder in respect of—
- (i) the excess of any value added tax paid over value added tax received in the assessment period;
- (ii) any income expended in the repair of an existing business asset except to the extent that any sum is payable under an insurance policy for its repair;
- (iii) any payment of interest on a loan taken out for the purposes of the employment.
- (9) Where an applicant is engaged in employment as a child minder the net profit of the employment is to be one-third of the earnings of that employment, less -
- (a) an amount in respect of -
- (i) income tax; and
- (ii) social security contributions payable under the SSCBA, calculated in accordance with paragraph 68 (deduction of tax and Contributions for self-employed earners); and
- (b) one-half of the amount calculated in accordance with sub-paragraph (11) in respect of any qualifying premium.
- (10) For the avoidance of doubt where an applicant is engaged in employment as a self-employed earner and he is also engaged in one or more other employments as a self-employed or employed earner any loss incurred in any one of his employments must not be offset against his earnings in any other of his employments.

- (11) The amount in respect of any qualifying premium is to be calculated by multiplying the daily amount of the qualifying premium by the number equal to the number of days in the assessment period; and for the purposes of this paragraph the daily amount of the qualifying premium must be determined -
- (a) where the qualifying premium is payable monthly, by multiplying the amount of the qualifying premium by 12 and dividing the product by 365;
 - (b) in any other case, by dividing the amount of the qualifying premium by the number equal to the number of days in the period to which the qualifying premium relates.
- (12) In this paragraph, “qualifying premium” means any premium which is payable periodically in respect of a personal pension scheme and is so payable on or after the date of application.

62. Minimum Income Floor

- (1) Subject to sub-paragraph (7), where either the applicant or his partner are treated as being in gainful self-employment under Paragraph 64 and the total earned income of such applicant in respect of any week in the assessment period is less than the minimum income floor, the applicant is to be treated as having earned income equal to the minimum income floor.
- (2) The minimum income floor is, subject to sub-paragraph (3), in the case of an applicant who is lone parent;
- (i) the amount the applicant would earn in a working week of 16 hours paid at the hourly rate prescribed by regulation 4(1)(a) of the National Minimum Wage Regulations 2015, less
 - (ii) An amount that the authority considers appropriate to take account of any income tax or national insurance contributions for which the applicant would have been liable in respect of the assessment period if they had earned income of that amount.
- (3) In all other cases the minimum income floor is equal to the prescribed minimum under sub-paragraph (4), but where the a applicant has a partner and, the amount of the couple's combined earned income would exceed the prescribed minimum—
- (i) in a case where the couple's combined earned income (before the application of sub-paragraph (1) is equal to or exceeds the prescribed minimum, sub-paragraph (1) does not apply; and

- (ii) In any other case, the minimum income floor is to be reduced so that the amount of the couple's combined earned income does not exceed the prescribed minimum.

(4) The “prescribed minimum” is—

- (a) the amount either the applicant or their partner would earn in a working week of 35 hours paid at the hourly rate prescribed by regulation 4(1)(a) of the

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National Minimum Wage Regulations 2015, less

- (b) an amount that the authority considers appropriate to take account of any income tax or national insurance contributions for which the applicant, or in the case of couple the applicant and his partner, would have been liable in respect of the assessment period if they had the earned income prescribed by sub-paragraph (4)(a).
- (5) Where the applicant or in the case of couple the applicant and his partner have significant caring responsibilities the authority may at its discretion reduce the number of hours worked in a given week that are used to calculate the minimum income floor.
- (6) In sub-paragraph (5) “significant caring responsibilities” means responsibilities sufficient to make it unreasonable for the applicant, or in the case of couple, for the applicant and their partner to work sufficient hours a week to meet the appropriate threshold but does not include caring for dependents where child-care would normally be available.
- (7) Sub-paragraph (1) shall not apply where the applicant’s business is treated as being in a start-up period.

63 Start-up Period

- (1) For the purpose of paragraph 62 but subject to sub-paragraph (2) below, the “start-up period” for a business is the continuous period of 12 months following the date at which the authority determined that the applicant or his partner commenced gainful self-employment in a specific profession, trade or vocation.
- (2) A start-up period will not apply to any applicant who has previously benefited from a start-up period, whether in relation to the current award, or any previous award, of reduction, unless the preceding start-up period—
 - (a) began more than 5 years before the beginning of the applicant’s present self-employed activity; and
 - (b) applied in relation to a different profession, trade or vocation which the claimant has ceased to carry on.
- (3) The authority may terminate a start-up period at any time if the applicant is no longer in gainful self-employment, or is no longer taking reasonable active steps to increase their earnings from their employment to a sum in excess of the applicable minimum income floor under paragraph 62.
- (4) Where the applicant commenced the profession, trade or vocation as his primary self-employment before 1st April 2017 that activity shall not be treated as being in a start-up period.

64. Meaning of “gainful self-employment”

- (1) An applicant is in gainful self-employment for the purposes of paragraph 62 where the authority has determined that—
 - (a) the applicant or their partner is carrying on a trade, profession or vocation as their main employment;
 - (b) their earnings from that trade, profession or vocation are self-employed earnings; and,
 - (c) the trade, profession or vocation is organised, developed, and regular and carried on in expectation of profit.

65. Calculation of deduction of tax and contributions of self-employed earners

- (1) The amount to be deducted in respect of income tax under paragraph 61(1)(b)(i), (3)(b)(i) or (9)(a)(i) (calculation of net profit of self-employed earners) must be calculated -
 - (a) on the basis of the amount of chargeable income, and
 - (b) as if that income were assessable to income tax at the basic rate of tax applicable to the assessment period less only the personal relief to which the applicant is entitled under sections 35 to 37 of the Income Tax Act 2007 (personal allowances) as is appropriate to his circumstances.
- (2) But, if the assessment period is less than a year, the earnings to which the basic rate of tax is to be applied and the amount of the personal reliefs deductible under this paragraph must be calculated on a pro rata basis.
- (3) The amount to be deducted in respect of social security contributions under paragraph 61(1)(b)(i), (3)(b)(ii) or (9)(a)(ii) is the total of -
 - (a) the amount of Class 2 contributions payable under section 11(1) or, as the case may be, 11(3) of the SSCBA at the rate applicable to the assessment period except where the applicant’s chargeable income is less than the amount specified in section 11(4) of that Act (small earnings exception) for the tax year applicable to the assessment period; but if the assessment period is less than a year, the amount specified for that tax year must be reduced pro rata; and
 - (b) the amount of Class 4 contributions (if any) which would be payable under section 15 of the SSCBA (Class 4 contributions recoverable under the Income Tax Acts) at the percentage rate applicable to the assessment period on so much of the chargeable income as exceeds the lower limit but does not exceed the upper limit of profits and gains applicable for the tax year applicable to the assessment period; but if the assessment period is less than a year, those limits must be reduced pro rata.

- (4) In this paragraph “chargeable income” means -
- (a) except where paragraph (b) applies, the earnings derived from the employment less any expenses deducted under sub-paragraph (3)(a) or, as the case may be, (5) of paragraph 61;
 - (b) in the case of employment as a child minder, one-third of the earnings of that employment.

Part 16 - Capital - those not receiving Universal Credit

66. Calculation of capital

- (1) The capital of an applicant to be taken into account must be, subject to sub-paragraph (2), the whole of his capital calculated in accordance with this Part and any income treated as capital under paragraph 67 (income treated as capital).
- (2) There must be disregarded from the calculation of an applicant’s capital under sub-paragraph (1), any capital, where applicable, specified in Schedule 4.
- (3) The capital of a child or young person who is a member of the family of an applicant who is not a pensioner must not be treated as capital of the applicant.

67. Income treated as capital

- (1) Any bounty derived from employment to which paragraph 9 of Schedule 2 (sums disregarded in the calculation of earnings) applies and paid at intervals of at least one year is to be treated as capital.
- (2) Any amount by way of a refund of income tax deducted from profits or emoluments chargeable to income tax under Schedule D or E is to be treated as capital.
- (3) Any holiday pay which is not earnings under paragraph 51(1) (d) (earnings of employed earners) is to be treated as capital.
- (4) Except any income derived from capital disregarded under paragraphs 4, 5, 7, 11, 17, 30 to 33, 50 or 51 of Schedule 4 (capital disregards), any income derived from capital is to be treated as capital but only from the date it is normally due to be credited to the applicant’s account.
- (5) In the case of employment as an employed earner, any advance of earnings or any loan made by the applicant’s employer is to be treated as capital.
- (6) Any charitable or voluntary payment which is not made or due to be made at regular intervals, other than a payment which is made under or by the Trusts, the Fund, the

Eileen Trust, MFET Limited, the Skipton Fund, the Caxton Foundation, the Independent Living Fund (2006) or the London Bombings Charitable Relief Fund, is to be treated as capital.

- (7) There is to be treated as capital the gross receipts of any commercial activity carried on by a person in respect of which assistance is received under the self-employment route, but only in so far as those receipts were payable into a special account during the period in which that person was receiving such assistance.
- (8) Any arrears of subsistence allowance which are paid to an applicant as a lump sum

must be treated as capital.

- (9) Any arrears of working tax credit or child tax credit must be treated as capital.

68. Calculation of capital in the United Kingdom

Capital which an applicant possesses in the United Kingdom is to be calculated at its current market or surrender value less -

- (a) where there would be expenses attributable to the sale, 10 per cent; and
- (b) the amount of any encumbrance secured on it.

69. Calculation of capital outside the United Kingdom

Capital which an applicant possesses in a country outside the United Kingdom must be calculated -

- (a) in a case where there is no prohibition in that country against the transfer to the United Kingdom of an amount equal to its current market or surrender value in that country, at that value;
- (b) in a case where there is such a prohibition, at the price which it would realise if sold in the United Kingdom to a willing buyer, less, where there would be expenses attributable to the sale, 10 per cent and the amount of any encumbrances secured on it.

70. Notional capital

- (1) An applicant is to be treated as possessing capital of which he has deprived himself for the purpose of securing entitlement to a reduction or increasing the amount of that reduction except to the extent that that capital is reduced in accordance with paragraph 71 (diminishing notional capital rule).
- (2) Except in the case of -
 - (a) a discretionary trust; or
 - (b) a trust derived from a payment made in consequence of a personal injury; or
 - (c) any loan which would be obtained only if secured against capital disregarded under Schedule 4; or
 - (d) a personal pension scheme, occupational pension scheme or a payment made by the Board of the Pension Protection Fund; or

- (e) any sum to which paragraph 50(2)(a) of Schedule 4 (capital disregards) applies which is administered in the way referred to in paragraph 50(1)(a); or
- (f) any sum to which paragraph 51(a) of Schedule 4 refers; or
- (g) child tax credit; or
- (h) working tax credit,

any capital which would become available to the applicant upon application being made, but which has not been acquired by him, is to be treated as possessed by him but only from the date on which it could be expected to be acquired were an application made.

- (3) Any payment of capital, other than a payment of capital specified in sub-paragraph (4), made -
 - (a) to a third party in respect of a single applicant or a member of the family (but not a member of the third party's family) must, where that payment is a payment of an occupational pension, a pension or other periodical payment made under a personal pension scheme or a payment made by the Board of the Pension Protection Fund, be treated as possessed by that single applicant or, as the case may be, by that member;
 - (b) to a third party in respect of a single applicant or in respect of a member of the family (but not a member of the third party's family) must, where it is not a payment referred to in sub-paragraph (a), be treated as possessed by that single applicant or by that member to the extent that it is used for the food, ordinary clothing or footwear, household fuel or rent of that single applicant or, as the case may be, of any member of that family or is used for any council tax or water charges for which that applicant or member is liable;
 - (c) to a single applicant or a member of the family in respect of a third party (but not in respect of another member of the family) must be treated as possessed by that single applicant or, as the case may be, that member of the family to the extent that it is kept or used by him or used by or on behalf of any member of the family.
- (4) Sub-paragraph (3) does not apply in respect of a payment of capital made -
 - (a) under or by any of the Trusts, the Fund, the Eileen Trust, MFET Limited, the Independent Living Fund (2006), the Skipton Fund, the Caxton Foundation, or the London Bombings Relief Charitable Fund;

- (b) pursuant to section 2 of the Employment and Training Act 1973 in respect of a person's participation—
- (i) in an employment programme specified in regulation 75(1)(a)(ii) of the Jobseeker's Allowance Regulations 1996;
 - (ii) in a training scheme specified in regulation 75(1)(b)(ii) of those Regulations; (iii) in the Intense Activity Period specified in regulation 75(1)(a)(iv) of those Regulations;
 - (iv) in a qualifying course within the meaning specified in regulation 17A(7) of those Regulations; or
 - (v) in the Flexible New Deal specified in regulation 75(1)(a)(v) of those Regulations;
- (c) in respect of a person's participation in the Work for Your Benefit Pilot scheme;
- (d) in respect of a person's participation in the Mandatory Work Activity scheme;
- (e) in respect of an applicant's participation in a scheme prescribed in regulation 3 of the Jobseeker's Allowance (Schemes for Assisting Persons to Obtain Employment) Regulations 2013;
- (f) under an occupational pension scheme, in respect of a pension or other periodical payment made under a personal pension scheme or a payment made by the Board of the Pension Protection Fund where -
- (i) a bankruptcy order has been made in respect of the person in respect of whom the payment has been made or, in Scotland, the estate of that person is subject to sequestration or a judicial factor has been appointed on that person's estate under section 41 of the Solicitors (Scotland) Act 1980;
 - (ii) the payment is made to the trustee in bankruptcy or any other person acting on behalf of the creditors; and
 - (iii) the person referred to in sub-paragraph (d) and any member of his family does not possess, or is not treated as possessing, any other income apart from that payment.
- (5) Where an applicant stands in relation to a company in a position analogous to that of a sole owner or partner in the business of that company, he may be treated as if he were such sole owner or partner and in such a case -

- (a) the value of his holding in that company must, notwithstanding paragraph 66 (calculation of capital) be disregarded; and
 - (b) he must, subject to paragraph (6), be treated as possessing an amount of capital equal to the value or, as the case may be, his share of the value of the capital of that company and the foregoing provisions of this part apply for the purposes of calculating that amount as if it were actual capital which he does possess.
- (6) For so long as the applicant undertakes activities in the course of the business of the company, the amount which he is treated as possessing under sub-paragraph (5) is to be disregarded.
- (7) Where an applicant is treated as possessing capital under any of subparagraphs (1), (2) or (3) the foregoing provisions of this part apply for the purposes of calculating its amount as if it were actual capital which he does possess.

71. Diminishing notional capital rule

- (1) Where an applicant is treated as possessing capital under paragraph 70(1) (notional capital), the amount which he is treated as possessing -
- (a) in the case of a week that is subsequent to -
 - (i) the relevant week in respect of which the conditions set out in sub-paragraph (2) are satisfied; or
 - (ii) a week which follows that relevant week and which satisfies those conditions, is to be reduced by an amount determined under sub-paragraph (3);
 - (b) in the case of a week in respect of which sub-paragraph (1)(a) does not apply but where -
 - (i) that week is a week subsequent to the relevant week; and

- (ii) that relevant week is a week in which the condition in sub-paragraph (4) is satisfied, is to be reduced by the amount determined under sub-paragraph (5).
- (2) This paragraph applies to a reduction week or part-week, where the applicant satisfies the conditions that -
 - (a) he is in receipt of a reduction in council tax under this scheme; and
 - (b) but for paragraph 70(1), he would have received a greater reduction in council tax under this scheme in that week.
- (3) In a case to which sub-paragraph (2) applies, the amount of the reduction in the amount of capital he is treated as possessing for the purposes of sub-paragraph (1)(a) is equal to the aggregate of -
 - (a) an amount equal to the additional amount of the reduction in council tax to which sub-paragraph (2)(b) refers;
 - (b) where the applicant has also claimed housing benefit, the amount of any housing benefit or any additional amount of that benefit to which he would have been entitled in respect of the whole or part of the reduction week to which sub-paragraph (2) refers but for the application of regulation 49(1) of the Housing Benefit Regulations 2006 (notional capital);
 - (c) where the applicant has also claimed income support, the amount of income support to which he would have been entitled in respect of the whole or part of the reduction week to which sub-paragraph (2) refers but for the application of regulation 51(1) of the Income Support (General) Regulations 1987 (notional capital);
 - (d) where the applicant has also claimed a jobseeker's allowance, the amount of an income-based jobseeker's allowance to which he would have been entitled in respect of the whole or part of the reduction week to which sub-paragraph (2) refers but for the application of regulation 113 of the Jobseeker's Allowance Regulations 1996 (notional capital); and
 - (e) where the applicant has also claimed an employment and support allowance, the amount of an income-related employment and support allowance to which he would have been entitled in respect of the whole or part of the reduction week to which sub-paragraph (2) refers but for the application of regulation 115 of the Employment and Support Allowance Regulations 2008 (notional Capital).

- (4) Subject to sub-paragraph (7), for the purposes of sub-paragraph (1) (b) the condition is that the applicant is not a pensioner and would have been entitled to a reduction in council tax in the relevant week but for paragraph 70(1).
- (5) In such a case the amount of the reduction in the amount of capital he is treated as possessing must be equal to the aggregate of -
- (a) the amount of council tax benefit to which the applicant would have been entitled in the relevant week but for paragraph 70(1);
 - (b) if the applicant would, but for regulation 49(1) of the Housing Benefit Regulations 2006, have been entitled to housing benefit or to an additional amount of housing benefit in respect of the benefit week which includes the last day of the relevant week, the amount which is equal to -
 - (i) in a case where no housing benefit is payable, the amount to which he would have been entitled; or
 - (ii) in any other case, the amount equal to the additional amount of housing benefit to which he would have been entitled;
 - (c) if the applicant would, but for regulation 51(1) of the Income Support (General) Regulations 1987, have been entitled to income support in respect of the benefit week, within the meaning of regulation 2(1) of those Regulations (interpretation), which includes the last day of the relevant week, the amount to which he would have been entitled;
 - (d) if the applicant would, but for regulation 113 of the Jobseeker's Allowance Regulations 1996, have been entitled to an income-based jobseeker's allowance in respect of the benefit week, within the meaning of regulation 1(3) of those Regulations (interpretation), which includes the last day of the relevant week, the amount to which he would have been entitled; and
 - (e) if the applicant would, but for regulation 115 of the Employment and Support Allowance Regulations 2008, have been entitled to an income-related employment and support allowance in respect of the benefit week, within the meaning of regulation 2(1) of those Regulations (interpretation), which includes the last day of the relevant week, the amount to which he would have been entitled.
- (6) But if the amount mentioned in paragraph (a), (b), (c), (d) or (e) of sub-paragraph (5) ("the relevant amount") is in respect of a part-week, the amount that is to be taken into account under that paragraph is to be determined by -
- (a) dividing the relevant amount by the number equal to the number of days in that part- week, and

- (b) multiplying the result of that calculation by 7.
- (7) The amount determined under sub-paragraph (5) is to be re-determined under the appropriate sub-paragraph if the applicant makes a further application for a reduction in council tax and the conditions in sub-paragraph (8) are satisfied, and in such a case -
- (a) sub-paragraphs (a) to (e) of sub-paragraph (5) apply as if for the words “relevant week” there were substituted the words “relevant subsequent week”; and
- (b) subject to sub-paragraph (9), the amount as re-determined has effect from the first week following the relevant subsequent week in question.
- (8) The conditions are that -
- (a) a further application is made 26 or more weeks after -
- (i) the date on which the applicant made an application for a reduction in question under paragraph 70(1);
- (ii) in a case where there has been at least one re-determination in accordance with sub-paragraph (7), the date on which he last made an application for a reduction in council tax which resulted in the weekly amount being re-determined, or
- (iii) the date on which he last ceased to be entitled to a reduction under this scheme,
- whichever last occurred; and
- (b) the applicant would have been entitled to a reduction in council tax under this scheme but for paragraph 70(1).
- (9) The amount as re-determined pursuant to sub-paragraph (7) must not have effect if it is less than the amount which applied in that case immediately before the re-determination and in such a case the higher amount must continue to have effect.
- (10) For the purposes of this paragraph-
- “part-week” -
- (a) in relation to an amount mentioned in sub-paragraph (5)(a), means a period of less than a week for which a reduction in council tax under this scheme is allowed;

- (b) in relation to an amount mentioned in sub-paragraph (5)(b), means a period of less than a week for which housing benefit is payable;
- (c) in relation to an amount mentioned in sub-paragraph (5)(c), (d) or (e), means—
 - (i) a period of less than a week which is the whole period for which income support, an income-related employment and support allowance or, as the case may be, an income-based jobseeker's allowance is payable; and
 - (ii) any other period of less than a week for which it is payable;

“relevant week” means the reduction week or part-week in which the capital in question of which the applicant has deprived himself within the meaning of paragraph 70(1) -

- (a) was first taken into account for the purpose of determining his entitlement to a reduction; or
- (b) was taken into account on a subsequent occasion for the purpose of determining or re- determining his entitlement to a reduction on that subsequent occasion and that determination or re-determination resulted in his beginning to receive, or ceasing to receive, a reduction,

and where more than one reduction week is identified by reference to sub-paragraphs (a) and (b) of this definition, the later or latest such reduction week or, as the case may be, the later or latest such part-week is the relevant week;

“relevant subsequent week” means the reduction week or part-week which includes the day on which the further application or, if more than one further application has been made, the last such application was made.

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72. Capital jointly held

Except where an applicant possesses capital which is disregarded under paragraph 70(7) (notional capital), where an applicant and one or more persons are beneficially entitled in possession to any capital asset they must be treated, in the absence of evidence to the contrary, as if each of them were entitled in possession to the whole beneficial interest therein in an equal share and the foregoing provisions of this part apply for the purposes of calculating the amount of capital which the applicant is treated as possessing as if it were actual capital which the applicant does possess.

Part 17 - Students - General

73. Interpretation

(1) In this Part -

“academic year” means the period of twelve months beginning on 1st January, 1st April, 1st July or 1st September according to whether the course in question begins in the winter, the spring, the summer or the autumn respectively but if students are required to begin attending the course during August or September and to continue attending through the autumn, the academic year of the course is to be considered to begin in the autumn rather than the summer;

“access funds” means -

- (a) grants made under section 68 of the Further and Higher Education Act 1992 for the purpose of providing funds on a discretionary basis to be paid to students;
- (b) grants made under sections 73(a) and (c) and 74(1) of the Education (Scotland) Act 1980;
- (c) grants made under Article 30 of the Education and Libraries (Northern Ireland) Order 1993 or grants, loans or other payments made under Article 5 of the Further Education (Northern Ireland) Order 1997 in each case being grants, or grants, loans or other payments as the case may be, for the purpose of assisting students in financial difficulties;
- (d) discretionary payments, known as “learner support funds”, which are made available to students in further education by institutions out of funds provided by the Secretary of State under section 14 of the Education Act 2002 or sections 100 and 101 of the Apprenticeships, Skills, Children and Learning Act 2009 ; or
- (e) Financial Contingency Funds made available by the Welsh Ministers;

“college of further education” means a college of further education within the meaning of Part 1 of the Further and Higher Education (Scotland) Act 1992 ;

“contribution” means-

- (a) any contribution in respect of the income of a student or any person which the Secretary of State, the Scottish Ministers or an education authority takes into account in ascertaining the amount of a student’s grant or student loan; or

- (b) any sums, which in determining the amount of a student's allowance or bursary in Scotland under the Education (Scotland) Act 1980, the Scottish Ministers or education authority takes into account being sums which the Scottish Ministers or education authority considers that it is reasonable for the following persons to contribute towards the holder's expenses -
- (i) the holder of the allowance or bursary;
 - (ii) the holder's parents;
 - (iii) the holder's parent's spouse, civil partner or a person ordinarily living with the holder's parent as if he or she were the spouse or civil partner of that parent; or
 - (iv) the holder's spouse or civil partner;

"course of study" means any course of study, whether or not it is a sandwich course and whether or not a grant is made for attending or undertaking it;

"covenant income" means the gross income payable to a full-time student under a Deed of Covenant by his parent;

"education authority" means a government department, a local authority as defined in section 579 of the Education Act 1996 (interpretation), a local education authority as defined in section 123 of the Local Government (Scotland) Act 1973, an education and library board established under Article 3 of the Education and Libraries (Northern Ireland) Order 1986, any body which is a research council for the purposes of the Science and Technology Act 1965 or any analogous government department, authority, board or body, of the Channel Islands, Isle of Man or any other country outside Great Britain;

"full-time course of study" means a full-time course of study which -

- (a) is not funded in whole or in part by the Secretary of State under section 14 of the Education Act 2002, or under section 100 of the Apprenticeships, Skills, Children and Learning Act 2009 or by the Welsh Ministers or a full-time course of study which is not funded in whole or in part by the Scottish Ministers at a college of further education or a full-time course of study which is a course of higher education and is funded in whole or in part by the Scottish Ministers;
- (b) is funded in whole or in part by the Secretary of State under section 14 of the Education Act 2002, or under section 100 of the Apprenticeships, Skills, Children and Learning Act 2009 or by the Welsh Ministers if it involves more than 16 guided learning hours per week for the student in question, according to the number of guided learning hours per week for that student set out—

- (i) in the case of a course funded by the Secretary of State in the student's learning agreement signed on behalf of the establishment which is funded by the Secretary of State; or
 - (ii) in the case of a course funded by the Welsh Ministers, in a document signed on behalf of the establishment which is funded by that Council for the delivery of that course; or
- (c) is not higher education and is funded in whole or in part by the Scottish Ministers at a college of further education and involves—
- (i) more than 16 hours per week of classroom-based or workshop-based programmed learning under the direct guidance of teaching staff according to the number of hours set out in a document signed on behalf of the college; or
 - (ii) 16 hours or less per week of classroom-based or workshop-based programmed learning under the direct guidance of teaching staff and additional hours using structured learning packages supported by the teaching staff where the combined total of hours exceeds 21 hours per week, according to the number of hours set out in a document signed on behalf of the college;

“full-time student” means a person attending or undertaking a full-time course of study and includes a student on a sandwich course;

“grant” (except in the definition of “access funds”) means any kind of educational grant or award and includes any scholarship, studentship, exhibition, allowance or bursary but does not include a payment from access funds or any payment to which paragraph 16 of Schedule 3 or paragraph 55 of Schedule 4 applies;

“grant income” means—

- (a) any income by way of a grant;
- (b) any contribution whether or not it is paid;

“higher education” means higher education within the meaning of Part 2 of the Further and Higher Education (Scotland) Act 1992;

“last day of the course” means—

- (a) in the case of a qualifying course, the date on which the last day of that course falls or the date on which the final examination relating to that course is completed, whichever is the later;
- (b) in any other case, the date on which the last day of the final academic term falls in respect of the course in which the student is enrolled;

“Period of study” means—

- (a) in the case of a course of study for one year or less, the period beginning with the start of the course and ending with the last day of the course;
- (b) in the case of a course of study for more than one year, in the first or, as the case may be, any subsequent year of the course, other than the final year of the course, the period beginning with the start of the course or, as the case may be, that year’s start and ending with either—
 - (i) the day before the start of the next year of the course in a case where the student’s grant or loan is assessed at a rate appropriate to his studying throughout the year or, if he does not have a grant or loan, where a loan would have been assessed at such a rate had he had one; or
 - (ii) in any other case, the day before the start of the normal summer vacation appropriate to his course;
- (c) in the final year of a course of study of more than one year, the period beginning with that year’s start and ending with the last day of the course;

“periods of experience” means periods of work experience which form part of a sandwich course;

“postgraduate master’s degree loan” means a loan which a student is eligible to receive under the Education (Postgraduate Master’s Degree Loans) Regulations 2016;

“qualifying course” means a qualifying course as defined for the purposes of Parts 2 and 4 of the Jobseeker’s Allowance Regulations 1996;

“sandwich course” has the meaning prescribed in regulation 2(9) of the Education (Student Support) Regulations 2008, regulation 4(2) of the Education (Student Loans) (Scotland) Regulations 2007 or regulation 2(8) of the Education (Student Support) Regulations (Northern Ireland) 2007, as the case may be;

“standard maintenance grant” means—

- (a) except where sub-paragraph (b) or (c) applies, in the case of a student attending or undertaking a course of study at the University of London or an establishment within the area comprising the City of London and the Metropolitan Police District, the amount specified for the time being in paragraph 2(2)(a) of Schedule 2 to the Education (Mandatory Awards) Regulations 2003 (“the 2003 Regulations”) for such a student;
- (b) except where sub-paragraph (c) applies, in the case of a student residing at his parent’s home, the amount specified in paragraph (3) thereof;
- (c) in the case of a student receiving an allowance or bursary under the Education (Scotland) Act 1980, the amount of money specified as “standard maintenance allowance” for the relevant year appropriate for the student set out in the Student Support in Scotland Guide issued by the Student Awards Agency for Scotland, or its nearest equivalent in the case of a bursary provided by a college of further education or a local education authority;
- (d) in any other case, the amount specified in paragraph 2(2) of Schedule 2 to the 2003 Regulations other than in sub-paragraph (a) or (b) thereof;

“student” means a person, other than a person in receipt of a training allowance, who is attending or undertaking—

- (a) a course of study at an educational establishment; or
- (b) a qualifying course;

“student loan” means a loan towards a student’s maintenance pursuant to any regulations made under section 22 of the Teaching and Higher Education Act 1998, section 73 of the Education (Scotland) Act 1980 or Article 3 of the Education (Student Support) (Northern Ireland) Order 1998 and includes, in Scotland, a young student’s bursary paid under regulation 4(1) (c) of the Students’ Allowances (Scotland) Regulations 2007.

- (2) For the purposes of the definition of “full-time student” in sub-paragraph (1), a person must be regarded as attending or, as the case may be, undertaking a full-time course of study or as being on a sandwich course—
 - (a) subject to sub-paragraph (3), in the case of a person attending or undertaking a part of a modular course which would be a full-time course of study for the purposes of this Part, for the period beginning on the day on which that part of the course starts and ending—

- (i) on the last day on which he is registered with the educational establishment as attending or undertaking that part as a full-time course of study; or
 - (ii) on such earlier date (if any) as he finally abandons the course or is dismissed from it;
 - (b) in any other case, throughout the period beginning on the date on which he starts attending or undertaking the course and ending on the last day of the course or on such earlier date (if any) as he finally abandons it or is dismissed from it.
- (3) For the purposes of paragraph (a) of sub-paragraph (2), the period referred to in that paragraph includes—
- (a) where a person has failed examinations or has failed to successfully complete a module relating to a period when he was attending or undertaking a part of the course as a full-time course of study, any period in respect of which he attends or undertakes the course for the purpose of retaking those examinations or that module;
 - (b) any period of vacation within the period specified in that paragraph or immediately following that period except where the person has registered with the educational establishment to attend or undertake the final module in the course and the vacation immediately follows the last day on which he is required to attend or undertake the course.
- (4) In sub-paragraph (2), “modular course” means a course of study which consists of two or more modules, the successful completion of a specified number of which is required before a person is considered by the educational establishment to have completed the course.

74. Treatment of students

This scheme has effect in relation to students subject to paragraph 39 (class of person excluded from this scheme: students) and the following provisions of this Part.

75. Students who are excluded from entitlement to a reduction under this scheme

- (1) The students who are excluded from entitlement to a reduction under this scheme are, subject to sub-paragraphs (2) and (7)—
 - (a) full-time students, and

- (b) students who are persons treated as not being in Great Britain
- (2) Sub-paragraph (1)(a) does not apply to a student—

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- (a) who is a person on income support, an income-based jobseeker's allowance or an income-related employment and support allowance;
- (b) who is a lone parent;
- (c) who is treated by virtue of Schedule 1 as a disabled person who would previously have been entitled to either a disability or severe disability premium?
- (d) who would be treated by paragraph 2 of schedule 1 as a disabled person who would previously have been entitled to a disability premium if it were not for a determination, that he is to be treated as capable of work, made in accordance with regulations made under section 171E of the SSCBA;
- (e) who is, or is treated as, incapable of work and has been so incapable, or has been so treated as incapable, of work in accordance with the provisions of, and regulations made under, Part 12A of the SSCBA (incapacity for work) for a continuous period of not less than 196 days; and for this purpose any two or more separate periods separated by a break of not more than 56 days must be treated as one continuous period;
- (f) who has, or is treated as having, limited capability for work and has had, or been treated as having, limited capability for work in accordance with the Employment and Support Allowance Regulations 2008 for a continuous period of not less than 196 days, and for this purpose any two or more separate periods separated by a break of not more than 84 days must be treated as one continuous period;
- (g) who has a partner who is also a full-time student, if he or that partner is treated as responsible for a child or young person;
- (h) who is a single applicant with whom a child is placed by a local authority or voluntary organisation within the meaning of the Children Act 1989 or, in Scotland, boarded out within the meaning of the Social Work (Scotland) Act 1968;
- (i) who is—
 - (i) aged under 21 and whose course of study is not a course of higher education, or
 - (ii) aged 21 and attained that age during a course of study which is not a course of higher education, or

- (iii) a qualifying young person or child within the meaning of section 142 of the SSCBA (child and qualifying young person);
- (j) in respect of whom—
 - (i) a supplementary requirement has been determined under paragraph 9 of Part 2 of Schedule 2 to the Education (Mandatory Awards) Regulations 2003;
 - (ii) an allowance, or as the case may be, bursary has been granted which includes a sum under paragraph (1)(d) of regulation 4 of the Students' Allowances (Scotland) Regulations 1999 or, as the case may be, under paragraph (1)(d) of regulation 4 of the Education Authority (Bursaries) (Scotland) Regulations 1995, in respect of expenses incurred;
 - (iii) a payment has been made under section 2 of the Education Act 1962 or under or by virtue of regulations made under the Teaching and Higher Education Act 1998;
 - (iv) a grant has been made under regulation 13 of the Education (Student Support) Regulations 2005 or under regulation 13 of the Education (Student Support) Regulations (Northern Ireland) 2000; or
 - (v) a supplementary requirement has been determined under paragraph 9 of Schedule 6 to the Students Awards Regulations (Northern Ireland) 1999 or a payment has been made under Article 50(3) of the Education and Libraries (Northern Ireland) Order 1986,

on account of his disability by reason of deafness.

- (3) Sub-Paragraph (2) (i) (ii) only applies to an applicant until the end of the course during which the applicant attained the age of 21.
- (4) For the purposes of sub-paragraph (2) , once sub-paragraph (2)(e) applies to a full- time student, if he then ceases, for a period of 56 days or less, to be incapable, or to be treated as incapable, of work, that sub-paragraph must, on his again becoming so incapable, or so treated as incapable, of work at the end of that period, immediately thereafter apply to him for so long as he remains incapable or is treated as remaining incapable, of work.
- (5) In sub-paragraph (2) (i) the reference to a course of higher education is a reference to a course of any description mentioned in Schedule 6 to the Education Reform Act 1988.

- (6) A full-time student to whom sub-paragraph 2(i) applies must be treated as satisfying that sub-paragraph from the date on which he made a request for the supplementary requirement, allowance, bursary or payment as the case may be.
- (7) Sub-paragraph (1)(b) does not apply to a full-time student for the period specified in sub-paragraph (8) if—
- (a) at any time during an academic year, with the consent of the relevant educational establishment, he ceases to attend or undertake a course because he is—
 - (i) engaged in caring for another person; or
 - (ii) ill;
 - (b) he has subsequently ceased to be engaged in caring for that person or, as the case may be, he has subsequently recovered from that illness; and
 - (c) he is not eligible for a grant or a student loan in respect of the period specified in paragraph (8).
- (8) The period specified for the purposes of sub-paragraph (7) is the period, not exceeding one year, beginning on the day on which he ceased to be engaged in caring for that person or, as the case may be, the day on which he recovered from that illness and ending on the day before—
- (a) the day on which he resumes attending or undertaking the course; or
 - (b) the day from which the relevant educational establishment has agreed that he may resume attending or undertaking the course,
- whichever first occurs.

Part 18 - Student Income

76. Calculation of grant income

- (1) The amount of a student's grant income to be taken into account in assessing his income must, subject to sub-paragraphs (2) and (3), be the whole of his grant income.
- (2) There must be excluded from a student's grant income any payment—
- (a) intended to meet tuition fees or examination fees;
 - (b) in respect of the student's disability;

- (c) intended to meet additional expenditure connected with term time residential study away from the student's educational establishment;
 - (d) on account of the student maintaining a home at a place other than that at which he resides during his course;
 - (e) on account of any other person but only if that person is residing outside the United Kingdom and there is no applicable amount in respect of him;
 - (f) intended to meet the cost of books and equipment;
 - (g) intended to meet travel expenses incurred as a result of his attendance on the course;
 - (h) intended for the child care costs of a child dependent;
 - (i) of higher education bursary for care leavers made under Part 3 of the Children Act 1989.
 - (j) in Wales, of higher education bursary for category 3 and category 4 young person's made under section 110 or 112 of the Social Services and Well-being (Wales) Act 2014, in accordance with regulations made under section 116 of that Act.
- (2A) in sub-paragraph (2) "*category 3 and category 4 young persons*" have the meaning given in section 104(2) of the Social Services and Well-being (Wales) Act 2014.
- (3) Where a student does not have a student loan or a postgraduate master's degree loan and is not treated as possessing a student loan or a postgraduate master's degree loan, there must be excluded from the student's grant income—
- (a) the sum of £303 per academic year in respect of travel costs; and
 - (b) the sum of £390 per academic year towards the costs of books and equipment, whether or not any such costs are incurred.
- (4) There must also be excluded from a student's grant income the grant for dependents known as the parents' learning allowance paid pursuant to regulations made under Article 3 of the Education (Student Support) (Northern Ireland) Order 1998 or section 22 of the Teaching and Higher Education Act 1998.
- (5) Subject to sub-paragraphs (6) and (7), a student's grant income must be apportioned—
- (a) subject to sub-paragraph (8), in a case where it is attributable to the period of study, equally between the weeks in that period beginning with the reduction week, the first day of which coincides with, or immediately follows, the first

day of the period of study and ending with the reduction week, the last day of which coincides with, or immediately precedes, the last day of the period of study;

- (b) in any other case, equally between the weeks in the period beginning with the reduction week, the first day of which coincides with, or immediately follows, the first day of the period for which it is payable and ending with the reduction week, the last day of which coincides with, or immediately precedes, the last day of the period for which it is payable.
- (6) Any grant in respect of dependents paid under section 63(6) of the Health Services and Public Health Act 1968 (grants in respect of the provision of instruction to officers of hospital authorities) and any amount intended for the maintenance of dependents under Part 3 of Schedule 2 to the Education (Mandatory Awards) Regulations 2003 must be apportioned equally over the period of 52 weeks or, if there are 53 reduction weeks (including part-weeks) in the year, 53.
- (7) In a case where a student is in receipt of a student loan or where he could have acquired a student loan by taking reasonable steps but had not done so, any amount intended for the maintenance of dependents to which neither sub-paragraph (6) nor paragraph 80(2) (other amounts to be disregarded) applies, must be apportioned over the same period as the student's loan is apportioned or, as the case may be, would have been apportioned.
- (8) In the case of a student on a sandwich course, any periods of experience within the period of study must be excluded and the student's grant income must be apportioned equally between the weeks in the period beginning with the reduction week, the first day of which immediately follows the last day of the period of experience and ending with the reduction week, the last day of which coincides with, or immediately precedes, the last day of the period of study.
- (9) The sums disregarded in respect of travel costs and the cost of books and equipment under sub-paragraph (3) shall be updated by the authority in line with the sums set by the Secretary of State for such costs and shall take effect at the beginning of each financial year.

77. Calculation of covenant income where a contribution is assessed

- (1) Where a student is in receipt of income by way of a grant during a period of study and a contribution has been assessed, the amount of his covenant income to be taken into account for that period and any summer vacation immediately following must be the whole amount of the covenant income less, subject to sub-paragraph

- (3), the amount of the contribution.
- (2) The weekly amount of the student's covenant must be determined—
- (a) by dividing the amount of income which falls to be taken into account under sub-paragraph (1) by 52 or 53, whichever is reasonable in the circumstances; and
 - (b) by disregarding £5 from the resulting amount.
- (3) For the purposes of sub-paragraph (1), the contribution must be treated as increased by the amount (if any) by which the amount excluded under paragraph 80(2)(g) (calculation of grant income) falls short of the amount specified in paragraph 7(2) of Schedule 2 to the Education (Mandatory Awards) Regulations 2003 (travel expenditure).

78. Covenant income where no grant income or no contribution is assessed

- (1) Where a student is not in receipt of income by way of a grant the amount of his covenant income must be calculated as follows -
- (a) any sums intended for any expenditure specified in paragraph 76(2)(a) to (e) (calculation of grant income) necessary as a result of his attendance on the course must be disregarded;
 - (b) any covenant income, up to the amount of the standard maintenance grant, which is not so disregarded, must be apportioned equally between the weeks of the period of study;
 - (c) there must be disregarded from the amount so apportioned the amount which would have been disregarded under paragraph 76(2)(f) and (3) (calculation of grant income) had the student been in receipt of the standard maintenance grant; and
 - (d) The balance, if any, must be divided by 52 or 53 whichever is reasonable in the circumstances and treated as weekly income of which £5 must be disregarded.
- (2) Where a student is in receipt of income by way of a grant and no contribution has been assessed, the amount of his covenanted income must be calculated in accordance with paragraphs (a) to (d) of sub-paragraph (1), except that—
- (a) the value of the standard maintenance grant must be abated by the amount of such grant income less an amount equal to the amount of any sums disregarded under paragraph 76(2)(a) to (e); and

- (b) The amount to be disregarded under paragraph (1) (c) must be abated by an amount equal to the amount of any sums disregarded under paragraph 76(2) (f) and (g) and (3).

79. Relationship with amounts to be disregarded under Schedule 3

No part of a student's covenant income or grant income is to be disregarded under paragraph 19 of Schedule 3 (disregard of certain charitable and voluntary payments).

80. Other amounts to be disregarded

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- (1) For the purposes of ascertaining income other than grant income, covenant income and loans treated as income in accordance with paragraph 85 (treatment of student loans), any amounts intended for any expenditure specified in paragraph 80(2) (calculation of grant income), necessary as a result of his attendance on the course must be disregarded.
- (2) But sub-paragraph (1) applies only if, and to the extent that, the necessary expenditure exceeds or is likely to exceed the amount of the sums disregarded under paragraph 76(2) or (3), 77(3), 78(1)(a) or (c) or 81(5) (calculation of grant income, covenant income and treatment of student loans) on like expenditure.

81. Treatment of student loans and postgraduate master's degree loans.

- (1) A student loan and a postgraduate master's degree loan is to be treated as income.
- (2) In calculating the weekly amount of the loan to be taken into account as income—
 - (a) in respect of a course that is of a single academic year's duration or less, a loan which is payable in respect of that period is to be apportioned equally between the weeks in the period beginning with—
 - (i) except in a case where sub-paragraph (ii) applies, the reduction week, the first day of which coincides with, or immediately follows, the first day of the single academic year;
 - (ii) where the student is required to start attending the course in August or where the course is less than an academic year's duration, the reduction week, the first day of which coincides with, or immediately follows, the first day of the course,

and ending with the reduction week, the last day of which coincides with, or immediately precedes, the last day of the course;

- (b) in respect of an academic year of a course which starts other than on 1st September, a loan which is payable in respect of that academic year is to be apportioned equally between the weeks in the period—
- (i) beginning with the reduction week, the first day of which coincides with or immediately follows, the first day of that academic year, and
 - (ii) ending with the reduction week, the last day of which coincides with or immediately precedes, the last day of that academic year,

but excluding any reduction weeks falling entirely within the quarter during which, in the opinion of the authority, the longest of any vacation is taken and for the purposes of this paragraph, “quarter” has the same meaning as for the purposes of the Education (Student Support) Regulations 2005;

- (c) in respect of the final academic year of a course (not being a course of a single year’s duration), a loan which is payable in respect of that final academic year is to be apportioned equally between the weeks in the period beginning with—
- (i) except in a case where sub-paragraph (ii) applies, the reduction week, the first day of which coincides with, or immediately follows, the first day of that academic year;
 - (ii) where the final academic year starts on 1st September, the reduction week, the first day of which coincides with, or immediately follows, the earlier of 1st September or the first day of the autumn term,

and ending with the reduction week, the last day of which coincides with, or immediately precedes, the last day of the course;

- (d) in any other case, the loan is to be apportioned equally between the weeks in the period beginning with the earlier of—
- (i) the first day of the first reduction week in September; or
 - (ii) the reduction week, the first day of which coincides with, or immediately follows the first day of the autumn term,

and ending with the reduction week, the last day of which coincides with, or immediately precedes, the last day of June, and, in all cases, from the weekly amount so apportioned £10 is to be disregarded.

- (3) A student is to be treated as possessing a student loan or a postgraduate master's degree loan in respect of an academic year where—
- (a) a student loan or a postgraduate master's degree loan has been made to him in respect of that year; or
 - (b) he could acquire a student loan or a postgraduate master's degree loan in respect of that year by taking reasonable steps to do so.
- (4) Where a student is treated as possessing a student loan under paragraph (3), the amount of the student loan to be taken into account as income must be, subject to sub-paragraph (5)—
- (a) in the case of a student to whom a student loan is made in respect of an academic year, a sum equal to—
 - (i) the maximum student loan he is able to acquire in respect of that year by taking reasonable steps to do so; and
 - (ii) any contribution whether or not it has been paid to him;
 - (b) in the case of a student to whom a student loan is not made in respect of an academic year, the maximum student loan that would be made to the student if—
 - (i) he took all reasonable steps to obtain the maximum student loan he is able to acquire in respect of that year; and
 - (ii) no deduction in that loan was made by virtue of the application of a means test.
- (4A) Where a student is treated as possessing a postgraduate master's degree loan under paragraph (3) in respect of an academic year, the amount of that loan to be taken into account as income shall be, subject to paragraph (5), a sum equal to 30 percent of the maximum postgraduate master's degree loan the student is able to acquire in respect of that academic year by taking reasonable steps to do so.

- (5) There must be deducted from the amount of income taken into account under sub-paragraph (4)—
- (a) the sum of £303 per academic year in respect of travel costs; and
 - (b) the sum of £390 per academic year towards the cost of books and equipment, whether or not any such costs are incurred.
- (6) A loan for fees, known as a fee loan or a fee contribution loan, made pursuant to regulations made under Article 3 of the Education (Student Support) (Northern Ireland) Order 1998, section 22 of the Teaching and Higher Education Act 1998 or section 73(f) of the Education (Scotland) Act 1980, shall be disregarded as income.
- (7) The sums disregarded in respect of travel costs and the cost of books and equipment under by sub-paragraph (5) shall be updated by the authority in line with the sums set by the Secretary of State for such costs and shall take effect at the beginning of each financial year.

81B Treatment of special support loans

A special support loan within the meaning of regulation 68 of the Education (Student Support) Regulations 2011 is to be disregarded as income.

82. Treatment of payments from access funds

- (1) This paragraph applies to payments from access funds that are not payments to which paragraph 85(2) or (3) (income treated as capital) applies.
- (2) A payment from access funds, other than a payment to which sub-paragraph (3) applies, must be disregarded as income.
- (3) Subject to sub-paragraph (4) of this paragraph and paragraph 40 of Schedule 3 (disregards in the calculation of income other than earnings) -
- (a) any payments from access funds which are intended and used for an item of food, ordinary clothing or footwear, household fuel, or rent of a single applicant or, as the case may be, of the applicant or any other member of his family, and
 - (b) any payments from access funds which are used for any council tax or water charges for which that applicant or member is liable,

must be disregarded as income to the extent of £20 per week.

- (4) Where a payment from access funds is made—

- (a) on or after 1st September or the first day of the course, whichever first occurs, but before receipt of any student loan in respect of that year and that payment is intended for the purpose of bridging the period until receipt of the student loan; or
- (b) before the first day of the course to a person in anticipation of that person becoming a student,

that payment must be disregarded as income.

83. Disregard of contribution

Where the applicant or his partner is a student and, for the purposes of assessing a contribution to the student's grant or student loan, the other partner's income has been taken into account, an amount equal to that contribution must be disregarded for the purposes of assessing that other partner's income.

84. Further disregard of student's income

Where any part of a student's income has already been taken into account for the purpose of assessing his entitlement to a grant, student loan or postgraduate master's degree loan, the amount taken into account must be disregarded in assessing that student's income.

85. Income treated as capital

- (1) Any amount by way of a refund of tax deducted from a student's covenant income must be treated as capital.
- (2) An amount paid from access funds as a single lump sum must be treated as capital.
- (3) An amount paid from access funds as a single lump sum which is intended and used for an item other than food, ordinary clothing or footwear, household fuel or rent, or which is used for an item other than any council tax or water charges for which that applicant or member is liable, must be disregarded as capital but only for a period of 52 weeks from the date of the payment.

86. Disregard of changes occurring during summer vacation

In calculating a student's income the authority must disregard any change in the standard maintenance grant, occurring in the recognised summer vacation appropriate to the student's course, if that vacation does not form part of his period of study from the date on which the change occurred to the end of that vacation.

Part 19 - Extended Reductions

87. Extended reductions (qualifying income-related benefits)

(1) An applicant who is entitled to a reduction under this scheme is entitled to an extended reduction where—

(a) the applicant or the applicant's partner was entitled to a qualifying income-related benefit;

(b) entitlement to a qualifying income-related benefit ceased because the applicant or the applicant's partner—

(i) commenced employment as an employed or self-employed earner;

(ii) increased their earnings from such employment; or

(iii) increased the number of hours worked in such employment,

and that employment is or, as the case may be, those increased earnings or increased number of hours are expected to last five weeks or more; and

(c) the applicant or the applicant's partner had been entitled to and in receipt of a qualifying income-related benefit, jobseeker's allowance or a Combination of those benefits for a continuous period of at least 26 weeks before the day on which the entitlement to a qualifying income-related benefit ceased.

(2) For the purpose of sub-paragraph (1)(c), an applicant or an applicant's partner is to be treated as having been entitled to and in receipt of a qualifying income-related benefit or jobseeker's allowance during any period of less than five weeks in respect of which the applicant or the applicant's partner was not entitled to any of those benefits because the applicant or the applicant's partner was engaged in remunerative work as a consequence of their participation in an employment zone programme.

(3) For the purpose of this paragraph, where an applicant or an applicant's partner is entitled to and in receipt of joint-claim jobseeker's allowance they must be treated as being entitled to and in receipt of jobseeker's allowance.

(4) An applicant must be treated as entitled to a reduction under this scheme by virtue of falling within the scope of paragraphs 34 and 35 —

(a) the applicant ceased to be entitled to a reduction under this scheme because the applicant vacated the dwelling in which the applicant was resident;

(b) the day on which the applicant vacated the dwelling was either in the week in which entitlement to a qualifying income-related benefit ceased, or in the preceding week; and

- (c) entitlement to the qualifying income-related benefit ceased in any of the circumstances listed in sub-paragraph (1) (b).
- (5) This paragraph does not apply where, on the day before an applicant's entitlement to income support ceased, regulation 6(5) of the Income Support (General) Regulations 1987 (remunerative work: housing costs) applied to that applicant.

88. Duration of extended reduction period: (qualifying income-related benefits)

- (1) Where an applicant is entitled to an extended reduction, the extended reduction period starts on the first day of the reduction week immediately following the reduction week in which the applicant, or the applicant's partner, ceased to be entitled to a qualifying income-related benefit.
- (2) For the purpose of sub-paragraph (1), an applicant or an applicant's partner ceases to be entitled to a qualifying income-related benefit on the day immediately following the last day of entitlement to that benefit.
- (3) The extended reduction period ends—
 - (a) at the end of a period of four weeks; or
 - (b) On the date on which the applicant to whom the extended reduction is payable has no liability for council tax, if that occurs first.

89. Amount of extended reduction: (qualifying income-related benefits)

- (1) For any week during the extended reduction period the amount of the extended reduction to which an applicant is entitled is to be the higher of—
 - (a) the amount of the reduction under this scheme to which the applicant was entitled to by virtue of being a person falling within the scope of paragraphs 34 and 35, in the last reduction week before the applicant or the applicant's partner ceased to be entitled to a qualifying income-related benefit;
 - (b) the amount of reduction under this scheme to which the applicant would be entitled by virtue of being a person falling within the scope of paragraphs 34 and 35 for any reduction week during the extended reduction period, if paragraph 87, (extended reductions: qualifying income-related benefits) did not apply to the applicant; or
 - (c) the amount of reduction under this scheme to which the applicant's partner would be entitled by virtue of being a person falling within the scope of paragraphs 34 and 35, if paragraph 87 did not apply to the applicant.

- (2) Sub-paragraph (1) does not apply in the case of a mover.
- (3) Where an applicant is in receipt of an extended reduction under this paragraph and the applicant's partner makes an application for a reduction under this scheme, no amount of reduction under this scheme is to be awarded by the authority during the extended reduction period.

90. Extended reductions—movers: (qualifying income-related benefits)

- (1) This paragraph applies—
 - (a) to a mover; and
 - (b) from the Monday following the day of the move.
- (2) The amount of the extended reduction awarded from the Monday from which this paragraph applies until the end of the extended reduction period is to be the amount of reduction under this scheme to which the mover would have been entitled had they, or their partner, not ceased to be entitled to a qualifying income-related benefit.
- (3) Where a mover's liability to pay council tax in respect of the new dwelling is to a second authority, the extended reduction may take the form of a payment from this authority to—
 - (a) the second authority; or
 - (b) the mover directly.

91. Relationship between extended reduction and entitlement to reduction by virtue of being a person falling within the scope of paragraphs 34 and 35.

- (1) Where an applicant's entitlement to a reduction under this scheme would have ended when the applicant ceased to be entitled to a qualifying income-related benefit in the circumstances listed in paragraph 87(1)(b), that entitlement does not cease until the end of the extended reduction period.
- (2) Paragraphs 98 and 99 do not apply to any extended reduction payable in accordance with paragraph 87(1)(a) or 90(2) (amount of extended reduction—movers)

92. Extended reductions (qualifying contributory benefits)

- (1) An applicant who is entitled to a reduction under this scheme by virtue of being a person falling within the scope of paragraphs 34 and 35, is entitled to an extended reduction (qualifying contributory benefits) where—

- (a) the applicant or the applicant's partner was entitled to a qualifying contributory benefit;
 - (b) entitlement to a qualifying contributory benefit ceased because the applicant or the applicant's partner—
 - (i) commenced employment as an employed or self-employed earner;
 - (ii) increased their earnings from such employment; or
 - (iii) increased the number of hours worked in such employment,
 and that employment is or, as the case may be, those increased earnings or increased number of hours are expected to last five weeks or more;
 - (c) the applicant or the applicant's partner had been entitled to and in receipt of a qualifying contributory benefit or a combination of qualifying contributory benefits for a continuous period of at least 26 weeks before the day on which the entitlement to a qualifying contributory benefit ceased; and
 - (d) the applicant or the applicant's partner was not entitled to and not in receipt of a qualifying income-related benefit in the last reduction week in which the applicant, or the applicant's partner, was entitled to a qualifying contributory benefit.
- (2) An applicant must be treated as entitled to a reduction under this scheme by virtue of being a person falling within the scope of paragraphs 34 and 35,
- (a) the applicant ceased to be entitled to a reduction under this scheme because the applicant vacated the dwelling in which the applicant was resident;
 - (b) the day on which the applicant vacated the dwelling was either in the week in which entitlement to a qualifying contributory benefit ceased, or in the preceding week; and
 - (c) entitlement to the qualifying contributory benefit ceased in any of the circumstances listed in sub-paragraph (1) (b).

93. Duration of extended reduction period (qualifying contributory benefits)

- (1) Where an applicant is entitled to an extended reduction (qualifying contributory benefits), the extended reduction period starts on the first day of the reduction week immediately following the reduction week in which the applicant, or the applicant's partner, ceased to be entitled to a qualifying contributory benefit.

- (2) For the purpose of sub-paragraph (1), an applicant or an applicant's partner ceases to be entitled to a qualifying contributory benefit on the day immediately following the last day of entitlement to that benefit.
- (a) The extended reduction period ends—
 - (b) at the end of a period of four weeks; or
 - (c) on the date on which the applicant entitled to the extended reduction (qualifying contributory benefits) has no liability for council tax, if that occurs first.

94. Amount of extended reduction (qualifying contributory benefits)

- (1) For any week during the extended reduction period the amount of the extended reduction (qualifying contributory benefits) payable to an applicant is to be the greater of—
- (a) the amount of reduction under this scheme to which the applicant was entitled by virtue of being a person falling within the scope of paragraphs 34 and 35, in the last reduction week before the applicant or the applicant's partner ceased to be entitled to a qualifying contributory benefit;
 - (b) the amount of reduction under this scheme to which the applicant would be entitled by virtue of being a person falling within the scope of paragraphs 34 and 35, for any reduction week during the extended reduction period, if paragraph 93 (extended reductions (qualifying contributory benefits)) did not apply to the applicant; or
 - (c) the amount of reduction under this scheme to which the applicant's partner would be entitled by virtue of being a person falling within the scope of paragraphs 34 and 35, if paragraph 93 did not apply to the applicant.
- (2) Sub-paragraph (1) does not apply in the case of a mover.
- (3) Where an applicant is in receipt of an extended reduction (qualifying contributory benefits) under this paragraph and the applicant's partner makes an application for a reduction under this scheme, no amount of reduction may be allowed by the appropriate authority during the extended reduction period.

95. Extended reductions (qualifying contributory benefits) - movers

- (1) This paragraph applies—
- (a) to a mover; and
 - (b) from the Monday following the day of the move.

- (2) The amount of the extended reduction (qualifying contributory benefit) payable from the Monday from which this paragraph applies until the end of the extended reduction period is to be the amount of reduction under this scheme which was awarded to the mover for the last reduction week before the mover, or the mover's partner, ceased to be entitled to a qualifying contributory benefit.
- (3) Where a mover's liability to pay council tax in respect of the new dwelling is to a second authority, the extended reduction (qualifying contributory benefits) may take the form of a payment from this authority to—
 - (a) the second authority; or
 - (b) the mover directly.

96. Relationship between extended reduction (qualifying contributory benefits)

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and entitlement to a reduction by virtue of being a person falling within the scope of paragraphs 34 and 35

- (1) Where an applicant's reduction under this scheme would have ended when the applicant ceased to be entitled to a qualifying contributory benefit in the circumstances listed in paragraph 87(1)(b), that reduction does not cease until the end of the extended reduction period.
- (2) Paragraphs 99 and 100 do not apply to any extended reduction (qualifying contributory benefits) payable in accordance with paragraph 93(1) (a) or 95(2) (amount of extended reduction—movers).

Part 20 - When entitlement begins and change of circumstances

97. Date on which entitlement begins

- (1) Subject to sub-paragraph (2), any person by whom or in respect of whom an application for a reduction under this scheme is made and who is otherwise entitled to that reduction is so entitled from the reduction week following the date on which that application is made or is treated as made.
- (2) Where a person is otherwise entitled to a reduction under this scheme and becomes liable for the first time for the authority's council tax in respect of a dwelling of which he is a resident in the reduction week in which his application is made or is treated as made, he is so entitled from that reduction week.

98. Date on which change of circumstances is to take effect

- (1) Except in cases where paragraph 60 (disregard of changes in tax, contributions, etc.) applies and subject to the following provisions of this paragraph, a change of circumstances which affects entitlement to, or the amount of, a reduction under this scheme ("change of circumstances"), takes effect from the first day of the reduction week following the date on which the change actually occurs.
- (2) Where that change is cessation of entitlement to any benefit under the benefit Acts, the date on which the change actually occurs is the day immediately following the last day of entitlement to that benefit.
- (3) Subject to sub-paragraph (4), where the change of circumstances is a change in the amount of council tax payable, it takes effect from the day on which it actually occurs.
- (4) Where the change of circumstances is a change in the amount a person is liable to pay in respect of council tax in consequence of regulations under section 13 of the 1992 Act (reduced amounts of council tax) or changes in the discount to which a dwelling may be subject under section 11 or 11A of that Act (discounts), it takes effect from the day on which the change in amount has effect.
- (5) Where the change of circumstances is an amendment to this scheme it shall take effect from the date on which the amendment to this scheme takes effect.
- (6) Where the change of circumstances is the applicant's acquisition of a partner, the change takes effect on the day on which the acquisition takes place.
- (7) Where the change of circumstances is the death of an applicant's partner or their separation, it takes effect on the day the death or separation occurs.
- (8) If two or more changes of circumstances occurring in the same reduction week would, but for this paragraph, take effect in different reduction weeks in accordance with sub-paragraphs (1) to (7) they take effect from the day to which the appropriate sub-paragraph from (3) to (7) above refers, or, where more than one day is concerned, from the earlier day.
- (9) Where the change of circumstances is that income, or an increase in the amount of income, other than a benefit or an increase in the amount of a benefit under the SSCBA, is paid in respect of a past period and there was no entitlement to income of that amount during that period, the change of circumstances takes effect from the first day on which such income, had it been paid in that period at intervals appropriate to that income, would have fallen to be taken into account for the purposes.
- (10) Without prejudice to sub-paragraph (9), where the change of circumstances is the payment of income, or arrears of income, in respect of a past period, the change of circumstances takes effect from the first day on which such income, had it been

timeously paid in that period at intervals appropriate to that income, would have fallen to be taken into account for the purposes of this scheme.

99. Time within which a claim for council tax reduction is to be made.

- (1) Where the authority has determined the date at which an application is made by virtue of Paragraph 26; the applicant can request that their application is treated as made on any date up to one calendar month earlier.
- (2) The authority must treat that earlier date as the date on which the application is made, where-
 - (a) one or more of the circumstances specified in sub-paragraph (3) applied to the applicant at that earlier date; and
 - (b) As a result of that circumstance or those circumstances the applicant could not reasonably have been expected to make their application at the earlier date...
- (3) The circumstances referred to in sub-paragraph (2) are—
 - (a) the applicant and or partner has a disability;
 - (b) The applicant and or partner has supplied the authority with medical evidence that satisfies the authority that the applicant had an illness that prevented the applicant from making an application.

Part 21 - Changes in the amount of reduction

100. Adjustments to the amount of reduction

Where, due to a change of circumstances or other correction, the amount of reduction that an applicant is entitled to is adjusted, the authority shall issue a revised Demand Notice and adjust payments in respect of the applicant's council tax liability in accordance with Council Tax (Administration and Enforcement) Regulations 1992

101. Prescribed requirements subsequent to a determination that an applicant is not entitled to a reduction.

If the authority determines by virtue of the requirements of this scheme that on any day an applicant is not entitled to a reduction, that applicant cannot be entitled to a reduction on any date subsequent to the first date at which he is not entitled without first making a new application in accordance with paragraph 25.

Part 22 - Transitional Provisions.

102. Transitional Provisions.

- (1) A reduction in a person's council tax charge awarded by virtue of Section 13A 1(c) of the LGFA 1992 in respect of any day subsequent to 31 March 2017 shall be determined in accordance with the preceding provisions of this scheme.
- (2) Any such reduction awarded in respect of any day;
 - (a) falling between April 1 2013 and March 31 2022 shall be determined in accordance with the Council Tax Reduction Scheme (persons who are not pensioners) (London Borough of Croydon) 2013, or
 - (b) Falling between April 1 2013 and March 31 2022 shall be determined in accordance with the Council Tax Reduction Scheme (persons who are not pensioners) (London Borough of Croydon)

Schedule 1

Supplementary qualifying conditions for persons whom the authority considers require additional financial assistance.

Paragraph 35

1. Paragraphs 2-8 set out the supplementary qualifying conditions for the purposes of paragraph 35(2) (f) (ii).

2. Disabled persons who would previously have qualified for a disability premium

The condition is that—

- (a) where the applicant is a single applicant or a lone parent, he has not attained the qualifying age for state pension credit and the additional condition specified in paragraph 3 is satisfied; or
- (b) where the applicant has a partner, either—
 - (i) the applicant has not attained the qualifying age for state pension credit and the additional condition specified in paragraph 3(1)(a) or (b) is satisfied by him; or
 - (ii) his partner has not attained the qualifying age for state pension credit and the additional condition specified in paragraph 3(1)(a) is satisfied by his partner.

3. Additional condition for disabled persons who would previously have qualified for a disability premium

- (1) Subject to sub-paragraph (2) and paragraph (8), the additional condition referred to in paragraph 2 is that either—
 - (a) the applicant or, as the case may be, his partner—
 - (i) is in receipt of one or more of the following benefits: attendance allowance, disability living allowance, personal independence payment, and AFIP, the disability element or the severe disability element of working tax credit as specified in regulation 20(1)(b) and (f) of the Working Tax Credit (Entitlement and Maximum Rate) Regulations 2002, mobility supplement, long-term incapacity benefit under Part 2 of the SSCBA or severe disablement allowance under Part 3 of that Act but, in

the case of long-term incapacity benefit or severe disablement allowance, only where it is paid in respect of him; or

- (ii) was in receipt of long-term incapacity benefit under Part 2 of the SSCBA when entitlement to that benefit ceased on account of the payment of a retirement pension under that Act and the applicant has since remained continuously entitled to
 - (aa) council tax benefit in relation to the period prior to 1st April 2013 and,
 - (bb) a reduction under this scheme (in relation to the period commencing on 1st April 2013), and if the long-term incapacity benefit was payable to his partner, the partner is still a member of the family; or
- (iii) was in receipt of attendance allowance or disability living allowance but payment of benefit has been suspended in accordance with regulations made under section 113(2) of the SSCBA or otherwise abated as a consequence of the applicant or his partner becoming a patient within the meaning of paragraph 64(11)(i) (treatment of child care charges); or
- (iv) was in receipt of personal independence payment, but payment of that benefit has been suspended in accordance with section 86 of the Welfare Reform Act 2012 as a consequence of the applicant becoming a patient within the meaning of paragraph 64(11)(i) (treatment of child care charges); or
- (v) was in receipt of an AFIP, but payment has been suspended in accordance with any terms of the armed and reserve forces compensation scheme which allow for suspension because a person is undergoing medical treatment in a hospital or similar institution; or
- (vi) he has an invalid carriage or other vehicle provided to him by the Secretary of State or a clinical commissioning group under paragraph 9 of Schedule 1 to the National Health Service Act 2006 or under section 46 of the National Health Service (Scotland) Act 1978 or provided by the Department of Health, Social Services and Public Safety in Northern Ireland under Article 30(1) of the Health and Personal Social Services (Northern Ireland) Order 1972; or
- (vii) is blind and in consequence registered in a register compiled by a local authority under section 29 of the National Assistance Act 1948 (welfare services) or, in Scotland, has been certified as blind and in consequence he is registered in a register maintained by or on behalf

of a council constituted under section 2 of the Local Government (Scotland) Act 1994; or is registered as severely sight-impaired in a register kept by a local authority in Wales under section 18(1) of the Social Services and Well-being (Wales) Act 2014.

(b) the applicant—

(i) is, or is treated as, incapable of work in accordance with the provisions of, and regulations made under, Part 12A of the SSCBA (incapacity for work); and

(ii) has been incapable, or has been treated as incapable, of work for a continuous period of not less than—

(aa) in the case of an applicant who is terminally ill within the meaning of section 30B(4) of the SSCBA, 196 days;

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(bb) in any other case, 364 days.

- (2) For the purposes of sub-paragraph (1)(a)(vii), a person who has ceased to be registered as blind on regaining his eyesight is nevertheless to be treated as blind and as satisfying the additional condition set out in that paragraph for a period of 28 weeks following the date on which he ceased to be so registered.
- (3) For the purposes of sub-paragraph (1) (b), once the disability premium is applicable to an applicant by virtue of his satisfying the additional condition specified in that provision, if he then ceases, for a period of 8 weeks or less, to be treated as incapable of work or to be incapable of work he is, on again becoming so incapable of work, immediately thereafter to be treated as satisfying the condition in sub-paragraph (1) (b).
- (4) For the purposes of sub-paragraph (1)(b), once the disability premium is applicable to an applicant by virtue of his satisfying the additional condition specified in that provision, he is to continue to be treated as satisfying that condition for any period spent by him in undertaking a course of training provided under section 2 of the Employment and Training Act 1973 or section 2 of the Enterprise and New Towns (Scotland) Act 1990 or for any period during which he is in receipt of a training allowance.
- (5) For the purposes of sub-paragraph (1) (b), where any two or more periods of incapacity are separated by a break of not more than 56 days, those periods are to be treated as one continuous period.
- (6) For the purposes of this sub-paragraph, a reference to a person who is or was in receipt of long- term incapacity benefit includes a person who is or was in receipt of short-term incapacity benefit at a rate equal to the long-term rate by virtue of section 30B(4)(a) of the Act (short-term incapacity benefit for a person who is terminally ill), or who would be or would have been in receipt of short- term incapacity benefit at such a rate but for the fact that the rate of short-term incapacity benefit already payable to him is or was equal to or greater than the long-term rate.
- (7) In the case of an applicant who is a welfare to work beneficiary (a person to whom regulation 13A(1) of the Social Security (Incapacity for Work) (General) Regulations 1995 applies, and who again becomes incapable of work for the purposes of Part 12A of the SSCBA)—
 - (a) the reference to a period of 8 weeks in paragraph (3); and
 - (b) the reference to a period of 56 days in paragraph (5),

In each case is to be treated as a reference to a period of 104 weeks.

- (8) The applicant is not entitled to the disability premium if he has, or is treated as having, limited capability for work.

4. Disabled persons who would previously have qualified for a severe disability premium

- (1) The condition is that the applicant is a severely disabled person.
- (2) For the purposes of sub-paragraph (1), an applicant is to be treated as being a severely disabled person if, and only if—
- (a) in the case of a single applicant, a lone parent or an applicant who is treated as having no partner in consequence of paragraph (3)—
- (i) he is in receipt of attendance allowance, or the care component of disability living allowance at the highest or middle rate prescribed in accordance with section 72(3) of the SSCBA or the daily living component of personal independence payment payable at either rate under Part 4 of the Welfare Reform Act 2012, or an AFIP; and
- (ii) subject to sub-paragraph (4), he has no non-dependants aged 18 or over normally residing with him or with whom he is normally residing; and
- (iii) no person is entitled to, and in receipt of, a carer's allowance under section 70 of the SSCBA in respect of caring for him;
- (b) in the case of an applicant who has a partner—
- (i) the applicant is in receipt of attendance allowance, or the care component of disability living allowance at the highest or middle rate prescribed in accordance with section 72(3) of the SSCBA or the daily living component of personal independence payment payable at either rate under Part 4 of the Welfare Reform Act 2012, or an AFIP; and
- (ii) his partner is also in receipt of such an allowance or, if he is a member of a polygamous marriage, all the partners of that marriage are in receipt of such an allowance; and
- (iii) subject to sub-paragraph (4), the applicant has no non-dependants aged 18 or over normally residing with him or with whom he is normally residing,

and either a person is entitled to and in receipt of a carer's allowance in respect of caring for only one of a couple or, in the case of a polygamous marriage, for one or more but not all the partners of the marriage, or as the

case may be, no person is entitled to and in receipt of such an allowance in respect of caring for either member of a couple or any partner of a polygamous marriage.

- (3) Where an applicant has a partner who does not satisfy the condition in sub-paragraph (2)(b)(ii), and that partner is blind or is treated as blind within the meaning of paragraph 3(1)(a)(v) and (2), that partner is to be treated for the purposes of sub-paragraph (2)(b)(ii) as if he were not a partner of the applicant.
- (4) For the purposes of sub-paragraph (2)(a)(ii) and (2)(b)(iii) no account is to be taken of—
 - (a) a person receiving attendance allowance, or disability living allowance by virtue of the care component at the highest or middle rate prescribed in accordance with section 72(3) of the SSCBA or the daily living component of personal independence payment payable at either rate prescribed in accordance with Part 4 of the Welfare Reform Act 2012 ; or
 - (b) a person who is blind or is treated as blind within the meaning of paragraph 3(1) (a) (v) and (2).
- (5) for the purposes of sub-paragraph (2)(b) a person is to be treated -
 - (a) as being in receipt of attendance allowance, or the care component of disability living allowance at the highest or middle rate prescribed in accordance with section 72(3) of the SSCBA or the daily living component of personal independence payment payable at either rate under Part 4 of the Welfare Reform Act 2012, or an AFIP, if he would, but for his being a patient for a period exceeding 28 days, be so in receipt;
 - (b) as being entitled to and in receipt of a carer's allowance if he would, but for the person for whom he was caring being a patient in hospital for a period exceeding 28 days, be so entitled and in receipt.
- (6) For the purposes of sub-paragraph (2)(a)(iii) and (2)(b), no account is to be taken of an award of carer's allowance to the extent that payment of such an award is back-dated for a period before the date on which the award is first paid.
- (7) In sub-paragraph (2)(a)(iii) and (b), references to a person being in receipt of a carer's allowance include references to a person who would have been in receipt of that allowance but for the application of a restriction under section 6B or 7 of the Social Security Fraud Act 2001 (loss of benefit provisions).

5. Disabled persons who would previously have qualified for the Enhanced disability premium

- (1) Subject to sub-paragraph (2), the condition is that—
- (a) the Secretary of State has decided that the applicant has, or is to be treated as having, limited capability for work-related activity; or
 - (b) the care component of disability living allowance is, or would be payable at the highest rate prescribed under section 72(3) of the SSCBA, but for a suspension of benefit in accordance with regulations made under section 113(2) of the SSCBA or but for an abatement as a consequence of hospitalisation be payable at the highest rate prescribed under section 72(3) of the SSCBA in respect of—
 - (i) the applicant; or
 - (ii) a member of the applicant's family,

who has not attained the qualifying age for state pension credit; or
 - (c) the daily living component of personal independence payment is, or would be payable at either rate under Part 4 of the Welfare Reform Act 2012, but for a suspension of benefit in accordance with section 86 of the Welfare Reform Act 2012 in respect of—
 - (i) the applicant; or
 - (ii) a member of the applicant's family,

who has not attained the qualifying age for state pension credit.
- (2) Where the condition in sub-paragraph (1) ceases to be satisfied because of the death of a child or young person, the condition is that the applicant or partner is entitled to child benefit in respect of that person under section 145A of the SSCBA (entitlement after death of child or qualifying young person).
- (3) The condition is not satisfied if the person to whom sub-paragraph (1) refers is—
- (a) an applicant who—
 - (i) is not a member of a couple or a polygamous marriage; and

- (ii) is a patient within the meaning of paragraph 58(11)(e) (treatment of child care charges) and has been for a period of more than 52 weeks; or
- (b) a member of a couple or a polygamous marriage where each member is a patient within the meaning of paragraph 58(11) (e) and has been for a period of more than 52 weeks.

6. Persons who would previously have qualified for a Disabled child premium

The condition is that a child or young person for whom the applicant or a partner of his is responsible and who is a member of the applicant's household—

- (a) is in receipt of disability living allowance or personal independence payment or is no longer in receipt of such allowance because he is a patient, provided that the child or young person continues to be a member of the family; or
- (b) is blind or treated as blind within the meaning of paragraph 3; or
- (c) is a child or young person in respect of whom section 145A of the SSCBA (entitlement after death of child or qualifying young person) applies for the purposes of entitlement to child benefit but only for the period prescribed under that section, and in respect of whom a disabled child premium was included in the applicant's applicable amount immediately before the death of that child or young person, or ceased to be included in the applicant's applicable amount because of that child or young person's death.

7. Persons who are entitled to the support component of employment and support allowance

The condition is that the applicant is entitled to the support component by virtue of the Secretary of State having decided that the applicant or the applicant's partner has, or is to be treated as having, limited capability for work-related activity.

SCHEDULE 2

Sums disregarded in the calculation of earnings

Paragraph 53

1. In the case of an applicant who has been engaged in remunerative work as an employed earner or, had the employment been in Great Britain, would have been so engaged—

(a) where—

- (i) the employment has been terminated because of retirement; and
- (ii) on retirement he is entitled to a retirement pension under the Act, or a state pension under Part 1 of the Pensions Act 2014, or is not so entitled solely because of his failure to satisfy the contribution conditions or to have the minimum number of qualifying years,

any earnings paid or due to be paid in respect of that employment, but only for a period commencing on the day immediately after the date on which the employment was terminated;

(b) where before the first day of entitlement to a reduction under this scheme the employment has been terminated otherwise than because of retirement, any earnings paid or due to be paid in respect of that employment except—

(i) any payment of the nature described in—

(aa) paragraph 51(1)(e) (retainer), or

(bb) section 28, 64 or 68 of the Employment Rights Act 1996 (guarantee payments, suspension from work on medical or maternity grounds);
and

(ii) any award, sum or payment of the nature described in—

(aa) paragraph 51(1)(g) or (i), (compensation etc. relating to employment);
or

- (bb) section 34 or 70 of the Employment Rights Act 1996 (guarantee payments and suspension from work: complaints to employment tribunals),

including any payment made following the settlement of a complaint to an employment tribunal or of court proceedings;

- (c) where before the first day of entitlement to a reduction under this scheme—

- (i) the employment has not been terminated, but
- (ii) the applicant is not engaged in remunerative work,

any earnings paid or due to be paid in respect of that employment except any payment or remuneration of the nature described in paragraph 1(b)(d) or (ii)(bb) of this Schedule or paragraph 51(1)(j) (statutory sick pay etc.);

- 2.** In the case of an applicant who, before the first day of entitlement to a reduction under this scheme—

- (a) has been engaged in part-time employment as an employed earner or, where the employment has been outside Great Britain, would have been so engaged had the employment been in Great Britain; and has ceased to be engaged in that employment, whether or not that employment has been terminated,

any earnings paid or due to be paid in respect of that employment except—

- (i) where that employment has been terminated, any payment of the nature described in paragraph 1(b)(i) or (ii)(bb) of this Schedule;
- (ii) where that employment has not been terminated, any payment or remuneration of the nature described in paragraph 1(b)(i) or (ii)(bb) of this Schedule or paragraph 51(1)(j) (statutory sick pay etc.).

- 3.** In the case of an applicant who has been engaged in remunerative work or part-time employment as a self-employed earner or, had the employment been in Great Britain, would have been so engaged and who has ceased to be so employed, from the date of the cessation of his employment, any earnings derived from that employment except earnings to which paragraph 53(3) and (4) (earnings of self-employed earners) apply.

4. In the case where the applicant or their partner satisfies one or more of the conditions described under paragraph 35 (Class A2: Persons who are entitled to a reduction and are considered to require additional financial assistance) £50 but, notwithstanding paragraph 44 (calculation of income and capital: applicant's family and polygamous marriages), if this paragraph applies to an applicant it must not apply to his partner except where, and to the extent that, the earnings of the applicant which are to be disregarded under this paragraph are less than £50

6. —

(1) Where—

- (a) the applicant (or if the applicant is a member of a couple, at least one member of that couple) is a person to whom sub-paragraph (5) applies;
- (b) the Secretary of State is satisfied that that person is undertaking exempt work as defined in sub-paragraph (6); and
- (c) paragraph 10 does not apply,

the amount specified in sub-paragraph (7) (“the specified amount”).

(2) Where this paragraph applies, paragraphs 8 does not apply;

(3) Notwithstanding paragraph 44 (calculation of income and capital: applicant's family and polygamous marriages), if sub-paragraph (1) applies to one member of a couple (“A”) it does not apply to the other member of that couple (“B”) except to the extent provided in sub-paragraph (4).

(4) Where A's earnings are less than the specified amount, there must also be disregarded so much of B's earnings as would not when aggregated with A's earnings exceed the specified amount; but the amount of B's earnings which may be disregarded under this sub-paragraph is limited to a maximum of £30 unless the Secretary of State is satisfied that B is also undertaking exempt work.

(5) This sub-paragraph applies to a person who is—

- (a) in receipt of a contributory employment and support allowance;
- (b) in receipt of incapacity benefit;
- (c) in receipt of severe disablement allowance; or
- (d) being credited with earnings on the grounds of incapacity for work or limited capability for work under regulation 8B of the Social Security (Credits) Regulations 1975.

- (6) “Exempt work” means work of the kind described in—
- (a) regulation 45(2), (3) or (4) of the Employment and Support Allowance Regulations 2008; or (as the case may be)
 - (b) regulation 17(2), (3) or (4) of the Social Security (Incapacity for Work) (General) Regulations 1995,

and, in determining for the purposes of this paragraph whether an applicant or a member of a couple is undertaking any type of exempt work, it is immaterial whether that person or their partner is also undertaking other work.

- (7) The specified amount is the amount of money from time to time mentioned in any provision referred to in sub-paragraph (6) by virtue of which the work referred to in sub-paragraph (1) is exempt (or, where more than one such provision is relevant and those provisions mention different amounts of money, the highest of those amounts).
7. Any amount or the balance of any amount which would fall to be disregarded under paragraph 23 or 24 of Schedule 3 had the applicant’s income which does not consist of earnings been sufficient to entitle him to the full disregard thereunder.
8. Where an applicant is on income support, an income-based jobseeker’s allowance or an income-related employment and support allowance, his earnings.
9. Any earnings derived from employment, which are payable in a country outside the United Kingdom for such period during which there is a prohibition against the transfer to the United Kingdom of those earnings.
10. Where a payment of earnings is made in a currency other than Sterling, any banking charge or commission payable in converting that payment into Sterling.

11. Any earnings of a child or young person.

SCHEDULE 3

Sums disregarded in the calculation of income other than earnings.

Paragraph 54

1. Any payment made to the applicant in respect of any child care, travel or other expenses incurred, or to be incurred, by him in respect of his participation in the Work for Your Benefit Pilot Scheme.

2. Any payment made to the applicant in respect of any travel or other expenses incurred, or to be incurred, by him in respect of his participation in the Mandatory Work Activity Scheme.

3. Any payment made to the applicant in respect of any travel or other expenses incurred, or to be incurred, by him in respect of his participation in the Employment, Skills and Enterprise Scheme.

4. Any amount paid by way of tax on income which is to be taken into account under paragraph 54 (calculation of income other than earnings).

5. Any payment in respect of any expenses incurred or to be incurred by an applicant who is—

(a) engaged by a charitable or voluntary organisation, or

(b) a volunteer,

if he otherwise derives no remuneration or profit from the employment and is not to be treated as possessing any earnings under paragraph 56(5) (notional income).

6. Any payment in respect of expenses arising out of the applicant's participation in a service user group.

7. In the case of employment as an employed earner, any payment in respect of expenses wholly, exclusively and necessarily incurred in the performance of the duties of the employment.

8. Where an applicant is on income support, an income-based jobseeker's allowance or an income-related employment and support allowance, the whole of his income.

9. Where the applicant is a member of a joint-claim couple for the purposes of the Jobseeker's Act and his partner is on an income-based jobseeker's allowance, the whole of the applicant's income.

10. Where the applicant, or the person who was the partner of the applicant on 31st March 2003, was entitled on that date to income support or an income-based jobseeker's allowance but ceased to be so entitled on or before 5th April 2003 by virtue only of regulation 13 of the Housing Benefit (General) Amendment (No. 3) Regulations 1999 as in force at that date, the whole of his income.

- 11.** Any disability living allowance or personal independence payment, or an AFIP
- 12.** Any concessionary payment made to compensate for the non-payment of—
- (a) any payment specified in paragraph 11 or 14;
 - (b) income support;
 - (c) an income-based jobseeker's allowance;
 - (d) an income-related employment and support allowance.
- 13.** Any mobility supplement under article 20 of the Naval, Military and Air Forces Etc. (Disablement and Death) Service Pensions Order 2006 (including such a supplement by virtue of any other scheme or order) or under article 25A of the Personal Injuries (Civilians) Scheme 1983 or any payment intended to compensate for the non-payment of such a supplement.
- 14.** Any attendance allowance.
- 15.** Any payment to the applicant as holder of the Victoria Cross or of the George Cross or any analogous payment.
- 16.**
- (1) Any payment—
- (a) by way of an education maintenance allowance made pursuant to—
 - (i) regulations made under section 518 of the Education Act 1996 (Payment of school expenses; grant of scholarships etc.);
 - (ii) regulations made under section 49 or 73(f) of the Education (Scotland) Act 1980 (power to assist persons to take advantage of educational facilities);
 - (iii) directions made under section 73 ZA of the Education (Scotland) Act 1980 and paid under section 12(2)(c) of the Further and Higher Education (Scotland) Act 1992;
 - (b) corresponding to such an education maintenance allowance, made pursuant to—
 - (i) section 14 or section 181 of the Education Act 2002 (power of Secretary of State and the Welsh Ministers to give financial

assistance for purposes related to education or childcare, and allowances in respect of education or training); or

- (ii) regulations made under section 181 of that act; or
 - (c) in England, by way of financial assistance made pursuant to section 14 of the Education Act 2002.
- (2) Any payment, other than a payment to which sub-paragraph (1) applies, made pursuant to—
- (a) regulations made under section 518 of the Education Act 1996;
 - (b) regulations made under section 49 of the Education (Scotland) Act 1980; or
 - (c) directions made under section 73ZA of the Education (Scotland) Act 1980 and paid under section 12(2)(c) of the Further and Higher Education (Scotland) Act 1992,

In respect of a course of study attended by a child or a young person or a person who is in receipt of an education maintenance allowance or other payment made pursuant to any provision specified in sub-paragraph (1).

17. Any payment made to the applicant by way of a repayment under regulation 11(2) of the Education (Teacher Student Loans) (Repayment etc.) Regulations 2002.

18.

- (1) Any payment made pursuant to section 2 of the 1973 Act or section 2 of the Enterprise and New Towns (Scotland) Act 1990 except a payment—
- (a) made as a substitute for income support, a jobseeker's allowance, incapacity benefit, severe disablement allowance or an employment and support allowance;
 - (b) of an allowance referred to in section 2(3) of the Employment and Training Act 1973 or section 2(5) of the Enterprise and New Towns (Scotland) Act 1990; or
 - (c) intended to meet the cost of living expenses which relate to any one or more of the items specified in sub-paragraph (2) whilst an applicant is participating in an education, training or other scheme to help him enhance his employment prospects unless the payment is a Career Development Loan paid pursuant to section 2 of the 1973 Act and the period of education or training or the scheme, which is supported by that loan, has been completed.

- (2) The items specified in this sub-paragraph for the purposes of sub-paragraph (1)(c) are food, ordinary clothing or footwear, household fuel or rent of the applicant or, where the applicant is a member of a family, any other member of his family, or any council tax or water charges for which that applicant or member is liable.

19. —

- (1) Subject to sub-paragraph (2), any of the following payments—

- (a) a charitable payment;
- (b) a payment (not falling within paragraph (a)) from a trust whose funds are derived from a payment made in consequence of any personal injury to the applicant;

- (c) a payment under an annuity purchased—

- (i) pursuant to any agreement or court order to make payments to the applicant; or

- (ii) from funds derived from a payment made, in consequence of any personal injury to the applicant; or

- (d) a payment (not falling within paragraphs (a) to (c)) received by virtue of any agreement or court order to make payments to the applicant in consequence of any personal injury to the applicant.

- (2) Sub-paragraph (1) does not apply to a payment which is made or due to be made by—

- (a) a former partner of the applicant, or a former partner of any member of the applicant's family; or

- (b) the parent of a child or young person where that child or young person is a member of the applicant's family.

20. Any of the following, namely—

- (a) a war disablement pension; and

- (b) a war widow's pension or war widower's pension;

- (c) a pension payable to a person as a widow, widower or surviving civil partner under any power of Her Majesty otherwise than under an enactment to make provision about pensions for or in respect of persons who have been disabled or have died in consequence of service as members of the armed forces of the Crown;

- (d) a guaranteed income payment;
- (e) a payment made to compensate for the non-payment of such a pension or payment as is mentioned in any of the preceding sub-paragraphs;
- (f) a pension paid by the government of a country outside Great Britain which is analogous to any of the pensions or payments mentioned in paragraphs (a) to (d) above;
- (g) pension paid to victims of National Socialist persecution under any special provision made by the law of the Federal Republic of Germany, or any part of it, or of the Republic of Austria.

21. Subject to paragraph 40, £15 of any—

- (a) widowed mother's allowance paid pursuant to section 37 of the SSCBA; (b) widowed parent's allowance paid pursuant to section 39A of the SSCBA.

22.

- (1) Any income derived from capital to which the applicant is or is treated under paragraph 72 (capital jointly held) as beneficially entitled but, subject to sub-paragraph (2), not income derived from capital disregarded under paragraphs 4, 5, 7, 11, 17 or 30 to 33 of Schedule 4.
- (2) Income derived from capital disregarded under paragraphs 5, 7 or 30 to 33 of Schedule 4 but only to the extent of—
 - (a) any mortgage repayments made in respect of the dwelling or premises in the period during which that income accrued; or
 - (b) any council tax or water charges which the applicant is liable to pay in respect of the dwelling or premises and which are paid in the period during which that income accrued.
- (3) The definition of "water charges" in paragraph 2(1) (interpretation) applies to sub-paragraph (2) of this paragraph with the omission of the words "in so far as such charges are in respect of the dwelling which a person occupies as his home".

23. Where the applicant makes a parental contribution in respect of a student attending a course at an establishment in the United Kingdom or undergoing education in the United Kingdom, which contribution has been assessed for the purposes of calculating—

- (a) under, or pursuant to regulations made under powers conferred by, sections 1 or 2 of the Education Act 1962 or section 22 of the Teaching and Higher Education Act 1998, that student's award;
- (b) under regulations made in exercise of the powers conferred by section 49 of the Education (Scotland) Act 1980, that student's bursary, scholarship, or other allowance under that section or under regulations made in exercise of the powers conferred by section 73 of that Act of 1980, any payment to that student under that section; or
- (c) the student's student loan,

an amount equal to the weekly amount of that parental contribution, but only in respect of the period for which that contribution is assessed as being payable.

24.

- (1) Where the applicant is the parent of a student aged under 25 in advanced education who either—
 - (a) is not in receipt of any award, grant or student loan in respect of that education; or
 - (b) is in receipt of an award bestowed by virtue of the Teaching and Higher Education Act 1998, or regulations made thereunder, or a bursary, scholarship or other allowance under section 49(1) of the Education (Scotland) Act 1980, or a payment under section 73 of that Act of 1980,

and the applicant makes payments by way of a contribution towards the student's maintenance, other than a parental contribution falling within paragraph 23 an amount specified in sub-paragraph (2) in respect of each week during the student's term.

- (2) For the purposes of sub-paragraph (1), the amount must be equal to—
 - (a) the weekly amount of the payments; or
 - (b) the amount by way of a personal allowance for a single applicant under 25 less the weekly amount of any award, bursary, scholarship, allowance or payment referred to in sub-paragraph (1)(b),

whichever is less.

- 25.** Any payment made to the applicant by a child or young person or a non-dependant.

26. Where the applicant occupies a dwelling as his home and the dwelling is also occupied by a person other than one to whom paragraph 25 or 27 refers and there is a contractual liability to make payments to the applicant in respect of the occupation of the dwelling by that person or a member of his family—

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- (a) where the aggregate of any payments made in respect of any one week in respect of the occupation of the dwelling by that person or a member of his family, or by that person and a member of his family, is less than £20, the whole of that amount; or
- (b) where the aggregate of any such payments is £20 or more per week, £20.

27. Where the applicant occupies a dwelling as his home and he provides in that dwelling board and lodging accommodation, an amount, in respect of each person for which such accommodation is provided for the whole or any part of a week, equal to—

- (a) where the aggregate of any payments made in respect of any one week in respect of such accommodation provided to such person does not exceed £20, 100 percent of such payments;
- (b) where the aggregate of any such payments exceeds £20, £20 and 50 per cent of the excess over £20.

28.-

(1) Any income in kind, except where article 60(11) (b) (provision of support under section 95 or 98 of the Immigration and Asylum Act 1999 in the calculation of income other than earnings) applies.

(2) The reference in sub-paragraph (1) to “income in kind” does not include a payment to a third party made in respect of the applicant, which is used by the third party to provide benefits in kind to the applicant.

29. Any income which is payable in a country outside the United Kingdom for such period during which there is a prohibition against the transfer to the United Kingdom of that income.

30.-

(1) Any payment made to the applicant in respect of a person who is a member of his family—

- (a) pursuant to regulations under section 2(6)(b), 3 or 4 of the Adoption and Children Act 2002 or in accordance or with a scheme approved by the Scottish Ministers under section 51A of the Adoption (Scotland) Act 1978 (schemes for payments of allowances to adopters) or in accordance with an adoption allowance scheme made under section 71 of the Adoption and Children (Scotland) Act 2007 (adoption allowances schemes);
- (b) which is a payment made by a local authority in pursuance of section 15(1) of, and paragraph 15 of Schedule 1 to, the Children Act 1989 (local authority contribution to a child’s maintenance where the child is living with a person as a result of a residence order) or in Scotland section 50 of the Children Act 1975 (payments towards maintenance of children);

- (c) which is a payment made by an authority, as defined in Article 2 of the Children (Northern Ireland) Order 1995, in pursuance of Article 15 of, and paragraph 17 of Schedule 1 to, that Order (contribution by an authority to child's maintenance);
- (d) in accordance with regulations made pursuant to section 14F of the Children Act 1989 (special guardianship support services);

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(2) Any payment, other than a payment to which sub-paragraph (1) (a) applies, made to the applicant pursuant to regulations under section 2(6) (b), 3 or 4 of the Adoption and Children Act 2002.

31. Any payment made to _____ the applicant with whom a person is accommodated by virtue of arrangements made—

- (a) by a local authority under—
 - (i) section 23(2)(a) of the Children Act 1989 (provision of accommodation and maintenance for a child whom they are looking after),
 - (ii) section 26 of the Children (Scotland) Act 1995 (manner of provision of accommodation to child looked after by local authority), or
 - (iii) regulations 33 or 51 of the Looked After Children (Scotland) Regulations 2009 (fostering and kinship care allowances and fostering allowances); or
- (b) by a voluntary organisation under section 59(1) (a) of the Children Act 1989 (provision of accommodation by voluntary organisations).

32. Any payment made to _____ the applicant or his partner for a person (“the person concerned”), who is not normally a member of the applicant’s household but is temporarily in his care, by—

- (a) a health authority;
- (b) a local authority but excluding payments of housing benefit made in respect of the person concerned;
- (c) a voluntary organisation;

- (d) the person concerned pursuant to section 26(3A) of the National Assistance Act 1948;
- (e) the person concerned where the payment is for accommodation to meet that person's needs for care and support arranged pursuant to section 35 and 36 of the Social Services and Well-being (Wales) Act 2014
- (f) a primary care trust established under section 16A of the National Health Service Act 1977 or established by an order made under section 18(2)(c) of the National Health Service Act 2006; or
- (g) a Local Health Board established under section 11 of the National Health Service (Wales) Act 2006.

33. Any payment made by a local authority in accordance with section 17, 23B, 23C or 24A of the Children Act 1989 or, as the case may be, section 12 of the Social Work (Scotland) Act 1968 or section 22, 29 or 30 of the Children (Scotland) Act 1995 (provision of services for children and their families and advice and assistance to certain children).

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34.-

- (1) Subject to sub-paragraph (2), any payment (or part of a payment) made by a local authority in accordance with section 23C of the Children Act 1989 or section 29 of the Children (Scotland) Act 1995 (local authorities' duty to promote welfare of children and powers to grant financial assistance to persons in, or formerly in, their care) to a person ("A") which A passes on to the applicant.
- (2) Sub-paragraph (1) applies only where A—
 - (a) was formerly in the applicant's care, and
 - (b) is aged 18 or over, and
 - (c) continues to live with the applicant.

35. -

- (1) Subject to sub-paragraph (2), any payment received under an insurance policy taken out to insure against the risk of being unable to maintain repayments—
 - (a) on a loan which is secured on the dwelling which the applicant occupies as his home; or

(b) under a regulated agreement as defined for the purposes of the Consumer Credit Act 1974) or under a hire-purchase agreement or a conditional sale agreement as defined for the purposes of Part 3 of the Hire-Purchase Act 1964.

(2) A payment referred to in sub-paragraph (1) is only to be disregarded to the extent that the payment received under that policy does not exceed the amounts, calculated on a weekly basis, which are used to—

(a) maintain the repayments referred to in sub-paragraph (1)(a) or, as the case may be, (1)(b); and

(b) meet any amount due by way of premiums on—

(i) that policy; or

(ii) in a case to which sub-paragraph (1)(a) applies, an insurance policy taken out to insure against loss or damage to any building or part of a building which is occupied by the applicant as his home and which is required as a condition of the loan referred to in sub-paragraph (1)(a).

36. Any payment of income which by virtue of paragraph 67 (income treated as capital) is to be treated as capital.

37. Any -

(a) social fund payment made pursuant to Part 8 of the SSCBA (the Social Fund); or

(b) occasional assistance.

38. Any payment under Part 10 of the SSCBA (Christmas bonus for pensioners).

39. Where a payment of income is made in a currency other than sterling, any banking charge or commission payable in converting that payment into sterling.

40. The total of an applicant's income or, if he is a member of a family, the family's income and the income of any person which he is treated as possessing under paragraph 44(3) (calculation of income and capital: applicant's family and polygamous marriages) to be disregarded under paragraphs 76(2)(b) and 77(1)(d) (calculation of covenant income where a contribution assessed, covenant income where no grant income or no contribution is assessed), paragraph 81(2) (treatment of student loans), paragraph 82(3) (treatment of payments from access funds) and paragraphs 20 and 21 of this schedule shall in no case exceed £ 20 per week.

41.

- (1) Any payment made under or by any of the Trusts, the Fund, the Eileen Trust, MFET Limited, the Skipton Fund, the Caxton Foundation or the Independent Living Fund (2006).
- (2) Any payment by or on behalf of a person who is suffering or who suffered from haemophilia or who is or was a qualifying person, which derives from a payment made under or by any of the Trusts to which sub-paragraph (1) refers and which is made to or for the benefit of—
- (a) that person's partner or former partner from whom he is not, or where that person has died was not, estranged or divorced or with whom he has formed a civil partnership that has not been dissolved or, where that person has died, had not been dissolved at the time of that person's death;
 - (b) any child who is a member of that person's family or who was such a member and who is a member of the applicant's family; or
 - (c) any young person who is a member of that person's family or who was such a member and who is a member of the applicant's family.
- (3) Any payment by or on behalf of the partner or former partner of a person who is suffering or who suffered from haemophilia or who is or was a qualifying person provided that the partner or former partner and that person are not, or if either of them has died were not, estranged or divorced or, where the partner or former partner and that person have formed a civil partnership, the civil partnership has not been dissolved or, if either of them has died, had not been dissolved at the time of the death, which derives from a payment made under or by any of the Trusts to which sub-paragraph (1) refers and which is made to or for the benefit of—
- (a) the person who is suffering from haemophilia or who is a qualifying person;
 - (b) any child who is a member of that person's family or who was such a member and who is a member of the applicant's family; or
 - (c) Any young person who is a member of that person's family or who was such a member and who is a member of the applicant's family.
- (4) Any payment by a person who is suffering from haemophilia or who is a qualifying person, which derives from a payment under or by any of the Trusts to which sub-paragraph (1) refers, where—
- (a) that person has no partner or former partner from whom he is not estranged or divorced or with whom he has formed a civil partnership that has not been dissolved, nor any child or young person who is or had been a member of that person's family; and

(b) the payment is made either—

(i) to that person's parent or step-parent, or

(ii) where that person at the date of the payment is a child, a young person or a student who has not completed his education and has no parent or step-parent, to his guardian,

but only for a period from the date of the payment until the end of two years from that person's death.

(5) Any payment out of the estate of a person who suffered from haemophilia or who was a qualifying person, which derives from a payment under or by any of the Trusts to which sub-paragraph (1) refers, where—

(a) that person at the date of his death (the relevant date) had no partner or former partner from whom he was not estranged or divorced or with whom he has formed a civil partnership that has not been dissolved, nor any child or young person who was or had been a member of his family; and

(b) the payment is made either—

(i) to that person's parent or step-parent, or

(ii) where that person at the relevant date was a child, a young person or a student who had not completed his full-time education and had no parent or step-parent, to his guardian,

But only for a period of two years from the relevant date.

(6) In the case of a person to whom or for whose benefit a payment referred to in this paragraph is made, any income which derives from any payment of income or capital made under or deriving from any of the Trusts.

(7) For the purposes of sub-paragraphs (2) to (6), any reference to the Trusts shall be construed as including a reference to the Fund, the Eileen Trust, MFET Limited, the Skipton Fund, the Caxton Foundation and the London Bombings Relief Charitable Fund.

42. Any housing benefit.

43. Any payment made by the Secretary of State to compensate for the loss (in whole or in part) of entitlement to housing benefit.

44. Any payment to a juror or witness in respect of attendance at a court other than compensation for loss of earnings or for the loss of a benefit payable under the benefit Acts.

45. Any payment in consequence of a reduction of council tax under section 13 of the 1992 Act or further reduction under section 13A of the 1992 Act (reduction of liability for council tax).

46. —

(1) Any payment or repayment made—

(a) as respects England, under regulation 5, 6 or 12 of the National Health Service (Travel Expenses and Remission of Charges) Regulations 2003 (Travelling expenses and health service supplies);

(b) as respects Wales, under regulation 5, 6 or 11 of the National Health Service (Travelling Expenses and Remission of Charges) (Wales) Regulations 2007 (Travelling expenses and health service supplies);

(c) as respects Scotland, under regulation 3, 5 or 11 of the National Health Service (Travelling Expenses and Remission of Charges) (Scotland) (No. 2) Regulations 2003 (travelling expenses and health service supplies).

(2) Any payment or repayment made by the Secretary of State for Health, the Scottish Ministers or the Welsh Ministers which is analogous to a payment or repayment mentioned in sub-paragraph (1).

47. Any payment made to such persons entitled to receive benefits as may be determined by or under a scheme made pursuant to section 13 of the Social Security Act 1988 in lieu of vouchers or similar arrangements in connection with the provision of those benefits (including payments made in place of healthy start vouchers, milk tokens or the supply of vitamins).

48. Any payment made by either the Secretary of State for Justice or by the Scottish Ministers under a scheme established to assist relatives and other persons to visit persons in custody.

49. —

(1) Where the applicant is treated by virtue of paragraph 7 as responsible for a dependent child or young person, £15 of any payment of maintenance, other than child maintenance, whether under a court order or not, which is made or due to be made by the applicant's former partner, or the applicant's partner's former partner.

- (2) For the purpose of sub-paragraph (1) where more than one maintenance payment falls to be taken into account in any week, all such payments must be aggregated and treated as if they were a single payment.
- (3) A payment made by the Secretary of State in lieu of maintenance must, for the purpose of sub-paragraph (1), be treated as a payment of maintenance made by a person specified in sub-paragraph (1).

50—

Any payment of child maintenance made or derived from a liable relative where the child or young person in receipt of whom the payment is made is a member of the applicants family, except where the person making the payment is the applicant or the applicants partner

- (1) In sub-paragraph (1)—

“Child maintenance” means any payment towards the maintenance of a child or young person, including any payment made voluntarily and payments made under—

- (a) the Child Support Act 1991;
- (b) the Child Support (Northern Ireland) Order 1991; (c) a court order;
- (d) a consent order;
- (e) a maintenance agreement registered for execution in the Books of Council and Session or the sheriff court books;

“liable relative” means a person listed in regulation 54 (interpretation) of the Income Support (General) Regulations 1987, other than a person falling within sub-paragraph (d) of that definition.

51. Any payment (other than a training allowance) made, whether by the Secretary of State or any other person, under the Disabled Persons (Employment) Act 1944 to assist disabled persons to obtain or retain employment despite their disability.

52. Any guardian’s allowance.

53. —

- (1) If the applicant is in receipt of any benefit under Part 2, 3 or 5 of the SSCBA, any increase in the rate of that benefit arising under Part 4 (increases for dependants) or section 106(a) (unemployability supplement) of that Act, where the dependent in respect of whom the increase is paid is not a member of the applicant’s family.

(2) If the applicant is in receipt of any pension or allowance under Part 2 or 3 of the Naval, Military and Air Forces Etc. (Disablement and Death) Service Pensions Order 2006, any increase in the rate of that pension or allowance under that Order, where the dependent in respect of whom the increase is paid is not a member of the applicant's family.

54. Any supplementary pension under article 23(2) of the Naval, Military and Air Forces Etc. (Disablement and Death) Service Pensions Order 2006 (pensions to surviving spouses and surviving civil partners) and any analogous payment made by the Secretary of State for Defence to any person who is not a person entitled under that Order.

55. In the case of a pension awarded at the supplementary rate under article 27(3) of the Personal Injuries (Civilians) Scheme 1983 (pensions to widows, widowers or surviving civil partners), the sum specified in paragraph 1(c) of Schedule 4 to that Scheme.

56. (1) Any payment which is—

- (a) made under any of the Dispensing Instruments to a widow, widower or surviving civil partner of a person—
 - (i) whose death was attributable to service in a capacity analogous to service as a member of the armed forces of the Crown; and
 - (ii) whose service in such capacity terminated before 31st March 1973; and
- (b) equal to the amount specified in article 23(2) of the Naval, Military and Air Forces Etc. (Disablement and Death) Service Pensions Order 2006.

(2) In this paragraph “the Dispensing Instruments” means the Order in Council of 19th December 1881, the Royal Warrant of 27th October 1884 and the Order by His Majesty of 14th January 1922 (exceptional grants of pay, non-effective pay and allowances).

57. Any council tax benefit to which the applicant is entitled.

58. Any payment made under section 12B of the Social Work (Scotland) Act 1968, or under sections 12A to 12D of the National Health Service Act 2006 (direct payments for health care) or under regulations made under section 57 of the Health and Social Care Act 2001 (direct payments).

59.-

- (1) Subject to sub-paragraph (2), in respect of a person who is receiving, or who has received, assistance under the self-employment route, any payment to that person—
- (a) to meet expenses wholly and necessarily incurred whilst carrying on the commercial activity;
 - (b) which is used or intended to be used to maintain repayments on a loan taken out by that person for the purpose of establishing or carrying on the commercial activity,

in respect of which such assistance is or was received.

- (2) Sub-paragraph (1) applies only in respect of payments which are paid to that person from the special account.

60.-

- (1) Any payment of a sports award except to the extent that it has been made in respect of any one or more of the items specified in sub-paragraph (2).
- (2) The items specified for the purposes of sub-paragraph (1) are food, ordinary clothing or footwear, household fuel or rent of the applicant or where the applicant is a member of a family, any other member of his family, or any council tax or water charges for which that applicant or member is liable.
- (3) For the purposes of sub-paragraph (2) “food” does not include vitamins, minerals or other special dietary supplements intended to enhance the performance of the person in the sport in respect of which the award was made.

61. Where the amount of subsistence allowance paid to a person in a reduction week exceeds the amount of income-based jobseeker’s allowance that person would have received in that reduction week had it been payable to him, less 50p, that excess amount.

62. In the case of an applicant participating in an employment zone programme, any discretionary payment made by an employment zone contractor to the applicant, being a fee, grant, loan or otherwise.

63. Any discretionary housing payment paid pursuant to regulation 2(1) of the Discretionary Financial Assistance Regulations 2001.

64.-

- (1) Any payment made by a local authority or by the Welsh Ministers, to or on behalf of the applicant or his partner relating to a service which is provided to develop or sustain the capacity of the applicant or his partner to live independently in his accommodation.
- (2) For the purposes of sub-paragraph (1) "local authority" includes, in England, a county council.

65. 100 percent of any payment of child benefit.

66. Any bereavement support payment under section 30 of the Pensions Act 2014 (bereavement support payment) except any such payment which is disregarded as capital under paragraph 12(1) (g) or 65 of Schedule 4.

67. 50% of any carers allowance

68. Any housing element included in universal credit payment

SCHEDULE 4

Capital disregards

Paragraph 66

1. Any payment made to _____ the applicant in respect of any child care, travel or other expenses incurred, or to be incurred, by him in respect of his participation in the Work for Your Benefit Scheme but only for 52 weeks beginning with the date of receipt of the payment.
2. Any payment made to _____ the applicant in respect of any travel or other expenses incurred, or to be incurred, by him in respect of _____ his participation in the Mandatory Work Activity Scheme but only for 52 weeks beginning with the date of receipt of the payment.
3. Any payment made to _____ the applicant in respect of any travel or other expenses incurred, or to be incurred, by him in respect of _____ his participation in a scheme prescribed in regulation 3 of the Jobseeker's Allowance (Scheme for Assisting Persons Obtain Employment) Regulations 2013 but only for 52 weeks beginning with the date of receipt of the payment.
4. The dwelling together with any garage, garden and outbuildings, normally occupied by the applicant as his home including any premises not so occupied which it is impracticable or unreasonable to sell separately, but, notwithstanding paragraph 44 (calculation of income and capital of members of applicant's family and of a polygamous marriage), only one dwelling _____ shall be disregarded under this paragraph.
5. Any premises acquired for occupation by the applicant, which he intends to occupy as his home within 26 weeks of the date of acquisition _____ or such longer period as is reasonable in the circumstances to enable the applicant to obtain possession and commence occupation of the premises.
6. Any sum directly attributable to the proceeds of sale of any premises formerly occupied by the applicant as his home which is to be used for the purchase of other premises intended for such occupation within 26 weeks of the date of sale or such longer period as is reasonable in the circumstances _____ to enable the applicant to complete the purchase.
7. Any premises occupied in whole or in part—
 - (a) by a partner or relative of a single applicant or any member of the family as his home where that person has attained the qualifying age for state pension credit or is incapacitated;

(b) by the former partner of the applicant as his home; but this provision does not apply where the former partner is a person from whom the applicant is estranged or divorced or with whom he had formed a civil partnership that has been dissolved.

8. Where an applicant is on income support, an income-based jobseeker's allowance or an income-related employment and support allowance, the whole of his capital.

9. Where the applicant is a member of a joint-claim couple for the purposes of the Jobseeker's Act 1995 and his partner is on income-based jobseeker's allowance, the whole of the applicant's capital.

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10. Any future interest in property of any kind, other than land or premises in respect of which the applicant has granted a subsisting lease or tenancy, including sub-leases or sub-tenancies.

11.-

(1) The assets of any business owned in whole or in part by the applicant and for the purposes of which he is engaged as a self-employed earner, or if he has ceased to be so engaged, for such period as may be reasonable in the circumstances to allow for disposal of any such asset.

(2) The assets of any business owned in whole or in part by the applicant where—

(a) he is not engaged as a self-employed earner in that business by reason of some disease or bodily or mental disablement; but

(b) he intends to become engaged or, as the case may be, re-engaged as a self-employed earner in that business as soon as he recovers or is able to become engaged or re-engaged in that business,

for a period of 26 weeks from the date on which the application for a reduction under this scheme is made, or is treated as made, or, if it is unreasonable to expect him to become engaged or re-engaged in that business within that period, for such longer period as is reasonable in the circumstances to enable him to become so engaged or re-engaged.

(3) In the case of a person who is receiving assistance under the self-employment route, the assets acquired by that person for the purpose of establishing or carrying on the commercial activity in respect of which such assistance is being received.

(4) In the case of a person who has ceased carrying on the commercial activity in respect of which assistance was received as specified in sub-paragraph (3), the

assets relating to that activity for such period as may be reasonable in the circumstances to allow for disposal of any such asset.

12.-

(1) Subject to sub-paragraph (2), any arrears of, or any concessionary payment made to compensate for arrears due to the non-payment of—

- (a) any payment specified in paragraphs 11, 13 or 14 of Schedule 3;
- (b) an income-related benefit under Part 7 of the SSCBA;
- (c) an income-based jobseeker's allowance;
- (d) any discretionary housing payment paid pursuant to regulation 2(1) of the Discretionary Financial Assistance Regulations 2001;
- (e) working tax credit and child tax credit;
- (f) an income-related employment and support allowance,
- (g) bereavement support payment under section 30 of the Pensions Act 2014,

But only for a period of 52 weeks from the date of the receipt of arrears or of the concessionary payment.

(2) In a case where the total of any arrears and, if appropriate, any concessionary payment referred to in sub-paragraph (1) relating to one of the specified payments, benefits or allowances amounts to £5,000 or more (referred to in this sub-paragraph and in sub-paragraph (3) as “the relevant sum”) and is—

- (a) paid in order to rectify or to compensate for, an official error as defined in regulation 1(2) of the Housing Benefit and Council Tax Benefit (Decisions and Appeals) Regulations 2001; and
- (b) received by the applicant in full on or after 14th October 2001,

sub-paragraph (1) has effect in relation to such arrears or concessionary payment either for a period of 52 weeks from the date of receipt, or, if the relevant sum is received in its entirety during the period of an award of a reduction under this scheme, for the remainder of that period if that is a longer period.

(3) For the purposes of sub-paragraph (2), “the period of an award of a reduction under this scheme” means—

- (a) the award in which the relevant sum is first received (or the first part thereof where it is paid in more than one instalment); and
- (b) where that award is followed by one or more further awards which, or each of which, begins immediately after the end of the previous award, such further award provided that for that further award the applicant—
 - (i) is the person who received the relevant sum; or
 - (ii) Is the partner of the person who received the relevant sum, or was that person’s partner at the date of his death

13. Any sum—

- (a) paid to the applicant in consequence of damage to, or loss of the home or any personal possession and intended for its repair or replacement; or
- (b) acquired by the applicant (whether as a loan or otherwise) on the express condition that it is to be used for effecting essential repairs or improvement to the home,

which is to be used for the intended purpose, for a period of 26 weeks from the date on which it was so paid or acquired or such longer period as is reasonable in the circumstances to effect the repairs, replacement or improvement.

14.-

Any sum—

- (a) deposited with a housing association as defined in section 1(1) of the

Housing Associations Act 1985 as a condition of occupying the home; (b) which was so deposited and which is to be used for the purchase of another home, for the period of 26 weeks or such longer period as may be reasonable in the circumstances to enable the applicant to complete the purchase.

15. Any personal possessions, except those which have been acquired by the applicant with the intention of reducing his capital in order to secure entitlement to a reduction under this scheme or to increase the amount of that reduction.

16. The value of the right to receive any income under an annuity or the surrender value (if any) of such an n annuity.

17. Where the funds of a trust are derived from a payment made in consequence of any personal injury to the applicant or applicant's partner, the value of the trust fund and the value of the right to receive any payment under that trust.

18.-

(1) Any payment made to the applicant or the applicant's partner in consequence of any personal injury to the applicant or, as the case may be, the applicant's partner.

(2) But sub-paragraph (1)—

(a) applies only for the period of 52 weeks beginning with the day on which the applicant first receives any payment in consequence of that personal injury;

(b) does not apply to any subsequent payment made to him in consequence of that injury (whether it is made by the same person or another);

(c) ceases to apply to the payment or any part of the payment from the day on which the applicant no longer possesses it;

(d) Does not apply to any payment from a trust where the funds of the trust are derived from a payment made in consequence of any personal injury to the applicant.

(3) For the purposes of sub-paragraph (2)(c), the circumstances in which an applicant no longer possesses a payment or a part of it include where the applicant has used a payment or part of it to purchase an asset.

(4) References in sub-paragraphs (2) and (3) to the applicant are to be construed as including references to his partner (where applicable).

- 19.** The value of the right to receive any income under a life interest or from a life rent.
- 20.** The value of the right to receive any income which is disregarded under paragraph 9 of Schedule 2 or paragraph 29 of Schedule 3.
- 21.** The surrender value of any policy of life insurance.
- 22.** Where any payment of capital falls to be made by instalments, the value of the right to receive any outstanding instalments.
- 23.** Any payment made by a local authority in accordance with section 17, 23B, 23C or 24A of the Children Act 1989 or, as the case may be, section 12 of the Social Work (Scotland) Act 1968 or sections 22, 29 or 30 of the Children (Scotland) Act 1995 (provision of services for children and their families and advice and assistance to certain children).
- 24.**
- (1) Subject to sub-paragraph (2), any payment (or part of a payment) made by a local authority in accordance with section 23C of the Children Act 1989 or section 29 of the Children (Scotland) Act 1995 (local authorities' duty to promote welfare of children and powers to grant financial assistance to persons in, or formerly in, their care) to a person ("A") which A passes on to the applicant.
- (2) Sub-paragraph (1) applies only where A—
- (a) was formerly in the applicant's care, and
- (b) is aged 18 or over, and
- (c) Continues to live with the applicant.
- 25.**
- Any -
- (a) social fund payment made pursuant to Part 8 of the SSCBA (the social fund); or
- (b) Occasional assistance.
- 26.** Any refund of tax which falls to be deducted under section 369 of the Income and Corporation Taxes Act 1988 (deduction of tax from certain loan interest) on a

payment of relevant loan interest for the purpose of acquiring an interest in the home or carrying out repairs or improvements to the home.

27. Any capital which by virtue of paragraph 55 or 81 (capital treated as income, treatment of student loans) is to be treated as income.

28. Where any payment of capital is made in a currency other than sterling, any banking charge or commission payable in converting that payment into sterling.

29. —

(1) Any payment made under or by the Trusts, the Fund, the Eileen Trust, the Independent Living Fund (2006), the Scottish infected Blood Support Scheme, an approved blood scheme, the London Emergencies Trust, the we Love Manchester Emergency Fund, the Windrush Compensation Scheme, or the London Bombings Relief Charitable Fund,

(1B) any payment made by the Child Migrants Trust (registered charity number 1171479) under the scheme for former British child migrants

(2) Any payment by or on behalf of a person who is suffering or who suffered from haemophilia or who is or was a qualifying person, which derives from a payment made under or by any of the Trusts to which sub-paragraph (1) refers and which is made to or for the benefit of—

(a) that person's partner or former partner from whom he is not, or where that person has died was not, estranged or divorced or with whom he has formed a civil partnership that has not been dissolved or, where that person has died, had not been dissolved at the time of that person's death;

(b) any child who is a member of that person's family or who was such a member and who is a member of the applicant's family; or

(c) any young person who is a member of that person's family or who was such

a member and who is a member of the applicant's family.

- (3) Any payment by or on behalf of the partner or former partner of a person who is suffering or who suffered from haemophilia or who is or was a qualifying person which derives from a payment made under or by any of the Trusts to which sub-paragraph (1) refers and which is made to or for the benefit of—
- (a) the person who is suffering from haemophilia or who is a qualifying person;
 - (b) any child who is a member of that person's family or who was such a member and who is a member of the applicant's family; or
 - (c) any young person who is a member of that person's family or who was such a member and who is a member of the applicant's family.
- (4) Sub-paragraph (3) does not apply if—
- (a) the partner or former partner and that person are not, or if either of them has died were not, estranged or divorced, or
 - (b) where the partner or former partner and that person have formed a civil partnership, the civil partnership has not been dissolved or, if either of them has died, had not been dissolved at the time of the death.
- (5) Any payment by a person who is suffering from haemophilia or who is a qualifying person, which derives from a payment under or by any of the Trusts to which sub-paragraph (1) refers, where—
- (a) that person has no partner or former partner from whom he is not estranged or divorced or with whom he has formed a civil partnership that has not been dissolved, nor any child or young person who is or had been a member of that person's family; and
 - (b) the payment is made either—
 - (i) to that person's parent or step-parent; or
 - (ii) where that person at the date of the payment is a child, a young person or a student who has not completed his full-time education and has no parent or step-parent, to his guardian,

but only for a period from the date of the payment until the end of two years from that person's death.

(6) Any payment out of the estate of a person who suffered from haemophilia or who was a qualifying person, which derives from a payment under or by any of the Trusts to which sub-paragraph (1) refers, where—

(a) that person at the date of his death (the relevant date) had no partner or former partner from whom he was not estranged or divorced or with whom he had formed a civil partnership that had not been dissolved, nor any child or young person who was or had been a member of his family; and

(b) the payment is made either—

(i) to that person's parent or step-parent; or

(ii) where that person at the relevant date was a child, a young person or a student who had not completed his full-time education and had no

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parent or step-parent, to his guardian,

but only for a period of two years from the relevant date.

(7) In the case of a person to whom or for whose benefit a payment referred to in this paragraph is made, any capital resource which derives from any payment of income or capital made under or deriving from any of the Trusts.

(8) For the purposes of sub-paragraphs (2) to (6), any reference to the Trusts is to be construed as including a reference to, the MacFarlane Trust, the MacFarlane (Special Payments) Trust, the MacFarlane (Special Payments)(No.2) Trust. The Fund, the Eileen Trust, MFET Limited, the Skipton Fund, the Caxton Foundation, and the London Bombings Relief Charitable Fund.

30. -

(1) Where an applicant has ceased to occupy what was formerly the dwelling occupied as the home following his estrangement or divorce from, or dissolution of his civil partnership with, his former partner, that dwelling for a period of 26 weeks from the date on which he ceased to occupy that dwelling or, where the dwelling is occupied as the home by the former partner who is a lone parent, for so long as it is so occupied.

(2) In this paragraph "dwelling" includes any garage, garden and outbuildings, which were formerly occupied by the applicant as his home and any premises not so occupied which it is impracticable or unreasonable to sell separately, in particular, in Scotland, any croft land on which the dwelling is situated.

31. Any premises where the applicant is taking reasonable steps to dispose of those premises, for a period of 26 weeks from the date on which he first took such steps,

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or such longer period as is reasonable in the circumstances to enable him to dispose of those premises.

- 32.** Any premises which the applicant intends to occupy as his home, and in respect of which he is taking steps to obtain possession and has sought legal advice, or has commenced legal proceedings, with a view to obtaining possession, for a period of 26 weeks from the date on which he first sought such advice or first commenced such proceedings whichever is the earlier, or such longer period as is reasonable in the circumstances to enable him to obtain possession and commence occupation of those premises.
- 33.** Any premises which the applicant intends to occupy as his home to which essential repairs or alterations are required in order to render them fit for such occupation, for a period of 26 weeks from the date on which the applicant first takes steps to effect those repairs or alterations, or such longer period as is necessary to enable those repairs or alterations to be carried out.
- 34.** Any payment made by the Secretary of State to compensate for the loss (in whole or in part) of entitlement to housing benefit.
- 35.** The value of the right to receive an occupational or personal pension.
- 36.** The value of any funds held under a personal pension scheme.
- 37.** The value of the right to receive any rent except where the applicant has a reversionary interest in the property in respect of which rent is due.
- 38.** Any payment in kind made by a charity or under or by the Trusts, the Fund, MFET Limited, the Skipton Fund, the Caxton Foundation or the Independent Living Fund (2006).
- 39.** Any payment made pursuant to section 2 of the Employment and Training Act 1973 or section 2 of the Enterprise and New Towns (Scotland) Act 1990, but only for the period of 52 weeks beginning on the date of receipt of the payment.
- 40.** Any payment in consequence of a reduction of council tax under section 13A of the 1992 Act (reduction of liability for council tax), but only for a period of 52 weeks from the date of the receipt of the payment.
- 41.** Any grant made in accordance with a scheme made under section 129 of the Housing Act 1988 or section 66 of the Housing (Scotland) Act 1988 (schemes for payments to assist local housing authority and local authority tenants to obtain other accommodation) which is to be used—

- (a) to purchase premises intended for occupation as his home; or
- (b) to carry out repairs or alterations which are required to render premises fit for occupation as his home,

for a period of 26 weeks from the date on which he received such a grant or such longer period as is reasonable in the circumstances to enable the purchase, repairs or alterations to be completed and the applicant to commence occupation of those premises as his home.

42. Any arrears of supplementary pension which is disregarded under paragraph 54 of Schedule 3 (sums to be disregarded in the calculation of income other than earnings) or of any amount which is disregarded under paragraph 55 or 56 of that Schedule, but only for a period of 52 weeks from the date of receipt of the arrears.

43.-

(1) Any payment or repayment made—

- (a) as respects England, under regulation 5, 6 or 12 of the National Health Service (Travel Expenses and Remission of Charges) Regulations 2003 (Travelling expenses and health service supplies);
- (b) as respects Wales, under regulation 5, 6 or 11 of the National Health Service (Travelling Expenses and Remission of Charges) (Wales) Regulations 2007 (Travelling expenses and health service supplies);
- (c) as respects Scotland, under regulation 3, 5 or 11 of the National Health Service (Travelling Expenses and Remission of Charges) (Scotland) (No. 2) Regulations 2003 (travelling expenses and health service supplies), but only for a period of 52 weeks from the date of receipt of the payment or repayment.

(2) Any payment or repayment made by the Secretary of State for Health, the Scottish Ministers or the Welsh Ministers which is analogous to a payment or repayment mentioned in sub-paragraph (1), but only for a period of 52 weeks from the date of receipt of the payment or repayment.

44. Any payment made to such persons entitled to receive benefits as may be determined by or under a scheme made pursuant to section 13 of the Social Security Act 1988 in lieu of vouchers or similar arrangements in connection with the provision of those benefits (including payments made in place of healthy start vouchers, milk tokens or the supply of vitamins), but only for a period of 52 weeks from the date of receipt of the payment.

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45. Any payment made under Part 8A of the SSCBA (entitlement to health in pregnancy grant).

46. Any payment made either by the Secretary of State for Justice or by Scottish Ministers under a scheme established to assist relatives and other persons to visit persons in custody, but only for a period of 52 weeks from the date of the receipt of the payment.

47. Any payment (other than a training allowance) made, whether by the Secretary of State or any other person, under the Disabled Persons (Employment) Act 1944 to assist disabled persons to obtain or retain employment despite their disability.

48. Any payment made by a local authority under section 3 of the Disabled Persons (Employment) Act 1958 to homeworkers assisted under the Blind Home Workers' Scheme.

49. *[Note: Omitted - Alternative Maximum Council Tax Reduction not part of scheme]*

50.-

(1) Any sum of capital to which sub-paragraph (2) applies and—

- (a) which is administered on behalf of a person by the High Court or the County Court under Rule 21.11(1) of the Civil Procedure Rules 1998 or by the Court of Protection;
- (b) which can only be disposed of by order or direction of any such court; or
- (c) where the person concerned is under the age of 18, which can only be disposed of by order or direction prior to that person attaining age 18.

(2) This sub-paragraph applies to a sum of capital which is derived from—

- (a) an award of damages for a personal injury to that person; or
- (b) compensation for the death of one or both parents where the person concerned is under the age of 18.

51. Any sum of capital administered on behalf of a person in accordance with an order made under section 13 of the Children (Scotland) Act 1995, or under Rule 36.14 of the Ordinary Cause Rules 1993 or under Rule 128 of those Rules, where such sum derives from—

- (a) award of damages for a personal injury to that person; or

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(b) compensation for the death of one or both parents where the person concerned is under the age of 18.

52. Any payment to the applicant as holder of the Victoria Cross or George Cross.

53. In the case of a person who is receiving, or who has received, assistance under the self-employment route, any sum of capital which is acquired by that person for the purpose of establishing or carrying on the commercial activity in respect of which such assistance is or was received but only for a period of 52 weeks from the date on which that sum was acquired.

54. —

(1) Any payment of a sports award for a period of 26 weeks from the date of receipt of that payment except to the extent that it has been made in respect of any one or more of

the items specified in sub-paragraph (2).

(2) The items specified for the purposes of sub-paragraph (1) are food, ordinary clothing or footwear, household fuel or rent of the applicant or, where the applicant is a member of a family, any other member of his family, or any council tax or water charges for which that applicant or member is liable.

(3) For the purposes of sub-paragraph (2) "food" does not include vitamins, minerals or other special dietary supplements intended to enhance the performance of the person in the sport in respect of which the award was made.

55.—

(1) Any payment—

- (a) by way of an education maintenance allowance made pursuant to—
 - (i) regulations made under section 518 of the Education Act 1996;
 - (ii) regulations made under section 49 or 73(f) of the Education (Scotland) Act 1980;
 - (iii) directions made under section 73ZA of the Education (Scotland) Act 1980 and paid under section 12(2)(c) of the Further and Higher Education (Scotland) Act 1992;
- (b) corresponding to such an education maintenance allowance, made pursuant to—
 - (i) section 14 or section 181 of the Education Act 2002 (power of Secretary of State and the Welsh Ministers to give financial assistance for purposes related to education or childcare, and allowances in respect of education or training); or
 - (ii) regulations made under section 181 of that Act; or
- (c) in England, by way of financial assistance made pursuant to section 14 of the Education Act 2002.

(2) Any payment, other than a payment to which sub-paragraph (1) applies, made pursuant to—

- (a) regulations made under section 518 of the Education Act 1996;
- (b) regulations made under section 49 of the Education (Scotland) Act 1980; or
- (c) directions made under section 73ZA of the Education (Scotland) Act 1980 and paid under section 12(2)(c) of the Further and Higher Education (Scotland) Act 1992,

in respect of a course of study attended by a child or a young person or a person who is in receipt of an education maintenance allowance or other payment made pursuant to any provision specified in sub-paragraph (1).

56. In the case of an applicant participating in an employment zone programme, any discretionary payment made by an employment zone contractor to the applicant, being a fee, grant, loan or otherwise, but only for the period of 52 weeks from the date of receipt of the payment.

57. Any arrears of subsistence allowance paid as a lump sum but only for the period of 52 weeks from the date of receipt of the payment.

58. Where an ex-gratia payment of £10,000 has been made by the Secretary of State on or after 1st February 2001 in consequence of the imprisonment or internment of— (a) the applicant;

(b) the applicant's partner;

(c) the applicant's deceased spouse or deceased civil partner; or

(d) The applicant's partner's deceased spouse or deceased civil partner, by the Japanese during the Second World War, £10,000.

59. -

(1) Subject to sub-paragraph (2), the amount of any trust payment made to an applicant or a member of an applicant's family who is—

(a) a diagnosed person;

(b) the diagnosed person's partner or the person who was the diagnosed person's partner at the date of the diagnosed person's death;

(c) a parent of a diagnosed person, a person acting in place of the diagnosed person's parents or a person who was so acting at the date of the diagnosed person's death; or

(d) a member of the diagnosed person's family (other than his partner) or a person who was a member of the diagnosed person's family (other than his partner) at the date of the diagnosed person's death.

(2) Where a trust payment is made to—

(a) a person referred to in sub-paragraph (1)(a) or (b), that sub-paragraph applies for the period beginning on the date on which the trust payment is made and ending on the date on which that person dies;

(b) a person referred to in sub-paragraph (1)(c), that sub-paragraph applies for the period beginning on the date on which the trust payment is made and ending two years after that date;

- (c) a person referred to in sub-paragraph (1)(d), that sub-paragraph applies for the period beginning on the date on which the trust payment is made and ending—
- (i) two years after that date; or
 - (ii) on the day before the day on which that person—
 - (aa) ceases receiving full-time education; or
 - (bb) attains the age of 20,whichever is the latest.
- (3) Subject to sub-paragraph (4), the amount of any payment by a person to whom a trust payment has been made or of any payment out of the estate of a person to whom a trust payment has been made, which is made to an applicant or a member of an applicant's family who is—
- (a) the diagnosed person's partner or the person who was the diagnosed person's partner at the date of the diagnosed person's death;
 - (b) a parent of a diagnosed person, a person acting in place of the diagnosed person's parents or a person who was so acting at the date of the diagnosed person's death; or
 - (c) a member of the diagnosed person's family (other than his partner) or a person who was a member of the diagnosed person's family (other than his partner) at the date of the diagnosed person's death,
- but only to the extent that such payments do not exceed the total amount of any trust payments made to that person.
- (4) Where a payment as referred to in sub-paragraph (3) is made to—
- (a) a person referred to in sub-paragraph (3)(a), that sub-paragraph applies for the period beginning on the date on which that payment is made and ending on the date on which that person dies;
 - (b) a person referred to in sub-paragraph (3)(b), that sub-paragraph applies for the period beginning on the date on which that payment is made and ending two years after that date; or
 - (c) person referred to in sub-paragraph (3)(c), that sub-paragraph applies for the period beginning on the date on which that payment is made and ending—

- (i) two years after that date; or
- (ii) on the day before the day on which that person—
 - (aa) ceases receiving full-time education; or
 - (bb) attains the age of 20,whichever is the latest.

(5) In this paragraph, a reference to a person—

- (a) being the diagnosed person's partner;
- (b) being a member of a diagnosed person's family; (c) acting in place of the diagnosed person's parents,

at the date of the diagnosed person's death includes a person who would have been such a person or a person who would have been so acting, but for the diagnosed person residing in a care home, an Abbeyfield Home or an independent hospital on that date.

(6) In this paragraph—

"diagnosed person" means a person who has been diagnosed as suffering from, or who, after his death, has been diagnosed as having suffered from, variant Creutzfeldt-Jakob disease;

"Relevant trust" means a trust established out of funds provided by the Secretary of State in respect of persons who suffered, or who are suffering, from variant Creutzfeldt-Jakob disease for the benefit of persons eligible for payments in accordance with its provisions;

"trust payment" means a payment under a relevant trust.

60. The amount of any payment, other than a war pension, to compensate for the fact that the applicant, the applicant's partner, the applicant's deceased spouse or deceased civil partner or the applicant's partner's deceased spouse or deceased civil partner—

- (a) was a slave labourer or a forced labourer;
- (b) had suffered property loss or had suffered personal injury; or
- (c) was a parent of a child who had died, during the Second World War.

61.-

- (1) Any payment made by a local authority, or by the Welsh Ministers, to or on behalf of the applicant or his partner relating to a service which is provided to develop or sustain the capacity of the applicant or his partner to live independently in his accommodation.
- (2) For the purposes of sub-paragraph (1) "local authority" includes in England a county council.

62. Any payment made under regulations made under section 57 of the Health and Social Care Act 2001 or under section 12B of the Social Work (Scotland) Act 1968, or under sections 12A to 12D of the National Health Service Act 2006 (direct payments for health care).

63. Any payment made to the applicant pursuant to regulations under section 2(6) (b), 3 or 4 of the Adoption and Children Act 2002.

64. Any payment made to the applicant in accordance with regulations made pursuant to section 14F of the Children Act 1989 (special guardianship support services).

65. Any bereavement support payment in respect of the rate set out in regulation 3(2) or (5) of the Bereavement Support Payment Regulations 2017 (rate of bereavement support payment), but only for a period of 52 weeks from the date of receipt of the payment.

Equality Analysis Form

1. Introduction

1.1 Purpose of Equality Analysis

The council has an important role in creating a fair society through the services we provide, the people we employ and the money we spend. Equality is integral to everything the council does. We are committed to making Croydon a stronger, fairer borough where no community or individual is held back.

Undertaking an Equality Analysis helps to determine whether a proposed change will have a positive, negative, or no impact on groups that share a protected characteristic. Conclusions drawn from Equality Analyses helps us to better understand the needs of all our communities, enable us to target services and budgets more effectively and also helps us to comply with the Equality Act 2010.

An equality analysis must be completed as early as possible during the planning stages of any proposed change to ensure information gained from the process is incorporated in any decisions made.

In practice, the term '**proposed change**' broadly covers the following:-

- Policies, strategies and plans;
- Projects and programmes;
- Commissioning (including re-commissioning and de-commissioning);
- Service review;
- Budget allocation/analysis;
- Staff restructures (including outsourcing);
- Business transformation programmes;
- Organisational change programmes;
- Processes (for example thresholds, eligibility, entitlements, and access criteria).

2. Proposed change

Directorate	Resources
Title of proposed change	Review of Council Tax Support Scheme
Name of Officer carrying out Equality Analysis	Catherine Black

2.1 Purpose of proposed change (see 1.1 above for examples of proposed changes)

Prior to 1st April 2013 Central Government provided full funding to local authorities for council tax benefit, which was administered by the authorities under a single national scheme. As part of the Spending Review 2010, the Government announced its intention to decentralise council tax benefit (CTB). From April 2013, national funding was reduced by 10%. Under the new arrangements, each authority had the flexibility to design their own council tax reduction scheme in accordance with the Local Government Finance Act 1992 as amended. Croydon adopted a Council Tax Support (CTS) scheme from 1st April 2013 and the scheme remains unchanged to date. The agreed scheme proposed significant estimated cost to Croydon Council of £4.84m per annum from April 2013, with additional increased costs each year as a consequence of increased demand on CTS. CTB and CTS are means tested benefits that were designed to support our most vulnerable residents and help with payment of Council Tax, for those on low or no income. The Government confirmed to local authorities that Pensioner claims would not be impacted by local CTS schemes, they are to remain 100% protected, as if they were still in receipt of CTB. The CTS scheme affected only working age residents. The CTS scheme adopted in 2013 was designed on 6 key principles following a public consultation.

- **Principle 1: Council tax support should be paid to those with minimal savings**
- **Principle 2: Council tax support should be property related, with no-one receiving more support than you would receive for a band D property**
- **Principle 3: Everyone should pay something**
- **Principle 4: Everyone in the household should contribute something**
- **Principle 5: Work should pay**
- **Principle 6: The vulnerable should be protected**

The Council recognised that some people may be affected more than others. The groups listed below were identified by the Council to be affected by the new CTS scheme:

- Families with children
- Lone parents
- Carers
- Full time and part time workers
- Single people and couples without children
- Recipients of Universal Credit
- Multi-generational households

In the absence of relevant data, it is not possible at this time to determine whether there is a correlation between the aforementioned groups who may be more affected by the scheme and the equality characteristics. It is noted that consultation took place with other interested stakeholders such as Citizens Advice Bureau, Money Advice and Pension Service, South West London Law Centre along with groups providing welfare advice to residents. Following the consultation and feedback received with regard to the characteristics of service users of these support organisations a further review was carried out to understand how the impact on these groups could be reduced and changes made to the scheme being proposed.

A review of the current CTS scheme needed, to ensure the scheme is still achieving the aims of protecting our vulnerable residents, whilst ensuring that it is affordable to the Council in the light of its current financial difficulties. The number of residents in receipt of CTS is increasing with the current caseload being 30,057 and expenditure (or Council Tax Revenue foregone) being £35,039,913. We have therefore looked at what other Local Authorities are administering in terms of their local CTS schemes and members will be asked to consider moving to an income banded scheme from 1st April 2022. By moving to an income banded scheme will mean significant savings for the Council, between £7.3m and £10.5m (including the GLA element), depending on which scheme is agreed. The impact to working age residents of all protected groups may mean they will receive less CTS and they will be asked to pay more towards their Council Tax. If we move to an income banded scheme the Council will award less CTS, collect more in Council Tax and reduce/eliminate the funding gap that currently exists between the amounts of CTS we award and the grant funding received through the Revenue Support Grant.

To offset the impact for the most vulnerable the Council is also looking to create a hardship fund to support residents negatively impacted by the proposed changes to the CTS scheme and who are struggling to pay their Council Tax.

3. Impact of the proposed change

Important Note: It is necessary to determine how each of the protected groups could be impacted by the proposed change. Who benefits and how (and who, therefore doesn't and why?) Summarise any positive impacts or benefits, any negative impacts and any neutral impacts and the evidence you have taken into account to reach this conclusion. Be aware that there may be positive, negative and neutral impacts within each characteristic.

Where an impact is unknown, state so. If there is insufficient information or evidence to reach a decision you will need to gather appropriate quantitative and qualitative information from a range of sources e.g. Croydon Observatory a useful source of information such as Borough Strategies and Plans, Borough and Ward Profiles, Joint Strategic Health Needs Assessments <http://www.croydonobservatory.org/> Other sources include performance monitoring reports, complaints, survey data, audit reports, inspection reports, national research and feedback gained through engagement with service users, voluntary and community organisations and contractors.

3.1 Deciding whether the potential impact is positive or negative

Table 1 – Positive/Negative impact

For each protected characteristic group show whether the impact of the proposed change on service users and/or staff is positive or negative by briefly outlining the nature of the impact in the appropriate column. . If it is decided that analysis is not relevant to some groups, this should be recorded and explained. In all circumstances you should list the source of the evidence used to make this judgement where possible.

Protected characteristic group(s)	Positive impact	Negative impact	Source of evidence
Age	Residents who are pensionable age are protected from any changes to the Council Tax Support scheme.	Some working age residents will receive less support than they do currently and they will be asked to contribute more towards payment of their Council Tax. The extent of the impact will depend upon the scheme selected by Members. The current scheme is means tested and the changes proposed is to move to an income banded scheme. So residents who earn	According to the 2011 census, Croydon Borough contains the largest population of all London boroughs (363,400 residents). The population has grown to 386,710 and by 2021 the population will be over 445,000. The borough also contains the largest number of children and young people in London, with approximately 95,000 with wards in the north and south east having the greater numbers of young people and children. Between the ages of 18 and 64 years, there are 238,582 the 3 rd highest in London. There are overall more women (51.4%) than men (48.6%) living in the borough. Over the last ten years Croydon has seen an increase in population of 10%, almost 3% higher than the national average. The greatest number of elderly people live in the south of the borough. There is a much higher proportion of females over the age of 60 than males, with almost double the amount of women over 85, compared to males. By 2026, it is estimated that there will be a

more will receive less support than those who earn less. Any negative impact will be in relation to working age claimants between the ages of 18-64 years.

0 -17 year olds, are the least likely to be impacted as they have no earned income.

3% of total working age claims are in the 19-24 year old age band and they are ranked 4th likely to be impacted out of 5 age bands, they have the lowest weekly earnings after the residents in the 0-18 year old age band.

24% of total claims are in the 25 – 34 age band and they are ranked 3rd likely to be impacted out of 5 age bands, and they are almost twice as likely to be affected than the 19-24 year olds, because of their average earned income value.

5% increase in the proportion of elderly people across the borough, whilst there will be a 4% reduction of children and young people. Overall, this means that the population will remain steady.

The age breakdown for the borough, according to the 2011 census is as follows:

Age	2011 Census Estimates	2011 % of total population
0-19	97,000	26.9%
20-59	204,200	56.2%
60+	61,400	16.9%

The table below demonstrates the number of working age claimant in certain age bands who are not deemed as vulnerable, the % of claims in the age band, the average weekly earned income of that age band, and the Impact Ranking of the age band.

working age not vulnerable				
age range	count	% in age range	earned income per week	impact ranking
18 and under	3	<1%	£0.00	5
19-24	448	3%	£33.46	4
25-34	3481	24%	£66.42	3
35-49	6593	45%	£91.39	1
50-64	4021	28%	£80.18	2

There are a number of claimants (305) who are earning however they are over 65 and are pensioner claimants. Pensioner

		<p>45% of total claims are in the 35-49 age band and they are ranked 1st likely to be impacted out of 5 age bands, due to their average earned income value which is nearly 3 times more than the 19 – 24 year olds</p> <p>28% of total claims are in the 50 – 64 age bands and they are 2nd likely to be impacted out of 5 age bands due to their average weekly earnings</p>	<p>claimants are unaffected by review of the Council Tax support scheme. The proposed changes to the Council Tax Support scheme will impact on working age residents only.</p> <p>The latest Office of National Statistics indicates that 1 in 4 Croydon residents (24.5%) is aged between 0-17 years. 76% of children achieve a good level of development at early years, which will have a positive impact on the future demand of Council Tax Support.</p> <table border="1" data-bbox="1279 443 1827 775"> <thead> <tr> <th colspan="3">current case load of customer</th> </tr> <tr> <th>age range</th> <th>count</th> <th>% in age range</th> </tr> </thead> <tbody> <tr> <td>18 and under</td> <td>4</td> <td><1%</td> </tr> <tr> <td>19-24</td> <td>492</td> <td>1%</td> </tr> <tr> <td>25-34</td> <td>4130</td> <td>14%</td> </tr> <tr> <td>35-49</td> <td>8823</td> <td>29%</td> </tr> <tr> <td>50-64</td> <td>8064</td> <td>27%</td> </tr> <tr> <td>65+</td> <td>8561</td> <td>28%</td> </tr> </tbody> </table>	current case load of customer			age range	count	% in age range	18 and under	4	<1%	19-24	492	1%	25-34	4130	14%	35-49	8823	29%	50-64	8064	27%	65+	8561	28%
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Disability	<p>There is a decision to be made by elected members that could protect Council Tax Support claimants who have a disability, and they are not expected to work, so they are not impacted by any changes to the Council Tax Support scheme.</p>	<p>Between the ages of 19 – 24 residents with disabilities earn approximately half of what non-disabled residents earn each week.</p> <p>In the age band 25 – 34 residents with disabilities earn approximately one quarter when comparing to non-disabled residents average weekly income.</p>	<p>There is not one comprehensive figure that can give a true picture of the total number of people with a disability in Croydon. The 2011 Census figures showed that 14.1% of the population in Croydon had their day-to-day activities limited to some extent by a long-term health problem or disability. 22,493 people had their day to day activities limited a lot, whilst 28,134 had their day to day activities limited a little.</p> <p>Out of 21,513 working age Council Tax Support claimants 7325 have a vulnerable status due to disability, we cannot establish if the disability is due to physical disability or mental health disability. The table below demonstrates the average weekly income for these claimant types.</p>																								

		<p>In the age band 35 – 49 residents earn just over one quarter when comparing to non-disabled residents average weekly income .</p> <p>In the age band 50 – 64 disabled resident earn less than 20% of non-disabled residents, in the same age band.</p> <p>As disabled residents earn less than non-disabled residents they will be less effected by any changes to the Council Tax Support scheme.</p> <p>If not protected from changes to the scheme the impact of having less support and/or having to contribute more will be felt more keenly amongst this protected group because of the lower earning capacity.</p>	<table border="1" data-bbox="1283 100 1933 391"> <thead> <tr> <th colspan="3">all Vulnerable</th> </tr> <tr> <th>age band</th> <th>count</th> <th>average weekly income</th> </tr> </thead> <tbody> <tr> <td>19-24</td> <td>44</td> <td>£16.37</td> </tr> <tr> <td>25-34</td> <td>649</td> <td>£17.01</td> </tr> <tr> <td>35-49</td> <td>2227</td> <td>£24.84</td> </tr> <tr> <td>50-64</td> <td>3970</td> <td>£13.95</td> </tr> <tr> <td>65+</td> <td>435</td> <td>£7.66</td> </tr> </tbody> </table> <p>Of the 7,325 disabled claimant 6464 are not expected to work and elected Members may opt to protect them from any review of the Council Tax Support scheme.</p> <p>The table below confirms the number of claimants in age bands and the % of claimants in the age bands who are not expected to work.</p> <table border="1" data-bbox="1283 703 1933 1029"> <thead> <tr> <th colspan="3">vulnerable not working</th> </tr> <tr> <th>age range</th> <th>count</th> <th>% in age range</th> </tr> </thead> <tbody> <tr> <td>18 and under</td> <td>0</td> <td>0%</td> </tr> <tr> <td>19-24</td> <td>38</td> <td><1%</td> </tr> <tr> <td>25-34</td> <td>560</td> <td>9%</td> </tr> <tr> <td>35-49</td> <td>1849</td> <td>29%</td> </tr> <tr> <td>50-64</td> <td>3609</td> <td>55%</td> </tr> <tr> <td>65+</td> <td>408</td> <td>6%</td> </tr> </tbody> </table>	all Vulnerable			age band	count	average weekly income	19-24	44	£16.37	25-34	649	£17.01	35-49	2227	£24.84	50-64	3970	£13.95	65+	435	£7.66	vulnerable not working			age range	count	% in age range	18 and under	0	0%	19-24	38	<1%	25-34	560	9%	35-49	1849	29%	50-64	3609	55%	65+	408	6%
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Gender	It is not possible to determine at this point in time.	It is not possible to determine at this point in time.	<p>Data on gender identity is not routinely captured. A person’s innate sense of their own gender, whether male, female or something else may or may not correspond to the sex assigned at birth.</p> <p>We will attempt to collect data on all protected characteristics when we transition onto a new supplier for Council Tax Support</p>																																													

			<p>online application forms. The estimated time line for this is during the financial year 2022/23.</p> <p>It should be noted that we cannot mandate residents to complete this data request, however we will positively encourage residents to do so.</p>
Gender Reassignment	It is not possible to determine at this point in time	It is not possible to determine at this point in time	<p>Data on gender reassignment is not routinely captured. A person's innate sense of their own gender, whether male, female or something else may or may not correspond to the sex assigned at birth.</p> <p>We will attempt to collect data on all protected characteristics when we transition onto a new supplier for Council Tax Support online application forms. The estimated time line for this is during the financial year 2022/23.</p> <p>It should be noted that we cannot mandate residents to complete this data request, however we will positively encourage residents to do so.</p>
Marriage or Civil Partnership		<p>Married couples/civil partnership, as well as those living with partners, could be adversely affected by changing the Council Tax Support scheme, as the scheme proposed would take into consideration their combined income, and if their combined income is over £450 per week, they may not qualify for support, this is as opposed to a single person where we will consider the value of income for only one person. This concept already exists within</p>	<p>Of our 21,513 working age Council Tax Support claims, approximately 4391 are either married or living with a partner (20%) and 17,122 are single people (80%)</p>

		<p>the existing scheme. Conversely a single person does not pay as much Council Tax as a married couple due to being in receipt of a single person discount = 25% of their Council Tax liability.</p> <p>Single people may still be impacted, depending on their income band, and which scheme members approve.</p>	
Religion or belief	It is not possible to determine at this point in time	It is not possible to determine at this point in time	<p>Just over half (56.4%) of respondents to the 2011 census in Croydon stated that they were Christian. About 1 in 5 (20%) stated that they had no religion. Significantly 7.6% of respondents did not state their religion.</p> <p>Data on religion or belief is not routinely capture when a resident makes a claim for Council Tax Support.</p> <p>We will attempt to collect data on all protected characteristics when we transition onto a new supplier for Council Tax Support online application forms. The estimated time line for this is during the financial year 2022/23.</p> <p>It should be noted that we cannot mandate residents to complete this data request, however we will positively encourage residents to do so.</p>

Race	<p>White residents are less likely to be in receipt of CTS compared to the census data e.g. 47.3% of the population are white but only 30% are in receipt of CTS.</p>	<p>Black residents are more likely to be in receipt of CTS. The census data is 8.6% of the population is Black Caribbean and 8% Black African, however 17% and 16% of CTS recipients in Croydon are either Black Caribbean or African, so a total of 33% are Black recipients.</p> <p>Vulnerable residents who are in receipt of Council Tax Support are more likely to be White with 45% declaring this ethnicity, compared to 33% of vulnerable residents being Black Caribbean/African/Other.</p> <p>This is against a background other societal inequities including a higher propensity to be in lower paying jobs. The council is proposing a hardship fund to sit alongside this scheme to support the most vulnerable within this</p>	<p>13,111 claimants out of 30,074 have confirmed their Ethnicity to us, please see the table below. Just over 30% of our claimants are White British, with 17% being Black British Caribbean, and 16% being Black British African. 9% of claimants are Other White background with 5% being Asian British Pakistani and 5% being Asian or British Any other Background. 4% are Black British Other and 3% are White and Black Caribbean, 3% are Asian British Indian, 2% White and Asian, 2% Asian Mixed Background, 1% Asian British Bangladeshi, <1% Chinese. At least 37% of CTS claimants have identified as being either Black Caribbean/African/Other, with 42% identifying as White British/Other.</p> <p>Comparing this data to the 2011 Census data and GLA projections where the Census data projections are 47.3% of claimants are White British with 16.6% are Black Caribbean/African. Compared to GLA projections where they anticipated that 36.8% of claimants would be White British and 18.5% Black Caribbean/African.</p> <table border="1" data-bbox="1285 810 2123 1347"> <thead> <tr> <th>ethnicity</th> <th>total CTS</th> <th>CTS%</th> <th>2011 Census</th> <th>GLA housing ethnic group projections</th> </tr> </thead> <tbody> <tr> <td>White British</td> <td>4410</td> <td>32%</td> <td>47%</td> <td>37%</td> </tr> <tr> <td>White: Any other White background</td> <td>1214</td> <td>9%</td> <td>9%</td> <td>8%</td> </tr> <tr> <td>Mixed: White and Black Caribbean</td> <td>384</td> <td>3%</td> <td>3%</td> <td>3%</td> </tr> <tr> <td>Mixed: White and Asian</td> <td>227</td> <td>2%</td> <td>1%</td> <td>2%</td> </tr> <tr> <td>Mixed :Any other mixed background</td> <td>217</td> <td>2%</td> <td>2%</td> <td>2%</td> </tr> <tr> <td>Chinese</td> <td>62</td> <td>1%</td> <td>1%</td> <td>1%</td> </tr> <tr> <td>Black-Black British:Other</td> <td>472</td> <td>4%</td> <td>4%</td> <td>5%</td> </tr> <tr> <td>Black-Black British:Caribbean</td> <td>2278</td> <td>17%</td> <td>9%</td> <td>9%</td> </tr> <tr> <td>Black-Black British:African</td> <td>2112</td> <td>16%</td> <td>8%</td> <td>6%</td> </tr> <tr> <td>Asian or British : Any other Background</td> <td>615</td> <td>5%</td> <td>5%</td> <td>5%</td> </tr> <tr> <td>Asian or Asian British: Pakistani</td> <td>606</td> <td>5%</td> <td>3%</td> <td>4%</td> </tr> <tr> <td>Asian or Asian British: Indian</td> <td>351</td> <td>3%</td> <td>7%</td> <td>8%</td> </tr> <tr> <td>Asian or Asian British: Bangladeshi</td> <td>164</td> <td>1%</td> <td>1%</td> <td>1%</td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	ethnicity	total CTS	CTS%	2011 Census	GLA housing ethnic group projections	White British	4410	32%	47%	37%	White: Any other White background	1214	9%	9%	8%	Mixed: White and Black Caribbean	384	3%	3%	3%	Mixed: White and Asian	227	2%	1%	2%	Mixed :Any other mixed background	217	2%	2%	2%	Chinese	62	1%	1%	1%	Black-Black British:Other	472	4%	4%	5%	Black-Black British:Caribbean	2278	17%	9%	9%	Black-Black British:African	2112	16%	8%	6%	Asian or British : Any other Background	615	5%	5%	5%	Asian or Asian British: Pakistani	606	5%	3%	4%	Asian or Asian British: Indian	351	3%	7%	8%	Asian or Asian British: Bangladeshi	164	1%	1%	1%					
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		and other protected groups.	<p>Ethnicity of Claimants who have a vulnerability status due to disability See table below for ethnicity break down of working age Council Tax Support claimants who are vulnerable/disabled.</p> <table border="1" data-bbox="1279 336 2078 986"> <thead> <tr> <th>Ethnicity</th> <th>CTS for most vulnerable</th> <th>%</th> </tr> </thead> <tbody> <tr> <td>White British</td> <td>1258</td> <td>45%</td> </tr> <tr> <td>White: Any other White background</td> <td>174</td> <td>6%</td> </tr> <tr> <td>Mixed: White and Black Caribbean</td> <td>76</td> <td>3%</td> </tr> <tr> <td>Mixed: White and Asian</td> <td>38</td> <td>1%</td> </tr> <tr> <td>Mixed :Any other mixed background</td> <td>44</td> <td>1%</td> </tr> <tr> <td>Chinese</td> <td>6</td> <td><1%</td> </tr> <tr> <td>Black-Black British:Other</td> <td>125</td> <td>4%</td> </tr> <tr> <td>Black-Black British:Caribbean</td> <td>473</td> <td>17%</td> </tr> <tr> <td>Black-Black British:African</td> <td>321</td> <td>12%</td> </tr> <tr> <td>Asian or British : Any other Background</td> <td>93</td> <td>3%</td> </tr> <tr> <td>Asian or Asian British: Pakistani</td> <td>93</td> <td>3%</td> </tr> <tr> <td>Asian or Asian British: Indian</td> <td>54</td> <td>2%</td> </tr> <tr> <td>Asian or Asian British: Bangladeshi</td> <td>24</td> <td><1%</td> </tr> <tr> <td>total</td> <td>2779</td> <td></td> </tr> </tbody> </table>	Ethnicity	CTS for most vulnerable	%	White British	1258	45%	White: Any other White background	174	6%	Mixed: White and Black Caribbean	76	3%	Mixed: White and Asian	38	1%	Mixed :Any other mixed background	44	1%	Chinese	6	<1%	Black-Black British:Other	125	4%	Black-Black British:Caribbean	473	17%	Black-Black British:African	321	12%	Asian or British : Any other Background	93	3%	Asian or Asian British: Pakistani	93	3%	Asian or Asian British: Indian	54	2%	Asian or Asian British: Bangladeshi	24	<1%	total	2779	
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Sexual Orientation	We do not currently collect this data and therefore, it is not possible to determine at this point in time	We do not currently collect this data and therefore, it is not possible to determine at this point in time	<p>Sexual orientation was not capture by the 2011 Census. Based on ONS estimates, across London it was estimated that 2.6% of the population in 2014 identified themselves as gay, lesbian or bisexual. This was higher than the national average of 1.6%</p> <p>Data on sexual orientation is not routinely capture when a resident makes a claim for Council Tax Support.</p> <p>We will attempt to collect data on all protected characteristics when we transition onto a new supplier for Council Tax Support</p>																																													

			<p>online application forms. The estimated time line for this is during the financial year 2022/23.</p> <p>It should be noted that we cannot mandate residents to complete this data request, however we will positively encourage residents to do so.</p>
Pregnancy or Maternity		<p>Residents in the age band 25 – 34 will be impacted more than residents in the age band 19 – 24 and 34 – 49, as their average weekly income is more in comparison. This needs to be given some context – claimants in this protected group may be impacted because of their lower earning capacity – however they may also be protected by the proposed hardship fund.</p>	<p>We have 29 Council Tax Support claimants who are in receipt of Maternity Allowance or State Maternity Pay</p> <p>1 claims are in the age band of 19 – 24 with average income of £131.05 per week.</p> <p>13 claims are in the age band of 25 – 34 and their average income is £133.38 per week</p> <p>15 claims are in the 34 – 49 age band and their average income per week is £115.39</p>
<p>Important note: You must act to eliminate any potential negative impact which, if it occurred would breach the Equality Act 2010. In some situations this could mean abandoning your proposed change as you may not be able to take action to mitigate all negative impacts. When you act to reduce any negative impact or maximise any positive impact, you must ensure that this does not create a negative impact on service users and/or staff belonging to groups that share protected characteristics. Please use table 4 to record actions that will be taken to remove or minimise any potential negative impact</p>			

3.2 Additional information needed to determine impact of proposed change

Table 2 – Additional information needed to determine impact of proposed change

If you need to undertake further research and data gathering to help determine the likely impact of the proposed change, outline the information needed in this table. Please use the table below to describe any consultation with stakeholders and summarise how it has influenced the proposed change. Please attach evidence or provide link to appropriate data or reports:

Additional information needed and or Consultation Findings			Information source	Date for completion
Please see time table below				
June	2021	Identify, Proposals & Options at an officer level including financial implications		
July	2021	Take options to savings review		
October	2021	Report Proposed consultation to cabinet		
October	2021	Six week consultation Period		
December	2021	Analyse consultation draft cabinet report		
December/January	2021/22	Re-draft the scheme to reflect the changes & ensure that it is legally secure		
January	2022	Report through full council & cabinet (the Act states the new schemes must be approved by the 31st January)		
January	2022	Submit CTS scheme to the GLA by 31st January 2022		
February	2022	Publish the new scheme prior to annual billing		
<p>The consultation took place during November/December and captured protected characteristics as part of the feedback to better aid our understanding. We will also ensure that when we move to a new provider of our on-line application form that data surrounding all protected characteristics is captured.</p>				

For guidance and support with consultation and engagement visit <https://intranet.croydon.gov.uk/working-croydon/communications/consultation-and-engagement/starting-engagement-or-consultation>

3.3 Impact scores

Example

If we are going to reduce parking provision in a particular location, officers will need to assess the equality impact as follows;

1. Determine the Likelihood of impact. You can do this by using the key in table 5 as a guide, for the purpose of this example, the likelihood of impact score is 2 (likely to impact)
2. Determine the Severity of impact. You can do this by using the key in table 5 as a guide, for the purpose of this example, the Severity of impact score is also 2 (likely to impact)
3. Calculate the equality impact score using table 4 below and the formula **Likelihood x Severity** and record it in table 5, for the purpose of this example - **Likelihood (2) x Severity (2) = 4**

Table 4 – Equality Impact Score

Severity of Impact	3	3	6	9
	2	2	4	6
	1	1	2	3
		1	2	3
	Likelihood of Impact			

Key

Risk Index	Risk Magnitude
6 – 9	High
3 – 5	Medium
1 – 3	Low

Table 3 – Impact scores

Column 1 PROTECTED GROUP	Column 2 LIKELIHOOD OF IMPACT SCORE Use the key below to score the likelihood of the proposed change impacting each of the protected groups, by inserting either 1, 2, or 3 against each protected group. 1 = Unlikely to impact 2 = Likely to impact 3 = Certain to impact	Column 3 SEVERITY OF IMPACT SCORE Use the key below to score the severity of impact of the proposed change on each of the protected groups, by inserting either 1, 2, or 3 against each protected group. 1 = Unlikely to impact 2 = Likely to impact 3 = Certain to impact	Column 4 EQUALITY IMPACT SCORE Calculate the equality impact score for each protected group by multiplying scores in column 2 by scores in column 3. Enter the results below against each protected group. Equality impact score = likelihood of impact score x severity of impact score.
Age	2	2	4
Disability	2	2	4 – this is in relation to residents who have a vulnerability status and whom are expected to work.
Gender	1	1	1
Gender reassignment	1	1	1
Marriage / Civil Partnership	2	2	4
Race	2	2	4
Religion or belief	1	1	1
Sexual Orientation	1	1	1
Pregnancy or Maternity	2	2	4

4. Statutory duties

4.1 Public Sector Duties

Tick the relevant box(es) to indicate whether the proposed change will adversely impact the Council’s ability to meet any of the Public Sector Duties in the Equality Act 2010 set out below.

- Advancing equality of opportunity between people who belong to protected groups
- Eliminating unlawful discrimination, harassment and victimisation
- Fostering good relations between people who belong to protected characteristic groups X

Important note: If the proposed change adversely impacts the Council’s ability to meet any of the Public Sector Duties set out above, mitigating actions must be outlined in the Action Plan in section 5 below.

5. Action Plan to mitigate negative impacts of proposed change

Important note: Describe what alternatives have been considered and/or what actions will be taken to remove or minimise any potential negative impact identified in Table 1. Attach evidence or provide link to appropriate data, reports, etc:

Table 4 – Action Plan to mitigate negative impacts

Complete this table to show any negative impacts identified for service users and/or staff from protected groups, and planned actions mitigate them.				
Protected characteristic	Negative impact	Mitigating action(s)	Action owner	Date for completion
Disability	Residents who have a disability and are expected to work will be impacted by any change to the Council Tax Support scheme.	A hardship fund will be set up as part of the new Council Tax Support scheme, this will be used to support residents who are struggling to pay their Council Tax as a result of the new scheme.	Head of Payments Revenues Benefits & Debt	Ongoing

Equality Analysis

Race	Black people are more likely to be in receipt of Council Tax Support than white people.	A hardship fund will be set up as part of the new Council Tax Support scheme, this will be used to support residents who are struggling to pay their Council Tax as a result of the new scheme. We will also support residents to increase their employment opportunities, and support with budgeting and debt advice. We are partner with Money Advice and Pension Service (MAPS) to provide external support for residents	Head of Payments Revenues Benefits & Debt Gateway/Housing MAPs	Ongoing
Sex (gender)	Unable to determine	We will also ensure that when we move to a new provider of our on-line application form that data surrounding all protected characteristics is captured.	Head of Payments Revenues Benefits & Debt	Ongoing
Gender reassignment	Unable to determine	We will also ensure that when we move to a new provider of our on-line application form that data surrounding all protected characteristics is captured.	Head of Payments Revenues Benefits & Debt	Ongoing
Sexual orientation	Unable to determine	We will also ensure that when we move to a new provider of our on-line application form that data surrounding all protected characteristics is captured.	Head of Payments Revenues Benefits & Debt	Ongoing
Age	Residents who are in the 35 – 49 age bracket will be most affect by a change to the Council Tax Support Scheme. The scheme will have no	A hardship fund will be set up as part of the new Council Tax Support scheme, this will be used to support residents who are struggling to pay their Council Tax as a result of the	Head of Payments Revenues Benefits & Debt Gateway/Housing	Ongoing

Equality Analysis

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	impact on the under 18s and over 65s are protected.	new scheme. We will also support residents to increase their employment opportunities, and support with budgeting and debt advice. We are partner with Money Advice and Pension Service (MAPS) to provide external support for residents.	MAPs	
Religion or belief	Unable to determine	We will also ensure that when we move to a new provider of our on-line application form that data surrounding all protected characteristics is captured.	Head of Payments Revenues Benefits & Debt	Ongoing
Pregnancy or maternity	Of the 29 claimants in receipt of maternity allowance the residents in the age band 24 – 34 will be most affected by any change to the Scheme	A hardship fund will be set up as part of the new Council Tax Support scheme, this will be used to support residents who are struggling to pay their Council Tax as a result of the new scheme.	Head of Payments Revenues Benefits & Debt	Ongoing
Marriage/civil partnership	Some married couples may not qualify for Council Tax Support under the new scheme, due to the combined income they receive. .	A hardship fund will be set up as part of the new Council Tax Support scheme, this will be used to support residents who are struggling to pay their Council Tax as a result of the new scheme. We will also support residents to increase their employment opportunities, and support with budgeting and debt advice. We are partner with Money Advice and Pension Service (MAPS) to provide external support for residents	Head of Payments Revenues Benefits & Debt Gateway/Housing MAPs	Ongoing

6. Decision on the proposed change

Based on the information outlined in this Equality Analysis enter X in column 3 (Conclusion) alongside the relevant statement to show your conclusion.		
Decision	Definition	Conclusion - Mark 'X' below
No major change	Our analysis demonstrates that the policy is robust. The evidence shows no potential for discrimination and we have taken all opportunities to advance equality and foster good relations, subject to continuing monitoring and review.	<p>Response to the consultation closely mirrored the caseload for CTS. Whilst this was not an exact match, the results received reflected those who would be impacted by changes to the scheme.</p> <p>54.6% of those who responded confirmed their ethnicity to be white (British, Irish or any other white background, 5% confirmed their ethnicity to be Asian (Indian, Pakistani, Bangladeshi Chinese's or any other Asian background), 22% stated they regarded their ethnicity to be black (Caribbean, African or any other black background), 14.9% preferred not to declare their ethnicity and 3.5% confirmed their ethnicity to be other.</p> <p>The Caseload for CTS 42.9% of Council Tax Support recipients are of a white background, 13.24% have declared their ethnicity to be Asian and 37.08% are Black. It has to be stated almost 50% of Council Tax Support recipients do not complete details regarding ethnicity and 14.2% of those responding to the consultation chose not to declare their ethnicity</p>

		<p>Whilst the demographic of respondents does not exactly mirror the council tax support caseload we can be confident that our responses are reflective of a diverse population and reflects the make-up of our authority.</p>
<p>Adjust the proposed change</p>	<p>We will take steps to lessen the impact of the proposed change should it adversely impact the Council's ability to meet any of the Public Sector Duties set out under section 4 above, remove barriers or better promote equality. We are going to take action to ensure these opportunities are realised. If you reach this conclusion, you must outline the actions you will take in Action Plan in section 5 of the Equality Analysis form</p>	<p>Following the conclusion of the consultation, we re-modelled the scheme and adjusted how certain incomes were treated, such as Universal Credit, Child Care Costs, Child Maintenance and Carers Allowance, which increased the amount of CTS we could award, when compared to the initial scheme we consulted upon.</p> <p>If members wish to implement an income banded scheme, some residents will have more Council Tax to pay than they do currently. Where this is the case, and the resident is not able to make payment of their Council Tax the council will administer a hardship fund to pay some, or all of the Council Tax for the resident.</p> <p>In addition to this we will support the resident into a position where they can pay in the future. This might be supporting with budgeting, income and expenditure, and/or repayment of debt. Maximising income and employment</p>

Equality Analysis

		opportunities, referring residents to partner agencies to support them e.g. MAPs, CAB, SWLLP
Continue the proposed change	We will adopt or continue with the change, despite potential for adverse impact or opportunities to lessen the impact of discrimination, harassment or victimisation and better advance equality and foster good relations between groups through the change. However, we are not planning to implement them as we are satisfied that our project will not lead to unlawful discrimination and there are justifiable reasons to continue as planned.	To be updated after Members make a decision
Stop or amend the proposed change	Our change would have adverse effects on one or more protected groups that are not justified and cannot be mitigated. Our proposed change must be stopped or amended.	To be updated after Members make a decision
Will this decision be considered at a scheduled meeting? e.g. Contracts and Commissioning Board (CCB) / Cabinet		Meeting title: Cabinet January 2022 Date: 13 January 2022

7. Sign-Off

Officers that must approve this decision	
Equalities Lead	<p>Name: Denise McCausland Date: 13 January 2022</p> <p>Position: Denise McCausland, Equalities Programme</p>
Director	<p>Name: Richard Ennis Date: 13 January 2022</p> <p>Position: Interim Corporate Director of Resources (Section 151 Officer)</p>

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For General Release

REPORT TO:	CABINET 24 JANUARY 2022
SUBJECT:	Education Estates Strategy
LEAD OFFICER:	Debbie Jones - Interim Corporate Director Children, Young People and Education Shelley Davies – Director, Education and Youth Engagement Denise Bushay – Head of Service, School Place Planning, Admissions and Early Years
CABINET MEMBER:	Cllr Flemming, Children, Young People and Learning
WARDS:	All
COUNCIL PRIORITIES The recommendations in this report are in line with the new corporate priorities and new Ways for renewing Croydon: <ul style="list-style-type: none">- We will live within our means, balance the books and provide value for money for our residents.- We will focus on tackling ingrained inequality and poverty in the borough.- We will focus on providing the best quality core service we can afford. <p>This report sets out the draft education estates strategy for the three year period 2021-2024. The strategy aims to minimise council borrowing to an absolute minimum.</p> <p>Appendix D - Administration Priorities for the Croydon Renewal Plan</p>	
FINANCIAL IMPACT The overall cost of the Education Capital Programme is estimated at £18,741m over the period 2022/23 – 2024/25 as set out in Appendix 3.	
FORWARD PLAN KEY DECISION REFERENCE NO.: 0121CAB The notice of the decision will specify that the decision may not be implemented until after 13.00 hours on the 6th working day following the day on which the decision was taken unless referred to the Scrutiny and Overview Committee.	

The Leader of the Council has delegated to the Cabinet the power to make the decisions set out in the recommendations below

1. RECOMMENDATIONS

The Cabinet is recommended to

For approval

School Admission

- 1.1 agree to recommend to full Council that it determine the proposed community schools' Admission Arrangements for the 2023/24 academic year (Appendix 1);
- 1.2 approve the continued adoption of the proposed Pan London scheme for co-ordination of admissions to Reception and Junior schools – Appendix 1a; and adoption of the proposed Pan London scheme for co-ordination of admissions to secondary schools – Appendix 1b.

School Place Planning

- 1.3 approve the Capital Programme Budget summary (Appendix 3).

School Maintenance and Compliance

- 1.4 approve the proposed Schools' Maintenance Plan (Appendix 4) for 2022/23 with an overall budget cost of £3.7m
- 1.5 Delegate authority to the Interim Corporate Director – Children, Young People and Education to vary the proposed Schools' Maintenance Plan to reflect actual prices and new urgent issues that may arise, including authorising spend against the allowance for emergency and reactive works. The Corporate Director, Children, Young People and Education shall report back to members in respect of any exercise of such authority.

For information

School Place Planning

- 1.6 note comparison between the available School Places vs 2021 School Capacity (SCAP) Projections Pupil Projections Appendices 2 (primary) and 2a (secondary).
- 1.7 Academy conversion
note the change of status of Kenley Primary School to an academy.
- 1.8 Early Years
note the 2021 Childcare Sufficiency Assessment report – Appendix 5.

Special Educational Needs and Disability(SEND)

- 1.9 note that the SEND Estates strategies are contributing positively to the development of local provision maintaining some of our most challenging and vulnerable children and young people with SEND within their families and communities.

Alternative Provision / Pupil Referral Unit (PRU)

- 1.10 note information on Alternative Provision / PRU.

2. EXECUTIVE SUMMARY

- 2.1 This report outlines the Council's Education Estates Strategy for three stages of education: Early Years, Primary and Secondary, including Pupil Referral Unit

and Special Educational Needs and Disability. It covers: School Place Planning; School Admissions; and Schools' Maintenance and Compliance.

2.2 Key Points

- We are not proposing any changes to the previously agreed admission arrangements for community schools.
- There is sufficiency of school places to meet demand at primary and secondary education phases.
- There has been a decline in birth rate resulting in a high level of unfilled places in some schools, especially in the North West of the Borough.
- The new Addington Valley Academy Special School opened in September 2021.
- The review of the Special Educational Needs estate conditions surveys have been completed.
- There is sufficiency of early years provision.

2.3 **School Admission**

Admission authorities, including local authorities, are responsible for admissions and must act in accordance with the School Admission Code, and the School Admission Appeals Code. All admission authorities must determine (i.e. formally agree) admission arrangements every year, by 28 February. As part of determining their admission arrangements, all admission authorities must set an admission number for each 'relevant age group'. The Council is also responsible for having in place a scheme for coordinating admission arrangements. The admission arrangements are part of the policy framework and are therefore reserved to full Council for decision. There are no proposed change to the admission arrangements that have been previously determined in January 2021 that requires consultation.

2.4 All schools must have admission arrangements that clearly set out how children will be admitted, including the criteria that will be applied if there are more applications than places at the school. Academies, foundation schools and voluntary aided schools are their own admission authority.

2.5 In-Year Admission

Croydon School Admissions manage the in-year admissions for the majority of primary schools in Croydon either because they are a community school or on behalf of the governing body of an academy, Voluntary Aided, Foundation or Free school.

2.6 **School Place Planning**

In accordance with the Education and Inspections Act 2006 ("EIA") the Council has a statutory duty to "secure that sufficient schools for providing— (a) primary education, and (b) secondary education are available for their area" as well as to "secure diversity and increase opportunities for parental choice when planning the provision of school places" in the borough. The Council also has statutory duty to manage a potential surplus of schools places. A report which will outline the council's strategy for managing surplus school places will be submitted to cabinet in Spring.

2.7 School Maintenance and Compliance

The Council is the employer for community schools, community special schools, maintained nursery schools and pupil referral units and is responsible for larger condition and maintenance works. It has a duty to ensure that appropriate arrangements are in place to monitor and review any preventative and protective measures that have been implemented. The Schools' Maintenance Plan (Appendix 4) contains the planned repairs and maintenance programme for 2022/23.

2.8 Special Educational Needs and Disability

The SEND Estates strategies are contributing positively to the development of local provision maintaining some of our most challenging and vulnerable children and young people with SEND within their families and communities. In turn, this contributes to the High Need Fund Recovery Plan as agreed previously by Cabinet. These include:

2.9 Addington Valley Academy for severe and complex children with Autism Spectrum Conditions is completed and opened September 2021.

2.10 St. Nicholas Special School was completed and the school moved in over the last academic year. This has supported the increase of provision by additional 15 places for September 2021. Further scheduled growth is planned for 20 places in September 2022 and September 2023.

2.11 Croydon College Coulsdon Pathways provision for students with SEND aged 19-25 is now in its fourth year. The partnership with Waddon is proving successful and in demand.

2.12 The review of the SEND estate – Red Gates / St. Giles / Priory - in terms of its quality, safeguarding and feasibility as approved by Cabinet in January 2020 is underway. Conditions surveys have been undertaken.

2.13 Mainstream / Community / Voluntary Aided Schools

Feasibility is being undertaken at Gresham Primary to see if a permanent bulge class is practical and achievable for 2022/23 due to projected increase in demand for school places in the South of the borough. Currently, there is no other plan to create additional school places, however, we are reviewing our strategy following consultation and a decision on the Local Plan in order to assess the likely number of pupils that new housing developments will generate and the number of additional school places that may be required.

2.14 Kenley Primary school changed its status to an academy, and it is now part of The Collegiate Trust, effective 1st September 2021.

2.15 Virgo Fidelis Convent Senior School, a Roman Catholic voluntary aided secondary school for girls aged 11–18 that was located in Upper Norwood, formally closed on 31st August 2021.

2.16 Early Years

Local Authorities are required to report annually to elected council members on how they are meeting their duty to secure sufficient childcare, and make this report available and accessible to parents. Croydon's Childcare Sufficiency

Assessment 2021 report indicates that there are sufficient early years and childcare places for families. The Sufficiency Assessment report is attached as Appendix 5.

2.17 Alternative Provision / Pupil Referral Unit (PRU)

The Council has a duty to make arrangements for the provision of suitable education at school or otherwise for each child of school age who for reasons of illness, exclusion or otherwise would not receive it unless such arrangements were made.

3. DETAIL

3.1 School Admissions

Croydon is the Admission Authority for Community schools and is therefore responsible for determining the Admission Arrangements for these schools. Where the admission arrangements have not changed from the previous year there is no requirement to consult, subject to the requirement that admission authorities must consult on their admission arrangements at least once every 7 years. Croydon is not proposing any changes to the previously agreed admission arrangements

3.2 Admission authorities must determine admission arrangements for entry in September 2023 by 28 February 2021. The proposed Admission Arrangements for Community schools include the criteria by which schools places are allocated when a school receives more applications than places. The council is not proposing any significant changes to the previously agreed admission arrangements, barring additional information relating to looked-after children added from the DfE guidance which do not require consultation:

- This includes children who appear to have been in state care outside of England and ceased to be in state care as a result of being adopted.
- A child is regarded as having been in state care outside of England if they were in the care of or were accommodated by a public authority, a religious organisation or any other provider of care whose sole or main purpose is to benefit society.
- If an application is made under the 'looked-after' criterion, it must be supported by:
 - a letter from the relevant local authority children's services department and/or relevant documents or
 - evidence which demonstrates that a child was in state care outside of England and left that care as a result of being adopted.

3.3 The Council is also responsible for having in place a scheme for coordinating admission arrangements. Croydon has participated in a Pan London

arrangement for the Co-ordinated Admissions rounds for both primary and secondary applications for several years.

3.4 The annual school admissions arrangements are part of the Council's policy framework and as such require determination by the full Council. The Council is required by statute and regulations to approve its admissions policies for the schools it is responsible for the 2023/24 academic year (including Published Admissions Numbers – PANs). Accordingly Cabinet is requested to recommend to full Council that it determine the proposed Admission Arrangements for Croydon's community schools for the 2023/24 academic year (Appendix 1) and adoption of the proposed Pan London co-ordination arrangements (Appendix 1a & Appendix1b).

3.5 The governing bodies of voluntary aided, foundation schools and academies are their own admission authorities and therefore responsible for determining their own admission arrangements.

3.6 In-year admissions

An in-year admission is when parents/carers apply to a school outside the normal admissions round and at a time when their child should already be attending school. In-year admissions generally arise when a parent/carer wants their child to transfer between schools or when a child moves into the area.

3.7 Local authorities must, on request, provide information to prospective parents about the places still available in all schools within their area. To enable them to do this, the admission authorities for all schools in the area must provide the local authority with details of the number of places available at their schools whenever this information is requested, to assist a parent/carer in seeking a school place.

3.8 The council is not required to co-ordinate in-year applications for schools for which they are not the admission authority. However, Croydon School Admissions manage the in-year admissions for the majority of primary schools in Croydon either because they are a community school or on behalf of the governing body of an academy, Voluntary Aided, Foundation or Free school.

4. School Place Planning

Under section 14 of the Education Act 1996, every local authority (LA) has a statutory duty to provide sufficient school places for all pupils in its area. This includes the planning and reviewing of school places, securing diversity and increasing opportunities for parental choice to ensure the needs of the community are met, as well as managing surplus places.

4.1 Pupil Projections for SCAP 2021

Like most London Boroughs, Croydon commissions the Greater London Authority (GLA) School Roll Projection (SRP) service to forecast future demand for school places. The GLA methodology generally has provided a more accurate and credible set of pupil projection numbers to support better pupil places planning for Croydon. The projections are also used to complete the council's annual statutory School Capacity (SCAP) return to the Department for Education.

- 4.2 The projections are designed to give a strategic-level indication of where additional demand may arise in future. It is not intended that the projections be considered as definitive evidence that additional provision is required in a particular planning area. We apply local knowledge to ensure that local factors are taken into account to enhance the robustness of the projected figures.
- 4.3 Currently, there are more places than pupils at both primary and secondary levels, but the balance between the two varies across the borough, within educational planning areas and particularly school-by-school.
- 4.4 Shortages of places at popular schools can exist alongside surplus places at others. And over the next three years, the expected growth in pupil numbers varies widely: in some places, numbers are expected to increase due to pupil yield from planned housing developments; in others, particularly in the primary phase, they are expected to be a decrease due to fall in birth rates.
- 4.5 Pupil projection indicates sufficiency of mainstream school places for both primary and secondary schools for the next 3 years. There is the potential for some schools across the borough, both primary and secondary, to have higher levels of unfilled places. Appendices 2 (primary) and 3 (secondary) contain a table that shows a comparison between the Available School Places vs 2021 School Capacity (SCAP) Projections Pupil Projections.

4.6 Changes in demand

Across London, local authorities are trying to manage a high level of unfilled places which in part is due to a drop in birth rate. Between 2012-13 and 2018-19, the number of live births across London decreased by 10%. The number of births in an area will have a direct effect on the number of children on roll four years later. Anecdotal evidence in relation to the potential effect of the COVID-19 pandemic on future birth rates suggests that the pandemic may lead to an acceleration in the decline of the birth rate in the UK.

Surplus Places

- 4.7 In 2012, there was unprecedented increase in demand for school places in Croydon with these children starting school in either 2016/17 or 2017/18 academic years. However, not all children attend school in their borough of residence. Since 2013, there has been a fall in birth rate nationally and locally which has resulted in a drop in demand for school places, and a high level of surplus school places in some schools across the borough. This can have a negative impact on schools finance as schools are funded on a per pupil basis and unfilled places mean that schools will get less funding which could affect the quality of education as schools might have to reduce staff and resource.
- 4.8 To allow for unexpected in-year growth in demand and parental choice, and provide some leeway in case the projections underestimate the actual level of demand, the Council aim to allow approximately 5% surplus places across the borough.
- 4.9 The school place planning team has been and will be in contact with affected schools to discuss / agree potential solutions for the drop in demand for school places, including proposed reduction of published admission number and alternative use of empty classrooms. Some of the surplus places will be taken

up by asylum seeking children and child yield from planned housing developments across the borough. It is important to note that the council has already taken steps to remove some of the surplus places, mainly through the reduction of affected schools' Published Admission Number. A report outlining the council's strategy for managing surplus school places will be submitted to cabinet in Spring. This will include:

- the use of up to date and accurate data to inform the school organisation process and to enable accommodation to be used to the best effect
- school roll projection for future demand of school places
- ensuring that admission arrangements are applied effectively

However, it is important to highlight that it is not realistic and possibly undesirable to aim for a perfect match of pupils and places at each school as not all unfilled places are surplus and not all surplus places can be removed in a cost-effective way.

4.10 Primary Schools

Following London's rapid population growth, in 2013, Croydon experienced an unexpected drop in birth rate. In Croydon, the birth rate dropped by 5% which later impacted the 2017/18 Reception intake. Between 2014 and 2016, Croydon's birth rate recovered however, since 2017, the rate has consistently fallen each year. This is expected to affect the 2021/22 – 2023/24 Reception cohorts

4.11 Croydon has six educational planning areas – North West, East, Central, South East, South, South West - for the primary phase pupil of place planning; each with its own distinct demographic profile and migration patterns. A significant number of schools in the North West planning area have experienced the biggest fall in the demand resulting in the highest number of surplus places. To date, 1260 places have been removed, across primary year groups (Reception – Year 6). Most of these unfilled places, were in the North West and East planning area.

4.12 For the 2021/22 academic year - the percentage of first preference offers is up by 1% this year to 85%. The percentage of parents/carers receiving one of their first three preference schools is 96.5% (96% last year). There also has been a decrease of 7.12% in the number of primary applications received on-time with 4472 pupils applied for primary school places, compared to 4815 in 2020.

4.13 The demand for places in Croydon's primary phase is not restricted to the rising 5's, nor does the on-time admissions round adequately provide an accurate picture of the number of places that will be required during the following education year. 'In year' applications create an all year pressure to find additional places, and since families who make these applications characteristically have young families with primary aged children, there is a continued pressure across the whole primary estate.

4.14 Secondary Schools

There are two secondary educational phase planning areas, North and South, which reflect home to school journeys tend to travel further to school independently due to good transport links.

4.15 The majority of the additional primary aged pupils have now moved through the year groups and transitioned into the secondary phase. Within three years, the bulge will have fully transitioned and the drop in demand that was seen by primary schools will be felt in the secondary phase. Between 2014 and 2019, Croydon's transition rate fell from 90% to 84%. For the 221/22 academic year, 60% of applicants received their first preference school and 84% one of their first three preference schools – this is a decrease in comparison to the previous year. The contributory factors for the decrease in the percentage of parents receiving a place at their first preference could be that parents/carers were not able to attend open events in person and based their decision when selecting school preferences on Ofsted reports. There has been an increase by 2.1% in the number of secondary applications received for the 2021 intake (compared to 2020). 4667 pupils applied for secondary school places in 2021, compared to 4571 in 2020. Across the secondary school estate, 180 Year 7 additional places were created through a new free secondary school in the North for 2020/21.

4.16 Mainstream / Community schools

A mainstream school is a maintained school or academy which is not a special school. A Community School is a school that is controlled and run by the Local Authority (LA). The LA owns the land/building and determines the admission arrangements. Croydon has a total of 87 mainstream primary schools of which 22 are maintained / community schools. None of Croydon's 23 secondary schools are maintained by the Local Authority.

4.17 Academy Conversion

Academies and free schools are state-funded, non-fee-paying schools in England, independent of local authorities. They operate in accordance with their funding agreements with the Secretary of State. Where the Secretary of State makes an Academy Order under the Academies Act 2010, the local authority (LA) is obliged to cease to maintain the school following conversion. The council is legally obliged to transfer the school to the relevant Academy under a 125 year lease with an associated Commercial Transfer Agreement (CTA).

4.18 Kenley Primary school has changed its status to an academy, and it is now part of The Collegiate Trust, effective 1st September 2021. The lease and CTA for Kenley has been agreed between the Council's in-house legal team and the solicitors acting for The Collegiate Trust.

4.19 School Maintenance

Local Authorities have responsibility to maintain school buildings so that they are safe, warm and weather tight and provide a suitable learning environment, including dealing with emergencies promptly and effectively and managing and procuring maintenance works efficiently. The Council is responsible for the larger condition and maintenance works in maintained schools.

4.20 As part of the schools planned maintenance programme (which includes electrical, mechanical and general build works) a certain reduction in CO2 emissions is achieved as a result of replacing electrical/mechanical equipment which is at the end of its lifetime with new efficient equipment. During last year's programme, the Council took the initiative of completing feasibility studies and

heat decarbonisation plans at four schools in the borough to explore suitable low carbon heating systems such as Ground source heat pumps, Air source heat pumps, the installation of photovoltaic panels and improving the fabric of the schools' buildings. A number of suitable options have been proposed as part of the feasibility studies, however the challenge continues to be that adopting such measures requires additional funding and forward planning.

- 4.21 There are a number of funding schemes that are available to fund heat decarbonisation and energy efficiency measures (provided that the criteria is met); last year we were successful in obtaining funding from the Public Sector Decarbonisation Scheme to aid with the installation of LED lighting in 3 schools. The next steps would be to carry out further feasibility studies, following the review of the schools condition surveys which were completed in 2021, to establish in which schools energy efficiency measures can be adopted (which meet the criteria of the public sector decarbonisation funding schemes) to enable the Council to apply for further funding to supplement the planned maintenance programme's budget to deliver such measures.
- 4.22 The condition of some of the education estate has improved due to investment in the refurbishment of the building fabric and maintenance / replacement of electrical and mechanical equipment. However, as school buildings age, they present age related issues and the cost of maintaining them is increasing steadily. In addition, some of the buildings are nearing the end of their lives and structural issues are beginning to emerge.
- 4.23 The 2022/23 annual maintenance capital budget (Appendix 4) currently stands at £3.7m which is sufficient to only undertake the highest ranked projects; those categorised as the worst defects and designated D1 in the condition survey report. The council retains a percentage of its annual maintenance capital budget to address unexpected and urgent works in schools.
- 4.24 The School's Maintenance plan (Appendix 4) has been developed using information from condition surveys commissioned by the Council. These surveys are comprehensive and identify costed items across each school rated from A (good condition) to D (poor condition) as well as assessing the urgency of each (on a scale of 1 to 4, with 1 being the most urgent). School Condition surveys have been undertaken in 2021, they will be reviewed and validated to inform the 5 next years school maintenance programme.
- 4.25 Asbestos Management in Community Schools
Where asbestos is present, the council will take the following steps to manage the asbestos in our schools ensuring they have the following:
- a) Management survey of asbestos-containing materials (ACMs)
 - b) Assess the risks associated with ACMs.
 - c) A plan for managing asbestos.
 - d) Ensure staff and visitors know the risks and precautions they need to take.
 - e) Keep the management of asbestos under continuous review
- 4.26 Statutory compliance Inspections
Both the Council and maintained schools are required to ensure school buildings are meeting the statutory standards by regularly undertaking statutory

tests which includes Legionella Risk Assessment, Gas Safety Checks, Fire Alarm tests, NICEIC 5 Year Periodic Inspections, NICEIC Emergency Lighting, Fire Risk Assessment and Asbestos Management. The Council ensures that the policies and the condition of the school estate are compliant with appropriate legislation by requesting and checking the relevant certification.

4.27 Fire Safety

Cabinet approved an additional £3m from 2018/19 through to 2019/20, extended to 2020/21 to undertake fire safety remedial works at schools for which it is the responsible body. This works programme will now conclude in 2022/23 due to challenges that have arisen in delivering the works on-site. The works are progressing well across the estate with significant progress made in 2020/21. The remaining works are currently being reviewed against other planned / agreed works to ensure the works are coordinated and minimise disruption to teaching and learning.

4.28 Special Educational Needs and Disability (SEND)

The new Addington Valley Academy Special School opened in September 2021. It provides a school and setting of high quality and currently supports 80 children and young people across Reception and Key Stages 1 – 3. In addition, OHCAT also supports Post 16 students on a 2 year programme within the school. The school will expand to 120 places for Croydon children and young people from September 2022.

4.29 The new St Nicholas school provides outstanding facilities for the school population and has extended place numbers for September 2021 by 15. There is further growth planned of 20 places for September 2022 and 2023.

4.30 Croydon College Coulsdon Pathways provision for students with SEND aged 19-25 is now in its fourth year and has been a great success. The accommodation to support the delivery of this programme is in place until September 2022 to allow time for provision options to be further explored.

4.31 Development of St. Giles to become a 2-19 aged provision has progressed with relevant staff TUPE processes completed. The Early Years specialist nursery is now housed in the modular build which provides a high quality environment at the heart of the school.

4.32 The review of the SEND estate – Red Gates / St. Giles / Priory - in terms of its quality, safeguarding and feasibility as approved by Cabinet in January 2020 is underway. A conditions survey has been undertaken and the report is now under consideration.

4.33 All of the aforementioned SEND Estates strategies are contributing positively to the development of local provision maintaining some of our most challenging and vulnerable children and young people with SEND within their families and communities. In turn, this contributes to the High Need Fund Recovery Plan as agreed previously by Cabinet.

4.34 Early Years

Under the Childcare Act 2006 local authorities have a statutory duty to secure sufficient childcare for the needs of working parents/carers in their area. The

Council's duties around inclusion birth to five are detailed in the Children and Families Act 2014, (section 2 Childcare Act 2016).

4.35 For the purposes of this assessment the supply of formal childcare includes private day nurseries, pre-schools, schools with nursery provision, childminders (funded childminders are accredited to deliver the free entitlement on behalf of the local authority), out of school clubs and holiday clubs. In total, there are 739 childcare providers in our local authority, offering 14,667 childcare places.

4.36 In Croydon there are an estimated 17 childcare places per 100 children based on 86,290 children aged 0 to 14 years. Ofsted's national figures as at 31.8.20 state that the proportion of childcare providers on the Early Years Register judged to be good or outstanding was 96%.

4.37 Alternative Provision / Pupil Referral Unit (PRU)

Under Section 19 of the Education Act 1996 the Local Authority has a statutory duty to make arrangements for the provision of suitable full time education to those pupils who are unable to attend a mainstream school due to illness, exclusion or otherwise.

4.38 In this context, Alternative Provision in Croydon is provided by separate specialist providers for each of the Primary and Secondary settings, a Medical Tuition Service and the London Borough of Croydon supplement this with provision commissioned from the independent sector as required. The number of commissioned places from the Independent Sector varies according to need. All of this place funded provision is good or outstanding. The number of places available at each setting is:

- Medical 90 places
- Primary 48 places
- Secondary 190 places

5. CONSULTATION

5.1 Where the admission arrangements have not changed from the previous year there is no requirement to consult, subject to the requirement that admission authorities must consult on their admission arrangements at least once every 7 years, even if there have been no changes during that period.

6. PRE-DECISION SCRUTINY

6.1 This report will go to a Scrutiny meeting.

7 FINANCIAL AND RISK ASSESSMENT CONSIDERATIONS

7.1 **Revenue and Capital consequences of report recommendations**

	Budget	Medium Term Financial Strategy – 3 year forecast		
	2021/22 £'000	2022/23 £'000	2023/24 £'000	2024/25 £'000
Capital Budgets				
Permanent expansions	425	44	0	0
FTE / Bulges	69	3,243	0	0
SEN provision	11,109	2,226	506	0
Major Maintenance	2657	9,261	2,558	0
Fire Safety Works	450	902	0	0
Other schemes	454	0	0	0
Effect of decision from report (Total)	15,164	15,676	3,065	0
Funding sources				
School Condition Allocation	3,107	10,163	2,558	0
Special Provision Capital Funding	1,833	1,689	147	0
Basic Need Funding	949	3,287	0	0
ESFA	5,934	210	0	0
S106	240	0	0	0
Borrowing	2,801	0	0	0
CIL	300	327	360	0
Total	15,164	15,676	3,065	0

- 7.1.1 The table above details the Education Capital Programme for the current and future three financial years and the associated funding sources. The spend in the 2022/23 and 2023/24 may increase dependent on the outcome of the following:
- a) The completion of the Condition Surveys across all of our community schools. This will determine the required level of funding over the coming years to ensure that our schools are compliant and safe.
 - b) Conclusion of the viability study of the SEN estate; Red Gates, Priory and St Giles.
 - c) The outcomes of the Croydon Local Plan Consultation.
- 7.1.2 A detailed breakdown of the projects can be found in Appendix 4 to this report. With a further detailed breakdown of the Schools' Maintenance Programme in Appendix 3.
- 7.1.3 The ESFA have commissioned Croydon to lead on the delivery of the new

special free school - Addington Valley Academy (on Timebridge site). This project is predominately funded by the ESFA. Both the expenditure and funding for this project is detailed in the table above and the project is listed in Appendix 3.

7.2 The effect of the decision

7.2.1 The use of the free schools route to provide new school places within the borough in the future will result in a reduction in the requirements for future capital funding from the council as this will be funded by central government.

7.3 Risks

7.3.1 Due to the nature of this programme there is a risk that projects may overspend and regular monitoring of all projects and the programme will be undertaken and reported to this Cabinet as part of the quarterly financial monitoring reports.

7.4 Future savings/efficiencies

7.4.1 If additional free school providers are interested in opening schools in Croydon, the cost to the Council could be reduced further in the future years. Also the Council's borrowing requirement may also be reduced if any further funding is allocated by the Department for Education. The fall in birth rate and associated demand for school places would however result in reduced demand and this would be monitored closely to make future savings.

7.4.2 The provision of more school places within the borough will result in a reduction in the need for young people to travel outside of the borough, which will result in financial savings to the SEND budget.

Approved by: Phil Herd, Interim Head of Finance, CYPE

8. LEGAL CONSIDERATIONS

8.1 School place planning duties (s13-14 Education Act 1996).

8.2 The Council as an education authority has a duty to promote high standards of education and fair access to education. It also has a general duty to secure sufficient schools in their area, and to consider the need to secure provision for children with SEN. This should be sufficient in number, character and equipment to provide for all pupils the opportunity of appropriate education. This includes a duty to respond to parents' representations about school provision. These are referred to as the school place planning duties.

Approved by: Petrena Sharpe, Interim Head of Social Care & Education Law, on behalf of Interim Director of Legal Services & Interim Deputy Monitoring Officer.

9. HUMAN RESOURCES IMPACT

9.1 There are no direct HR implications arising from this report. Any resultant future increases or changes in staffing will be handled by schools' governing

bodies in accordance with the appropriate school/council policy and procedures.

Approved by: Gillian Bevan, Head of HR – Resources and Assistant Chief Executives

10. EQUALITIES IMPACT

- 10.1 An equality analysis has been undertaken as part of the January 2022 report to help us to understand whether people with protected characteristics, as defined by the Equality Act 2010, will be disproportionately affected by the proposed changes and recommendations in the Education Estates Strategy report.
- 10.2 The proposed changes in this report will help the Council meet its statutory duty to provide sufficient school places for protected and non-protected groups. Croydon schools provide diverse educational provision in terms of type/category, size and educational sponsors. These include special schools, enhanced learning provisions at mainstream schools; and Academies /Free Schools. Pupils are allocated a school place based on the admissions criteria which aims to promote fair access to schools and are compliant with the School Admissions Code.
- 10.3 The proposed strategy supports the Council's Equality and Inclusion Policy by extending the existing provision to accommodate students with an SEND need. This will support Croydon's aspiration to:
- Make Croydon a place of opportunity and fairness by tackling inequality, disadvantage and exclusion.
 - Promote provisions that close gaps in educational attainment by working with local businesses and community groups to enable people of all ages to reach their full potential through greater opportunity to access to quality schools and learning.
 - Work in partnership to lift people out of poverty by increasing employment opportunities across the borough ensuring local people have a pathway into employment, education and training.
- 10.4 The proposed strategy supports the Council's general equality duty to have due regard to the need to eliminate unlawful conduct under the Equality Act 2010; to advance equality of opportunity and foster good relations between persons who share a protected characteristic and those who do not.
- 10.5 The equality analysis indicates that the proposed changes and recommendations will not negatively impact on any groups that share protected characteristics and that no major change is required as the strategy meets the general and specific equality duties as required by the Equality Act. An Equality Analysis Impact is attached at Appendix 6. Furthermore there is a written commitment in the Equality Analysis to continue to keep the strategy under review and make changes as appropriate should the need arise.

Approved by: Denise McCausland, Equality Programme Manager

11. ENVIRONMENTAL IMPACT

- 11.1 Through the delivery of the Education Capital Programme of works the Council will strive to deliver energy efficient solutions through design and construction methodologies with the intention to reduce energy use and associated carbon emissions in our schools.
- 11.2 The Council will work with schools to monitor the energy performance post works so that this can be captured in lessons learnt for future projects

12. CRIME AND DISORDER REDUCTION IMPACT

- 12.1 Children being in school will help prevent criminal and anti-social behaviour or being victim of such behavior and reduce the number of children and young people in the criminal justice system.

13. REASONS FOR RECOMMENDATIONS/PROPOSED DECISION

- 13.1 The recommendations of this report are set out to ensure that the Council is compliant with its statutory duties as an education authority:
- School Place Planning (s13-14 Education Act 1996) to promote high standards of education and fair access to education; secure sufficient primary and secondary education, including SEN to meet the needs of the population of its area
 - School Admissions (School Admission Code 2014) to determine the Admission Arrangements for its community schools annually
 - School Maintenance - school buildings meet the minimum standard and premises are maintained so that they provide a suitable learning environment.

14. OPTIONS CONSIDERED AND REJECTED

- 14.1 In relation to mainstream schools, there are no confirmed plans to deliver any new/additional mainstream school places. A review of demand will be undertaken following consultation and decision on the Local Plan to ensure that any potential increase in demand is included in future pupil place projections. Future demand for new schools will be delivered through the free school route.

15. DATA PROTECTION IMPLICATIONS

- 15.1 **WILL THE SUBJECT OF THE REPORT INVOLVE THE PROCESSING OF 'PERSONAL DATA'?**

No.

- 15.2 **HAS A DATA PROTECTION IMPACT ASSESSMENT (DPIA) BEEN COMPLETED?**

No.

This report does not include any personal data.

The Director of Education comments that this report is an overview of education estates and does not contain any personal data.

Approved by: Shelley Davies, Director of Education, Children Families and Education

CONTACT OFFICER:

Denise Bushay – Head of Service, School Place Planning, Admission and Early Years, 07850882628; Kathy Roberts – Interim Head of 0-25 SEN Service, 0208 604 7263

APPENDICES TO THIS REPORT:

Appendix 1 – Community Schools Admission Arrangements
Appendix 1a – Pan London Co-ordination – Reception and Junior
Appendix 1b – Pan London Co-ordination – Secondary
Appendix 2 – Available Primary School Places vs SCAP 2021 Pupil Projections
Appendix 2a - Available Secondary School Places vs SCAP 2021 Pupil Projections
Appendix 3 – Capital Programme Budget Summary
Appendix 4 - Schools Maintenance Plan
Appendix 5 – Early Years Childcare Sufficiency Assessment report
Appendix 6 – Equality Impact Assessment

BACKGROUND DOCUMENTS:

None

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DRAFT - Community Schools Admission Arrangements 2023/24

The criteria outlined below apply only to Croydon community schools.

Should any community school convert to academy status prior to September 2023, the admissions arrangements will apply as published below unless stated otherwise in their funding agreement.

Where the number of applications for a community school is higher than the published admission number, the following criteria will be applied in the order set out below to decide the allocation of places:

Children with an Education, Health & Care Plan (EHCP) that names a school will be admitted to the school before the admissions criteria are applied to all other applicants. (See note 7)

1. **Looked-after children and previously looked-after children** (see Note 1).

2. **Linked schools**

Children who are on the roll of their linked infant school at the time of application. (see Note 2).

3. **Siblings:**

Children with a brother or sister who will be in attendance at the school or the linked infant/junior school at the time of enrolment of the new pupil (see Note 3).

4. **Exceptional medical need:**

Pupils with a serious medical need for attending a particular school. (See Note 4)

Supporting professional evidence must provide specific reasons why a particular school is the only school that can meet your child's needs and the detriment that would be caused if your child had to attend another school. Your application must be supported by a GP or consultant.

For primary age children, their need to attend a particular school because of a parent's serious and continuing medical condition may also be relevant.

Supporting evidence should be set out on the medical form which is available online at: <https://www.croydon.gov.uk/education/schools-new/school-admissions/applications-due-to-a-medical-need> and both the completed medical form and the supporting evidence from the GP or consultant must be submitted with the application (see Note 4).

By submitting your evidence to the local authority you consent to this information being shared with the local authority's medical advisor.

5. **Distance:**

Priority will be given to pupils living nearest to the school as measured in a straight line (see Notes 5 and 6).

Tiebreaker

In the event that the number of applications for places exceeds the number of places available, after application of the admissions criteria, distance will be used to decide between applications. Where distance is the same for two or more applications the authority will use random allocation.

Note 1: Looked-after children are defined as 'children in public care at the date on which the application is made'. Previously looked-after children are children who were looked after, but ceased to be so because they were adopted or became subject to a child arrangements order or special guardianship order, immediately after being looked-after. This includes children who appear to have been in state care outside of England and ceased to be in state care as a result of being adopted.

A child is regarded as having been in state care outside of England if they were in the care of or were accommodated by a public authority, a religious organisation or any other provider of care whose sole or main purpose is to benefit society.

If an application is made under the 'looked-after' criterion, it must be supported by:

- a letter from the relevant local authority children's services department and/or relevant documents or
- evidence which demonstrates that a child was in state care outside of England and left that care as a result of being adopted.

Note 2: This criterion does not include siblings on the roll of the infant school's nursery class, if it has one.

A list of all infant and junior schools is provided in the table below. The shaded schools are their own admission authority, therefore, please refer to the individual school's admissions policy.

Linked Infant School	Linked Junior School
Beulah Infant	Beulah Junior
Elmwood Infant	Elmwood Junior
The Minster Nursery and Infant	The Minster Junior
Park Hill Infant	Park Hill Junior
St Joseph's Catholic Infant and Nursery	St Joseph's Catholic Junior
St Mary's Catholic Infant	St Mary's RC Junior
Whitehorse Manor Infant and Nursery	Whitehorse Manor Junior
Winterbourne Infant	Winterbourne Junior Girls
Winterbourne Infant	Winterbourne Junior Boys

Note 3: A sibling is defined as a brother or sister, half-brother or sister, step brother or sister, foster-brother or sister or adopted brother or sister whose main residence is the same address as the child for whom the school place application is being made.

Children with siblings allocated a place in the Reception or Year 3 class at a linked junior school to start in September will be eligible for priority under the sibling criterion from 1 August each year when this local authority opens waiting lists for the new academic year.

In the case of in-year admissions, eligibility for sibling priority will apply at the time of an offer.

This criterion does not include siblings on the roll of the school's nursery class, if it has one.

Note 4: All schools have experience in dealing with children with a range of medical needs and all schools are required to make reasonable adjustments in order to do this.

In a very few exceptional cases however, there may be reasons why a child needs to attend a specific school and this could be due to the child's medical need or the medical condition of the parent or the main carer with responsibility for the child. Providing evidence does not guarantee that a child will be given priority at a particular school and in each case a decision will be made based on the merits of the case and whether the evidence demonstrates that a placement should be made at one particular school above any other.

If you feel there are exceptional reasons for your child to be considered for a priority placement at a particular school, you must indicate this in the section provided in your application, and complete the medical form which is available online at: : <https://www.croydon.gov.uk/education/schools-new/school-admissions/applications-due-to-a-medical-need> setting out the reasons to support your case.

All requests for priority consideration on medical grounds must be supported in writing by a doctor or consultant and this must make clear which school you are making a

special case for, the reason why it is necessary for your child to attend this school in particular, and the difficulties it will cause for your child to attend another school.

It is for you to decide how to support your case and what documents to provide but these must be submitted, together with the completed medical form and supporting statement by the GP/consultant, by the closing date of **15 January 2023**. The admissions team is not responsible for chasing you to submit medical evidence or for contacting professionals for information about your case. Any decision will be based on documents you submit by the closing date.

The local authority, using guidance received from Croydon's admissions panel (this is comprised of professionals from health and education), will decide whether an application for a school is to be prioritised on medical grounds, in light of the medical evidence submitted by the parent for their child to attend a particular school. Claims for priority of admission on medical grounds submitted after a decision on the original application has been made will only be considered if the documents submitted were not readily available at the time of application or if they relate to a new medical condition. Any submission made after the initial application must be supported by details of how the circumstances have changed since the original application and by further professional evidence.

Applicants who submit supporting information on medical grounds will not be advised whether their application is likely to be successful prior to the offer of places on 17 April 2023. If evidence is received after the closing date of 15 January 2023, it will not be taken into account until after places have been offered on 17 April 2023.

Note 5: 'Home' is defined as the address where the child normally resides Monday to Friday as their only or principal residence.

Addresses involving child-minding (professional or relatives) are excluded. There have been occasions when parents/carers have tried to use false addresses to obtain a place at a school. To prevent this happening, Croydon Council undertakes checks using an address verification tool called Datatank. If after these checks have taken place we cannot be satisfied that the address is the parent and child's normal place of residence, the parent/carer will be asked to provide further proof of their home address. In this instance two forms of address verification will be required: a solicitor's letter confirming completion of contract or a tenancy agreement along with a recent utility bill in the applicant's name.

If the parent/carer is found to have used a false address or deliberately provided misleading information to obtain a school place, the offer will be withdrawn.

Should there be doubts about the address to be used, parents/carers may be asked to provide evidence concerning the child's normal place of residence. This could include a court order stating where the child should live during the course of the week. The local authority would expect that the parent/carer with whom the child is normally resident receives the child benefit for the child. If the residence is split equally between both parents, the home address may be determined to be the address where

the child is registered with the doctor. This may be used to determine the normal place of residence for the purpose of measuring the home to school distance.

If parents/carers have more than one property they may be required to provide proof of the normal place of residence for the child.

The processing of applications outside England for admission to school within the normal admissions rounds (excluding Crown servants)

Applications with an address outside England can only be accepted for processing when this local authority is satisfied that there is **evidence of a link to an address in its area** and that **the child will be resident at that address on or before the date of admission** (i.e. start of September). Such evidence must include:

- Booked travel tickets and
- End of lease/notice to tenants in Croydon property or
- Start of employment contract in the Croydon area or
- End of employment contract abroad

The address outside England will apply until such time as there is evidence of a child's return to the linked address. In the event that a family does not return to the linked address provided by the start of September, this local authority will withdraw the application submitted and any offer made.

Note 6: The distance will be measured in a straight line from the child's home address to the designated entrance(s) of the school using a computerised measuring system (GIS) and geographical reference points as provided by the National Land and Property Gazetteer (NLPG). Those living closer to the school will receive higher priority.

If a child lives in a shared property such as flats, the geographical references will determine the start point within the property boundaries to be used for distance calculation purposes.

Distance measurements can be obtained using various internet sources however these do not replicate the system used by Croydon Council. Additionally, the distance measurement which can be obtained from the Croydon website using the 'Find It' link on the home page will not always be identical to that of the measurement obtained using the Croydon school admissions measuring tool (known as GIS) as the 'Find It' link is set up to measure to a range of council facilities and is not set up to measure for school admission purposes. It also does not give measurements to three decimal points.

Note 7: Education, Health and Care Plan

An Education, Health and Care plan (EHCP) is an integrated support plan for children and young people with complex special needs and disabilities. The plan gives a detailed description of the range of difficulties a child is facing and the level and type of provision required to help the child make progress and achieve positive outcomes.

Child minding arrangements:

Child-minding cannot be taken into account when allocating places at oversubscribed community schools.

Children attending a nursery class attached to an infant or primary school

Parents of children attending the nursery class at an infant or primary school must apply for a reception class place in the usual way. These children are not guaranteed a reception place at the school where they are attending the nursery class.

All applications are considered strictly in accordance with a school's admission criteria. Unless otherwise stated, children on the roll of a school's nursery class are not given priority admission into a reception class.

Twins/triplets or other multiple births for admission into an infant class

If you are applying for twins, or children from a multiple birth, and there is only one place available at the school, legislation allows us to admit them all i.e. all siblings from a multiple birth.

Waiting lists

If you are offered a place at a school through the in-year admissions process and you have also expressed a higher preference for another school or other schools, you will not be placed on the waiting list for your higher preference school/schools. You may request for your child to be added to the waiting list by completing a new in-year application form using the online parent portal on the website.

In-year waiting lists are maintained for one academic year and applicants who have been unsuccessful for their preferred school(s) and who wish to remain on the waiting list are required to re-apply the following academic year.

Waiting lists for community schools for applicants who applied as part of the main admissions rounds are held for the first term of the reception year and thereafter, applicants are required to complete the local authority's in-year online application form if they wish to remain on the waiting list.

Admission of children below compulsory school age deferred entry to school

Parents can defer the date their child is admitted to the school year but not beyond the point at which they reach compulsory school age and not beyond the beginning of the final term of the school year for which the application was made. Parents can also take up a part-time place until later in the school year but not beyond the point at which they reach compulsory school age.

A child reaches compulsory school age the term after their fifth birthday. Therefore, if you are offered a reception class place at a school, you can opt to defer your child's start date, but they MUST start full time school following their fifth birthday by the dates given below:

- Children born on or between 1 September and the end of December must start full time school by the beginning of the spring term in January
- Children born from 1 January to the end of March must start full time school on 1 April
- Children born from 1 April to the end of August must start school at the beginning of the autumn term in September.

The local authority's expectation is that a child born between 1 April and 31 August should start the reception class at the beginning of the summer term at the latest. However, parents may choose that their child does not start school until the September (beginning of the autumn term) following their fifth birthday. Parents must note the place cannot be held open beyond the summer term, this will mean that as their child will be a year one pupil when they join, parents will need to apply for a year one school place, using the in-year application form.

Admission of children outside their normal age group

Parents may request that their child is exceptionally admitted outside their normal age group. The admission authority will decide whether or not the individual child's circumstances make this appropriate on educational grounds.

It is the expectation of Croydon Council that a child is educated alongside his/her age equivalent peers, in almost all cases. We would strongly advise that all children enter into their normal year group. The responsibility for addressing individual educational needs lies with the school through an appropriately differentiated and enriched curriculum.

Parents must submit their request for their child to be educated outside their normal year group by completing the local authority online form at:

<https://www.croydon.gov.uk/education/schools-new/school-admissions/admission-outside-of-normal-year-group/admission-outside-normal-year-group-request>

Parents should include evidence from a relevant professional detailing their child's needs and circumstances which make education outside the normal age group necessary. This could include:

- Evidence from a health or social care professional who is involved in the care or treatment of the child e.g. speech and language therapist, social worker, paediatrician.
- The view of any nursery or other early years setting the child attends and any records of the child's development.

- The progress the child has made in an early years setting, including the rate of progress.
- Whether the child's premature birth has caused health problems or developmental delays that mean the child would benefit from a delayed school start.

Decisions are made on the basis of the circumstances of each case and in the best interest of the child. This will require the admission authority to take account of the child's individual needs and abilities and to consider whether these can best be met in reception or year one. It will also involve taking account of the potential impact on the child of being admitted to year one without first having completed the reception year. The admission authority will consider:

- Parents' views.
- Information relating to the child's academic, social and emotional development, where relevant medical history and the views of a medical professional.
- Any previous history of a child being educated outside of their normal age group.
- If a child was born prematurely, the age group the child would have fallen in if the child had been born on time.
- Views of the head teacher of the school(s) concerned.

PAN-LONDON CO-ORDINATED ADMISSION SYSTEM

Template LA Schemes for Co-ordination of Admissions to Reception/Junior in Maintained Schools and Academies in 2023/24

Contents

Page 2: Definitions used in this document

Page 5: Template scheme for co-ordination of admissions to Reception in September 2023

Page 14: Content of Common Application Form - Reception Scheme (Schedule 1)

Page 15: Template outcome letter -Reception Scheme (Schedule 2)

Page 17: Timetable for Reception Scheme (Schedule 3B)

PAN-LONDON CO-ORDINATED ADMISSION SYSTEM

Template LA Schemes for Co-ordination of Admissions to Reception/Junior in 2023/24

Definitions used in the template schemes

“the Application Year”	the academic year in which the parent makes an application (i.e. in relation to the academic year of entry, the academic year preceding it).
“the Board”	the Pan-London Admissions Executive Board, which is responsible for the Scheme.
“the Business User Guide (BUG)”	the document issued annually to participating LAs setting out the operational procedures of the Scheme.
“the Common Application Form”	this is the form that each authority must have under the Regulations for parents to use to express their preferences, set out in rank order.
“the Equal Preference System”	the model whereby all preferences listed by parents on the Common Application Form are considered under the over-subscription criteria for each school without reference to parental rankings. Where a pupil is eligible to be offered a place at more than one school within an LA, or across more than one participating LA, the rankings are used to determine the single offer by selecting the school ranked highest of those which can offer a place.
“the Highly Recommended Elements”	the elements of the Template Scheme that are not mandatory but to which subscription is strongly recommended in order to maximise co-ordination and thereby simplify the application process as far as possible.
“the Home LA”	the LA in which the applicant/parent/carer is resident.
“the LIAAG Address Verification Register	the document containing the address verification policy of each participating LA.
“the Local Admission System	the IT module for administering admissions in

(LAS)”	each LA and for determining the highest offer both within and between participating Las.
“the London E-Admissions Portal”	the common online application system used by the 33 London LAs and Surrey County Council.
“the Maintaining LA”	the LA which maintains a school, or within whose area an academy is situated, for which a preference has been expressed.
“the Mandatory Elements”	those elements of the Template Scheme to which authorities must subscribe in order to be considered as ‘Participating Authorities’ and to benefit from use of the Pan-London Register.
“the Notification Letter”	the agreed form of letter sent to applicants on the Prescribed Day which communicates any determination granting or refusing admission to a primary or secondary school, which is attached as Schedule 2.
“the Prescribed Day”	the day on which parents/carers outcome are notified of their outcome. 16 April in the year following the relevant determination year except that, in any year in which that day is not a working day, the prescribed day shall be the next working day.
“the Pan-London Register (PLR)”	the database which will sort and transmit application and outcome data between the LAS of each participating LA.
“the Pan-London Timetable”	the framework for processing of application and outcome data, which is attached as Schedule 3.
“the Participating LA”	any LA that has indicated in the Memorandum of Agreement that they are willing to incorporate, at a minimum, the mandatory elements of the Template LA Scheme presented here.
“the Qualifying Scheme”	the scheme which each LA is required to formulate in accordance with The School Admissions (Admission Arrangements and Co-ordination of Admission Arrangements) Regulations 2012, for co-ordinating arrangements for the admission of children to

maintained primary and secondary schools
and academies.

PAN- LONDON CO-ORDINATED ADMISSIONS SYSTEM

Template LA Scheme for Co-ordination of Admissions to Reception/Junior in 2023/24

All the numbered sections contained in this scheme are mandatory except those marked with an which are highly desirable.*

Applications

1. Applications from residents of Croydon LA will be made on this LA's Common Application Form, which will be available and able to be submitted on-line. This will include all the fields and information specified in Schedule 1 to this Template LA Scheme. These will be supplemented by any additional fields and information which are deemed necessary by this LA to enable the admission authorities in the LA area to apply their published oversubscription criteria.
2. Croydon LA will take all reasonable steps to ensure that every parent/carer who is resident in this LA and has a child in a nursery class within a maintained school or academy - in this LA or any other maintaining LA - is informed about how they can access Croydon LA's composite prospectus and apply online. Croydon LA also uses libraries, schools, early years' providers, social media to advertise the closing date for applications. Additionally, this LA offers parents support and assistance with their online application at schools and its offices. Parents/carers who do not live in Croydon LA will have access to Croydon LA's composite prospectus on the Council's website. It will advise parents/carers to contact their home LA for further information on the application process.
3. The admission authorities within Croydon LA will not use supplementary information forms except where the information available through the Common Application Form is insufficient for consideration of the application against the published oversubscription criteria. Where supplementary information forms are used by the admissions authorities within this LA, Croydon LA will seek to ensure that these only collect information which is required by the published oversubscription criteria, in accordance with paragraph 2.4 of the School Admissions Code 2021.
4. Where supplementary information forms are used by admission authorities in Croydon LA, they will be available on this LA's website, on the school's website, or a paper copy of the supplementary information form can be requested directly from the school. Such forms will advise parents that they must also complete their home LA's Common Application Form. Croydon LA's composite prospectus and website will indicate which schools in this LA require supplementary forms to be completed and where they can be obtained.

5. Where a school in Croydon LA receives a supplementary information form, this LA will not consider it to be a valid application unless the parent/carer has also listed the school on their home LA's Common Application Form, in accordance with paragraph 2.3 of the School Admissions Code 2021.
6. *Applicants will be able to express a preference for up to six maintained primary schools or academies within and/or outside the Home LA.
7. The order of preference given on the Common Application Form will not be revealed to a school within the area of this LA to comply with paragraph 1.9 of the School Admissions Code 2021. However, where a parent resident in this LA expresses a preference for schools in the area of another LA, the order of preference for that LA's schools will be revealed to that LA in order that it can determine the highest ranked preference in cases where an applicant is eligible for a place at more than one school in that LA's area.
8. Croydon LA undertakes to carry out the address verification process set out in its entry in the LIAAG Address Protocol. This will in all cases include validation of resident applicants against Croydon LA's maintained nursery and primary school data and the further investigation of any discrepancy. Where Croydon LA is not satisfied as to the validity of an address of an applicant whose preference has been sent to a maintaining LA, it will advise the maintaining LA no later than **10 February 2023**.
9. Croydon LA will confirm the status of any resident child for whom it receives a Common Application Form stating s/he is currently or previously a 'Child Looked After' and will provide any additional evidence on receipt of a reasonable request by the maintaining LA in respect of a preference for a school in its area by **3 February 2023**.
10. Croydon LA will advise a maintaining LA of the reason for any application which is made in respect of a child resident in the area of this LA to be admitted outside of their correct age cohort, and will forward any supporting documentation to the maintaining LA by **3 February 2023**.

Processing

11. Applicants resident within Croydon LA must submit their online Common Application Form to this LA by **15 January 2023**.
12. *Supplementary Information Forms for schools in Croydon LA must be returned directly to the relevant school by the date specified by the school.* Under the requirements of the scheme, parents/carers will not have to complete a supplementary information form where this is not

strictly required for the governing body to apply their admission criteria or where this is not a requirement in a school's admission arrangements.

13. *Schools that require a supplementary information form will check that a supplementary information form has been completed for each child. Schools will contact parents/carers who have not completed a supplementary information form. Schools will also check that parents/carers who have completed a supplementary information form have completed the LA's Common Application Form. If a parent has not completed a Common application Form, schools will share this information with Croydon LA.*
14. *Admission authority schools will start seeing details of their applications on **21 January 2023**.*
15. *Any changes to the preferences or the order of preference on a Common Application Form made after **15 January 2023** will not normally be considered until after the initial round of allocation – that is after 17 April 2023, unless there is a change of circumstances.*
16. Application data relating to all preferences for schools in the area of a participating LA, which have been expressed within the terms of Croydon LA's scheme, will be up-loaded to the PLR by **3 February 2023**. Supplementary information provided with the Common Application Form will be sent to maintaining LAs by the same date.
17. *Alternative arrangements will be made by Croydon LA to forward applications and supporting information securely to non-participating LAs.*
18. Croydon LA shall, in consultation with the admission authorities within this LA's area and within the framework of the Pan-London timetable in Schedule 3B, determine its own timetable for the processing of preference data and the application of published oversubscription criteria.
19. *Croydon LA will accept late applications only if they are late for a good reason, deciding each case on its own merits. *The latest date that an application that is late for good reason can be accepted for a resident of this LA is **9 February 2023**.*
20. Where such applications contain preferences for schools in other LAs, Croydon LA will forward the details to maintaining LAs via the PLR as they are received. Croydon LA will accept late applications which are considered to be on time within the terms of the home LA's scheme.
21. The latest date for the upload to the PLR of late applications which are considered to be on-time within the terms of the home LA's scheme is **10 February 2023**.

22. *Where an applicant moves from one participating home LA to Croydon LA after submitting an on-time application under the terms of the former home LA's scheme, Croydon LA will accept the application as on-time up until **9 February 2023**, on the basis that an on-time application already exists within the Pan-London system.
23. Croydon LA will participate in the application data checking exercise scheduled between **13 and 17 February 2023** in the Pan-London timetable in Schedule 3B.
24. All preferences for schools within Croydon LA will be considered by the relevant admission authorities without reference to rank order in accordance with paragraph 1.9 of the School Admissions Code 2021. When the admission authorities within Croydon LA have provided a list of applicants in criteria order to this LA, Croydon LA shall, for each applicant to its schools for whom more than one potential offer is available, use the highest ranked preference to decide which single potential offer to make. This is the 'Equal Preference System'.
25. *Own Admission authority schools must provide Croydon LA with the electronic list of their applicants in criteria order by **01 March 2023**.*
26. Croydon LA will carry out all reasonable checks to ensure that pupil rankings are correctly held in its LAS for all maintained schools and academies in this LA's area before uploading data to the PLR.
27. Croydon LA will upload the highest potential offer available to an applicant for a maintained school or academy in this LA to the PLR by **16 March 2023**. The PLR will transmit the highest potential offer specified by the Maintaining LA to the Home LA.
28. The LAS of this LA will eliminate, as a Home LA, all but the highest ranked offer where an applicant has more than one potential offer across Maintaining LAs submitting information within deadline to the PLR. This will involve exchanges of preference outcomes between the LAS and the PLR (in accordance with the iterative timetable published in the Business User Guide) which will continue until notification that a steady state has been achieved, or until **24 March 2023** if this is sooner.
29. Croydon LA will not make any additional offers between the end of the iterative process and **17 April 2023** which may impact on an offer being made by another participating LA.
30. Notwithstanding paragraph 29, if an error is identified within the allocation of places at a maintained school or academy in this LA, Croydon LA will attempt to manually resolve the allocation to correct the error. Where this impacts on another LA (either as a home or maintaining LA) Croydon LA will liaise with that LA to attempt to resolve the correct offer and any multiple offers which might occur. However, if another LA is unable to

resolve a multiple offer, or if the impact is too far reaching, Croydon LA will accept that the applicant(s) affected might receive a multiple offer.

31. Croydon LA will participate in the offer data checking exercise scheduled between **27 March and 6 April 2023** in the Pan-London timetable in Schedule 3B.
32. Croydon LA will send a file to the E-Admissions portal with outcomes for all resident applicants who have applied online no later than **12 April 2023**. (33 London LAs & Surrey LA only).

Offers

33. Croydon LA will ensure that, if there are places available, each resident applicant who cannot be offered a place at one of the preferences expressed on the Common Application Form, receives the offer of an alternative school place in accordance with paragraph 2.12 of the School Admissions Code 2021. *This will usually be the nearest school to the child's home address which has a place available, after the allocation of places has been completed.*
34. This LA's notification of the outcome will include the information set out in Schedule 2.
35. Croydon LA will inform all resident applicants of their highest offer of a school place and, where relevant, the reasons why higher preferences were not offered, whether they were for schools in the Home LA or in other participating LAs.
36. Croydon LA's notification information will include the information set out in Schedule 2.
37. Croydon LA will, on **17 April 2023**, publish online the outcome of resident applications. Resident applicants who applied online will be able to view the result of their application online as well as accept or decline their offer. *Croydon LA will not send out outcome letters in the post.*
38. *Resident applicants who are not successful in their application will be offered the right to appeal.*

Late applications

39. **Croydon LA will accept late applications as 'on-time' only if they are late for a good reason, deciding each case on its own merits. Examples of what will be considered as 'good reason' include when a single parent has been ill for some time, or has been dealing with the death of a close relative; a family who has just moved into the area or is returning from*

abroad (proof of ownership or tenancy of a property within Croydon LA will be required in these cases). Other circumstances will be considered and each case decided on its own merits and it is expected that all requests of this nature will be supported with evidence.

40. *The latest date that an application, that is late for good reason, can be accepted for a resident of Croydon LA will be **9 February 2023**. The date for an out-borough resident is fixed by the relevant home LA and is likely to be different for authorities outside the PAN London scheme.*
41. *Applications which are late for no good reason and those that are received after 9 February 2023 but before 17 April 2023 will not be considered in the initial allocation round but will be allocated a place after all on-time preferences have been processed. If the application is from a resident of Croydon LA and they cannot be offered a place at one of their preferences, they will be considered for a place at other maintained schools or academies in this LA that have vacancies, in accordance with the school's admission criteria. If the application is from a resident of another LA, their application will only be considered for the schools to which they have applied.*

Post Offer Process

42. Croydon LA will request that resident applicants accept or decline the offer of a place by **2 May 2023**, or within two weeks of the date of any subsequent offer.
43. *If resident applicants do not respond by this date, Croydon LA or the school, where it is its own admission authority, will make every reasonable effort to contact the applicant to find out whether or not they wish to accept the place. Where the applicant fails to respond and the admission authority can demonstrate that every reasonable effort has been made to contact the applicant, the offer of a place be withdrawn.*
44. Where an applicant resident in Croydon LA accepts or declines a place in a school maintained by another LA by **2 May 2023**, Croydon LA will forward the information to the maintaining LA by **9 May 2023**. Where such information is received from applicants after **2 May 2023**, Croydon LA will pass it to the maintaining LA as it is received.
45. Where a place becomes available in an oversubscribed maintained school or academy in Croydon LA's area, it will be offered from a waiting list ordered in accordance with paragraph 2.15 of the School Admissions Code 2021.
46. When acting as a maintaining LA, Croydon LA will place an applicant resident in the area of another LA on a waiting list for any higher

preference school. Where this is not done automatically, it will be done immediately following a request from the home LA.

47. Where a waiting list is maintained by an admission authority of a maintained school or academy in this LA's area, the admission authority will inform this LA of a potential offer, in order that the offer may be made by the home LA.
48. When acting as a maintaining LA, Croydon LA will inform the home LA, where different, of an offer for a maintained school or Academy in this LA's area which can be made to an applicant resident in the home LA's area, in order that the home LA can offer the place.
49. When acting as a maintaining LA, Croydon LA and the admission authorities within it, will not inform an applicant resident in another LA that a place can be offered.
50. When acting as a home LA, Croydon LA will offer a place at a maintained school or Academy in the area of another LA to an applicant resident in its area, provided that the school is ranked higher on the Common Application Form than any school already offered. ***As a result, any offer held by the applicant resident at a lower preference school will automatically be withdrawn as a higher preference has been offered. Resident applicants who no longer wish to remain on the waiting list for a higher preference school must notify Croydon LA as soon as they receive their initial offer.***
51. ***When acting as a home LA, Croydon will offer a place at a Croydon maintained school or Academy to an applicant resident in its area, provided that the school is ranked higher on the Common Application Form than any school already offered. The lower preference school offered will automatically be withdrawn as a higher preference school has been offered. Resident applicants who no longer wish to remain on the waiting list for a higher preference school must notify Croydon LA as soon as they receive their initial offer.***
52. When acting as a home LA, when Croydon LA is informed by a maintaining LA of an offer which can be made to an applicant resident in this LA's area which is ranked lower on the Common Application Form than any school already offered, it will inform the maintaining LA that the offer will not be made.
53. When acting as a home LA, when Croydon LA has agreed to a change of preferences or preference order, it will inform any maintaining LA affected by the change. In such cases, paragraphs 51 and 52 shall apply to the revised order of preferences.

54. When acting as a maintaining LA, Croydon LA will inform the home LA, where different, of any change to an applicant's offer status as soon as it occurs.
55. When acting as a maintaining LA, Croydon LA will accept a change of preferences or preference order (including reinstated or additional preferences) from home LAs for maintained schools and academies in its area.
56. When acting as a home LA, Croydon will accept applications for additional preferences after National Offer Day before the start of the new term.
57. Croydon LA, when acting as a home LA, will allow applicants to express up to three additional preferences before the start of the new term.
58. When acting as a home LA, Croydon LA will endeavour to fill any vacancies that become available after National Offer Day within four weeks from National Offer Day.
59. This LA's admission authorities will maintain a waiting list for at least one term until 31 December 2023. This LA will accept waiting lists requests from other LAs' residents through the maintaining LA.
60. *Croydon LA will maintain waiting lists for each school in its area with the exception of Voluntary Aided Schools who will maintain their own waiting lists. Croydon LA will notify applicants on the waiting list if a place becomes available. Any lower preference previously offered will be automatically withdrawn if an offer is made at a higher preference school.*
61. *Resident Applicants who receive an offer at their first preference school will only be placed onto a waiting list for a lower preference school in exceptional circumstances which would need to be supported with relevant evidence. In accordance with the Pan London agreement and to ensure that Croydon meets its duty to continue to coordinate admissions beyond National Offer Day and comply with the parents' highest possible preference, Croydon will ensure that waiting lists do not contain lower ranked preferences except where it has received a parent's request for a child to be placed on the waiting list for a lower preference school in exceptional circumstances.*
62. *Resident applicants who receive an offer at their first preference school will be able to apply for lower preference schools at the start of the new term through the in-year admission process.*
63. *Resident applicants who are unsuccessful in receiving an offer at one of their preferred schools will be given the opportunity to make late applications to schools they did not originally apply for.*

64. *Applications received after 17 April 2023 will be added to the waiting lists for the schools in this LA. Waiting lists will be ordered in accordance with each school's admission criteria.*
65. *Admission authorities for each school within Croydon LA will share details of their waiting lists with this LA.*
66. *When a vacancy occurs at a school within this LA, the first child on the waiting list will be considered for the place. Croydon LA will liaise with the admissions authority for the school and advise the parent/carer or home LA of the offer.*
67. *Where the first child is a resident of this LA, Croydon LA will issue notification of the outcome to the parent, provided that the school is ranked higher on the Common Application Form than any other school already offered.*
68. *When acting as a maintaining LA, Croydon LA will inform the home LA, where different, of an offer for a maintained school in this LA's area which can be made to an applicant resident in the home LA's area, in order that the home LA can offer the place.*
69. *When acting as a maintaining LA, Croydon will not inform an applicant resident in another LA that a place can be offered.*
70. *Own Admission Authority schools within Croydon LA will not inform any applicant that a place can be offered.*
71. *Waiting lists for schools in Croydon LA will be held for the first term of the Reception Year only, until **31 December 2023**. Applicants wishing to remain on a school's waiting list after this date must apply using the LA or school's In- Year Application Form in accordance with each admission authority's arrangements. This is to ensure that this LA has the most up to date information for an applicant, including a correct proof of address as at the time of the new application.*
72. *Waiting lists will be maintained and places allocated as they become available, in accordance with each admissions authority's published admission and oversubscription criteria, and without regard to the date the application was received or when a child's name was added to the waiting list.*

Applications for places in Reception after 31 December 2023 and applications to year groups other than to the Reception class.

73. *Applications for places in Reception after 31 December 2023 and to year groups other than the normal year of entry to primary school will be treated as in-year admissions.*

74. *Applications will be made and considered in line with the schools' admission arrangements. Please refer to Croydon's website and in-year guidance for more information.*
75. *Once an offer is made applicants will only be added to a waiting list if the parent/carer requests this by completing a new in-year application form.*

**PAN-LONDON CO-ORDINATED ADMISSIONS SCHEME
SCHEDULE 1**

**Minimum Content of Common Application Form for Admissions to
Reception/Junior in 2023/24**

Child's details:

Surname

Forename(s)

Middle name(s)

Date of Birth

Gender

Home address

Name of current school

Address of current school (if outside home LA)

Parent's details:

Title

Surname

Forename

Address (if different to child's address)

Telephone Number (Home, Daytime, Mobile)

Email address

Relationship to child

Preference details (x 6 recommended):

Name of school

Address of school

Preference ranking

Local authority in which the school is based

Additional information:

Reasons for Preferences (including any medical or social reasons)

Does the child have an Education, Health and Care Plan Y/N*

Is the child a 'Child Looked After (CLA)'? Y/N

Is the child formerly CLA but now adopted or subject of a 'Child Arrangements

Order or 'Special Guardianship Order'? Y/N

If yes, name of responsible local authority

Surname of sibling

Forename of sibling

DOB of sibling

Gender of sibling

Name of school sibling attends

Other:

Signature of parent or guardian

Date of signature

* Where an LA decides not to request this information on the CAF, it must guarantee that no details of a child with an Education, Health and Care Plan will be sent via the PLR.

PAN-LONDON CO-ORDINATED ADMISSIONS SCHEME

SCHEDULE 2

Template Outcome Letter for Admissions to Reception/Junior in 2023/24

From: Home LA

Date: **17 April 2023**
(prim)

Dear Parent,

Application for a Primary/Junior School

I am writing to let you know the outcome of your application for a primary school. Your child has been offered a place at X School. The school will write to you with further details.

I am sorry that it was not possible for your child to be offered a place at any of the schools which you listed as a higher preference on your application form. For each of these schools there were more applications than places, and other applicants has a higher priority than your child under the school's published admission criteria.

Offers which could have been made for any schools which you placed lower in your preference list, were automatically withdrawn under the co-ordinated admission arrangements, as a higher preference has been offered.

If you would like more information about the reason that your child was not offered a place at any higher preference school, you should contact the admission authority that is responsible for admissions to the school within the next few days. Details of the different admission authorities for schools in the borough of X are attached to this letter. If the school is outside the borough of X, the admission authority will either be the borough in which the school is situated, or the school itself.

You have the right of appeal under the School Standards & Framework Act 1998 against the refusal of a place at any of the schools for which you have applied. If you wish to appeal, you must contact the admission authority for the school within the next few days to obtain the procedure and the date by which an appeal must be received by them.

Please would you confirm that you wish to accept the place at X School by completing the reply slip below. If you do not wish to accept the place, you will need to let me know what alternative arrangements you are making for your child's education.

You must contact this office if you wish to apply for any other school, either in this borough or elsewhere.

*Please return the reply slip to me by **2 May 2023(prim)**. If you have any questions about this letter, please contact me on _____*

Yours sincerely

(First preference offer letters should include the paragraphs in italics only)

**PAN-LONDON CO-ORDINATED ADMISSIONS SCHEME
SCHEDULE 3B**

Timetable for Admissions to Reception/Junior in 2023/2024

Sun 15 Jan 2023	Statutory deadline for receipt of applications
Fri 3 Feb 2023	Deadline for the transfer of application information by the Home LA to the PLR (ADT file)
Fri 10 Feb 2023	Deadline for the upload of late applications to the PLR.
Mon 13 – Fri 17 Feb 2023	Checking of application data
Thur 16 Mar 2023	Deadline for the transfer of potential offer information from the Maintaining LAs to the PLR (ALT file).
Fri 24 Mar 2023	Final ALT file to PLR
Mon 27 Mar- Thur 6 Apr 20223	Checking of offer data
Wed 12 Apr 2023	Deadline for on-line ALT file to portal
Mon 17 April 2023	Outcomes published online.
Tues 2 May 2023	Deadline for receipt of acceptances
Tues 9 May 2023	Deadline for transfer of acceptances to maintaining LAs

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PAN-LONDON CO-ORDINATED ADMISSION SYSTEM

**Template LA Scheme for Co-ordination of Admissions to Year
7/Year 10 in Maintained Schools and Academies in 2023/24**

Contents

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Page 12: Content of Common Application Form -Year 7 Scheme (Schedule 1)

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PAN-LONDON CO-ORDINATED ADMISSION SYSTEM

Template LA Scheme for Co-ordination of Admissions to Year 7/Year 10 in 2023/24

Definitions used in the template schemes

“the Application Year”	the academic year in which the parent makes an application (i.e. in relation to the academic year of entry, the academic year preceding it)
“the Board”	the Pan-London Admissions Executive Board, which is responsible for the Scheme
“the Business User Guide (BUG)”	the document issued annually to participating LAs setting out the operational procedures of the Scheme
“the Common Application Form”	this is the form that each authority must have under the Regulations for parents to use to express their preferences, set out in rank order
“the Equal Preference System”	the model whereby all preferences listed by parents on the Common Application Form are considered under the over-subscription criteria for each school without reference to parental rankings. Where a pupil is eligible to be offered a place at more than one school within an LA, or across more than one participating LA, the rankings are used to determine the single offer by selecting the school ranked highest of those which can offer a place
“the Highly Recommended Elements”	the elements of the Template Scheme that are not mandatory but to which subscription is strongly recommended in order to maximise co-ordination and thereby simplify the application process as far as possible
“the Home LA”	the LA in which the applicant/parent/carer is resident
“the LIAAG Address Verification Register”	the document containing the address verification policy of each participating LA
“the Local Admission System”	the IT module for administering admissions in

(LAS)”	each LA and for determining the highest offer both within and between participating LAs
“the London E-Admissions Portal”	the common online application system used by the 33 London LAs and Surrey County Council
“the Maintaining LA”	the LA which maintains a school, or within whose area an academy is situated, for which a preference has been expressed
“the Mandatory Elements”	those elements of the Template Scheme to which authorities must subscribe in order to be considered as ‘Participating Authorities’ and to benefit from use of the Pan-London Register
“the Notification Letter”	the agreed form of letter sent to applicants on the Prescribed Day which communicates any determination granting or refusing admission to a primary or secondary school, which is attached as Schedule 2
“the Prescribed Day”	the day on which parents/carers are notified of their outcome. 1 March (secondary) in the year following the relevant determination year except that, in any year in which that day is not a working day, the prescribed day shall be the next working day.
“the Pan-London Register (PLR)”	the database which will sort and transmit application and outcome data between the LAS of each participating LA
“the Pan-London Timetable”	the framework for processing of application and outcome data, which is attached as Schedule 3A
“the Participating LA”	any LA that has indicated in the Memorandum of Agreement that they are willing to incorporate, at a minimum, the mandatory elements of the Template LA Scheme presented here.
“the Qualifying Scheme”	the scheme which each LA is required to formulate in accordance with The School Admissions (Admission Arrangements and Co-ordination of Admission Arrangements) Regulations 2012, for co-ordinating

arrangements for the admission of children to maintained secondary schools and academies.

PAN LONDON CO-ORDINATED ADMISSIONS SYSTEM**Template Scheme for Co-ordination of Admissions to Year 7/Year 10 in
2023/24**

All the numbered sections contained in this scheme are mandatory, except those marked with an which are highly desirable.*

Applications

1. Croydon LA will advise home LAs of their resident pupils on the roll of this LA's maintained primary schools and academies who are eligible to transfer to secondary school in the forthcoming academic year.
2. Applications from residents of Croydon LA will be made on this LA's Common Application Form, which will be available and able to be submitted on-line. This will include all the fields and information specified in Schedule 1 to this Template LA Scheme. These will be supplemented by any additional fields and information which are deemed necessary by Croydon LA to enable the admission authorities in the LA area to apply their published oversubscription criteria.
3. Croydon LA will take all reasonable steps to ensure that every parent/carer who is resident in this LA and has a child in their last year of primary education within a maintained school or academy, either in Croydon LA or any other maintaining LA, is informed how they can access Croydon's composite prospectus and apply online. Parents/carers who do not live in Croydon LA will have access to this LA's composite prospectus which will advise parents/carers to contact their home LA for further details on the application process.
4. The admission authorities within Croydon LA will not use supplementary information forms except where the information available through the Common Application Form is insufficient for consideration of the application against the published oversubscription criteria. Where supplementary information forms are used by the admissions authorities within Croydon LA, the LA will seek to ensure that these only collect information which is required by the published oversubscription criteria, in accordance with paragraph 2.4 of the School Admissions Code 2021.
5. Where supplementary information forms are used by admission authorities in Croydon LA, they will either be available on the school's website, on the LA's website or a paper copy of the supplementary information form can be requested from the school directly. Such forms will advise parents that they must also complete their home LA's Common Application Form. Croydon LA's composite prospectus will indicate which schools in this LA require

supplementary information forms to be completed and where they can be obtained.

6. Where an admission authority in this LA receives a supplementary information form, Croydon LA will not consider it to be a valid application unless the parent/carer has also listed the school on their home LA's Common Application Form, in accordance with paragraph 2.3 of the School Admissions Code 2021.
7. *Applicants will be able to express a preference for six maintained secondary schools or Academies within and/or outside the Home LA.
8. *Croydon LA will advise applicants that they will receive no more than one offer of a school place on 1 March 2023. Applicants will also be advised that a place will be offered at the highest preference school for which they are eligible for a place. If the parent nominates a school outside of a PAN-London LA, Croydon LA will pass relevant details on to that authority and will make every reasonable effort to resolve any multiple offers with them.*
9. The order of preference given on the Common Application Form will not be revealed to a school within the area of this LA. This is to comply with paragraph 1.9 of the School Admissions Code 2021 which states that admission authorities must not give extra priority to children whose parents rank preferred schools in particular order, including 'first preference first' arrangements. However, where a parent resident in Croydon LA expresses a preference for schools in the area of another LA, the order of preference for that LA's schools will be revealed to that LA in order that it can determine the highest ranked preference in cases where an applicant is eligible for a place at more than one school in that LA's area.
10. Croydon LA undertakes to carry out the address verification process as set out in its entry in the LIAAG Address Protocol. This will in all cases include validation of resident applicants against this LA's primary school data and the further investigation of any discrepancy using Council Tax and Electoral Register records. Where Croydon LA is not satisfied as to the validity of an address of an applicant whose preference has been sent to a maintaining LA, it will advise the maintaining LA no later than **12 December 2022**.
11. Croydon LA will confirm the status of any resident child for whom it receives a Common Application Form stating s/he is currently or previously a 'Child Looked After' and will provide any additional evidence on receipt of a reasonable request by the maintaining LA in respect of a preference for a school in its area by **14 November 2022**.

12. Croydon LA will advise a maintaining LA of the reason for any application which is made in respect of a child resident in the area of this LA to be admitted outside of their correct age cohort, and will forward any supporting documentation to the maintaining LA by **14 November 2022**.

Processing

13. Applicants resident within Croydon LA must return the Common Application Form, which will be available and able to be submitted online, to this LA by **31 October 2022**.
14. Application data relating to all preferences for schools in the area of a participating LA, which have been expressed within the terms of this LA's scheme, will be up-loaded to the PLR by **14 November 2022**. Supporting documentation provided with the Common Application Form will be sent to maintaining LAs by the same date.
15. Croydon LA shall, in consultation with the admission authorities within its area and within the framework of the Pan-London timetable in Schedule 3A, determine and state its own timetable for the processing of preference data and the application of published oversubscription criteria.
16. *Supplementary information forms must be returned directly to the relevant school by the date specified by the school.* Under the requirements of the scheme, parents/carers will not have to complete a supplementary information form where this is not strictly required for the governing body to apply their admission criteria or where this is not a requirement in a school's admission arrangements.
17. *Admission authorities will start seeing details of their applications on the Schools Access Module (SAM) from **4 November 2022**. Schools that require a supplementary form will check that a supplementary form has been completed for each child and will contact parents/carers who have not completed a supplementary information form. Schools will also check that parents/carers who have completed a supplementary information form have completed the LA's Common Application Form. If a parent has not completed a Common Application Form, schools will share this information with Croydon LA.*
18. *Croydon LA will accept late applications only if they are late for a good reason, deciding each case on its own merits. *The latest date that an application that is late for good reason can be accepted for a resident of this LA is **9 December 2022**.*
19. Where such applications contain preferences for schools in other LAs, Croydon LA will forward the details to maintaining LAs via the PLR as they are received. This LA will accept late applications which are considered to be on time within the terms of the home LA's scheme.

20. The latest date for the upload to the PLR of late applications which are considered to be on-time within the terms of the home LA's scheme is **12 December 2022**.
21. Where an applicant moves from one participating home LA to another after submitting an on-time application under the terms of the former home LA's scheme, the new home LA will accept the application as on-time up to **9 December 2022**, on the basis that an on-time application already exists within the Pan-London system.
22. *Applications which are late for no good reason and applications received after **9 December 2022** but before **1 March 2023** will be considered after all on-time applications have been processed.*
23. Croydon LA will participate in the application data checking exercise scheduled between **13 December 2022 and 3 January 2023** in the Pan-London timetable in Schedule 3A.
24. All preferences for schools within Croydon LA will be considered by the relevant admission authorities without reference to rank order to comply with paragraphs 1.9 of the School Admissions Code 2021. When the admission authorities within Croydon LA have provided a list of applicants in criteria order to this LA, this LA shall, for each applicant to its schools for whom more than one potential offer is available, use the highest ranked preference to decide which single potential offer to make. This is the 'Equal Preference System'.
25. *Schools must provide Croydon LA with an electronic list of their applicants ranked in criteria order by **16 January 2023**.*
26. Croydon LA will carry out all reasonable checks to ensure that pupil rankings are correctly held in its LAS for all maintained schools and academies in this LA before uploading data to the PLR.
27. Croydon LA will upload the highest potential offer available to an applicant for a maintained school or academy in this LA to the PLR by **31 January 2023**. The PLR will transmit the highest potential offer specified by the Maintaining LA to the Home LA.
28. The LAS of this LA will eliminate, as a Home LA, all but the highest ranked offer where an applicant has more than one potential offer across Maintaining LAs submitting information within deadline to the PLR. This will involve exchanges of preference outcomes between the LAS and the PLR (in accordance with the iterative timetable published in the Business User Guide) which will continue until notification that a steady state has been achieved, or until **13 February 2023** if this is sooner.

29. Croydon LA will not make an additional offer between the end of the iterative process and **1 March 2023** which may impact on an offer being made by another participating LA.
30. Notwithstanding paragraph 29, if an error is identified within the allocation of places at a maintained school or academy in this LA, Croydon LA will attempt to manually resolve the allocation to correct the error. Where this impacts on another LA (either as a home or maintaining LA) Croydon LA will liaise with that LA to attempt to resolve the correct offer and any multiple offers which might occur. However, if another LA is unable to resolve a multiple offer, or if the impact is too far reaching, this LA will accept that the applicant(s) affected might receive a multiple offer.
31. Croydon LA will participate in the offer data checking exercise scheduled between **14 and 22 February 2023** in the Pan-London timetable in Schedule 3A.
32. Croydon LA will send a file to the E-Admissions portal with outcomes for all resident applicants who have applied online no later than **22 February 2023**. (33 London LAs & Surrey LA only).

Offers

33. Croydon LA will ensure that, if there are places available, each resident applicant who cannot be offered a place at one of the preferences expressed on the Common Application Form, receives the offer of an alternative school place in accordance with paragraph 2.11 of the School Admissions Code 2021. This will usually be the nearest school to the child's home address which has a place available, after the allocation of places has been completed.
34. Croydon LA will inform all resident applicants of their highest offer of a school place and, where relevant, the reasons why higher preferences were not offered, whether they were for schools in the Home LA or in other participating LAs.
35. This LA's online notification will include the information set out in Schedule 2.
36. *On **1 March 2023**, all resident applicants who applied online will be able to view their outcome online as well as accept or decline their offer. Croydon LA will not send outcome letters in the post.*
37. *All maintained primary schools and academies in this LA will be able to view destination data of their resident applicants on the SAM portal by the end of the summer term 2023.

Post Offer

38. Croydon LA will request that resident applicants accept or decline the offer of a place by **15 March 2023**, or within two weeks of the date of any subsequent offer.
39. Where an applicant resident in this LA accepts or declines a place in a school within the area of another LA by **15 March 2023**, Croydon LA will forward the information to the maintaining LA by **22 March 2023**. Where such information is received from applicants after **15 March 2023**, this LA will pass it to the maintaining LA as it is received.
40. Where a place becomes available in an oversubscribed maintained school or academy in this LA's area, it will be offered from a waiting list ordered in accordance with paragraph 2.15 of the School Admissions Code 2021.
41. Where a waiting list is maintained by an admission authority of a maintained school or academy in this LA's area, the admission authority will inform Croydon LA of a potential offer, in order that the home LA can offer the place.
42. When acting as a maintaining LA, Croydon LA will inform the home LA, where different, of an offer for a maintained school or Academy in this LA's area which can be made to an applicant resident in the home LA's area, in order that the home LA can offer the place.
43. When acting as a maintaining LA, this LA and the admission authorities within it, will not inform an applicant resident in another LA that a place can be offered.
44. When acting as a home LA, Croydon LA will offer a place at a maintained school or Academy in the area of another LA to an applicant resident in its area, provided that the school is ranked higher on the Common Application Form than any school already offered.
45. When acting as a home LA, when Croydon LA is informed by a maintaining LA of an offer which can be made to an applicant resident in this LA's area which is ranked lower on the Common Application Form than any school already offered, it will inform the maintaining LA that the offer will not be made.
46. When acting as a home LA, when Croydon LA has agreed to a change of preference order for good reason, it will inform any maintaining LA affected by the change. In such cases, paragraphs 44 and 45 shall apply to the revised order of preferences.

47. When acting as a maintaining LA, Croydon LA will inform the home LA, where different, of any change to an applicant's offer status as soon as it occurs.
48. When acting as a maintaining LA, Croydon LA will accept a change of preferences or preference order (including reinstated or additional preferences) from home LAs for maintained schools and academies in its area.
49. When acting as a maintaining LA, Croydon LA will accept new applications (including additional preferences) from home LAs for maintained schools and academies in its area.
50. This LA, when acting as a home LA, will allow applicants to express additional preferences before the start of the school term, after National Offer Day. The number of additional preferences will be unrestricted.
51. Croydon LA, when acting as a home LA, will aim to start filling any vacancies which become available after 1 March 2023 within four weeks of National Offer Day. Secondary schools will be asked to rank all applicants on their waiting list, including late applications received after 31 October 2022, in accordance with their oversubscription criteria. Secondary schools will then advise Croydon LA of the offers to be made.
52. *Resident applicants who receive an offer at their first preference school will only be placed onto a waiting list for a lower preference school in exceptional circumstances which would need to be supported with relevant evidence. In accordance with the Pan London agreement and to ensure that Croydon meets its duty to continue to coordinate admissions beyond National Offer Day and comply with the parents' highest possible preference, Croydon will ensure that waiting lists do not contain lower ranked preferences except where it has received a parent's request for a child to be placed on the waiting list for a lower preference school following a change of circumstances.*

Waiting lists

Waiting lists will be maintained by Croydon secondary schools for at least one term until **31 December 2023** and places will be filled in accordance with each school's admission criteria. After this date, parents/carers will need to apply through the in-year application process if they wish their child to remain on a school's waiting list. Parents/carers must also refer to each school's admission policy for more information regarding the management of waiting lists.

Parents/carers' enquiries regarding waiting list positions or appeal procedures must be made directly to the schools.

The PAN London Coordinated Admission Scheme ends on **31 August 2023**. Applications for Year 7 received after this date will be treated as in-year applications. Please refer to Croydon Council's website and the in-year admissions guidance for more information.

**PAN-LONDON CO-ORDINATED ADMISSIONS SCHEME
SCHEDULE 1**

**Minimum Content of Common Application Form for Admissions to Year
7/Year 10 in 2023/24**

Child's details:

Surname

Forename(s)

Middle name(s)

Date of Birth

Gender

Home address

Name of current school

Address of current school (if outside home LA)

Parent's details:

Title

Surname

Forename

Address (if different to child's address)

Telephone Number (Home, Daytime, Mobile)

Email address

Relationship to child

Preference details (x 6 recommended):

Name of school

Address of school

Preference ranking

Local authority in which the school is based

Additional information:

Reasons for Preferences (including any medical or social reasons)

Does the child have an Education, Health and Care Plan Y/N*

Is the child a 'Child Looked After (CLA)'? Y/N

Is the child formerly CLA but now adopted or subject of a 'Child Arrangements Order or 'Special Guardianship Order'? Y/N

If yes, name of responsible local authority

Surname of sibling

Forename of sibling

DOB of sibling

Gender of sibling

Name of school sibling attends

Other:

Signature of parent or guardian

Date of signature

*Where an LA decides not to request this information on the CAF, it must guarantee that no details of a child with an Education, Health and Care Plan will be sent via the PLR.

PAN-LONDON CO-ORDINATED ADMISSIONS SCHEME

SCHEDULE 2

Template Outcome Letter for Admissions to Year 7/Year 10 in 2023/2024

From: Home LA

Date: **1 March 2023**
(sec)

Dear Parent,

Application for a Secondary School

I am writing to let you know the outcome of your application for a secondary/primary school. Your child has been offered a place at X School. The school will write to you with further details.

I am sorry that it was not possible for your child to be offered a place at any of the schools which you listed as a higher preference on your application form. For each of these schools there were more applications than places, and other applicants has a higher priority than your child under the school's published admission criteria.

Your child's name has been automatically added on the waiting list for any higher preference school you have been unsuccessful.

Offers which could have been made for any schools which you placed lower in your preference list, were automatically withdrawn under the co-ordinated admission arrangements, as a higher preference has been offered.

If you would like more information about the reason that your child was not offered a place at any higher preference school, you should contact the admission authority that is responsible for admissions to the school within the next few days. Details of the different admission authorities for schools in the borough of X are attached to this letter. If the school is outside the borough of X, the admission authority will either be the borough in which the school is situated, or the school itself.

You have the right of appeal under the School Standards & Framework Act 1998 against the refusal of a place at any of the schools for which you have applied. If you wish to appeal, you must contact the admission authority for the school within the next few days to obtain the procedure and the date by which an appeal must be received by them.

Please would you confirm that you wish to accept the place at X School by completing the reply slip below. If you do not wish to accept the place, you will need to let me know what alternative arrangements you are making for your child's education.

*Please return the reply slip to me by **15 March 2023(sec)**. If you have any questions about this letter, please contact me on _____.*

Yours sincerely

(First preference offer letters should include the paragraphs in italics only)

**PAN-LONDON CO-ORDINATED ADMISSIONS SCHEME
SCHEDULE 3A**

Timetable for Admissions to Year 7/Year 10 in 2023/24

Mon 31 Oct 2022	Statutory deadline for receipt of applications
Mon 14 Nov 2022	Deadline for the transfer of application information by the Home LA to the PLR (ADT file).
Mon 12 Dec 2022	Deadline for the upload of late applications to the PLR.
Tues 14 Dec 2022 – Tues 3 Jan 2023	Checking of application data
Tues 31 Jan 2023	Deadline for the transfer of potential offer information from Maintaining LAs to the PLR (ALT file)
Mon 13 Feb 2023	Final ALT file to PLR
Tues 14 – Tues 21 Feb 2023	Checking of offer data
Wed 22 Feb 2023	Deadline for on-line ALT file to portal
Wed 1 Mar 2023	Outcomes published online.
Wed 15 Mar 2023	Deadline for return of acceptances
Wed 22 Mar 2023	Deadline for transfer of acceptances to maintaining LAs

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Available Primary School Places vs SCAP 2021 Pupil Projections

Planning Area	Academic Year	Available places (Year R)	Forecast (Year R)	Surplus / deficit	FE	%
North West	2021/22	1410	1190	220	7	16
	2022/23	1380	1190	190	6	14
	2023/24	1380	1160	220	7	16
	2024/25	1380	1180	200	7	14
	2025/26	1380	1133	247	8	18
East	2021/22	1470	1191	279	9	19
	2022/23	1410	1161	249	8	18
	2023/24	1410	1096	314	10	22
	2024/25	1410	1106	304	10	22
	2025/26	1410	1058	352	12	25
Central	2021/22	660	665	-5	0	-1
	2022/23	660	658	2	0	0
	2023/24	690	654	36	1	5
	2024/25	690	661	29	1	4
	2025/26	690	641	49	2	7
South East	2021/22	360	282	78	3	22
	2022/23	360	294	66	2	18
	2023/24	360	286	74	2	20
	2024/25	360	297	63	2	17
	2025/26	360	297	63	2	17
South	2021/22	630	581	49	2	8
	2022/23	630	602	28	1	4
	2023/24	630	553	77	3	12
	2024/25	630	532	98	3	15
	2025/26	630	517	113	4	18
South West	2021/22	690	694	-4	0	-1
	2022/23	690	641	50	2	7
	2023/24	690	604	86	3	13
	2024/25	690	612	78	3	11
	2025/26	690	608	82	3	12

Planning Area	Academic Year	Available Places	Forecast (Year R)	Surplus	FE	%
Borough Wide	2021/22	5220	4603	617	21	12
	2022/23	5130	4545	585	19	11
	2023/24	5160	4353	807	27	16
	2024/25	5160	4389	771	26	15
	2025/26	5160	4255	905	30	18

Available Secondary School Places vs SCAP 2021 Pupil Projections

Planning Area	Academic Year	Available Places	Forecast (Year 7)	Surplus	FE	%
North	2021/22	2654	2359	295	10	11
	2022/23	2654	2351	303	10	11
	2023/24	2654	2352	302	10	11
	2024/25	2654	2282	372	12	14
	2025/26	2654	2244	410	14	15
	2026/27	2654	2248	406	14	15
	2027/28	2654	2280	374	12	14
South	2021/22	1574	1542	32	1	2
	2022/23	1574	1572	2	0	0
	2023/24	1574	1553	21	1	1
	2024/25	1574	1490	84	3	5
	2025/26	1574	1500	74	2	5
	2026/27	1574	1547	27	1	2
	2027/28	1574	1532	42	1	3

Planning Area	Academic Year	Available Places	Forecast (Year 7)	Surplus	FE	%
Borough Wide	2021/22	4228	3902	327	11	8
	2022/23	4228	3923	305	10	7
	2023/24	4228	3906	322	11	8
	2024/25	4228	3772	456	15	11
	2025/26	4228	3744	484	16	11
	2026/27	4228	3795	433	14	10
	2027/28	4228	3812	416	14	10

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Appendix 3 - Capital Programme Budget Summary

Capital Programme Budget Summary						
Planning Area	Project Description	2021-22	2022-23	2023-24	2024-2025	Total
	Permanent Expansions					
North West	Chestnut Primary Academy	37,000				37,000
Central	3FE Harris Purley Way (pka Fiveways)	296,792	25,000			321,792
Central	Heathfield Academy, Aberdeen Road	34,706				34,706
East	1 FE Heavers Farm	1,962				1,962
East	Oasis Shirley Park	13,500				13,500
South West	1 FE Chipstead Valley					-
South West	1FE Smitham Primary School	41,010	19,000			60,010
North West	2 FE West Thornton Academy					-
East	Stroud Green Lodge Primary (Oasis)					-
Various	Primary Programme Feasibility					-
	TOTAL	424,970	44,000			468,970
	Fixed Term Expansions / Bulges					
South	Smitham Primary School (Bulge)	19,252	9,000			28,252
South	Gresham Primary School (Bulge)	50,000	494,000			544,000
Various	Contingency provision (Basic Need Allocation) - not yet allocated		2,740,031			2,740,031
	TOTAL	69,252	3,243,031			3,312,283
	SEN					
South	St Giles Internal Re-modelling Works	120,000				120,000
South	St Giles 2 Classroom Modular Expansion	427,696	37,000	75,000		539,696
South	St Giles Suctioning Treatment Space	63,067				63,067
South	Red Gates 1 classroom Modular Building Expansion 2018	23,321	25,000	80,000		128,321
South	Red Gates 2 classroom Modular Building Expansion 2019	29,686	30,000	80,000		139,686
South	St Nicholas (112 place SEN primary expansion)	500,386	200,000	200,000		900,386
South	Meridian School improved suitability for ASD secondary ELP	100,000				100,000
South	Castlehill School places for children with ASD at primary ELP	50,000				50,000
North East	Priory School Hermitage Road Site Fencing					-
North East	Priory School Hermitage Road ICT Replacement					-
North East	Priory School Hermitage Road Safeguarding & Suitability Works	46,066				46,066
TBC	Post 16 SEN Permanent Provision	3,000,000				3,000,000
South	Post 16 SEN Temp. Modular - Coulsdon College Site	60,000	60,000	71,705		191,705
South East	Addington Valley Academy (For ESFA)	6,173,681	210,345			6,384,026
South East	Redgates Staffroom Extension	420,739				420,739
South East	Redgates Playground Works	93,552	88,148			181,700
Various	SEN Future Provision					-
Various	High Needs Capital Funding Allocation - not yet allocated		1,576,250			1,576,250
	TOTAL	11,108,193	2,226,743	506,705	-	13,841,642
	Major Maintenance					
Various	Education Major Maintenance Programme	2,657,070	3,729,395	2,558,535		8,945,000
Various	Contingency provision (SCA) - not yet allocated		5,531,708			5,531,708
	TOTAL	2,657,070	9,261,104	2,558,535		14,476,709
	Fire Safety Works					
Various	Fire Safety Works	450,000	901,972			1,351,972
	TOTAL	450,000	901,972	-		1,351,972
	Miscellaneous					
South	Kenley Modular Replacement	366,482				366,482
North	Cypress Junior Kitchen Renewal					-
Central	St Andrews Furniture Removal					-
Central	Elmwood Junior Kitchen Replacement					-
North East	Kensington Avenue					-
South	Kenley Internal Remodelling Works					-
Various	Unidentified					-
Various	Basic Need Spend					-
	TOTAL	366,482	-	-	-	366,482
	Secondary Estate					
East	Oasis Arena	87,980.00				87,980
	TOTAL	87,980				87,980
	Totals	15,163,947	15,676,850	3,065,240	-	33,906,037

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Appendix 4 Schools Maintenance Plan 2022-2023

School	Works Description	Budget	Comments:
GENERAL BUILDING WORKS			
Beulah Junior	Installation of new windows - subject to survey	£100,000	
Beulah Junior	Replacement of cast Iron Guttering - rotten brackets subject to survey	£50,000	
Forestdale Primary	New External Access Stairs and Ramp	£40,000	
Howard Primary	Re-instatement of Boundary Wall	£100,000.00	
Howard Primary	Repairs to Flooding Playground	£213,000.00	
Selhurst Nursery	Roof covering - Leaks	£200,000	
Allow for Survey/Design for Projects - 10%		51,300.00	
TOTAL		£754,300.00	
HEALTH & SAFETY COMPLIANCE			
Asbestos - AMP/Re-inspections	Annual re-inspection survey/required remedial works in schools	£50,000.00	
Howard Primary School - Fire safety works	H&S and Compliance Works	£200,000	
Allow for Survey/Design for Projects - 10%		£5,000.00	
Total		£255,000.00	
MECHANICAL WORKS			
School	Description of Issue	Estimated Costs	Comments
Bensham Manor	Hot Water Storage and pipework distribution - deteriorated	£200,000.00	
Bensham Manor	Cold Water Storage and pipework distribution – deteriorated	£200,000.00	
Greenvale Primary	Cold Water Storage and pipework distribution – defective	£40,000.00	
Norbury Manor Primary	Cold Water Storage and pipework distribution – defective	£30,000.00	
St. Giles School	Repair/ Replace solar Thermal panels serving 3-Coil Vaillant Hot water storage cylinder	£10,000.00	
Allow for Survey/Design for Projects - 10%		£48,000.00	
TOTAL		£528,000.00	
ELECTRICAL WORKS			
School	Description of Issue	Estimated Costs	Comments
Beaumont Primary	Replace existing FRCB/Rewirable boards with new metal clad MCB/RCBO split load/split metered power and lighting lockable distribution boards.	£10,000.00	
Downsview Primary	LED luminaries throughout school	£50,000	
Elmwood Infant	Replace existing with new metal clad MCB/RCBO split load/split metered power and lighting lockable distribution boards	£20,000.00	
Norbury Manor Primary	Replace all 25+ year luminaries throughout old part of school – end of life	£110,000.00	
Purley Nursery	Replace all 25+ year luminaries throughout nursery – end of life	£10,000.00	
Smitham Primary	Replace all 25+ year luminaries throughout school – end of life	£147,000.00	
Allow for Survey/Design for Projects - 10%		£29,700.00	
TOTALS		£376,700.00	
Fire Safety Works 2022-2023	Easter 2022 - 3 schools Summer 2022 - 7 schools	£856,500	
Re-active Maintenance	Undertake emergency works in schools throughout the year	£224,250	
Grand Total		£2,242,500	
OTHER - Slippage 2021-2022			
Work Area	Description of Works	Estimated Costs	Comments
Slippage Electrical Works	Slippage from 2021-22 programme including retention fees	£119,153	See slippage document
Slippage Mechanical Works	Slippage from 2021-22 programme including retention fees	£610,000	See slippage document
Slippage General Build Works	Slippage from 2021-22 programme including retention fees	£757,742	See slippage document
Total		£1,486,895.22	
Total budget & slippage		£3,729,395.22	

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Croydon's Childcare Sufficiency Assessment 2021

Croydon Childcare Sufficiency Assessment (CSA)

2021

CONTENTS

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1. Introduction

All councils are required by law to *‘report annually to elected council members on how they are meeting their duty to secure sufficient childcare, and make this report available and accessible to parents’*¹. We have prepared this report in order to meet this duty.

Having sufficient childcare means that families are able to find childcare that meets their child’s learning needs and enables parents to make a real choice about work and training. This applies to all children from birth to age 14, and to children with disabilities. Sufficiency is assessed for different groups, rather than for all children in the local authority.

In this report we have made an assessment of sufficiency using data about the need for childcare and the amount of childcare available.

We use this information about childcare sufficiency to plan our work supporting the local childcare economy.

The ongoing pandemic this year saw a further lockdown in January which has impacted, like many other areas, on the childcare and early education sector. Whilst schools closed to all pupils to all except vulnerable² pupils and children of critical workers, early years settings remained open to all children, offering early education and childcare to their families. However, settings were not immune to Covid and many had to make temporary closures due to staff shortages and/or cases of the virus. Many families chose *not* to send their children to a setting, due to anxiety around the spread of the virus and a reduced need for childcare.

¹ Statutory guidance on Early Education and Childcare, effective from 1 March 2018

² Vulnerable children and young people include those who: Vulnerable children and young people
Vulnerable children and young people include those who:

- are assessed as being in need under section 17 of the Children Act 1989, including children and young people who have a child in need plan, a child protection plan or who are a looked-after child
- have an education, health and care (EHC) plan
- have been identified as otherwise vulnerable by educational providers or local authorities (including children’s social care services), and who could therefore benefit from continued full-time attendance, this might include:

children and young people on the edge of receiving support from children’s social care services or in the process of being referred to children’s services

adopted children or children on a special guardianship order

those at risk of becoming NEET (‘not in employment, education or training’)

those living in temporary accommodation

those who are young carers

those who may have difficulty engaging with remote education at home (for example due to a lack of devices or quiet space to study)

care leavers

others at the provider and local authority’s discretion including pupils and students who need to attend to receive support or manage risks to their mental health

2 Demand for childcare

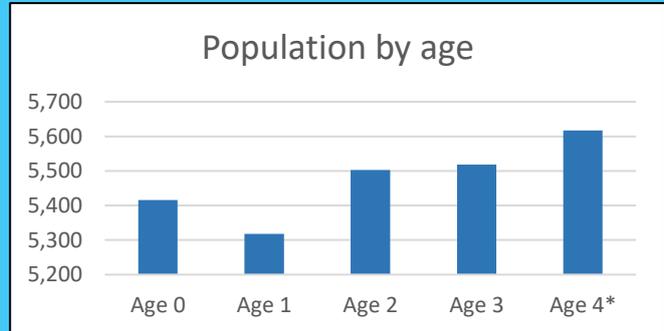
Population of early years children

In total, there are 27,372 children under the age of five living in our local authority³. These children may require early years childcare.

Numbers by age

Age	Number of children
Age 0	5,416
Age 1	5,318
Age 2	5,503
Age 3	5,518
Age 4*	5,617

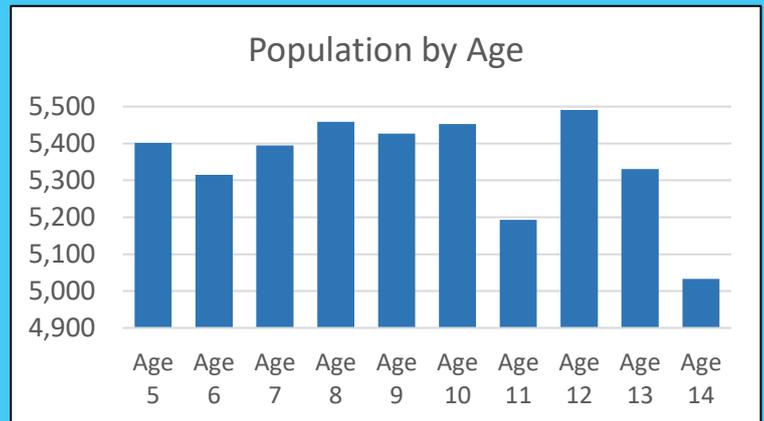
* Some four-year-olds will have started reception



Population of school age children

In total there are 37,644 children aged 5-11, and 15,855 children aged 12-14 living in our local authority. These children may require childcare before and after school, and/or during the school holidays.

Age	Number of children
Age 5	5,402
Age 6	5,315
Age 7	5,395
Age 8	5,459
Age 9	5,427
Age 10	5,453
Age 11	5,193
Age 12	5,491
Age 13	5,331
Age 14	5,033



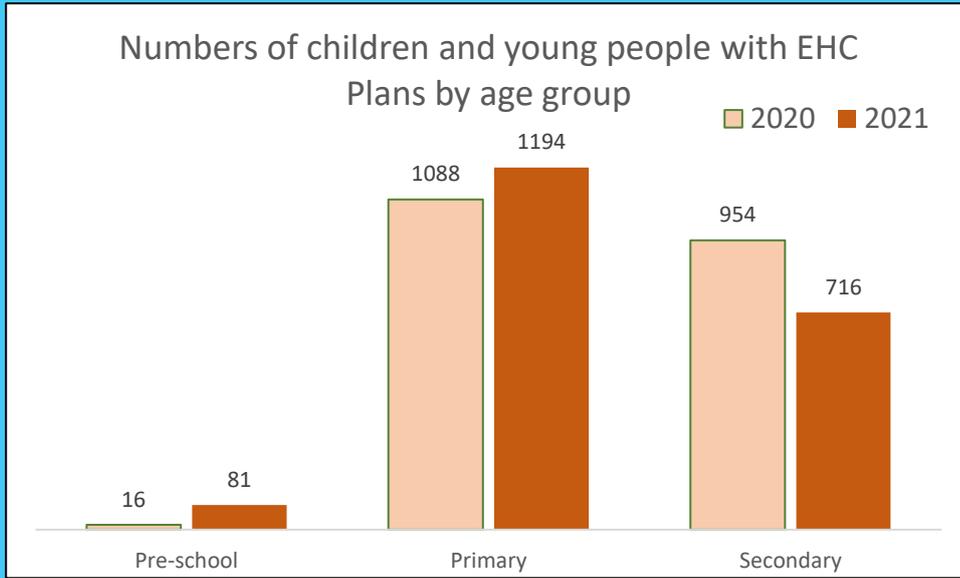
Number of children with special educational needs and disabilities

Children with special education needs and disabilities (SEND) are entitled to support with childcare up to the age of 19 (age 14 for children who do not have a special need or disability). The number of children with an Education, Health and Care (EHC) plan in our local authority is:

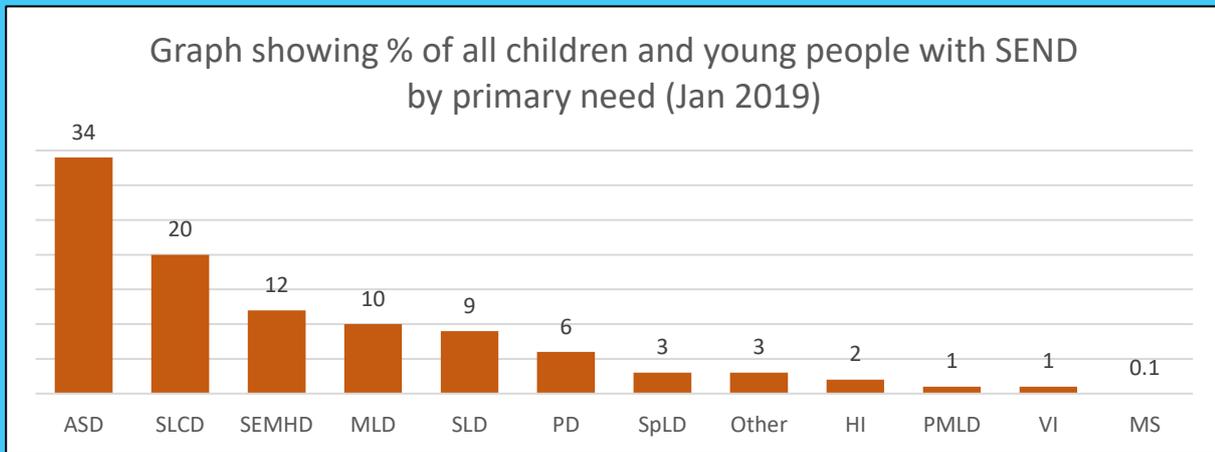
Age	Number of children
Birth to school age	81
Primary school (reception to year six)	1,194
Secondary school (year seven to thirteen)	716

³ Data from <https://www.croydonobservatory.org/wp-content/uploads/2021/09/SEND-Profile-August-2021.pdf>

The number of children and young people requiring an EHC plan in 2021 has increased overall since 2020, with numbers rising significantly in the pre-school and secondary age groups.⁴



Children’s needs change over time and are identified at different ages. Among the youngest children, SEND may only be identified when they start in childcare or school, and it can take some time from problems being identified to an EHC plan being issued. It is therefore possible that the number of children with SEND aged 0-4 is an underestimate. Some children have SEN but do not have an EHC plan.



Key:

- ASD – Autistic Spectrum Disorder
- SLCD – Speech, Language & Communication Needs
- SEMHD – Social, Emotional, Mental Health Difficulty
- MLD – Moderate Learning Difficulty
- SLD – Severe Learning Difficulty
- PD – Physical Disability
- SpLD – Specific Learning Disability (Dyslexia)
- HI – Hearing Impairment
- PMLD – Profound & Multiple Learning Disability
- VI – Visual Impairment
- MS – Multi Sensory Impairment

Croydon has 3 specialist provision school nursery classes, each providing 12 part-time places. St Giles caters for children with complex physical disabilities, medical needs, speech and language difficulties and a range of associated learning difficulties; Willow

⁴ <https://www.croydonobservatory.org/wp-content/uploads/2021/09/SEND-Profile-August-2021.pdf>

Tree caters for children with severe learning difficulties and autism; and Winterbourne caters for children with social communication difficulties

3 Supply of childcare

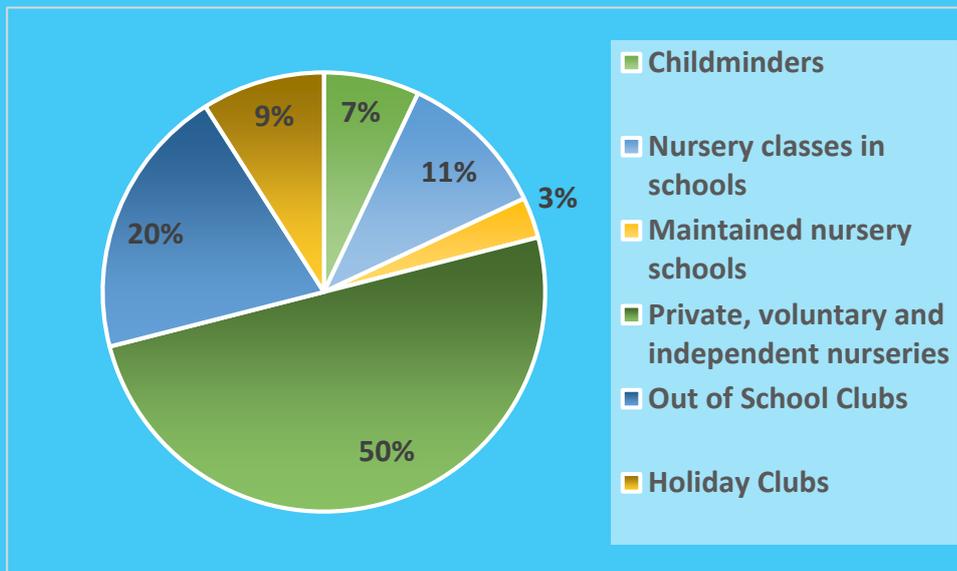
For the purpose of this assessment the supply of formal childcare includes private day nurseries, pre-schools, schools with nursery provision, maintained nursery schools, childminders, out of school clubs and holiday clubs.

Number of early years providers and places

In total, there are 739 childcare providers in our local authority, offering 14,667 childcare places.

Type of provision	Number of providers	Number of registered places
Childminders*	396	990
Nursery classes in schools	44	1,562
Maintained nursery schools	5	379
Private, voluntary and independent nurseries	162	7,398
Out of School Clubs	67	2,949
Holiday Clubs	22	1,389
Total	696	14,667

The data in this table is correct as of 17.11.2021



For private, voluntary and independent nurseries and childminders, the number of registered places represents the maximum number of children who can be on the premises at any given time. In practice, many providers choose to operate below their number of registered places.

Children may attend childcare full time or part time. This table records places for children who are attending full time, or for as many hours as the setting is open. In some cases, two or more children attending part time may use one full time equivalent place. For example, one child may attend in the morning and one child may attend in the afternoon.

Although we ask providers to report vacancies to us so we can help promote them. Not all choose to do this. In general, vacancy rates are higher in the autumn, when children move to school.

Early years atypical hours

Childcare is most commonly delivered during the typical working day – between 8am and 6pm on weekdays. Some parents require childcare outside these times in order to fit with their work or other responsibilities.

65 childcare providers in Croydon offer atypical hours on weekdays. These are all from the private, voluntary & independent (PVI) sector. It is unknown how many childminders offer childcare outside of the typical hours or at weekends.

Number of school age providers and places

In total, there are 58 providers of childcare for school age children during term time, and 21 providers of childcare for school age children during the holidays. There are also 396 childminders who may provide care for school age children

Tracking supply of childcare for school age children is difficult because not all of this type of provision is registered with Ofsted. It is possible that we have under-counted the provision of breakfast and afterschool clubs and holiday clubs. Parents may also use provision which is not considered ‘childcare’, for example sports or arts clubs after school or in the holidays.

School age atypical

49 providers offer atypical hours (before 8am and/or after 6pm) during the week for families. These are all out of school clubs. Childminders may also offer atypical hours for school aged children, including weekend hours.

4 Funded early education

All children aged 3 and 4 are entitled to 15 hours per week over 38 weeks (570 hours) until they start reception class in school. This is known as the ‘universal offer’. Parents can access this universal offer over a longer period of time, with less hours per week, depending of each setting’s offer. This is known as a ‘stretched offer’.

Children aged 3 and 4, where both parents are working, or from lone parent families where that parent is working, are **entitled** to 30 hours per week until they start reception class in school⁵

Children aged 2 whose families receive certain benefits (including low income families in receipt of in-work benefits), or those who meet additional non-economic **criteria** , are entitled to 15 hours per week. Nationally, about 40% of 2 year olds are entitled to this offer, but the proportion varies by area.

⁵ Available to families where each parent (or one parent in a single adult household) are earning the equivalent of working sixteen hours per week on the minimum wage to a maximum of £100,000 each.

Take up of funded early education

The take up of funded places is shown in the tables below:

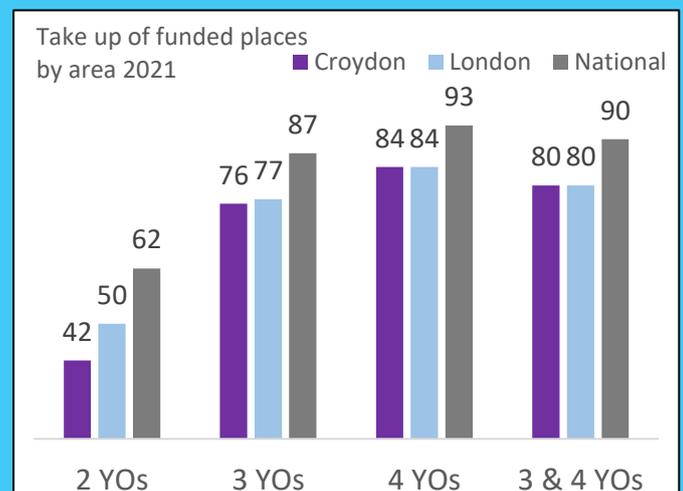
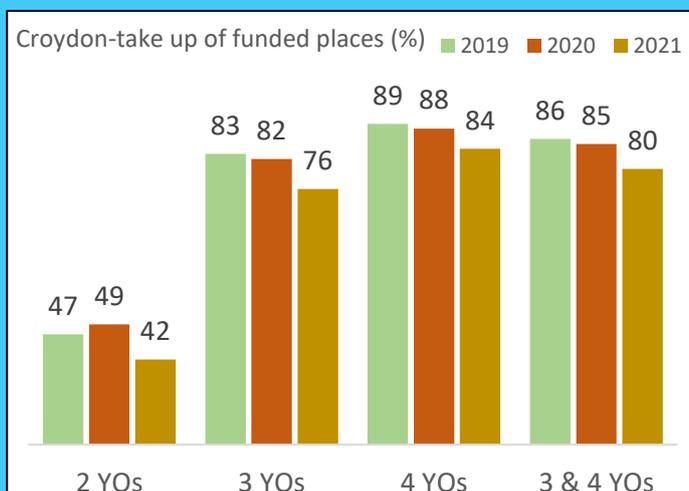
3 & 4 year olds take up:

	Number 3 & 4 YOs Croydon	Take up % Croydon	Take up % London	Take up % National
2018	9,409	85	85	94
2019	9,507	86	85	93
2020	9,624	85	84	93
2021	8,935	80	80	90

2 year olds take up:

	Number 2 YOs Croydon	Take up % Croydon	Take up % London	Take up % National
2018	1,127	82	61	72
2019	1,021	47	56	68
2020	1,014	49	59	69
2021	761	42	50	62

<https://explore-education-statistics.service.gov.uk/data-catalogue/education-provision-children-under-5>



The Department for Education published figures show that the proportion of eligible children taking up their funded place has dropped significantly since 2020.

<https://explore-education-statistics.service.gov.uk/data-tables/education-provision-children-under-5>

Early Years Pupil Premium (EYPP)

Children are eligible for EYPP if they are receiving their early years' entitlement and meet the benefits related criteria for free school meals or are in/have left the care of the local authority. In Croydon, the setting where the child is receives £0.53 per hour EYPP plus a deprivation uplift of £1.02, resulting in an additional payment of £1.55 per hour. In January 2021, 453 children received EYPP funding.

5 Prices

Prices of early school years childcare

For early years childcare outside the funded entitlements, we report on average prices per hour, reported to us by settings. There may be variations to prices based on the number of hours a family uses, with reductions for longer hours, or discounts for sibling groups. There may be additional payments for additional services, e.g. lunch and other meals which are not included in these prices.

Average fees charged per hour as of August 2021	Private, voluntary and independent nurseries	School and maintained nursery schools which make charges to parents	Childminders
0 and 1 year olds	£6.20	N/A	£6.20*
2 year olds	£5.90	N/A	£6.20
3 and 4 year olds	£5.40	£5.50	£6.20

*based on fees of funded CMs only

Prices of school age childcare

The cost of childcare for school aged children varies greatly. The costs detailed below are for a daily sessions. (Please note that the daily sessions vary in length)

Fees charged as of August 2021	Highest price	Lowest price	Average price
Breakfast club per day	£11.00	£1.00	£4.88
After-school club per day	£20.25	£6.00	£12.80
Holiday club per day	£55.00	£12.00	£31.50

6 Quality of childcare in Croydon

Ofsted inspection grades

All childcare providers must register with and be inspected by Ofsted, who give them an overall grade for the quality of their provision. Childminders and private and voluntary providers are on the Early Years Register, and schools and standalone maintained nursery schools are on the Schools register. The grades for both registers are equivalent. Schools with nurseries have an overall inspection grade for the whole school and most also have a separate early years grade.

Both schools and early years providers have four possible Ofsted grades: 'outstanding', 'good', 'requires improvement', and 'inadequate'.⁶ Some providers are still awaiting their first full inspection. These providers are excluded from our calculation.

⁶ For more information see <https://reports.ofsted.gov.uk/about-our-inspection-reports>

Nursery classes in independent schools do not generally have an Ofsted grade.

The table below shows the Ofsted judgements by type of provision and inspection grade

	Outstanding		Good		Requires Improvement		Inadequate		Awaiting	
Day nursery	6	5%	77	65%	3	2.5%	6	5%	27	23%
Pre-school	7	16%	27	63%	0	0%	1	2%	8	19%
School nursery*	4	8%	33	66%	3	6%	0	0%	10	20%

* early years grade if available, otherwise overall school grade

When providers do not have any children on site at the time of their first inspection, they are given an Ofsted grade of 'met' or 'not met'. This shows whether they are meeting the requirements for Ofsted registration, and usually happens when new providers are being set up.

	Outstanding		Good		Requires Improvement		Inadequate		Met		Not Met		Awaiting	
Childminder	31	8%	154	39%	4	1%	1	0%	72	18%	18	5%	116	29%
Out of School	6	9%	27	40%	1	1%	0	0%	3	5%	2	3%	28	42%
Holiday Club	1	5%	5	22%	0	0%	0	0%	6	27%	3	14%	7	32%

Data from Croydon Early Years Sufficiency and Marketing Team

7 Parents and providers views of sufficiency in our local area

This year we did not complete a parental questionnaire. These are usually carried out during the summer term, but due to the uncertainties around the pandemic, we did not feel it appropriate.

Feedback from providers shows us that, currently we have ample childcare in Croydon. A few day nurseries are reporting low numbers of children returning post-Covid restrictions and we will monitor the situation with them. Many settings are reporting issues with staffing. This appears to be a London wide issue as settings struggle to engage qualified staff.

Other formats and languages

For a large print, Braille, disc, sign language video or audio-tape version of this document, please contact us at the address below:

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1. Introduction

1.1 Purpose of Equality Analysis

The council has an important role in creating a fair society through the services we provide, the people we employ and the money we spend. Equality is integral to everything the council does. We are committed to making Croydon a stronger, fairer borough where no community or individual is held back.

Undertaking an Equality Analysis helps to determine whether a proposed change will have a positive, negative, or no impact on groups that share a protected characteristic. Conclusions drawn from Equality Analyses helps us to better understand the needs of all our communities, enable us to target services and budgets more effectively and also helps us to comply with the Equality Act 2010.

An equality analysis must be completed as early as possible during the planning stages of any proposed change to ensure information gained from the process is incorporated in any decisions made.

In practice, the term '**proposed change**' broadly covers the following:-

- Policies, strategies and plans;
- Projects and programmes;
- Commissioning (including re-commissioning and de-commissioning);
- Service review;
- Budget allocation/analysis;
- Staff restructures (including outsourcing);
- Business transformation programmes;
- Organisational change programmes;
- Processes (for example thresholds, eligibility, entitlements, and access criteria).

2. Proposed change

Directorate	Children, Families and Education
Title of proposed change	Education Estates Strategy / School Admission Arrangements
Name of Officer carrying out Equality Analysis	Denise Bushay

2.1 Purpose of proposed change (see 1.1 above for examples of proposed changes)

Briefly summarise the proposed change and why it is being considered. Please also state if it is an amendment to an existing arrangement or a new proposal.

The proposed Education Estates Strategy will ensure that the Council is compliant with its statutory requirements relating to school place sufficiency duties across three stages of education: early years, primary, and secondary and in relation to special school provision. The Strategy includes:

School Place Planning - Early Years; Alternative Provision / Pupil Referral Unit (PRU); Special Educational Needs and Disability (SEND);

School Admissions - proposed Admission Arrangements for Croydon's community schools for the 2021/22 academic year and adoption of the proposed Pan London co-ordination arrangements;

School Maintenance and Compliance - proposed Schools' Maintenance Plan for 2020/21 including asbestos management; and fire safety works in Croydon community schools.

All of the proposed changes are amendments to existing arrangements.

The Strategy is submitted/approved by Cabinet, and full Council in relation to Admission Arrangements on an annual basis. An update report is submitted to Cabinet in July.

School Place Planning

In accordance with the Education and Inspections Act 2006, the Council has a statutory duty to "secure that sufficient schools for providing— (a) primary education, and (b) [secondary] education are available for their area" as well as to "secure diversity and increase opportunities for parental choice when planning the provision of school places" in the borough. The strategy aims to ensure that there are sufficient and suitable school places available for all of Croydon's children; admission arrangements and policies are fair and lawful; the education estate is maintained to a good standard and comply with our duties under equalities and health and safety legislation and compliance with statutory safety legislation and mandatory fire safety requirements.

Early Years

Local authorities are required by legislation - Childcare Act 2006 and Children and Families Act 2014 - to secure early education places for three and four year olds, as well as disadvantaged two year olds Early Years, until the child reaches compulsory school age. Croydon has a wide range of provision offering funded places ranging from day nursery, preschool; schools with nursery places and funded childminders. Cabinet has been asked to note the information contained in the Education Estates Strategy report. There are no proposed changes.

Alternative Provision / Pupil Referral Unit (PRU)

Under Section 19 of the Education Act 1996 Local Authorities have a statutory duty to arrange suitable education for permanently excluded pupils, and for pupils who – because of illness or other reasons – would not receive suitable education without such provision. Education outside of school, when it is arranged by Local Authorities or schools is called alternative provision. There are no immediate proposed changes. .

Special Educational Needs and Disability (SEND)

Nationally and in Croydon, about 97% of children are educated in the state-funded school system without the need for help or support beyond that which a mainstream school can provide. Of these children between 11-12% need some additional support at some stage to address a learning need for varying

periods of time. The Council as an education authority has specific duties in relation to provision of education for children with special educational needs (SEN). The main duties include: to identify whether a child for whom they are responsible has SEN; and to assess a child who in their opinion has SEN. If the assessment shows that it is necessary, to make an EHC Plan: determining the child's needs and the educational provision required and to ensure the specific provision set out in the Plan is provided. The proposed strategy / changes, include change of provider of Rainbow nursery from September 20120 with a related consultation on the extension of the age range for St Giles School. This change will contribute to improved care, and early years educational outcomes and life chances for all children with Special Educational Needs and/or Disabilities. Consultation will be undertaken on a proposal to extend the age range of St Giles Special School to provide specialist education for children with learning difficulties from 3 - 4 years old, to enable Croydon's offer of early education to be provided effectively for all children.

The Council is undertaking feasibility studies and suitability/quality survey of a number of special schools (Red Gates; Priory and St Giles Schools) to inform options for the development of the Education Estate, specifically to ensure equality of opportunity to access good or outstanding special education provision in the Borough for children and young people with a wide range of special educational needs and disabilities.

School Admissions

In line with the Schools Admission Code, 2014, Admission Authorities, including Local Authorities are responsible for ensuring that admission arrangements are compliant with the School Admissions Code. This includes consulting on proposed changes to admission arrangements annually and at least every 7 years where there have been no changes.

School Maintenance

The Council is the employer for community schools, community special schools, maintained nursery schools and pupil referral units and is responsible for larger condition and maintenance works. It has a duty to ensure that appropriate arrangements are in place to monitor and review any preventative and protective measures that have been implemented. The programme of works / maintenance plan will ensure that schools are properly maintained and remain open and supports educational performance and the health & safety of pupils, staff and school community.

3. Impact of the proposed change

Important Note: It is necessary to determine how each of the protected groups could be impacted by the proposed change. If there is insufficient information or evidence to reach a decision you will need to gather appropriate quantitative and qualitative information from a range of sources e.g. Croydon Observatory a useful source of information such as Borough Strategies and Plans, Borough and Ward Profiles, Joint Strategic Health Needs Assessments <http://www.croydonobservatory.org/> Other sources include performance monitoring reports, complaints, survey data, audit reports, inspection reports, national research and feedback gained through engagement with service users, voluntary and community organisations and contractors.

3.1 Additional information needed to determine impact of proposed change

Table 1 – Additional information needed to determine impact of proposed change

If you need to undertake further research and data gathering to help determine the likely impact of the proposed change, outline the information needed in this table.

Additional information needed	Information source	Date for completion
Croydon has a diverse range of educational provision, as outlined below:		

For guidance and support with consultation and engagement visit <https://intranet.croydon.gov.uk/working-croydon/communications/consultation-and-engagement/starting-engagement-or-consultation>

3.2 Deciding whether the potential impact is positive or negative

Table 2 – Positive/Negative impact

<p>For each protected characteristic group show whether the impact of the proposed change on service users and/or staff is positive or negative by briefly outlining the nature of the impact in the appropriate column. . If it is decided that analysis is not relevant to some groups, this should be recorded and explained. In all circumstances you should list the source of the evidence used to make this judgement where possible.</p>			
<p>The primary aim of the Education Estates Strategy is to ensure that as an education authority the Council fulfils its statutory duties relating to school place planning, school admission and school maintenance. Local authorities are required to meet their statutory duty by providing a school place for every child that requires one, regardless of race, ethnicity, gender or disability and the other protected characteristics. Admission arrangements for all Croydon community schools must be determined annually. All schools are required by law to have oversubscription criteria for admissions, which are used to determine the offer of places if a school receives more applications than there are places available. The criteria must be clear, fair and objective in line with the School Admission Code, Equality Act and other relevant legislations, promoting equality and inclusiveness for residents.</p>			
<p>One of the key aims of the Education Estates Strategy is to improve diversity and choice of schools, the right amount of and different types of schools to improve parental choice. This will help to ensure that all pupils have equitable access to school and ensure that the Council’s duty to provide sufficient school places for pupils of statutory school age is fulfilled.</p>			
<p>The Council is the employer for community schools, community special schools, maintained nursery schools and pupil referral units and is responsible for larger condition and maintenance works ensuring that school buildings meet minimum standards.</p>			
Protected characteristic group(s)	Positive impact	Negative impact	Source of evidence
Age	In line with the School Admissions Code, school places are allocated using the		

	<p>agreed/published admissions criteria. The proposed changes relate to children and young people of statutory school age. Admissions to schools are a function that operates within a statutory framework. Croydon is the admission authority for community schools and there are arrangements and criteria for the admission of pupils to nursery, primary and secondary mainstream schools.</p>		
Disability	<p>Children and young people with special educational needs and/or disability are given priority in the admissions criteria or attend special schools. All schools are required to admit a child if their Education and Health Care Plan names the school. The proposed extension of the age range for St Giles School is a re-provision of specialist nursery places at a mainstream nursery school.</p> <p><u>Equality & Diversity Monitoring</u> As part of the consultation process on the proposed change relating to the extension of the age range at St Giles Special School, respondents will be asked to complete an equality and diversity questionnaire, looking at Gender, Age, Ethnicity and Disability. The information collected will help to identify any special requirements; promote equality; and improve choice and diversity.</p>		
Gender	<p>As above, children allocated school place in line with Admissions Code. The proposed changes are not gender specific. The admission arrangements do not contain criteria that impact differently on people with a particular gender.</p>		
Gender Reassignment	<p>As above.</p>		
Marriage or Civil Partnership	<p>N/A</p>		

Religion or belief	The admission arrangements for voluntary aided school could contain a denominational criterion within the policy, to enable priority for children whose parents are active members of the C of E and who request admission to a church school on denominational grounds. However, all applications, including those with no faith basis for applying, are considered applying the published arrangements.	The admission criteria is based on determined admission arrangements compliant with the relevant legislation and is unlikely to discriminate unlawfully.	
Race	The Admission Criteria, based on the Admissions Code, are used to allocate school places and do not include ethnicity or race as criteria. The proposed changes are not intended to have any negative impact on pupils from different ethnic groups		
Sexual Orientation	As above		
Pregnancy or Maternity	As above.		

Important note: You must act to eliminate any potential negative impact which, if it occurred would breach the Equality Act 2010. In some situations this could mean abandoning your proposed change as you may not be able to take action to mitigate all negative impacts.

When you act to reduce any negative impact or maximise any positive impact, you must ensure that this does not create a negative impact on service users and/or staff belonging to groups that share protected characteristics.

3.3 Impact scores

Example

If we are going to reduce parking provision in a particular location, officers will need to assess the equality impact as follows;

1. Determine the Likelihood of impact. You can do this by using the key in table 5 as a guide, for the purpose of this example, the likelihood of impact score is 2 (likely to impact)
2. Determine the Severity of impact. You can do this by using the key in table 5 as a guide, for the purpose of this example, the Severity of impact score is also 2 (likely to impact)
3. Calculate the equality impact score using table 4 below and the formula **Likelihood x Severity** and record it in table 5, for the purpose of this example - **Likelihood (2) x Severity (2) = 4**

Table 4 – Equality Impact Score

Severity of Impact	3	3	6	9
	2	2	4	6
	1	1	2	3
		1	2	3
	Likelihood of Impact			

Key

Risk Index	Risk Magnitude
6 – 9	High
3 – 5	Medium
1 – 3	Low

Table 5 – Impact scores

<p>Column 1</p> <p>PROTECTED GROUP</p>	<p>Column 2</p> <p>LIKELIHOOD OF IMPACT SCORE</p> <p>Use the key below to score the likelihood of the proposed change impacting each of the protected groups, by inserting either 1, 2, or 3 against each protected group.</p> <p>1 = Unlikely to impact 2 = Likely to impact 3 = Certain to impact</p>	<p>Column 3</p> <p>SEVERITY OF IMPACT SCORE</p> <p>Use the key below to score the severity of impact of the proposed change on each of the protected groups, by inserting either 1, 2, or 3 against each protected group.</p> <p>1 = Unlikely to impact 2 = Likely to impact 3 = Certain to impact</p>	<p>Column 4</p> <p>EQUALITY IMPACT SCORE</p> <p>Calculate the equality impact score for each protected group by multiplying scores in column 2 by scores in column 3. Enter the results below against each protected group.</p> <p>Equality impact score = likelihood of impact score x severity of impact score.</p>
Age	1	1	1
Disability	1	1	1
Gender	1	1	1
Gender reassignment	1	1	1
Marriage / Civil Partnership	1	1	1
Race	1	1	1
Religion or belief	1	1	1
Sexual Orientation	1	1	1
Pregnancy or Maternity	1	1	1

4. Statutory duties

4.1 Public Sector Duties

Tick the relevant box(es) to indicate whether the proposed change will adversely impact the Council's ability to meet any of the Public Sector Duties in the Equality Act 2010 set out below.

Advancing equality of opportunity between people who belong to protected groups x

Eliminating unlawful discrimination, harassment and victimisation x

Fostering good relations between people who belong to protected characteristic groups x

Important note: If the proposed change adversely impacts the Council's ability to meet any of the Public Sector Duties set out above, mitigating actions must be outlined in the Action Plan in section 5 below.

5. Action Plan to mitigate negative impacts of proposed change

Table 5 – Action Plan to mitigate negative impacts

Complete this table to show any negative impacts identified for service users and/or staff from protected groups, and planned actions mitigate them.				
Protected characteristic	Negative impact	Mitigating action(s)	Action owner	Date for completion
Disability	N/A			
Race	N/A			
Sex (gender)	N/A			
Gender reassignment	N/A			
Sexual orientation	N/A			
Age	N/A			
Religion or belief	N/A			
Pregnancy or maternity	N/A			
Marriage/civil partnership	N/A			

6. Decision on the proposed change

Based on the information outlined in this Equality Analysis enter **X** in column 3 (**Conclusion**) alongside the relevant statement to show your conclusion.

Decision	Definition	Conclusion - Mark 'X' below
No major change	Our analysis demonstrates that the policy is robust. The evidence shows no potential for discrimination and we have taken all opportunities to advance equality and foster good relations, subject to continuing monitoring and review. If you reach this conclusion, state your reasons and briefly outline the evidence used to support your decision.	X
Adjust the proposed change	We will take steps to lessen the impact of the proposed change should it adversely impact the Council's ability to meet any of the Public Sector Duties set out under section 4 above, remove barriers or better promote equality. We are going to take action to ensure these opportunities are realised. If you reach this conclusion, you must outline the actions you will take in Action Plan in section 5 of the Equality Analysis form	
Continue the proposed change	We will adopt or continue with the change, despite potential for adverse impact or opportunities to lessen the impact of discrimination, harassment or victimisation and better advance equality and foster good relations between groups through the change. However, we are not planning to implement them as we are satisfied that our project will not lead to unlawful discrimination and there are justifiable reasons to continue as planned. If you reach this conclusion, you should clearly set out the justifications for doing this and it must be in line with the duty to have due regard and how you reached this decision.	
Stop or amend the proposed change	Our change would have adverse effects on one or more protected groups that are not justified and cannot be mitigated. Our proposed change must be stopped or amended.	
Will this decision be considered at a scheduled meeting? e.g. Contracts and Commissioning Board (CCB) / Cabinet		Meeting title: Date:

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7. Sign-Off

Equality Analysis

Officers that must approve this decision	
Equality lead	Name: _____ Date: _____ Position: _____
Director	Name: _____ Date: _____ Position: Director of Education

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REPORT TO:	Cabinet 24 January 2022
SUBJECT:	Report in the Public Interest October 2020 – Quarter 3 Update
LEAD OFFICER:	Richard Ennis, Interim Corporate Director of Resources (Section 151)
CABINET MEMBER:	Cllr Hamida Ali, Leader of the Council
WARDS:	All

SUMMARY OF REPORT:

The report provides an update in response to the Council's Report in the Public Interest October 2020. Of 37 recommendations remaining open at quarter two, 7 have moved to complete, pending evidence.

Subsequent to feedback from the Scrutiny and Overview Committee, recommendations will not be moved to complete until embedded in the organisation as 'business as usual'. Therefore, 4 recommendations have reverted to in-progress.

34 recommendations remain open at quarter three, however, 14 relate to training which is either planned or underway.

Updates have been supplied by the relevant Senior Accountable Officer (SAO), against every recommendation.

This report will be presented to Full Council on 31st January, to General Purposes and Audit Committee on 3rd February and Scrutiny and Overview Committee on 8th February.

COUNCIL PRIORITIES 2020-2024

This covering report provides an overview of the work that has been progressed to achieve the recommendations as set out in the Report in the Public Interest October 2020. It focuses on the actions that have been progressed since the update that went to Cabinet on the 18th October 2021.

The Action Plan for the Report in the Public Interest October 2020 has been incorporated into the Croydon Renewal Plans and represents one of the 11 programmes of work being delivered.

The action plan covers a wide range of areas including financial management, governance, staff training, assets and budget development all of which are core elements of any strategy to ensure services are delivered responsively with a focus on value for money for our residents.

FEEDBACK FROM SCRUTINY AND OVERVIEW COMMITTEE

In relation to Quarter 2 report to 18 October Cabinet, Scrutiny and Overview Committee expressed concern that some items in the reporting framework were marked as complete, when they still needed to be embedded in the organisation as 'business as usual'. In response to the concerns raised officers have taken steps to strengthen the challenge to officers across the organisation who provide updates on delivery progress, including seeking evidence from them that can confirm delivery.

FEEDBACK FROM GENERAL PURPOSES AND AUDIT COMMITTEE

In relation to the Quarter 2 report to 18 October Cabinet the Committee requested the following:

Transformation Funding –The report on the review of schemes previously funded from Transformation funds is presented to the meeting of the General Purposes and Audit Committee in October 2021.

The Council used c£29m of capital receipts to fund transformation spending in 2019/20. As part of the 2019/20 audit external auditors raised concerns in relation to the accuracy of the application of the capital receipts to fund transformation projects. Concerns raised included poor business case production coupled with lack of rigour in testing if the transformation spend met the criteria for applying capital receipts to fund revenue projects. A total of £7.49m of transformation spend was classified as misstated as the Council was not able to produce relevant supporting evidence to indicate accurate use of capital receipts. This was flagged at the October 2021 GPAC meeting and going forward Council officers will ensure robust business cases are developed and the expenditure is accurately tested to ensure it meets the criteria for using capital receipts.

Transformation Funding is scheduled for General Purposes and Audit Committee agenda February 03rd 2022.

CareCubed tool – That a briefing on the effectiveness of the CareCubed tool in procuring and managing delivery of specialist care placements in line with projected costs is provided to the meeting of the General Purposes and Audit Committee in October 2021

Officers have reviewed October and November GPAC agenda and have found no mention of this item. Democratic Services have been asked to confirm this request is outstanding.

At the 6 December 2021 Disabilities Joint Commissioning Board, it was minuted the Board would inherit oversight and continued decision making on the tool/future procurement options beyond year two of the contract.

Croydon Park Hotel – The report on lessons learned from the purchase of Croydon Park Hotel is presented to General Purposes and Audit Committee in November 2021.

A paper is being presented to the Cabinet Member for Croydon Renewal and the Cabinet Member lead for Resources on 21 December 2021. The objective is that this paper is progressed to General Purposes and Audit Committee at the earliest opportunity. The focus of the paper is:

- Review of lessons learned from the acquisition of Croydon Park Hotel with a view to strengthen due diligence and governance arrangements going forward.
- Property Investment Performance - in particular focussing on the performance of Colonades, Vulcan Way & Imperial Way, as well as reflection on why L.B. Croydon investment performance might differ from private sector investment performance. This will include matters such as the imposition on our operators of London Living Wage, selection of occupiers aligned to corporate objectives and administration.
- Update on emerging Asset Strategy, which shall update and continue the work from the Interim Asset Disposal Strategy (Feb 2021).

FINANCIAL IMPACT:

This report will have no direct financial impact on the borough as its focus is on updating against the recommendations as accepted by the Council in November 2020. Some of the recommendations implemented will have an attached financial cost. This will be included in the costs of the overall improvement plan being developed for the Council.

Any costs incurred previously or in the future to deliver the action plan have or will have gone through the Council's existing controls to ensure the expenditure is essential and represents good value for Croydon. Any costs will need to be contained within the existing approved budget for 2021/2022 to ensure Members are sighted.

The external auditor's costs have totalled £98,275 to 30 September 2021.

KEY DECISION REFERENCE NO.: Not a key decision

The Leader of the Council has delegated to the Cabinet the power to make the decisions set out below:

1. RECOMMENDATIONS:

- 1.1 Note and agree on the progress the Council has made in regard to achieving the recommendations set out by external auditor in the Report in the Public Interest October 2020 with 65 out of 99 actions complete;

- 1.2 Note the outcome of internal audit of actions delivered to properly evidence what has been achieved so far, in order to provide full assurance to members and residents on the changes achieved;
- 1.3 Agree the refreshed Action Plan including actions marked complete, progress updates against open actions and identification of actions to be embedded going forward as business as usual.

2. EXECUTIVE SUMMARY

- 2.1 On 23rd October 2020 the Council's external auditor, Grant Thornton, issued a Report in the Public Interest October 2020 (RIPI) concerning the Council's financial position and related governance arrangements. In line with the statutory framework for the RIPI, the Council held an Extraordinary Council meeting on 19th November 2020 to discuss the report and the proposed action plan to address it.
- 2.2 The April 12th update, approved by Cabinet, provided a comprehensive progress update across all recommendations and also agreed the refreshed RIPI Action Plan having incorporated views from both the Scrutiny and Overview Committee (SOC) and General Purposes and Audit Committee (GPAC). This was then updated with the first quarterly update which went to Cabinet on the 7th June, GPAC on the 10th June and SOC on the 15th June. This report noted that the Council had completed 55/99 actions in the RIPI Action Plan and provided progress updates against all remaining actions.
- 2.3 This covering report represents the third quarterly update on the RIPI response based on activity this financial year. It focuses on actions that were set to be complete by close of September, October and November 2021 as well as well as updating against actions set to be delivered by the end of December 2021. It also updates progress on 4 actions that were marked as complete in 12 April 2021 Cabinet update, however following internal audit of actions marked as complete, it was recommended that further steps were needed to fully embed these actions in the organisation as 'business as usual'.
- 2.5 Section 5 of this report provides feedback on the outcome of internal audit of RIPI actions marked as complete.

3. HIGH-LEVEL UPDATE ON THE ACTION PLAN

- 3.1 Tabled immediately below is data on the delivery progress of the 99 RIPI actions, including results from internal audit.

1	2	3	4	5	6
Period	Number of actions marked complete	Actions audited	Actions confirmed complete by Internal Audit	Actions flagged by Internal Audit for further work	Actions outstanding (total of columns 5 & 6)
Q4-Apr 21	35 of 99	-	-	-	64
Q1-Jun 21	55 of 99	-	-	-	44
Q2-Oct 21	62 of 99	35	31	4	41
Q3-Jan 22	65 of 99				34

- 3.2 The Council has delivered a total of 65 actions to date, 7 of which have been reported as complete since the Quarter 2 update to 18th October Cabinet.
- 3.3 The Action Plan recognises that not every action can be marked “complete” and left. In some cases, actions will need to be embedded into business as usual (BAU) processes before being marked complete. Additionally, a number of the actions are representative of aspects of systemic and cultural shifts that will need to be continued going forward to embed sustained positive change and good practice. Some of these actions will remain open as the Council acknowledges that achieving the desired outcome will be a long-term process (e.g. co-creating a working environment that respects and values all our staff and take positive action to ensure that this is the case” LBC 4 – iv). The Council is therefore committed to providing updates in further quarterly reports against these.
- 3.4 Appendix 1a updates progress against the 41 actions that were outstanding at 18 October 2021 Cabinet. Appendix 1b lists all actions reported as complete at 31 December 2021.
- 3.5 The Council recognises it must continue to push to deliver and progress the 41 outstanding actions to ensure momentum is not lost and that the Council’s response to the RIPI achieves the critical organisational change necessary.
- 3.6 The table below sets out the actions identified as high priority by the external auditor with a RAG rating.

High Priority Action	Actions Completed/Total Actions	Rag
R1a Children’s Social Care	5/5	

	Marked complete in 7 th June Quarter 1 Update	
R1b Adult Social Care	9/9 (was 8/9 per Q1 Update)	The outstanding action on training on the ASC Budget has now been completed. This was handled via a briefing to Members of the Health & Social Care Sub-Committee in June 2021.
R2 Adequacy of Council Reserves	4/4 for Q3 (tbc) (was 2 of 4 at Q2)	<p><u>Member training</u> - The Local Government Association delivered training to Scrutiny and Overview Committee on 27th October 2021 and to General Purposes and Audit Committee on 22 November 2021.</p> <p>The training offer will be refreshed annually and continually offered to members as BAU going forward. A member induction programme planned for May 2022 will be informed by the RIPI recommendations.</p> <p><u>Assurance to Scrutiny and Overview Committee on budget delivery</u> - Monthly reports are taken to Cabinet and to Scrutiny and Overview Committee. Officers will continue to take monthly in year financial reporting monitor to each meeting of Scrutiny and Overview Committee.</p>
R3 Use of Transformation Funding	2/2 for Q3 (tbc) (was 1 of 2 at Q2)	<p>Training on transformation funding is covered in the training provided for members by the Local Government Association (see comment in row immediately above).</p> <p>Budget reports in January / February will include a section on transformation funding to ensure members have a full understanding.</p>

R9 Budget Challenge/Rigour	5/5 – Marked complete in 12 th April Update	
R12 Revolving Investment Fund	3/3 – Marked complete in 12 th April Update	
R14 Treasury Management	2/2– Marked complete in 12 th April Update	
R18 Ongoing investment in Brick by Brick	1/1– Marked complete in 12 th April Update	
R20 Governance of subsidiaries	4/9 (was 0/9 in June Quarter 1 Update)	<p>Following Cabinet approval of the July 26th “Governance of Croydon Council Companies” Paper, The Croydon Companies’ Supervision and Monitoring Panel (CCSMP) has been set up. Its role is to ensure the Council’s strategic and good governance objectives are met across the Council’s subsidiaries.</p> <p>Through the introduction of this Panel, several actions have been completed that relate to ensuring good governance mechanisms to monitor and regulate the handling of Council companies have been introduced. The group will continue to deliver against these actions as BAU.</p> <p>The outstanding actions related to constitutional changes and training have been progressed, details of which can be seen in Appendix 1 and in section 4 below.</p> <p>The first CCSMP report is expected to be presented to Cabinet in February 2022.</p>

- 3.7 To ensure alignment with the wider Croydon Renewal Plan activities the following criteria were utilised as developed by the PMO Steering Group.

Rag Definitions used:

Green - no known challenges to delivery

Amber - Challenges to delivery identified with mitigations in place/planned

Red - Challenges to delivery identified with no resolution identified

4. KEY MILESTONES ACHIEVED THIS UPDATE

- 4.1 A comprehensive summary of actions taken to date across all recommendations is contained within the refreshed action plan in appendix 1a (outstanding actions) and appendix 1b (completed actions). This section provides some additional information on key achievements delivered since the Quarter 2 Update to 18th October 2021 Cabinet.
- 4.2 Governance of Council subsidiaries - Mandatory training for Councillors and Officers representing the Council's interests on the boards of subsidiaries will take place in early 2022. The training will be supported by the Council's external legal partners. The training will be embedded and delivered annually as business as usual. Changes to the Council's constitution to reflect the revised arrangements will be considered as part of the wider changes to be implemented for the constitution. The Council Companies Supervision and Monitoring Panel (CCSMP) will liaise with the working group dealing with the Council's constitution changes on this issue.
- 4.3 Improvement to Scrutiny function - The Local Government Association delivered training to Scrutiny and Overview Committee on 27th October 2021 and to General Purposes and Audit Committee on 22 November 2021. The training offer will be refreshed annually and continually offered to members as BAU going forward. A member induction programme planned for May 2022 will be informed by the RIPI recommendations.
- 4.4 In order to strengthen member oversight of progress in delivering the Council's budget, monthly reports are taken to Cabinet, and Scrutiny and Overview Committee. Officers will continue to take monthly in year financial reporting monitor to each meeting of Scrutiny and Overview Committee.
- 4.5 Brick by Brick - Currently there are 23 sites being developed out by Brick by Brick and are subject to monthly monitoring (see November 21 Cabinet). A further 5 sites are on the market (no development underway). Approximately 40 additional sites that were considered by Brick by Brick are now being evaluated by the Council.
- 4.6 Risk Management - Risk factors are being incorporated into monthly monitoring reports and throughout budget setting process. The level of risk and appetite is being assessed and is being incorporated into the strategy of rebuilding general and earmarked reserves. All new projects will take into account level of all risks and appetite.

- 4.7 The Corporate Risk register has been further developed with monthly review of all corporately rated red risks/financial risks taking place at CMT to ensure top level leadership. All financial risks associated with budget changes are scrutinised via Star Chamber budget setting process. Financial and other risks are outlined in Cabinet reports.
- 4.8 Further LGA led training for Members of GPAC committee took place on 22 November 2021. One to one risk management refreshers and access to the JCAD risk management system are being provided to every Director and Corporate Director with the target of completing these by 31 December.
- 4.9 Organisational redesign - The restructure proposals approved by Full Council on 5th July 2021 went live on 2nd November 2021. This organisational redesign is fundamental to the council and will help us to improve how we do things, operate within our budget and to create an inclusive culture that supports delivery of the best possible affordable service we can provide to our residents. Senior recruitment drive is well underway with interview dates set.

5. PROGRESS UPDATE ON INTERNAL AUDIT

- 5.1 To provide additional assurance on the delivery of the RIPI Action Plan as reported, internal audit review completed actions to confirm they have been actioned as reported and that, where appropriate, these now form part of the Council's governance framework (see appendix 2). The table at paragraph 3.1 above provide summary data on the outcome of audit investigations to date.
- 5.2 Internal Audit assurance was obtained through a combination of corroborative enquiry, examination of relevant documents (including meeting minutes) and interrogation of computer applications.

6. FUTURE UPDATES ON THE REPORT IN THE PUBLIC INTEREST OCTOBER 2020

- 6.1 The RIPI action plan has been incorporated into the wider Croydon Renewal Plan and forms 1 of the 11 programmes of work aiming to support the Council's financial recovery, improve governance arrangements and drive operational improvement. The Croydon Renewal Plan currently consists of nearly 400 recommendations which are to be delivered within the next 4-5 years.
- 6.2 Per the action plan (appendix 1a and appendix 1b), quarterly RIPI updates are to be provided to GPAC, SOC, Council and Cabinet. This update will be presented to Full Council on 31st January, to General Purposes and Audit Committee on 3rd February and Scrutiny and Overview Committee on 8th February.
- 6.3 The dates for the remaining updates this financial year are in the table shown below

RIPI Update Report	SOC	Cabinet Date	Full Council	GPAC
Q.3 Update	8 th February	24 th January	31 st January	3 rd Feb
Q.4 Update	29 th March	21 st March	28 th March	3 rd March

7. CONSULTATION

- 7.1 The action plan has been previously reviewed by both GPAC and the SOC who made recommendations to enhance what was being progressed. These changes were approved by Cabinet on 12th April 2021. Services have been directly engaged with to ensure updates were recorded accurately and contained the most up to date information.

8. FINANCIAL AND RISK ASSESSMENT CONSIDERATIONS

- 8.1 At 30 September 2021 external auditor's costs totalled £98,275. This is an increase of £33,275 on the amount (£65,000) reported in April 12 Cabinet paper and June Quarter 1 update. The Council agreed a fee of £0.065m with the external auditor in October 2020. Since then there has been further work done by the auditor which will result in additional fees for the Council. These fees are yet to be confirmed and the Council will be doing so before financial year end.
- 8.2 The Council is working to deliver the overarching improvement plan, of which the RIPI action plan forms a key part. Costs will be incurred delivering many of the actions contained within the plan and these will be presented to Members as the Council's Improvement Journey progresses. Any costs will need to be contained within existing budget provisions.
- 8.3 As indicated some of these recommendations have progressed well and the Council has already benefited from improved financial position from these. The reserves balance has improved since start of 2020/21 and as part of our recent monthly financial performance monitor reports we have seen reductions in children and adults social care spend. The Council has a better grip on its finances with Brick by Brick and a large amount of previously Revolving Investment Fund investment is also better managed.

Approved by: Nish Popat, Interim Head of Corporate Finance

9. LEGAL CONSIDERATIONS

- 9.1 The Head of Litigation and Corporate Law comments on behalf of the interim Director of Legal Services that the Report in the Public Interest October 2020 ("the Report") dated 23 October 2020 was issued under the provisions of the

Local Audit and Accountability Act 2014 ("the Act"). The Council must comply with the requirements of the Act in responding to the Report.

- 9.2 Under the provisions of paragraph 5(5) and (6) of Schedule 7 to the Act, the Council must decide within one month whether the Report requires the authority to take any action or whether the recommendations are to be accepted. It must also decide what, if any, action is to be taken in response to the Report and its recommendations. The Report was considered at the Council meeting on 19 November when all of the Report's recommendations R1 – R20 and additional recommendations LBC1 – LBC3 was agreed together with an Action Plan in response to each of the recommendations. A further recommendation LBC4 was added following additional consultation. Paragraph 7 goes on to provide that the authority's functions under paragraph 5 are not to be the responsibility of the executive.
- 9.3 Paragraph 10(1) of the Act provides that after considering the Report and its response to it, the Council must notify the external auditor of its decisions, and publish a notice on its website containing a summary of those decisions which has been approved by the external auditor.
- 9.4 At the time of writing this report, all of the relevant requirements of the Act have been complied with.
- 9.5 Any additional legal considerations arising from individual workstreams will be assessed as projects and actions come forward.

Approved by: Sandra Herbert, Head of Litigation and Corporate Law Deputy Monitoring Officer on behalf of the interim Director of Legal Services and Deputy Monitoring Officer.

10. HUMAN RESOURCES IMPACT

- 10.1 There are no immediate human resource impacts arising directly from the recommendations in this report. However, there will be impacts associated with the delivery of the improvement plan. The improvement plan is part of a range of measures relating to improving the Council's financial position and it is inevitable that this will ultimately impact on the Council's workforce when the Council's agreed Human Resources policies and procedures will be followed.
- 10.2 Human resources impacts will be appropriately reported to the relevant decision-making bodies and the Council's recognised trade unions will be consulted in the usual way before any individual actions from the plan are implemented.

Approved by: Gillian Bevan, Head of HR, Resources and Assistant Chief Executives

11. EQUALITIES IMPACT

- 11.1 There are no equality impacts arising directly from the recommendations in this report. As such, an equality analysis has not been undertaken following the initial response to the external auditor's report. However, there will be impacts associated with the delivery of the improvement plan. The improvement plan is part of a range of measures relating to improving the Council's financial position and it is inevitable that this will ultimately impact on the Council's workforce and the communities it serves.
- 11.2 Consideration will be given as each of the individual actions included in the Action Plan are implemented as to whether they are relevant to equalities and will require an equalities impact assessment undertaken to ascertain the potential impact on vulnerable groups and groups that share protected characteristics.
- 11.3 Any improvements to governance that arise from the implementation of the recommendations in the action must pay due regard to ensuring that all residents in Croydon are able to understand the actions the Council takes in their name, the decisions it makes to spend resources on their behalf, and who is accountable for that action.
- 11.4 Close attention will need to be paid to ensure the Council is as transparent as possible and is as open and engaging with all its local communities through this process of improvement and afterwards in the new governance practices that are established.

Approved by: Denise McCausland, Equalities Manager

14. ENVIRONMENTAL IMPACT

- 14.1 There are no positive or negative impacts on the environment as a result of any of the recommendations of this report.

15. CRIME AND DISORDER REDUCTION IMPACT

- 15.1 There are no implications in this report that would have an impact on crime prevention or reduction.

16. DATA PROTECTION IMPLICATIONS

- 16.1 **WILL THE SUBJECT OF THE REPORT INVOLVE THE PROCESSING OF 'PERSONAL DATA'?**

NO

- 16.2 **HAS A DATA PROTECTION IMPACT ASSESSMENT (DPIA) BEEN**

COMPLETED?

NO, as the report contains no sensitive/personal data

Approved by Richard Ennis; Interim Corporate Director of Resources (Section 151)

CONTACT OFFICER: Anthony Thacker, Business Improvement Manager, Policy Programmes and Performance

APPENDICES TO THIS REPORT: Appendix 1a – Outstanding RIPI Actions
Appendix 1b – Completed RIPI Actions
Appendix 2 – Internal Audit Results

BACKGROUND DOCUMENTS: None

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**APPENDIX 1a - ACTION PLAN IN RESPONSE TO THE REPORT IN PUBLIC INTEREST – OUTSTANDING ACTIONS AT QUARTER 3,
JANUARY 2022**

1. The Council has fully accepted all recommendations made by the external auditor (R1-R20)
2. The Council has added additional recommendations LBC1-4.
3. There are 9 high priority recommendations from the external auditor for the Council to urgently address:
4. Actions marked as “GPAC/SOC” recommendation came from their input following consultation carried out in Dec 2020/Jan 2021

High Priority Actions	High Priority Actions
R1a Children’s Social Care	R12 Revolving Investment Fund
R1b Adult Social Care	R14 Treasury Management
R2 Adequacy of Council Reserves	R18 Ongoing investment in Brick by Brick
R3 Use of Transformation Funding	R20 Governance of subsidiaries
R9 Budget Challenge/Rigour	

A note has been made against actions that do not represent “one-off” measures but instead represent actions, principles and values that should be continually delivered or established as repeating tasks. These actions will be marked as Business as Usual (BAU) in the “Status/Updated Deadline” column.

**APPENDIX 1a - ACTION PLAN IN RESPONSE TO THE REPORT IN PUBLIC INTEREST – OUTSTANDING ACTIONS AT QUARTER 3,
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Overall accountability for the action plan rests with the Chief Executive

Recommendation 2 – HIGH PRIORITY

The Council (including Cabinet and Scrutiny and Overview Committee) should challenge the adequacy of the reserves assessment which should include a risk assessment before approving the budget.

Cabinet Member Accountability: Councillor King, Cabinet Member for Croydon Renewal

Action	Original Deadline	Progress made to December 2021 (Quarter 3)	Status/Updated Deadline	Accountability
iii) Training to be delivered to relevant members to raise understanding of reserves	GPAC/SOC Recommendation	<p>The Local Government Association delivered training to Scrutiny and Overview Committee on 27th October 2021 and to General Purposes and Audit Committee on 22 November 2021.</p> <p>Training delivered to members in Autumn 2021 and will be repeated annually.</p> <p>The training offer will be refreshed annually and continually offered to members as BAU going forward. A member induction programme planned for May 2022 will be informed by the RIPI recommendations.</p>	COMPLETE – Q3	Interim Corporate Director of Resources (Section 151)
iv) Council to identify the most appropriate mechanism for the Scrutiny & Overview Committee to monitor and assess progress made against delivering the budget throughout the year. As a part of this any update would need to provide reassurance that effective budget controls are in place to mitigate against potential pressures.	GPAC/SOC Recommendation	<p>Monthly reports are taken to Cabinet and to Scrutiny and Overview Committee. Officers will continue to take monthly in year financial reporting monitor to each meeting of Scrutiny and Overview Committee.</p>	COMPLETE – Q3	Interim Corporate Director of Resources (Section 151)

**APPENDIX 1a - ACTION PLAN IN RESPONSE TO THE REPORT IN PUBLIC INTEREST – OUTSTANDING ACTIONS AT QUARTER 3,
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Furthermore, the Council is to consider approach to providing reassurance to Members that effective budget controls were in place to mitigate against potential risks to the delivery of the budget.				
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Recommendation 3 – HIGH PRIORITY
The Chief Executive should oversee a review of the outcomes achieved from the use of transformation funding to demonstrate that the funding has been applied in accordance with the aim of the scheme.

Cabinet Member Accountability: Councillor King, Cabinet Member for Croydon Renewal

Action	Original Deadline	Progress made to December 2021 (Quarter 3)	Status/Updated Deadline	Accountability
ii) Training to be delivered to relevant members on transformation funding to raise understanding.	GPAC/SOC Recommendation	Training on transformation funding is covered in the overall training referenced in recommendation 2(iii) above. Budget reports in January / February 22 will include a section on transformation funding to ensure members have a full understanding.	In-progress	Interim Corporate Director of Resources (Section 151)

Recommendation 4
The s151 Officer should set out the strategy for applying capital receipts for transformation annually as part of the budget setting process.

Cabinet Member Accountability: Councillor King, Cabinet Member for Croydon Renewal

Action	Original Deadline	Progress made to December 2021 (Quarter 3)	Status/Updated Deadline	Accountability
iii) There will be an annual report to the Scrutiny & Overview Committee and GPAC on the use of transformation funding and the delivery of schemes. A corporate strategy needs to be developed to assess future transformation projects prior to funding. This should include a	December 2021 updated deadline June 2022	A report was taken to Council in July 21 detailing a list of transformation projects with intended savings to the Council. The July 2021 Council paper indicated that the Council's capital receipts may be used to fund the Transformation schemes, as allowed	In-progress	Interim Corporate Director of Resources (Section 151)

APPENDIX 1a - ACTION PLAN IN RESPONSE TO THE REPORT IN PUBLIC INTEREST – OUTSTANDING ACTIONS AT QUARTER 3, JANUARY 2022

<p>requirement to identify the intended outcomes, risk exposure, ongoing affordability, how success will be measured, how progress will be tracked, and any interdependencies with other projects and any wider benefits.</p>		<p>under the Flexible Use of Capital Receipts legislation.</p> <p>Based on the capital receipts the Council will receive in 21/22 further bids for transformation funding is being considered and information gathered to test the need for this funding to deliver further savings.</p> <p>Transformation Funding is scheduled for General Purposes and Audit Committee agenda February 3rd 2022.</p> <p>Report will be done on an annual basis with the first one due in June 2022.</p>		
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Recommendation 5
 The General Purposes and Audit Committee should receive reports on the actions being taken to address the Dedicated Schools Grant deficit and challenge whether sufficient progress is being made.

Cabinet Member Accountability: Councillor Flemming, Cabinet Member for Children, Young People and Learning

Action	Original Deadline	Progress made to December 2021 (Quarter 3)	Status/Updated Deadline	Accountability
<p>iv) Implement the 'New Approach to Special Educational Needs delivery' strategy working with schools to ensure that more of our Special Educational Needs pupils are educated in mainstream provision to include:</p> <ul style="list-style-type: none"> Developing more capacity within the post-16 provision 	<p>Early adopter Locality areas from September 2020</p> <p>Ongoing discussions with current provider (Croydon College) for 2020/21 academic year Opened September 2020 in temporary location and from</p>	<p>Project widened to include further two locality areas.</p> <p>Model being incorporated into SEND Governance Model</p> <p>Further modelling on this being a borough wide model is in progress</p>	In-progress	Interim Director of Education

APPENDIX 1a - ACTION PLAN IN RESPONSE TO THE REPORT IN PUBLIC INTEREST – OUTSTANDING ACTIONS AT QUARTER 3, JANUARY 2022

<ul style="list-style-type: none"> Opening of new Special Educational Needs free schools 	September 2021 in substantive location			
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Recommendation 6
 The Executive Director Children, Families and Education needs to review the services provided to UASC and to identify options to meet their needs within the grant funding provided by the Home Office.

Cabinet Member Accountability: Councillor Flemming, Cabinet Member for Children, Young People and Learning

Action	Original Deadline	Progress made to December 2021 (Quarter 3)	Status/Updated Deadline	Accountability
ii) Negotiate with the Home Office and Department for Education to secure the same financial support provided to other port of entry authorities such as Kent and Portsmouth to cover the exceptional overhead costs caused by the volume of unaccompanied asylum seeking children received in the Borough. <ul style="list-style-type: none"> Full cost recovery for exceptional overheads provided by Croydon such as age assessments, the social care duty service at Lunar House and legal fees. Due to volumes in the Borough from its port of entry position, these cannot be absorbed within normal overhead cost as per all other local authorities. Increased funding for children cared for over and above the voluntary national rate to match the funding of Croydon's children in care. 	Initial meeting had in November 2020	Confirmation of grant funding of £2.35 million received from the Home Office and DfE at the end of August for the current financial year in recognition of the exceptional additional costs to Croydon. Further representations planned to address the projected shortfall in 2022/23 and 2023/24	In-progress	Interim Corporate Director, Children Families and Education

**APPENDIX 1a - ACTION PLAN IN RESPONSE TO THE REPORT IN PUBLIC INTEREST – OUTSTANDING ACTIONS AT QUARTER 3,
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Recommendation 8
The Cabinet reports on the financial position need to improve the transparency of reporting of any remedial action taken to address in year overspends.

Cabinet Member Accountability: Councillor Young, Cabinet Member for Resources and Financial Governance and Councillor King, Cabinet Member for Croydon Renewal

Action	Original Deadline	Progress made to December 2021 (Quarter 3)	Status/Updated Deadline	Accountability
iii) A review of the capacity within the Finance Team to ensure there is adequate support for departmental cost centre managers to fulfil their responsibilities as budget holders.	November 2020	<p>Additional capacity provided through £1m budget increase approved in March budget – currently funding extra capacity using agency staff</p> <p>Agency staff covering posts at present will remain in position until permanent / fixed term staff is recruited.</p> <p>Role of Executive Director has been advertised and is now closed</p> <p>Restructure proposals being put together for consultation for January advertising campaign</p>	COMPLETE – Q3	<p>Interim Corporate Director of Resources (Section 151)</p> <p>Interim Director of Finance (Deputy S.151)</p>

Recommendation 10
The General Purposes and Audit Committee must challenge officers on the progress in implementing the Financial Consultant’s recommendations to improve the budget setting, monitoring and reporting process and actions to address the Head of Internal Audit’s concerns on internal controls.

Member Accountability: Councillor Karen Jewitt, Chair of General Purposes and Audit Committee

Action	Original Deadline	Progress made to December 2021 (Quarter 3)	Status/Updated Deadline	Accountability
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**APPENDIX 1a - ACTION PLAN IN RESPONSE TO THE REPORT IN PUBLIC INTEREST – OUTSTANDING ACTIONS AT QUARTER 3,
JANUARY 2022**

<p>i) Delivery of the Financial Consultant's recommendations and the Head of Internal Audit's concerns will be reported to the General Purposes and Audit Committee and to the Improvement Board as part of the Croydon Renewal Plan.</p>	<p>October 2020</p> <p>Actions should be embedded into regular cycle by March 22</p>	<p>As Reported to General Purposes and Audit Committee (16th Sep 2021), 48 of the recommendations have been embedded into business as usual or completed as required one-off tasks. This includes all the priority 1 to 3 tasks</p> <p>27 tasks remain to be fully completed or embedded and are designated as amber risk as they remain to be completed</p> <p>These remaining tasks largely relate to activities that take place once a year as part of budget setting or year-end work and are thus pending.</p> <p>An update is scheduled for GPAC in the new year.</p>	<p>In-progress</p>	<p>Interim Corporate Director of Resources (Section 151)</p> <p>Interim Director of Finance (Deputy S.151)</p>
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Recommendation 11

The s151 officer needs to revisit the Growth Zone assumptions following the pandemic and make recommendations to Cabinet and Council for the continued investment in the scheme.

Cabinet Member Accountability: Councillor King, Cabinet Member for Croydon Renewal

Action	Original Deadline	Progress made to December 2021 (Quarter 3)	Status/Updated Deadline	Accountability
<p>ii) Revised financial model profile to be presented alongside budget review in February 2021 to Cabinet, General Purposes and Audit Committee and the Scrutiny and Overview Committee.</p>	<p>February 2021</p>	<p>Budget report for 6th December sets out the current progress in bridging the £38m gap for 2022/23 and set out many of the risks the Council faces.</p> <p>Further reports on the budget in January and February will build on that position and fully address points raised in this item.</p>	<p>COMPLETE – Q3</p>	<p>Interim Director of Finance (Deputy S.151)</p>

**APPENDIX 1a - ACTION PLAN IN RESPONSE TO THE REPORT IN PUBLIC INTEREST – OUTSTANDING ACTIONS AT QUARTER 3,
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		<p>Tracker on budget proposals adopted and is tracking progress with an audit log to identify changes to proposals and remaining gap.</p> <p>Monthly monitoring report full details of risks and opportunities alongside forecast in-year position.</p>		
iv) The Council needs a mechanism in place to review projects to use the learning to inform any future work. This should be extended across all areas of the Council, with learning retained centrally as a corporate resources.	March 2022	<p>Project closure process in place as part of the governance of all projects. Monthly Steering Group meetings continue to review and draw out lessons learned across Renewing Croydon programme.</p> <p>The Programme Management Framework has been developed and published on the intranet and shared with the Community of Practice. Further work is needed to embed the process across the organisation.</p> <p>Internal Audit have flagged the process put in place as not fully embedded. Status has been moved from complete to in-progress.</p>	In-progress	Director of Policy, Programmes and Performance
<p>Recommendation 12 – HIGH PRIORITY The s151 officer should review the financial rationale and associated risks and make recommendations to Cabinet and Council on whether the Revolving Investment Fund should continue.</p>				
<p>Cabinet Member Accountability: Councillor King, Cabinet Member for Croydon Renewal</p>				
Action	Original Deadline	Progress made to December 2021 (Quarter 3)	Status/Updated Deadline	Accountability
ii) Recommendations to be presented alongside budget review in Feb 2021 to Cabinet, General Purposes and Audit Committee and Scrutiny and Overview	February 2021	As requested, budget position and proposals / risks will be presented to GPAC.	In-progress	Interim Director of Finance (Deputy S.151)

**APPENDIX 1a - ACTION PLAN IN RESPONSE TO THE REPORT IN PUBLIC INTEREST – OUTSTANDING ACTIONS AT QUARTER 3,
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		Internal Audit have flagged the process put in place as not fully embedded. Status has been moved from complete to in-progress.		
Recommendation 13 The s151 officer should review the purchase of Croydon Park Hotel to identify lessons learned to strengthen future due diligence arrangements.				
Cabinet Member Accountability: Councillor King, Cabinet Member for Croydon Renewal				
Action	Original Deadline	Progress made to December 2021 (Quarter 3)	Status/Updated Deadline	Accountability
ii) Recommendations, including lessons learned, will inform changes required to governance arrangements and training/development that might be required. These recommendations to be presented alongside budget review in February 2021 to Cabinet, General Purposes and Audit Committee and Scrutiny and Overview.	January 2021	<p>A paper is being presented to the Cabinet Member for Croydon Renewal and the Cabinet Member lead for Resources on 21 December 2021. The objective is that this paper is progressed to General Purposes and Audit Committee at the earliest opportunity. The focus of the paper is:</p> <ul style="list-style-type: none"> • Review of lessons learned from the acquisition of Croydon Park Hotel with a view to strengthen due diligence and governance arrangements going forward. • Property Investment Performance - in particular focussing on the performance of Colonades, Vulcan Way & Imperial Way, as well as reflection on why L.B. Croydon investment performance might differ from private sector investment performance. This will include matters such as the imposition on our operators of London Living Wage, 	In-progress	Interim Director of Commercial Investment

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		<p>selection of occupiers aligned to corporate objectives and administration.</p> <ul style="list-style-type: none"> Update on emerging Asset Strategy, which shall update and continue the work from the Interim Asset Disposal Strategy (Feb 2021). 		
<p>iii) Review and re-write the asset investment strategy that was approved by Cabinet in October 2018 incorporating advice from each of the Strategic Reviews. The review will explicitly consider best practice from the sector and lessons learned from other local authorities, the external auditor and the National Audit Office on effective investment practice.</p>	<p>March 2021</p> <p>Updated deadline March 2022</p>	<p>A consultant has been appointed and progress is being made. However there will be an 8 week delay in taking the strategy to Cabinet. The strategy is now scheduled to go to March 22 Cabinet.</p>	In-progress	Interim Director of Commercial Investment

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Recommendation 16

The s151 officer should revisit the Minimum Revenue Provision policy to demonstrate that a prudent approach is being taken.

Cabinet Member Accountability: Councillor King Cabinet Member for Croydon Renewal

Action	Original Deadline	Progress made to December 2021 (Quarter 3)	Status/Updated Deadline	Accountability
<p>i) Link Asset Management has been commissioned to carry out a review of the Minimum Revenue Position policy. The report with recommendations will be discussed with General Purposes and Audit Committee and then on to Cabinet.</p>	December 2020	<p>Minimum Revenue Provision being re-calculated and forecast based on capital proposals and likely capital receipts and is being determined in accordance with regulations pertaining to MRP and policy.</p> <p>Work in progress (MRP policy) – Update to Cabinet is scheduled for February 22.</p>	In-progress	Interim Director of Finance (Deputy S.151)

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Recommendation 17
The Cabinet and Council should reconsider the financial business case for continuing to invest in Brick by Brick before agreeing any further borrowing.

Cabinet Member Accountability: Councillor Hamida Ali, Leader of the Council

Action	Original Deadline	Progress made to December 2021 (Quarter 3)	Status/Updated Deadline	Accountability
i) PwC has been commissioned to undertake a strategic review of Brick by Brick with completion expected in November 2020. The report with recommendations regarding the financial business case will be reviewed by the Scrutiny and Overview Committee prior to being presented to Cabinet.	December 2020	5 sites are on the market (no development underway); 23 sites are being developed out by BBB and subject to monthly monitoring (November 2021 Cabinet refers). Approximately 40 additional sites that were considered by BBB are now being evaluated by L.B. Croydon.	In-progress	Chief Executive Officer Interim Director of Commercial Investment

Recommendation 20 – HIGH PRIORITY
The Cabinet and Council should review its arrangements to govern its interest in subsidiaries, how the subsidiaries are linked, and the long-term impact of the subsidiaries on the Council’s financial position and how the Council’s and taxpayers’ interest is safeguarded.

Cabinet Member Accountability: Councillor Young, Cabinet Member for Resources and Financial Governance

Action	Original Deadline	Progress made to December 2021 (Quarter 3)	Status/Updated Deadline	Accountability
v) Essential mandatory training will be undertaken on an annual basis and the retention of the director role for each Councillor and Council official will rely on completion of the recommended training.	March 2021	The first training session with the Council’s external legal partners has been agreed and will take place in early 2022 at a time and date most convenient for key directors. Responsibility to continue as BAU. The first CCSMP report is expected to be presented to Cabinet in February 2022.	In-progress	Interim Corporate Director of Resources (Section 151) Interim Director of Commercial Investment

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vi) The impact of these changes will need to be reflected in the Council's Constitution and relevant protocols.	March 2021	Changes to the constitution will be considered as part of the wider changes to be implemented for the constitution. CCSMP will liaise with the relevant working group dealing with the Council's constitution changes.	In-progress	Interim Corporate Director of Resources (Section 151) Interim Director of Commercial Investment
vii) Support for the effective governance of the Council's subsidiaries and retaining a corporate overview of activity of individual companies and the whole group of companies is to be developed.	March 2021	Responsibility to continue as BAU. The first CCSMP report is expected to be presented to Cabinet in February 2022. CCSMP will meet monthly to retain overview over subsidiaries.	In-progress	Interim Corporate Director of Resources (Section 151) Interim Director of Commercial Investment
viii) Raise awareness of the timing of the Annual General Meetings of subsidiaries amongst Members.	GPAC/SOC Recommendation	Responsibility to continue as BAU. The first CCSMP report is expected to be presented to Cabinet in February 2022.	In-progress	Interim Corporate Director of Resources (Section 151) Interim Director of Commercial Investment
ix) Cost effective mechanism to publish Board membership of Council subsidiaries to be investigated	GPAC/SOC Recommendation	Responsibility to continue as BAU. The first CCSMP report is expected to be presented to Cabinet in February 2022.	In-progress	Interim Corporate Director of Resources (Section 151) Interim Director of Commercial Investment

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LBC Recommendation 1				
Given the challenges ahead there will need to be improvement of the Council's approach to risk management to enable a satisfactory turnaround of the financial position.				
Cabinet Member Accountability: Councillor King Cabinet Member for Croydon Renewal				
Action	Original Deadline	Progress made to December 2021 (Quarter 3)	Status/Updated Deadline	Accountability
i) An externally led review of the Council's appetite for risk needs to be undertaken with Members and Officers to ensure that the council's financial capacity for managing risk is fully understood.	January 2021	<p>The Council has undertaken benchmarking in relation to ear-marked and General Fund reserves and our general reserves compare favourably to outer London Boroughs.</p> <p>An external review will be undertaken at a future date once we've fully completed internal reviews.</p> <p>Risk factors are being incorporated into monthly monitoring reports and throughout budget setting process.</p> <p>Level of risk and appetite is being assessed and is being incorporated into the strategy of rebuilding general and earmarked reserves accordingly.</p>	In-progress	Interim Director of Finance (Deputy Section 151)
iii) Risk considerations to be made at the outset of all new decisions will ensure the Council has capacity, capability and financial resources needed to deliver. The assessment of risk is on the individual decision and its impact on the whole of the Council.	November 2020	<p>Corporate Risk register has been further developed with monthly review of all corporately rated red risks/financial risks taking place at CMT to ensure top level leadership.</p> <p>All new projects will take into account level of all risks and appetite.</p>	In-progress	<p>Interim Director of Finance (Deputy Section 151)</p> <p>Head of Insurance, Anti-Fraud & Risk</p>

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		All financial risks associated with budget changes are scrutinised via Star Chamber budget setting process. Financial and other risks are outlined in Cabinet reports.		
iv)	Develop training for Members and Officers to understand effective risk management.	January 2021 (updated to May 2021)	Further LGA lead training for Members of GPAC committee took place on 22 November 2021. One to one risk management refreshers and access to the JCAD risk management system are being provided to every Director and Corporate Director with the target of completing these by 31 December.	In-progress Interim Corporate Director of Resources (Section 151) Head of Insurance, Anti-Fraud & Risk
v)	The Council to review the terms of reference in regards the General Purposes and Audit Committee and Scrutiny & Overview Committee with regards to risk management to ensure there are no gaps in governance, to remove silo thinking and that both committees have a clear understanding of their responsibilities. This will include new guidance and joint training	March 2021	Joint training for Scrutiny and Overview Committee and General Purposes and Audit Committee is being scheduled for January 22 (dates to be confirmed). The training will be delivered by Centre for Governance and Scrutiny.	In-progress Interim Corporate Director of Resources (Section 151)
LBC Recommendation 2 Clarifying member and officer roles to support good governance arrangements				
Cabinet Member Accountability: Councillor Young Cabinet Member for Resources and Financial Governance				
Action	Original Deadline	Progress made to December 2021 (Quarter 3)	Status/Updated Deadline	Accountability
i)	The Council will need to undertake a review to consider its operating model to ensure it has capacity and specialist skills required to deliver the financial and	February 2021	The restructure proposals approved by Full Council on 5 th July 2021 went live on 2 nd November 2021. This organisational redesign is fundamental to the council and will help us	COMPLETE – Q3 Chief Executive Officer

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<p>operational improvements that are needed to deliver.</p>		<p>to improve how we do things, operate within our budget and to create an inclusive culture that supports delivery of the best possible affordable service we can provide to our residents.</p> <p>Senior recruitment drive is well underway with interview dates set.</p>		<p>Interim Assistant Chief Executive</p>
<p>ii) The Member/Officer protocol is to be reviewed to ensure that it gives clarity on the respective roles and responsibilities for both Members and officers. The protocol should also explicitly place the seven principles of public life, known as the Nolan principles, at its heart. https://www.gov.uk/government/publications/the-7-principles-of-public-life.</p> <p>Training will be held for all Councillors and senior officers to develop good practice.</p>	<p>March 2021</p>	<p>A proposed approach to the revision of the Member/Officer Protocol will be considered by Ethics Committee 9 December. The proposal is to take a revised protocol to full Council for approval in March 2022.</p>	<p>In-progress</p>	<p>Interim Corporate Director of Resources (Section 151)</p> <p>Head of Democratic Services & Scrutiny (Deputy MO)</p>
<p>iii) A review of the member and officer Codes of Conduct will be undertaken to incorporate any learning from recent events and to ensure that they explicitly include the seven principles of public life, known as the Nolan principles, as the basis of the ethical standards expected of elected and appointed public office holders.</p>	<p>March 2021</p>	<p>A new member code of conduct based upon the LGA model code was adopted at a meeting of Council on 11 October 21. Training sessions on the implications of the new code was delivered to members on 4 October.</p>	<p>COMPLETE – Q3</p>	<p>Interim Corporate Director of Resources (Section 151)</p>
<p>iv) Development sessions for Members and officers to better understand each other's respective roles.</p>	<p>March 2021</p>	<p>Training to be developed subject to ratification of Protocol (See LBC rec 2 (ii)). Training will be part of the Member Induction Programme for May 2022.</p>	<p>In-progress</p>	<p>Interim Corporate Director of Resources (Section 151)</p>

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				Head of Democratic Services & Scrutiny (Deputy MO)
v) Review the level of support and advice Scrutiny & Overview Committee and the General Purposes and Audit Committee receives from the Head of Paid Services, Section 151 Officer and Monitoring Officer to ensure that the advice is in line with their statutory responsibilities. With this include clarification on the ability and process for members to request information.	March 2021	<p>The role of statutory chief officers attending Scrutiny and General Purposes and Audit Committee meetings has been clarified and there is now clearer water between the roles of officers and members advising those meetings.</p> <p>A training programme has been agreed by the Member Learning & Development Panel that includes additional sessions for members of both committees.</p> <p>The work programmes for both committees has also been embedded in the new corporate forward planning processes and officers are currently working with members with the aspiration of the corporate forward plan being routinely presented to the Scrutiny Committee.</p> <p>The draft access to information protocol has been presented to members for comment and is due to be formally considered by the Ethics Committee at its December meeting.</p>	In-progress	Monitoring Officer Head of Democratic Services & Scrutiny (Deputy MO)
vi) Review the capacity of the organisation to support the Scrutiny & Overview Committee and the General Purposes and Audit Committee so that activity is prioritised	Commenced October 2020	The need for additional resources has been identified, though funding for those resources has not yet been obtained.	In-progress	Monitoring Officer Head of Democratic

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within the financial resources for these functions.		Partners from the LGA are due to support the Council from January 2022 in reviewing and developing proposals to enhance the Council's decision making governance, including support to these two committees.		Services & Scrutiny (Deputy MO)

LBC Recommendation 3
Ensuring that Members are appropriately trained across all aspects of the Council's financial duties and responsibilities

Cabinet Member Accountability: Councillor Young, Cabinet Member for Resources and Financial Governance

Action	Original Deadline	Progress made to December 2021 (Quarter 3)	Status/Updated Deadline	Accountability
<p>A detailed training and development programme is being designed to enable all Members to fulfil their roles in regard to their role with sufficient rigour. The programme being developed will cover:</p> <ul style="list-style-type: none"> Financial management to include the importance of effective budget setting, a robust Medium Term Financial Strategy and rigorous budget monitoring (Add reserves) Understanding funding sources, eg general fund, housing revenue account and direct schools grant The role of Audit and the external auditor 	December 2020	<p>Some training on Finance, Treasury Management and Risk was delivered in the latter part of 2020/early 2021.</p> <p>A training programme aligned with the actions in the RIPI action plan has been developed, costed and approved by Members Learning and Development Panel and Ethics Committee. Delivery commenced in October 2021.</p> <p>A member's induction programme for May 2022 will be informed by the RIPI recommendations.</p>	In-progress	<p>Chief Executive Officer</p> <p>Head of Democratic Services & Scrutiny (Deputy MO)</p>

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<ul style="list-style-type: none"> • Treasury management and capital strategies and the Council’s approach to subsidiaries • Risk assessment • Commercial Investment • Mentoring • Commissioning and Procurement Process • ASC Budget • Transformation Funding • Statutory and non-statutory services 		<p>The training offer will be refreshed annually and continually offered to members as BAU going forward.</p> <p>The Council will ensure training attendance is recorded on Mod.gov.</p>		
<p>iii) Target support to be provided for Cabinet Members, Scrutiny & Overview Committee Members and General Purposes and Audit Committee Members to strengthen the approach to reviewing the emerging plans, actions and risks that are being developed as part of the Croydon Renewal Plan, Financial recovery and progress against the Report in the Public Interest October 2020. In particular the training will include:</p> <ul style="list-style-type: none"> • The role of Scrutiny and Overview in relation to finance and General Purposes and Audit Committee • Developing an effective culture of scrutiny and key questioning skills • Maintaining a ‘big picture’ view of the financial pressures affecting the council • Assessing effectively budget and financial plans, budget monitoring, reserves approach 	<p>December 2020</p>	<p>This needs to be considered in conjunction with LBC Recommendations 2(v) and 3(i).</p> <p>The full training programme has been presented to both the Member Learning and Development Panel and the Ethics Committee.</p> <p>The revised draft Access to Information protocol is due to be considered by the Ethics Committee in December 2021.</p>	<p>In-progress</p>	<p>Monitoring Officer</p> <p>Head of Democratic Services & Scrutiny (Deputy MO)</p>

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<ul style="list-style-type: none"> • Challenging how resources are allocated • Scrutinising partnership arrangements • Key finance issues for Scrutiny and Overview Committee to consider 				
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LBC Recommendation 4
The Council develops an improvement programme that has the necessary elements for it to function effectively and within its financial resource.

Cabinet Member Accountability: Councillor Hamida Ali, Leader of the Council

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Action	Original Deadline	Progress made to December 2021 (Quarter 3)	Status/Updated Deadline	Accountability
(i) Implement new Council management arrangements that ensure: <ul style="list-style-type: none"> • the delivery of high quality statutory services • finances are appropriately managed and controlled • a sound understanding of risk management is at the heart of the organisation 	April 2021	The restructure proposals approved by Full Council on 5 th July 2021 went live on 2 nd November. Senior recruitment drive is well underway and ongoing. Interim Assets Strategy in implementation stage with a number of assets targeted to be disposed by end of financial year. Corporate Risk register has been further developed with monthly review of all corporately rated red risks/financial risks taking place at CMT to ensure top level leadership. All new projects will take into account level of all risks and appetite.	In-progress	Chief Executive Officer Interim Assistant Chief Executive

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		<p>All financial risks associated with budget changes are scrutinised via Star Chamber budget setting process. Financial and other risks are outlined in Cabinet reports.</p> <p>Monthly monitoring is now embedded and is reported to DMTs, CMTs and Cabinet. Monitoring includes analysis of forecast position, risks and opportunities as well as progress in savings delivery. In addition challenge sessions chaired by the Chief Executive Officer review financial forecasts and risk on a regular cycle.</p> <p>Monthly performance report taken to Cabinet and other Committee meetings.</p>		
<p>ii) Working with local residents, rebuild the trust with their local Council by focussing on effective delivery of core services, responding promptly and appropriately to queries and complaints and learning from good practice as well as failures and from each other.</p>	<p>April 2021</p>	<p>The Council is utilising feedback, gained via ad-hoc and planned engagement activities with residents to inform development of a range of solutions to better meet current and future needs. This include looking at skills gaps that exists and ways to involve residents in the training of our staff to ensure their voice is reflected in our actions.</p> <p>Sessions with residents have taken place in relation to Regina Road to open up direct communication links between officers and people impacted.</p> <p>Rebuilding trust with residents will be an ongoing process as we improve our culture and systems in order to be the Council our residents need. An update will continue to be</p>	<p>In-progress</p>	<p>Director of Policy, Programmes and Performance</p> <p>Head of Learning & Organisational Development</p>

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		provided against this action for the foreseeable future.			
iii)	Introduce a new system of internal control focussed on finance, performance and risk to manage financial expenditure, risk management, service performance and the delivery of Council priorities. This will follow a monthly cycle of Departmental Leadership Teams, Executive Leadership Team, Cabinet and Scrutiny & Overview as appropriate.	April 2021	<p>Monthly monitoring is now embedded and is reported to DMTs, CMTs and Cabinet.</p> <p>Monitoring includes analysis of forecast position, risks and opportunities as well as progress in savings delivery.</p> <p>In addition challenge sessions chaired by the Chief Executive Officer review financial forecasts and risk on a regular cycle.</p>	In-progress	<p>Chief Executive Officer</p> <p>Interim Corporate Director of Resources (Section 151)</p>
iv)	Building on the work done to date and listening to staff concerns about equality and diversity in the workplace, co-create a working environment that respects and values all our staff and take positive action to ensure that this is the case.	April 2021	We continue tea talk conversations and by the end of December all staff networks would have had an opportunity to challenge CMT with their top issues. We are currently responding to each of the issues that staff have asked that we attend to and formal responses, solutions are being shared with the respective networks and where appropriate all staff. The staff survey results will also be ready for review by the 2nd week of December and will provide some more vital information on actions we need to take as a council to create a more equitable and diverse workforce.	In-progress	<p>Interim Assistant Chief Executive</p> <p>Head of Learning & Organisational Development</p>
v)	Create a new system of staff performance appraisal, co-created with staff and agreed with the trade unions.	April 2021	<p>The appraisal system has been revised and updated to:</p> <p>1) Make it a more user friendly online system with updated e-learning guidance for completing appraisal</p> <p>2) Make it more focussed on 1 to 1 and performance conversations throughout the</p>	In-progress	<p>Interim Assistant Chief Executive</p> <p>Head of Learning & Organisational Development</p>

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		<p>year, rather than ratings. The process considers the health and wellbeing of the appraisee as well as their performance</p> <p>3) Incorporate into managers appraisal a requirement that all staff be given opportunities for development</p> <p>4) Include Nolan principles</p> <p>5) Require all heads of service and above to complete a 360 degree feedback as part of performance appraisal.</p>		
vi)	By working with Council staff, co-create an environment that is open to listening, free from fear, built on trust and openness and reflects the diverse borough that we serve.	Commenced with appointment of Chief Executive	<p>A provider for Culture Change Programme has been selected and appointed via competitive process. The successful provider is BBS who met with the Chief Executive and the Improvement Panel week commencing 22 November. The provider is due to facilitate a CMT Away-day on 10 December to initiate a programme of work.</p> <p>Development and implementation of the Culture Change programme will potentially take 12 months.</p>	<p>In-progress</p> <p>Interim Assistant Chief Executive</p> <p>Interim Chief People Officer</p>
vii)	Agree a training programme for Council staff that includes finance for non-financial managers, Business Case Development, understanding risk, project management and the Council's own governance processes.	January 2021	Training programme to be developed based on assessment of training required. Target is to deliver training in Quarter 4, 2021/22 and/or Quarter 1, 2022/23.	<p>In-progress</p> <p>Interim Assistant Chief Executive</p> <p>Head of Learning & Organisational Development</p>
x)	Work needs to be undertaken as a priority to understand the future model of the Council, which would inform the direction of travel in the improvement journey.	GPAC/SOC Recommendation	The restructure proposals approved by Full Council on 5 th July 2021 went live on 2 nd November 2021.	<p>COMPLETE – Q3</p> <p>Chief Executive Officer</p> <p>Interim Assistant Chief Executive</p>

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<p>xi) Council is to provide appropriate officer support is given to Scrutiny in order that it can fulfil its role.</p>	<p>GPAC/SOC Recommendation</p>	<p>Please note the actions in response to recommendation 2(v).</p> <p>While it is recognised that additional resource is required, it has not as yet been possible to obtain the necessary funding.</p>	<p>In-progress</p>	<p>Monitoring Officer</p> <p>Head of Democratic Services & Scrutiny (Deputy MO)</p>
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**APPENDIX 1b - ACTION PLAN IN RESPONSE TO THE REPORT IN PUBLIC INTEREST – COMPLETED ACTIONS AT QUARTER 3,
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1. The Council has fully accepted all recommendations made by the external auditor (R1-R20)
2. The Council has added additional recommendations LBC1-4.
3. There are 9 high priority recommendations from the external auditor for the Council to urgently address:
4. Actions marked as “GPAC/SOC” recommendation came from their input following consultation carried out in Dec 2020/Jan 2021

High Priority Actions	High Priority Actions
R1a Children’s Social Care	R12 Revolving Investment Fund
R1b Adult Social Care	R14 Treasury Management
R2 Adequacy of Council Reserves	R18 Ongoing investment in Brick by Brick
R3 Use of Transformation Funding	R20 Governance of subsidiaries
R9 Budget Challenge/Rigour	

A note has been made against actions that do not represent “one-off” measures but instead represent actions, principles and values that should be continually delivered or established as repeating tasks. These actions will be marked as Business as Usual (BAU) in the “Status/Updated Deadline” column.

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Overall accountability for the action plan rests with the Chief Executive

Recommendation 1a – HIGH PRIORITY
The Executive Director Children Families and Education needs to address the underlying causes of social care overspends in children’s social care and take effective action to manage both the demand and the resulting cost pressures.

Cabinet Member Accountability: Councillor Flemming, Cabinet Member for Children, Young People and Learning

Action	Progress made to date	Status/Updated Deadline	Accountability
i) Develop a strategy for managing demand and expected impact / outcome and set up panels to manage activity and cost: - Weekly care panel to divert children from care - Bi-weekly Children Looked After review panel to identify children who can be supported to be reunited with families from care, and to systematically review higher cost placements	The Care Panel was established in February 2021. Outcomes from the care panel & new entries to care are monitored weekly at DLT. To build on this work further process maps are being refreshed to formalise challenge, authorisation and decision making for children in care or at risk of care. A scoping workshop to enhance multi-agency partnership provision has also been delivered in March 2021.	COMPLETE	Interim Director, Early Help and Children’s Social Care
ii) Develop a monthly Corporate Finance, Performance and Risk report to progress, track and measure activity. Specifically for Children’s social care, this will monitor the effectiveness of actions to reduce the number of local children in care. This progress report will bring together data on the monthly movement in numbers of children in care, the achievement of care outcomes, the financial impact including full year forecast, and benchmarking against best practice.	The June 7 th Corporate Finance, performance & Risk report iteration will provide a final set of CRP measures, and targets set to date, as well as a further update on the work streams in place to produce a full set of corporate performance reports by September 2021 Cabinet. The monthly reports will develop over time as recommendations are progressed.	COMPLETE	Interim Corporate Director, Children Families and Education to ensure accurate data incorporated into monthly Performance reporting.

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<p>iii) The progress report will be routinely presented to the Children’s Improvement Board, Executive Leadership Team, Cabinet, General Purposes and Audit Committee and Scrutiny & Overview Committee which will bring a greater level of control and transparency (see Recommendation 5 which will also be incorporated into this process). The first report to members will be accompanied by detail outlining the statutory and non-statutory areas of service and the impact of demand management across the service.</p>	<p>The Corporate Finance, Performance and Risk report will provide an update on improvement actions across the Council including Children’s. (1a-ii)</p> <p>Training will be offered to members on the nature of statutory and non-statutory service (See LBC3-i)</p>	<p>COMPLETE</p>	<p>Interim Corporate Director, Children Families and Education to ensure accurate data incorporated into monthly Performance reporting.</p>
<p>iv) Secure independent external challenge through the Partners in Practice programme to enable valid judgements to be made about the correct level of funding to meet the needs of Croydon’s children in care.</p>	<p>Report from LB Camden received under Partners in Practice Programme – December 2020</p> <p>Independent Financial Adviser commissioned by the DFE to provide expert challenge and support commenced on 22/2/21 for a period of 9 months.</p> <p>Ongoing support until November 2021</p>	<p>COMPLETE</p>	<p>Interim Corporate Director, Children Families and Education</p>
<p>v) Data set used to inform progress report to be collated, updated and shared with GPAC to allow members to monitor progress on managing demand within social care.</p>	<p>Dataset developed and being progressed further.</p> <p>The Corporate Finance, Performance and Risk report draws upon this data and provides GPAC with the relevant information per this action.</p>	<p>COMPLETE</p>	<p>Interim Corporate Director, Children Families and Education</p>

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Recommendation 1b – HIGH PRIORITY			
The Executive Director Health, Wellbeing and Adults needs to address the underlying causes of social care overspends in adults social care and take effective action to manage both the demand and the resulting cost pressures.			
Cabinet Member Accountability: Councillor Campbell, Cabinet Member for Families, Health and Social Care			
Action	Progress made to date	Status/Updated Deadline	Accountability
i) Commission a diagnostic of spend and opportunities to be carried out by the Local Government Association (LGA) National Care & Health Improvement Adviser Finance and Risks to inform future shape of transformation opportunities.	This was carried out and used during November 2020 to inform development of the Adult Social Care Improvement Plan	COMPLETE	Interim Corporate Director Adult Social Care and Health
ii) Review the current service delivery models of adult social care and gateway services to right size the budget and delivery model to benchmark with comparator Councils in relation to population and service outcomes.	Data has been collected which provides benchmarking of Croydon ASC care spend vs other Councils, this was factored in to the Adult Social Care Improvement Plan. Budget modelling has been agreed for ASC for 21/22 budget. Service modelling forms part of adult's improvement plan.	COMPLETE	Interim Corporate Director Adult Social Care and Health
iii) To create a placements board to challenge the Council on current cost of placements, managing demand for new placements and ensuring value for money in procurement of placements	Placements boards have been implemented in the Council to challenge placements and reduce expenditure. Daily challenge panel has been in place since S114 Notice. All spend is then promoted to the Spend Control Panel, as agreed with then S151 Officer.	COMPLETE	Interim Corporate Director Adult Social Care and Health

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	Placements programme is in place with an agreed scope. Funding also agreed for Care Cubed placements tool agreed at ELT on 8 March 21.		
iv) Use the output from the diagnostic review to remodel financial implications to help shape the Medium Term Financial Strategy (MTFS)	<p>Diagnostic review and benchmarking data has been used to shape the Adult Social Care Improvement plan.</p> <p>Croydon Adults Improvement plan has been fully developed and aligned to budget as signed off at March Cabinet. LBC delivery tracker being updated fortnightly.</p>	COMPLETE	Interim Director of Finance (Deputy S151)
v) Develop a monthly Corporate Finance, Performance and Risk report to progress, track and measure activity. This will include monitoring of the new service delivery model to track progress and challenge effectiveness of the plan.	<p>The June 7th Corporate Finance, performance & Risk report iteration will provide a final set of CRP measures, and targets set to date, as well as a further update on the work streams in place to produce a full set of corporate performance reports by September 2021 Cabinet.</p> <p>The monthly reports will develop over time as recommendations are progressed.</p>	COMPLETE	Interim Corporate Director Adult Social Care and Health to ensure accurate data incorporated into monthly Performance reporting.
vi) Progress will be governed by reporting to the Executive Leadership Team, Cabinet, General Purposes and Audit Committee and Scrutiny & Overview Committee which will bring a greater level of control and transparency. The first report to members will be accompanied by detail outlining the statutory and non-statutory areas of service and the impact of demand management across the service.	<p>The Corporate Finance, Performance and Risk report will provide an update on improvement actions across the Council including HWA's (1b-v).</p> <p>Training will be offered to members on the nature of statutory and non-statutory service (See LBC3 – i)</p> <p>.</p>	COMPLETE	Interim Corporate Director Adult Social Care and Health to ensure accurate data incorporated into monthly Performance reporting.

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<p>vii) Ensure that cost of care tool is used effectively to track all case expenditure to improve financial control, identify areas of focus for further improvement and to enable better decision making.</p>	<p>The Cost of Care tool referred to in has been utilised to help accurately forecast its spend to support budget setting, improve financial management and identify opportunities for further savings.</p> <p>A separate tool called CareCubed is in the process of being acquired. It is a benchmarking tool that allows adult social care to acquire an indicative cost of placing an individual aligned with their assessed care and support needs. This indicative amount is then used to aid contract negotiations with providers.</p> <p>The tool has successfully enabled savings in other Council's and will be tested in Croydon over the next 12 months. Training for staff to use tool is in planning.</p>	<p align="center">COMPLETE</p>	<p>Interim Corporate Director Adult Social Care and Health</p>
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<p>viii) Training to be provided to members to understand the budget for Adult Social Care and share rationale for persistent overspend in service. Training to also inform members on the complex health and care landscape in the borough.</p>	<p>A Training offer has been developed for all members including where appropriate, specific training for committee members. This was approved by the Members Learning & Development Panel on July 13th 2021. It has been aligned with the actions in the RIPI action plan to ensure all aspects covered.</p> <p>Training on the Adult Social Care Budget was completed via a briefing to members of the Health & Social Care Sub-committee in June 2021.</p> <p>Training for members will continue to be offered on annual basis as BAU. Consideration will be taken in the future about how and when best to inform on matters relevant to ASC.</p>	<p align="center">COMPLETE</p>	<p>Interim Corporate Director of Resources (Section 151)</p>
<p>ix) Data set used to inform progress report to be collated, updated and shared with GPAC to allow members to monitor progress on managing demand within social care</p>	<p>A finance and performance workstream has been established and meets fortnightly. The key objectives for this workstream are to ensure dashboards are developed to enable the senior management team to track activity against the benchmarking forecasts set out in the adults improvement plan; and against the move towards both London (younger adults) and England (older adults) averages.</p> <p>Bettergov have been commissioned to help finalise dashboard and benchmarking modelling. 2 dashboards are to be utilised one focused on activity which is complete and another on finances which is in development.</p>	<p align="center">COMPLETE</p>	<p>Interim Corporate Director Adult Social Care and Health to ensure accurate data incorporated into monthly Performance reporting.</p>

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	<p>The MTFS tracker is currently updated weekly.</p> <p>The Corporate Finance, Performance and Risk report draws upon this data and provides GPAC with the relevant information per this action.</p>		
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Recommendation 2 – HIGH PRIORITY

The Council (including Cabinet and Scrutiny and Overview Committee) should challenge the adequacy of the reserves assessment which should include a risk assessment before approving the budget.

Cabinet Member Accountability: Councillor King, Cabinet Member for Croydon Renewal

Action	Progress made to date	Status/Updated Deadline	Accountability
<p>i) Develop a reserves strategy as part of the Medium Term Financial Strategy (MTFS) and present it for approval with the Budget reports to Cabinet and Full Council. This needs to incorporate a clear assessment of risks and liabilities that demonstrate all current and future exposure has been thought through and factored into the recommendations. Strategy to map the financial governance process around agreeing additions to reserves to be included to reduce risk of duplication and that there were no gaps in approach.</p>	<p>The MTFS and 21/22 Budget agreed on 8th March contains a clear strategy for growing the reserves base up to a level which by 23/24 would give a general fund reserve in excess of £60 million</p>	<p>COMPLETE</p>	<p>Interim Director of Finance (Deputy S151)</p>

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<p>ii) In considering future budget reports, Cabinet will assure itself that all risks and liabilities have been properly considered by requesting that the Scrutiny & Overview Committee and the General Purposes and Audit Committee review the adequacy of the strategy and its relationship to the MTFS prior to Cabinet taking a decision.</p>	<p>From April 2021 Financial Monitoring reports will be provided to Cabinet on a monthly basis to ensure Members have increased oversight on any emerging pressures or movements.</p> <p>The 21/22 Budget was reported to Scrutiny on 16th February 2021 and comments were verbally reported to cabinet on 8th March 2021.</p> <p>Future year's timescales will need to include time for both this and reference to GPAC and Scrutiny</p>	<p align="center">COMPLETE</p>	<p>Interim Director of Finance (Deputy S151)</p>
<p>iii) Training to be delivered to relevant members to raise understanding of reserves</p>	<p>The Local Government Association delivered training to Scrutiny and Overview Committee on 27th October 2021 and to General Purposes and Audit Committee on 22 November 2021.</p> <p>The training offer will be refreshed annually and continually offered to members as BAU going forward. A member induction programme planned for May 2022 will be informed by the RIPI recommendations.</p>	<p align="center">COMPLETE Q3 (pending evidence)</p>	<p>Interim Corporate Director of Resources (Section 151)</p> <p>Head of Democratic Services</p>
<p>iv) Council to identify the most appropriate mechanism for the Scrutiny & Overview Committee to monitor and assess progress made against delivering the budget throughout the year. As a part of this any</p>	<p>Monthly reports are taken to Cabinet and to Scrutiny and Overview Committee. Officers will continue to take monthly in year financial reporting monitor to each meeting of Scrutiny and Overview Committee.</p>	<p align="center">COMPLETE Q3 (pending evidence)</p>	<p>Interim Director of Finance (Deputy S151)</p>

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<p>update would need to provide reassurance that effective budget controls are in place to mitigate against potential pressures.</p> <p>Furthermore, the Council is to consider approach to providing reassurance to Members that effective budget controls were in place to mitigate against potential risks to the delivery of the budget</p>			
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Recommendation 3 – HIGH PRIORITY

The Chief Executive should oversee a review of the outcomes achieved from the use of transformation funding to demonstrate that the funding has been applied in accordance with the aim of the scheme.

Cabinet Member Accountability: Councillor King, Cabinet Member for Croydon Renewal

Action	Progress made to date	Status/Updated Deadline	Accountability
<p>i) A review of all schemes previously funded from transformation capital receipts be undertaken and a report produced that assesses whether the funding has been applied in accordance with the scheme.</p>	<p>This work is completed following discussions with the external auditor. An update will be made to GPAC as part of the report on the 2019/20 accounts.</p>	<p>COMPLETE</p>	<p>Interim Director of Finance (Deputy S151)</p>

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Recommendation 4
The s151 officer should set out the strategy for applying capital receipts for transformation annually as part of the budget setting process.

Cabinet Member Accountability: Councillor King, Cabinet Member for Croydon Renewal

Action	Progress made to date	Status/Updated Deadline	Accountability
<p>i) A strategy for funding transformation to be incorporated into the budget setting process using the current Ministry of Housing, Communities and Local Government (MHCLG) Flexible Use of Capital Receipts Scheme.</p>	<p>Following extension of the Flexible Use of capital receipts scheme. Proposals for the use of up to £5 million of capital receipts, subject to availability of receipts will be drafted and agreed by ELT. This should be received in w/c 7th June.</p> <p>Incorporated into budget setting going forward.</p>	<p align="center">COMPLETE</p>	<p>Interim Director of Finance (Deputy S151)</p>
<p>ii) In the absence of any national capital receipts for transformation scheme, the strategy for funding transformation will set out how future schemes will be funded using invest to save principles using rolling investment that is set aside and supported by business cases that demonstrate return. Any business case will have to demonstrate governance of the programme to assure the section 151 officer and Cabinet that the deliverables are being met.</p> <p>All schemes approved for funding under this strategy will be assessed individually and against the overarching risk exposure and affordability for the Council.</p>	<p>See 4i above.</p>	<p align="center">COMPLETE</p>	<p>Interim Director of Finance (Deputy S151)</p>

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Recommendation 5			
The General Purposes and Audit Committee should receive reports on the actions being taken to address the Dedicated Schools Grant deficit and challenge whether sufficient progress is being made.			
Cabinet Member Accountability: Councillor Flemming, Cabinet Member for Children, Young People and Learning			
Action	Progress made to date	Status/Updated Deadline	Accountability
i) The Dedicated Schools Grant recovery plan should be presented to General Purposes and Audit Committee and Scrutiny and Overview Committee for review and agreement to ensure that it is adequate to meet objectives and timelines that have been set.	Reviewed at GPAC 4 March 2021	COMPLETE	Interim Director of Education
ii) Special Educational Needs Finance Board to be established and chaired by the interim Director of Education to oversee the delivery of the Dedicated Schools Grant recovery plan.	Initial meetings held with further meetings to be scheduled to update on the progress of the DSG recovery plan.	COMPLETE	Interim Director of Education
iii) Training to be provided to members to ensure the committee possess a working understand of education funding and budgets	DSG training has been delivered to members of Scrutiny Committee, Labour Group and Conservative Group	COMPLETE	Interim Director of Education / Head of Learning &OD
v) Progress against the recovery plan to be included in the monthly budget monitoring report to Children’s, Families and Education Department Leadership Team, the Executive Leadership Team, the Children’s Improvement Board and the quarterly Cabinet, General Purposes and Audit	Progress update included in the monthly budget monitoring to Education SLT and CFE DLT.	COMPLETE	Interim Corporate Director, Children Families and Education / Interim Head of Finance - CFE

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Committee and Scrutiny & Overview Committee which will bring a greater level of control and transparency.			
vi) Progress on Dedicated Schools Grant recovery plan to be reported to the Schools' Forum on a termly basis	Included in the forward plan of agenda items for Schools' Forum	COMPLETE	Interim Head of Finance, Children, Families and Education

Recommendation 6

The Executive Director Children, Families and Education needs to review the services provided to UASC and to identify options to meet their needs within the grant funding provided by the Home Office.

Cabinet Member Accountability: Councillor Flemming, Cabinet Member for Children, Young People and Learning

Action	Progress made to date	Status/Updated Deadline	Accountability
i) Complete a forensic review of grant income against the total expenditure for unaccompanied asylum seeking children and care leavers over the past 3 years, including the co-ordination of pan-London arrangements	Review completed and is informing Council's approach to UASC support offer.	COMPLETE	Interim Head of Finance, Children, Families and Education
iii) Work with London local authorities to safely transfer responsibility for an agreed number of children in Croydon's care to reduce disproportionate burden on Croydon.	Since the previous quarter update there have been no further transfers of children placed out of borough agreed. 24 have been confirmed and work is underway between Croydon and the relevant boroughs to complete the transfers.	COMPLETE	Interim Corporate Director, Children Families and Education
iv) Introduce a needs based approach to withdrawing services to young people whose	A planned programme of Human Rights Assessments (HRAs) to inform the decision to	COMPLETE	Director Early Help and Children's Social Care

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<p>appeal rights are exhausted alongside earlier, robust triple planning as part of their pathway at 16 plus. This will assist and support a planned, safe voluntary return when all legal routes to remain have been exhausted and avoid a forced detention and removal when young people have no recourse to public funds, limited access to NHS and education and cannot work legally in UK.</p>	<p>safely withdraw services is underway. There are currently 15 young people whose appeal rights are exhausted. All will have an HRA by mid-August.</p>		
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Recommendation 7

The Executive Director Children, Families and Education needs to identify the capacity threshold for the numbers of UASC that it has the capacity to deliver safe UASC services to.

Cabinet Member Accountability: Councillor Flemming, Cabinet Member for Children, Young People and Learning

Action	Progress made to date	Status/Updated Deadline	Accountability
<p>i) Draw on the analysis and review at 6 (i) to develop options to establish a capacity threshold for Croydon for unaccompanied asylum seeking children that is commensurate with other Local Authorities and in line with the nationally agreed standards and funding.</p>	<p>The voluntary national rate is the equivalent of 0.07% of the child population. In Croydon that equates to 66 children. This underpins the forensic review and modelling completed in 6i</p>	COMPLETE	<p>Interim Corporate Director, Children Families and Education</p>
<p>ii) Present options for the Council to deliver safe services within the capacity threshold to the Children’s Improvement Board, Cabinet and General Purposes and Audit Committee and</p>	<p>A Cabinet paper on the Council’s approach to caring for UASC will be presented on June 7th 2021.</p>	COMPLETE	<p>Interim Corporate Director, Children Families and Education</p>

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Scrutiny & Overview Committee to increase levels of control and improve transparency.			
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Recommendation 8

The Cabinet reports on the financial position need to improve the transparency of reporting of any remedial action taken to address in year overspends.

Cabinet Member Accountability: Councillor Young, Cabinet Member for Resources and Financial Governance and Councillor King, Cabinet Member for Croydon Renewal

Action	Progress made to date	Status/Updated Deadline	Accountability
<p>i) A review of financial reporting best practice is to be undertaken and the results used to design reports and a system of reporting that will improve its approach to managing finance, performance and risk to introduce a greater level of transparency and better grip of expenditure. All departments will be required to report against their budgets to the Departmental and Executive Leadership Teams on a monthly basis.</p>	<p>A process for monthly reporting is being developed with the period 1 report to come to Cabinet June 7th 2021. These reports will develop iteratively over the coming months.</p> <p>See recommendation 8 – ii for further information on performance monitoring.</p>	COMPLETE	Interim Director of Finance (Deputy S151)
<p>ii) The Council will develop a new corporate framework for monthly reporting that includes finance, performance and risk. This will report to the Executive Leadership Team, Cabinet, General Purposes and Audit Committee and Scrutiny and Overview Committee as appropriate.</p> <p>The new framework will include progress against service delivery, departmental actions plans, savings opportunities and actions contained within the Croydon Renewal Plan. All actions will be assigned to accountable</p>	<p>The Council has developed a new Corporate framework to deliver monthly Corporate Finance, Performance and Risk update reports. These monitor implementation of improvement actions across the Council (including those contained in the RIPI and as part of the CRP) and set out KPIs and accountable officers.</p> <p>The PMO presented an approach to monthly Corporate, Finance, Performance Risk Reporting to Cabinet on April 12th.</p>	COMPLETE	Chief Executive

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<p>people (including relevant cabinet member) and will be tracked through a central reporting team to ensure that the process is joined up, consistent and timely. This will be a recognised Programme Management Office function using savings and actions trackers</p>	<p>The June 7th Corporate Finance, performance & Risk report iteration will provide a final set of CRP measures, and targets set to date, as well as a further update on the work streams in place to produce a full set of corporate performance reports by September 2021 Cabinet.</p> <p>The monthly reports will develop over time as recommendations are progressed.</p>		
<p>iii) A review of the capacity within the Finance Team to ensure there is adequate support for departmental cost centre managers to fulfil their responsibilities as budget holders.</p>	<p>Additional capacity provided through £1m budget increase approved in March budget – currently funding extra capacity using agency staff</p> <p>Role of Executive Director has been advertised and is now closed</p> <p>Restructure proposals being put together for consultation for January advertising campaign</p>	<p>COMPLETE Q3 (pending evidence)</p>	<p>Interim Director of Finance (Deputy S151)</p>

Recommendation 9 – HIGH PRIORITY

The Council (including Cabinet and Scrutiny and Overview Committee) need to show greater rigor in challenging underlying assumptions before approving the budget including understanding the track record of savings delivery.

Cabinet Member Accountability: Councillor King, Cabinet Member for Croydon Renewal/ Callton Young, Cabinet Member for Resources and Financial Governance

Action	Progress made to date	Status/ Updated Deadline	Accountability
<p>i) To support the Annual Budget setting process Budget Development Meetings will be held for each department and will be attended by Executive Directors, Corporate</p>	<p>Proposals were provided to members with a formal decision in November Cabinet. Saving opportunities for 21/22 were set out across all</p>	<p>COMPLETE</p>	<p>Interim Director of Finance (Deputy S151)</p>

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<p>Leadership Team and Members with accountability for their service area and staff who are responsible for service delivery that understand what impact growth and savings plans will have on the services. To support this process Members will be provided with a clear set of proposals that demonstrate cost pressures (growth) and savings opportunities with narrative and comparators on budget and outcomes delivered to describe the impact of the decisions that are required to be taken.</p>	<p>services and have been incorporated into delivery of Croydon Renewal Plan.</p> <p>The Council recognises further savings will be necessary to achieve a sustainable budget in the long term. Discussions for further savings next year will be scheduled starting from April 2021.</p>		
<p>ii) To support the budget exercise the Council will seek external support to test the draft budget proposals, seek ideas and good practice and will take the same approach by seeking support for the scrutiny process.</p>	<p>Various support from external sources has been utilised to date to offer capacity and advice. This includes the LGA, Centre for Governance and Scrutiny, Council peers and CIPFA. The Council will continue to use such opportunities moving forward.</p>	COMPLETE	<p>Interim Director of Finance (Deputy S151)</p> <p>Interim Corporate Director of Resources (Section 151)</p>
<p>iii) Develop a budget savings tracker that profiles savings by month to enable Members to track that savings are on target. This will need to correlate with the finance, performance and risk reporting that Council will introduce.</p>	<p>An in year savings tracker has been developed to monitor identified savings and escalate any delivery challenges. In year savings are rag rated based on confidence in delivery.</p>	COMPLETE	<p>Interim Director of Finance (Deputy S151)</p>
<p>iv) To increase understanding of the choices Cabinet Members are making with regards to the emerging budget and to effectively challenge budget assumptions, Scrutiny and Overview Committee Members to receive regular briefings on the progress of budget setting.</p>	<p>Budget Discussions were conducted across January and February 2021. This included focused discussion on the 21/22 budget for specific directorates. Discussion took place at Children and Young People Sub-Committee, Health & Social Care Sub-Committee, at Scrutiny, Streets,</p>	COMPLETE	<p>Interim Director of Finance (Deputy S151)</p>

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	<p>Environment & Homes sub-committee and finally the Scrutiny & Overview Committee.</p> <p>The Council will continue to brief Scrutiny committees on budget matters. Work is ongoing to further develop the process for budget scrutiny with conversations ongoing with Scrutiny Chairs. A date is held in the Forward Plan to ensure SOC has the chance to challenge the proposed budget for 2022/23.</p>		
<p>v) To review the budget setting-timetable to ensure that the Scrutiny & Overview Committee has the time to digest and review the budget proposals and underlying assumptions and for Cabinet to respond fully to any challenge or comments and for Cabinet to be able to consider changing its proposals.</p>	<p>The Council is taking action to ensure budget discussions happen at an earlier date and more opportunities are offered to members to offer input into the budget and review its management. These actions include finalisation of Council meetings forward plan up until April 2022 with dates marked for policy discussions and monthly financial performance updates at Cabinet.</p> <p>Additionally, budget developments meetings will begin in Spring 2021 as opposed to Autumn meaning savings will be identified and shared with members earlier in year. An MTFS update is scheduled for Cabinet in October.</p> <p>The Council will continue to brief Scrutiny committees on budget matters. Work is ongoing to further develop the process for budget scrutiny with conversations ongoing with Scrutiny Chairs. A date is held in the Forward Plan to ensure SOC has the chance to challenge the proposed budget for 2022/23.</p>	<p>COMPLETE</p>	<p>Interim Director of Finance (Deputy S151)</p>

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Recommendation 10			
The General Purposes and Audit Committee must challenge officers on the progress in implementing the Financial Consultant’s recommendations to improve the budget setting, monitoring and reporting process and actions to address the Head of Internal Audit’s concerns on internal controls.			
Member Accountability: Councillor Karen Jewitt, Chair of General Purposes and Audit Committee			
Action	Progress made to date	Status/Updated Deadline	Accountability
i) That a piece of work be undertaken to clarify the roles of GPAC and Scrutiny to reduce duplication and ensure right things are being reviewed at the right time	<p>Updates on phase 1 of the Finance Review are currently scheduled on the GPAC work plan up until September including updates on phase 1. It is suggested that it remain this way but Scrutiny call in as they feel appropriate to ensure correct level of challenge. The next update will be received at GPAC in September 2021 with a further update provisionally scheduled for February 2022.</p> <p>Phase 2 and 3 of the finance review have been paused to prioritise other pieces of work.</p> <p>The respective roles of GPAC and Scrutiny will be clarified as part of the wider review of the Constitution. (see LBC Recommendation 1)</p>	COMPLETE	<p>Interim Corporate Director of Resources (Section 151)</p> <p>Interim Director of Finance (Deputy S151)</p>

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Recommendation 11			
The s151 officer needs to revisit the Growth Zone assumptions following the pandemic and make recommendations to Cabinet and Council for the continued investment in the scheme.			
Cabinet Member Accountability: Councillor King, Cabinet Member for Croydon Renewal			
Action	Progress made to date	Status/Updated Deadline	Accountability
i) The Council have commissioned PwC to undertake a strategic review of the Growth Zone with completion expected November 2020. The report with recommendations on a way forward will be discussed with Cabinet and agreed by Members.	PwC report to cabinet made recommendations on future of Growth Zone. These are now being implemented	COMPLETE	Interim Director of Finance (Deputy S151)
ii) Revised financial model profile to be presented alongside budget review in February 2021 to Cabinet, General Purposes and Audit Committee and the Scrutiny and Overview Committee.	<p>Budget report for 6th December sets out the current progress in bridging the £38m gap for 2022/23 and set out many of the risks the Council faces.</p> <p>Further reports on the budget in January and February will build on that position and fully address points raised in this item.</p> <p>Tracker on budget proposals adopted and is tracking progress with an audit log to identify changes to proposals and remaining gap.</p> <p>Monthly monitoring report full details of risks and opportunities alongside forecast in-year position.</p>	COMPLETE Q3 (pending evidence)	Interim Director of Finance (Deputy S151)
iii) Cabinet paper with revised profile and recommendations to be issued March 2021.	See 11ii	COMPLETE	Interim Director of Finance (Deputy S151)

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Recommendation 12 – HIGH PRIORITY
The s151 officer should review the financial rationale and associated risks and make recommendations to Cabinet and Council on whether the Revolving Investment Fund should continue.

Cabinet Member Accountability: Councillor King, Cabinet Member for Croydon Renewal

Action	Progress made to date	Status/Updated Deadline	Accountability
i) The Council have commissioned PwC to undertake a strategic review of the Revolving Investment Fund with completion expected in November 2020. The report with recommendations on a way forward will be discussed with Cabinet and agreed by Members.	Report by PwC on governance & strategic review delivered in November 2020 to Cabinet. Treasury Management strategy updated 1st March 2021 limits new lending under the RIF to BBB working capital loans only	COMPLETE	Interim Director of Finance (Deputy S151)
ii) Cabinet paper with recommendations to be issued March 2021.	See recommendation 12i	COMPLETE	Interim Director of Finance (Deputy S151)

Recommendation 13
The s151 officer should review the purchase of Croydon Park Hotel to identify lessons learned to strengthen future due diligence arrangements.

Cabinet Member Accountability: Councillor King, Cabinet Member for Croydon Renewal

Action	Progress made to date	Status/Updated Deadline	Accountability
i) The Council have commissioned PwC to undertake a strategic review of assets that have been purchased with completion expected in November 2020. The report with recommendations on a way forward will be discussed with Cabinet and agreed by Members.	On February 18 th Cabinet agreed the approach set out in the Interim Assets Strategy. This included, in the appendices, options for an approach on the future of Croydon Park Hotel. An update with a decision on the future of Croydon Park Hotel is provisionally scheduled for September 2021.	COMPLETE	Interim Director of Finance (Deputy S151)

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iv) Cabinet paper with recommendations to be issued March 2021. Update to be provided at Scrutiny on 9 th February	The Interim Assets Disposal Strategy, was discussed at both Cabinet and Scrutiny & Overview Committee in February.	COMPLETE	Interim Director of Finance (Deputy S151)

Recommendation 14 – HIGH PRIORITY

The Cabinet and Council needs to re-consider the Treasury Management Strategy for ongoing affordability of the borrowing strategy, the associated risks and identify whether alternative options can reduce the financial burden.

Cabinet Member Accountability: Councillor Young, Cabinet Member for Resources and Financial Governance and Councillor King, Cabinet Member for Croydon Renewal

Action	Progress made to date	Status/Updated Deadline	Accountability
i) The Treasury Management Strategy will be reviewed as part of the budget setting for 2021/22 and will take into consideration the outcome of the strategic reviews to factor in the overall financial position and best practice from other local authorities. The report with recommendations on a way forward will be discussed with Cabinet and agreed by Members.	Treasury Management strategy updated and agreed by Council on 8 th March 2021	COMPLETE	Interim Director of Finance (Deputy S151)
ii) The outcome of the strategic reviews that the Council have commissioned will inform the Treasury Management Strategy for 21/22 onwards and any changes in governance that may be required.	See recommendation 14i	COMPLETE	Interim Director of Finance (Deputy S151)

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Recommendation 15			
The Chief Executive should arrange detailed Treasury Management training to assist Members to better understand and challenge the long-term financial implications of matters reported within the Treasury Management Strategy.			
Cabinet Member Accountability: Councillor Young Cabinet Member for Resources and Financial Governance			
Action	Progress made to date	Status/Updated Deadline	Accountability
i) Members to attend training sessions facilitated by the Local Government Association to cover treasury management to enable better and effective financial leadership.	Treasury management training was offered to all members on the 3 rd March 2021. Session was recorded and will be distributed to all Members and all budget managers.	COMPLETE	Chief Executive

Recommendation 17			
The Cabinet and Council should reconsider the financial business case for continuing to invest in Brick by Brick before agreeing any further borrowing.			
Cabinet Member Accountability: Councillor Hamida Ali, Leader of the Council			
Action	Progress made to date	Status/Updated Deadline	Accountability
ii) Council to review the risks relating to Brick by Brick to ensure they are appropriately listed on the risk register	The Risks for Brick by Brick have been reviewed and are as follows per the Corporate Risk Register: 1. Investigation or ownership taken on all activities that the Council undertakes by the Executive Leadership Team, Cabinet and all Scrutiny Committees (including GPAC). 2. There is no effective challenge, review, investigation or ownership taken on all activities that the Council undertakes by the Executive Leadership Team, Cabinet and all	COMPLETE	Interim Director of Finance (Deputy S151)

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	<p align="center">Scrutiny Committees (including GPAC).</p> <p>**These risks specifically relate to financial strategy, treasury management strategy (including borrowing), capital investment strategies and appropriateness of continuing investment and association with BBB**</p> <p>The Corporate Red Risk Register is reviewed monthly at ELT to review and update risks where necessary.</p>		
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Recommendation 18 – HIGH PRIORITY

The Cabinet and Council should review and reconsider the ongoing financial rationale for the Council in the equity investment arrangement with Brick by Brick.

Cabinet Member Accountability: Councillor King Cabinet Member for Croydon Renewal

Action	Progress made to date	Status/Updated Deadline	Accountability
<p>i) PwC has been commissioned to undertake a strategic review of Brick by Brick. The report and recommendations will consider the ongoing financial rationale and equity invested and will detail options for the Council that will be considered by the Scrutiny & Overview Committee Cabinet prior to being presented to Cabinet.</p>	<p>This paper went to Scrutiny & Overview Committee and Cabinet in February 2021.</p> <p>The Cabinet paper noted that the Council has never made any equity payments, as planned, and is not in the financial position to do so. It was noted BBB sales proceeds were meant to be placed in an account for the Council to apply interest repayment and, if excess, to substantive loan repayment. Unfortunately, this process has not occurred and instead sale proceeds were retained by BBB effectively replacing the Council's equity share.</p>	<p>COMPLETE</p>	<p>Chief Executive</p>

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	<p>The Council needs to review existing arrangement, change the current agreements or replace it with fresh loans.</p> <p>It is recommended that the current arrangements continue but in a modified way to give Brick by Brick capacity to have working capital to ensure that funds are available to build out units on site</p>		
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Recommendation 19

The s151 officer and monitoring officer should monitor compliance with loan covenants with Brick by Brick and report any breaches to Members.

Cabinet Member Accountability: Councillor King Cabinet Member for Croydon Renewal

Action	Progress made to date	Status/Updated Deadline	Accountability
<p>i) Loan covenants are within scope of the PwC strategic review and will be considered as part of the overall recommendations.</p> <p>A review of the existing loan covenants and their governance is to be undertaken. Learning from this review, a new system of control for all loan agreements entered into by the Council will be presented to Members and this will form part of the new Corporate Finance, Performance and Risk reporting system.</p> <p>The review and the proposed new system for loan covenants will be presented to GPAC &</p>	<p>Loan agreements to be redrafted to provide a comprehensive single agreement</p> <p>The February Cabinet report agreed that detail of the revised loan scheme be delegated to the Chief Executive after consultation with the leader and appropriate lead members.</p>	COMPLETE	<p>Interim Corporate Director of Resources (Section 151)</p> <p>Interim Director of Finance (Deputy S151)</p>

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Scrutiny and Overview Committee prior to being presented to Cabinet for approval.			
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Recommendation 20 – HIGH PRIORITY

The Cabinet and Council should review its arrangements to govern its interest in subsidiaries, how the subsidiaries are linked, and the long-term impact of the subsidiaries on the Council’s financial position and how the Council’s and taxpayers’ interest is safeguarded.

Cabinet Member Accountability: Councillor Young, Cabinet Member for Resources and Financial Governance

Action	Progress made to date	Status/Updated Deadline	Accountability
<p>i) An audit of the Council’s approach to membership of each subsidiary board will be undertaken. The audit will involve officers of the Council and any Chairs/Members of company boards.</p>	<p>A working group was established to work through the existing list of companies that the Council has an interest in. Relevant officers and Directors of company boards were invited to present a paper at each of the working group meetings to discuss the company/companies they are involved with.</p> <p>These informed renewed governance arrangements which were approved by Cabinet on 26th July 2021, establishing the Croydon Companies’ Supervision and Monitoring Panel (CCSMP) and approving its terms of reference.</p> <p>As part of a refreshed approach to membership the S151 Officer in consultation with the Chief Executive, has delegated authority to appoint and remove nominated Directors from the board of Group entities.</p>	<p align="center">COMPLETE</p>	<p>Interim Corporate Director of Resources (Section 151)</p> <p>Interim Director of Finance (Deputy S151)</p>

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<p>ii) As part of this review the membership balance of the boards will be considered in aggregate in regard to best practice for achieving diversity, skill set, sectoral knowledge and Croydon Council representation.</p>	<p>The terms of reference for CCSMP includes the following: <i>“In fulfilling its responsibilities the CCSMP will: Evaluate effectiveness of Group entity board governance structure and processes and recommend changes as required, including with a view to achieving diversity, skill set, sectoral knowledge and appropriate representation.”</i></p> <p>This measure will help ensure diversity, equality and inclusion aspects will be considered in all future decisions on membership.</p>	<p>COMPLETE</p>	<p>Interim Corporate Director of Resources (Section 151)</p> <p>Interim Director of Finance (Deputy S151)</p>
<p>iii) External guidance on best practice will be sought. Roles, responsibilities and legal requirements for local authority company directors and guidance on skill set will be sought and this will include the best way to assess the competence of Members and Chief Officers for these roles.</p>	<p>Principles of Good Governance have been embedded within the terms of reference for CCSMP. These principles consider best practice at other local authorities including Nottingham City Council, Birmingham City Council, Ealing Council and Wirral Council.</p> <p>Furthermore, the terms of reference include the following: <i>“In fulfilling its responsibilities the CCSMP will: Receive updates and training in respect of best practice for company governance and associated matters”</i></p> <p>External guidance will be continually sought as BAU.</p>	<p>COMPLETE</p>	<p>Interim Corporate Director of Resources (Section 151)</p> <p>Interim Director of Finance (Deputy S151)</p>
<p>iv) Process for identifying gaps in knowledge and or experience will be brought forward to include training considerations. If necessary</p>		<p>COMPLETE</p>	<p>Interim Corporate Director of Resources (Section 151)</p>

APPENDIX 1b - ACTION PLAN IN RESPONSE TO THE REPORT IN PUBLIC INTEREST – COMPLETED ACTIONS AT QUARTER 3, JANUARY 2022

<p>interim arrangements will be made to remove risks and ensure effective governance.</p>	<p>The Principles of Good Governance, which are embedded within the terms of reference for CCSMP, include the following:</p> <ul style="list-style-type: none"> • <i>“Directors of the Group entity must act for the entity, declaring and avoiding any actual or apparent conflict of interest. The Group entity should have skills appropriate to the sector and roles. To ensure this is achieved the Board should have mandatory training including induction, an annual training programme and guidance notes. An annual skills audit and triennial independent review should be used to support the entity Board and identify appropriate external expertise</i> • <i>Council nominated directors and member representatives to receive mandatory training on an annual basis and appropriate indemnity arrangements to be ensured”</i> <p>As explained above (20i), the ability to appoint and remove Directors has also been delegated</p>		<p>Interim Director of Finance (Deputy S151)</p>
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<p>LBC Recommendation 1 Given the challenges ahead there will need to be improvement of the Council’s approach to risk management to enable a satisfactory turnaround of the financial position.</p>			
<p>Cabinet Member Accountability: Councillor King Cabinet Member for Croydon Renewal</p>			
Action	Progress made to date	Status/Updated Deadline	Accountability
<p>ii) Corporate Finance, Performance and Risk management to be combined into one reporting function to remove silo thinking</p>	<p>PMO developing initial Corporate Finance, Performance and Risk report.</p>	<p>COMPLETE</p>	

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JANUARY 2022**

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<p>and increase the rigour to enable delivery of services, savings plans and the overarching Improvement Plan. This will require one new unified system of corporate reporting.</p>	<p>These reports will be developed monthly and will provide updates from across the Council on key KPIs. A Cabinet report on the process of reporting was provided on April 12th 2021.</p> <p>The June 7th Corporate Finance, performance & Risk report iteration will provide a final set of CRP measures, and targets set to date, as well as a further update on the work streams in place to produce a full set of corporate performance reports by September 2021 Cabinet.</p> <p>The monthly reports will develop over time as recommendations are progressed.</p>		<p>Interim Corporate Director of Resources (Section 151)</p>
<p>vi) Councillors to be provided overview of Council risk function and how risks are constantly monitored and updated in the organisation</p>	<p>Cabinet training workshop took place in January 2021.</p> <p>Officers will look at opportunities to provide key learning to members through refreshed work programme for 2022. (see LBC 3- i)</p>	<p>COMPLETE</p>	<p>Interim Corporate Director of Resources (Section 151)</p>

LBC Recommendation 2

Clarifying member and officer roles to support good governance arrangements

Cabinet Member Accountability: Councillor Young Cabinet Member for Resources and Financial Governance

Action	Progress made to date	Status/Updated Deadline	Accountability
<p>i) The Council will need to undertake a review to consider its operating model to ensure it has capacity and specialist skills required to</p>	<p>The restructure proposals approved by Full Council on 5th July 2021 went live on 2nd November 2021. This organisational redesign is fundamental to the</p>	<p>COMPLETE Q3 (pending evidence)</p>	<p>Chief Executive Officer</p>

APPENDIX 1b - ACTION PLAN IN RESPONSE TO THE REPORT IN PUBLIC INTEREST – COMPLETED ACTIONS AT QUARTER 3, JANUARY 2022

<p>deliver the financial and operational improvements that are needed to deliver.</p>	<p>council and will help us to improve how we do things, operate within our budget and to create an inclusive culture that supports delivery of the best possible affordable service we can provide to our residents.</p> <p>Senior recruitment drive is well underway with interview dates set.</p>	<p>Original deadline February 2021</p>	<p>Interim Assistant Chief Executive</p>
<p>iii) A review of the member and officer Codes of Conduct will be undertaken to incorporate any learning from recent events and to ensure that they explicitly include the seven principles of public life, known as the Nolan principles, as the basis of the ethical standards expected of elected and appointed public office holders.</p>	<p>A new member code of conduct based upon the LGA model code was adopted at a meeting of Council on 09 December 21. Training sessions on the implications of the new code was delivered to members on 4 October.</p> <p>This is linked to LBC2 - ii.</p> <p>Following the Council meeting, all Members were invited to raise queries or comments on the guidance and were offered the opportunity to attend a further training session on the subject. At the time of writing the minutes, no responses had been received. It is proposed, in line with the approach recommended by the LGA, that the Ethics Committee review the Code of Conduct annually ongoing.</p>	<p>COMPLETE Q3 (pending evidence)</p>	<p>Interim Corporate Director of Resources (Section 151)</p>

LBC Recommendation 3

Ensuring that Members are appropriately trained across all aspects of the Council's financial duties and responsibilities

Cabinet Member Accountability: Councillor Young, Cabinet Member for Resources and Financial Governance

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Action	Progress made to date	Status/Updated Deadline	Accountability
i) Further work on Cabinet development will be undertaken to support members to explore priorities for the new Cabinet, agree how the Members will work together to make the most of shared skills and consider individual and collective leadership styles and ways of working.	LGA have carried out a facilitated session for Cabinet members	COMPLETE	Interim Corporate Director of Resources (Section 151)

LBC Recommendation 4

The Council develops an improvement programme that has the necessary elements for it to function effectively and within its financial resource.

Cabinet Member Accountability: Councillor Hamida Ali, Leader of the Council

Action	Progress made to date	Status/ Updated Deadline	Accountability
ii) Ensure the actions contained in this plan are supported by a corporate programme office that can provide assurance to Members.	A PMO office has been established dedicated to coordinating and supporting the delivery of key improvement actions across the Council. This includes recommendations in the MHCLG Rapid Review, the RIPI and the Croydon Renewal Plan.	COMPLETE	Interim Corporate Director of Resources (Section 151)
iii) Corporate level sponsorship to be allocated to all projects to ensure clarity of responsibility for delivery.	ELT members already allocated across all actions. Further project managers to be identified to deliver the recommendations.	COMPLETE	Chief Executive
x) Work needs to be undertaken as a priority to understand the future model of the Council, which would inform the direction of travel in the improvement journey.	The restructure proposals approved by Full Council on 5 th July 2021 went live on 2 nd November 2021.	COMPLETE Q3 (pending evidence)	Chief Executive Officer Interim Assistant Chief Executive

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Appendix 2 - Internal Audit of RIPI Actions reported as completed in June 2021

Key:

	Action fully completed and, where appropriate, now part of Council's governance framework.		Action substantially completed.		Action still in progress		No action taken
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Extract from June 2021 update report					Summary of Internal Audit work - Evidence obtained and seen
Ref	Recommendation	Action	Progress made to date	Updated Deadline	
1a(i)	The Executive Director Children Families and Education needs to address the underlying causes of social care overspends in children's social care and take effective action to manage both the demand and the resulting cost pressures.	Develop a strategy for managing demand and expected impact / outcome and set up panels to manage activity and cost: <ul style="list-style-type: none"> - Weekly care panel to divert children from care - Bi-weekly Children Looked After review panel to identify children who can be supported to be reunited with families from care, and to systematically review higher cost placements. 	The Care Panel was established in February 2021. Outcomes from the care panel & new entries to care are monitored weekly at DLT. To build on this work further process maps are being refreshed to formalise challenge, authorisation and decision making for children in care or at risk of care. A scoping workshop to enhance multi-agency partnership provision has also been delivered in March 2021.	COMPLETE	The CFE Delivery plan was agreed in February 2021 following review and challenge at the Children's Continuous Improvement Board (CCIB) and CYP Scrutiny Sub-Committee. Examination of CFE Delivery plan confirmed that this sets out the approach to continuing to manage demand and reduce costs to achieve the MTFs savings across the directorate. Examination of Continuous Improvement Plan (CCIP) established that MTFs for Early Help and Children's Social Care had been embedded in CCIP 2021-2024. The CCIP plan was also reviewed and challenged at the CCIB and CYP Scrutiny in July 2021 before being finalised. Children Looked After Review Panel terms of Reference confirmed that the CARE panel was established to support children who have become looked after to be reunited with their. The CARE panel meets weekly chaired by a Head of Service. Actions are minuted and reviewed at each meeting. It was confirmed that the funding protocol process map for CARE Panel and Children Looked After (CLA) were established.

Appendix 2 - Internal Audit of RIPI Actions reported as completed in June 2021

Extract from June 2021 update report					Summary of Internal Audit work - Evidence obtained and seen
Ref	Recommendation	Action	Progress made to date	Updated Deadline	
1a(ii)	The Executive Director Children Families and Education needs to address the underlying causes of social care overspends in children's social care and take effective action to manage both the demand and the resulting cost pressures.	Develop a monthly Corporate Finance, Performance and Risk report to progress, track and measure activity. Specifically for Children's social care, this will monitor the effectiveness of actions to reduce the number of local children in care. This progress report will bring together data on the monthly movement in numbers of children in care, the achievement of care outcomes, the financial impact including full year forecast, and benchmarking against best practice.	The June 7 th Corporate Finance, performance & Risk report iteration will provide a final set of CRP measures, and targets set to date, as well as a further update on the work streams in place to produce a full set of corporate performance reports by September 2021 Cabinet. The monthly reports will develop over time as recommendations are progressed.	COMPLETE – first iteration of report now developed and shared. updates are scheduled to come to Cabinet monthly	Examination of the 'Corporate Finance, Performance & Risk' reports to the October and November 2021 Cabinet meetings confirmed that this included data on the monthly movement in numbers of children in care, the achievement of care outcomes, the financial impact and benchmarking against best practice.
1a(iii)	The Executive Director Children Families and Education needs to address the underlying causes of social care overspends in children's social care and take effective action to manage both the demand and the	The progress report will be routinely presented to the Children's Improvement Board, Executive Leadership Team, Cabinet, General Purposes and Audit Committee and Scrutiny & Overview Committee which will bring a greater level of control and transparency (see	The Corporate Finance, Performance and Risk report will provide an update on improvement actions across the Council including Children's. (1a-ii) Training will be offered to members on the nature of statutory and non-statutory service (See LBC3 – i)	COMPLETE – first iteration of report now developed and shared. updates are scheduled to come to Cabinet monthly	Examination of the 'Windows into Practice' document confirms that the CSC Monthly Dashboard provided rolling monthly statistics on Key Performance Indicators (KPI), detailing that <i>'the dataset includes a 12-month performance summary for key indicators and activity as well as year-on-year local authority comparative data to map performance trends. Benchmarking data for England average and statistical neighbours are included where this information is publicly available'</i> . Examination of the CSC Performance spreadsheet confirmed that 129 numeric indicators were being tracked monthly and examination of the Croydon Children's

Appendix 2 - Internal Audit of RIPI Actions reported as completed in June 2021

Extract from June 2021 update report					Summary of Internal Audit work - Evidence obtained and seen
Ref	Recommendation	Action	Progress made to date	Updated Deadline	
	resulting cost pressures.	Recommendation 5 which will also be incorporated into this process). The first report to members will be accompanied by detail outlining the statutory and non-statutory areas of service and the impact of demand management across the service.		Training offer to be picked up under Recommendation LBC-3	<p>Continuous Improvement Board (CCIB) meeting minutes and accompanying papers confirmed these indicators were reported to these meetings.</p> <p>Examination of the Executive Leadership Team (ELT) /Corporate Management Team (CMT) forward planner confirmed that the 'Corporate Finance, Performance and Risk' report was a monthly agenda item, being reported at the 4th meeting each month.</p> <p>Examination of the October and November 2021 Cabinet meetings minutes confirmed that 'Corporate Finance, Performance & Risk' reports were reported to these meetings.</p> <p>Examination of General Purpose Audit Committee (GPAC) meeting minutes and the 'GPAC Work Programme' established that the 'Corporate Finance, Performance and Risk' report had not been reported to GPAC and was not on the 'Work Programme'.</p> <p>Although reported to the 15 June Overview and Scrutiny Committee, the 'Corporate Finance, Performance & Risk' was not reported to subsequent Committee meetings and was not on the Committee's 'Work Programme'.</p>
1a(v)	The Executive Director Children Families and Education needs to address the underlying causes of social care overspends in children's social care and take effective action to manage both the demand and the	Data set used to inform progress report to be collated, updated and shared with GPAC to allow members to monitor progress on managing demand within social care.	Dataset developed and being progressed further. The Corporate Finance, Performance and Risk report draws upon this data and provides GPAC with the relevant information per this action.	COMPLETE - first iteration of report now developed and shared. updates are scheduled to come to Cabinet monthly.	<p>Examination of General Purpose Audit Committee (GPAC) meeting minutes and the 'GPAC Work Programme' was unable to locate any instances of the 'Corporate Finance, Performance and Risk' report being reported to GPAC.</p> <p>It is acknowledged, as detailed in 1(a) (iv) above, that this data was initially provided to the Overview and Scrutiny Committee and regularly to Cabinet.</p>

Appendix 2 - Internal Audit of RIPI Actions reported as completed in June 2021

Extract from June 2021 update report					Summary of Internal Audit work - Evidence obtained and seen
Ref	Recommendation	Action	Progress made to date	Updated Deadline	
	resulting cost pressures.				
1b(v)	The Executive Director Health, Wellbeing and Adults needs to address the underlying causes of social care overspends in adults social care and take effective action to manage both the demand and the resulting cost pressures.	Develop a monthly Corporate Finance, Performance and Risk report to progress, track and measure activity. This will include monitoring of the new service delivery model to track progress and challenge effectiveness of the plan.	The June 7 th Corporate Finance, performance & Risk report iteration will provide a final set of CRP measures, and targets set to date, as well as a further update on the work streams in place to produce a full set of corporate performance reports by September 2021 Cabinet. The monthly reports will develop over time as recommendations are progressed.	COMPLETE – First iteration of report now developed and shared. updates are scheduled to come to Cabinet monthly.	Initially reported to the June 2021 Overview and Scrutiny Committee and Cabinet meetings, the development of the 'Corporate Finance, Performance & Risk' has been an iterative progress. Examination of the 'Corporate Finance, Performance & Risk' reports to the October and November 2021 Cabinet meetings confirmed that full reports had been presented at these meetings.
1b(vi)	The Executive Director Health, Wellbeing and Adults needs to address the underlying causes of social care overspends in adults social care and take effective action to manage both the demand and the resulting cost pressures.	Progress will be governed by reporting to the Executive Leadership Team, Cabinet, General Purposes and Audit Committee and Scrutiny & Overview Committee which will bring a greater level of control and transparency. The first report to members will be accompanied by detail outlining the statutory and non-statutory areas of service and the impact	The Corporate Finance, Performance and Risk report will provide an update on improvement actions across the Council including HWA's (1b-v). Training will be offered to members on the nature of statutory and non-statutory service (See LBC3 – i)	COMPLETE – First iteration of report now developed and shared. updates are scheduled to come to Cabinet monthly.	Examination of the October 2021 'Corporate Performance and Finance Report confirmed that this included the improvement actions for Health Wellbeing and Adult (HWA). Examination of the Executive Leadership Team (ELT) /Corporate Management Team (CMT) forward planner confirmed that the 'Corporate Finance, Performance and Risk' report was a monthly agenda item, being reported at the 4 th meeting each month. Examination of the October and November 2021 Cabinet meetings minutes confirmed that 'Corporate Finance, Performance & Risk' reports were reported to these meetings. Examination of General Purpose Audit Committee (GPAC) meeting minutes and the 'GPAC Work Programme' established that the 'Corporate Finance,

Appendix 2 - Internal Audit of RIPI Actions reported as completed in June 2021

Extract from June 2021 update report					Summary of Internal Audit work - Evidence obtained and seen
Ref	Recommendation	Action	Progress made to date	Updated Deadline	
		of demand management across the service.			Performance and Risk' report had not been reported to GPAC and was not on the 'Work Programme'. Although reported to the 15 June Overview and Scrutiny Committee, the 'Corporate Finance, Performance & Risk' was not reported to subsequent Committee meetings and was not on the Committee's 'Work Programme.'
1b(vii)	The Executive Director Health, Wellbeing and Adults needs to address the underlying causes of social care overspends in adults social care and take effective action to manage both the demand and the resulting cost pressures.	Ensure that cost of care tool is used effectively to track all case expenditure to improve financial control, identify areas of focus for further improvement and to enable better decision making.	<p>The Cost of Care tool referred to in has been utilised to help accurately forecast its spend to support budget setting, improve financial management and identify opportunities for further savings.</p> <p>A separate tool called called CareCubed is in the process of being acquired. It is a benchmarking tool that allows adult social care to acquire an indicative cost of placing an individual aligned with their assessed care and support needs. This indicative amount is then used to aid contract negotiations with providers.</p> <p>The tool has successfully enabled savings in other Council's and will be tested in Croydon over the next 12 months. Training for staff to use tool is in planning.</p>	COMPLETE	<p>The '2021/22 Adult Social Care Budget Proposals' report to the Health and Social Care Sub-Committee in January 2021 confirmed that a 'cost of Care' tool had 'been developed to build a zero based adult social care budget and set a baseline for current activity and cost from which then to reduce to bring in line with the average level of spending in London or England as appropriate.'</p> <p>The 'Overview Of The 2021-22 Adult Social Care Financial Performance' report provided to the Scrutiny Health & Social Care Sub-Committee at the meeting held on 29 June 2021 confirms that, 'A further £0.026m transformation investment was agreed in Feb 21 for the purchase of a tool called Care Cubed. This allows the service to benchmark placements costs with other councils, enabling stronger provider negotiations.'</p> <p>The copy of the Care Cubed contract provided, confirms that, 'iESE will provide Licensee with access to CareCubed for one year from 1st April 2021 and ending on 31st March 2022' with the option to extend this.</p> <p>As evidenced by the Care Cubed Implementation Plan, the CareCubed tool was implemented as of 18th June 2021.</p> <p>A training plan for use of the tool has been established and distributed to social workers and brokerage staff.</p> <p>Examination of the CareCubed Project Board Meeting Report, dated 17th November 2021, demonstrated that</p>

Appendix 2 - Internal Audit of RIPI Actions reported as completed in June 2021

Extract from June 2021 update report					Summary of Internal Audit work - Evidence obtained and seen
Ref	Recommendation	Action	Progress made to date	Updated Deadline	
					outcomes from the testing of the CareCubed tool were being reported.
1b(ix)	The Executive Director Health, Wellbeing and Adults needs to address the underlying causes of social care overspends in adults social care and take effective action to manage both the demand and the resulting cost pressures.	Data set used to inform progress report to be collated, updated and shared with GPAC to allow members to monitor progress on managing demand within social care	<p>A finance and performance workstream has been established and meets fortnightly. The key objectives for this workstream are to ensure dashboards are developed to enable the senior management team to track activity against the benchmarking forecasts set out in the adults improvement plan; and against the move towards both London (younger adults) and England (older adults) averages.</p> <p>Bettergov have been commissioned to help finalise dashboard and benchmarking modelling. 2 dashboards are to be utilised one focused on activity which is complete and another on finances which is in development.</p> <p>The MTFS tracker is currently updated weekly.</p> <p>The Corporate Finance, Performance and Risk report draws upon this data and provides GPAC with the relevant information per this action.</p>	COMPLETE	<p>It was confirmed that a Finance, Performance and Risk report has been developed to inform on the progress of Services against identified measures. The report is provided to the CMT monthly. It is also provided to Cabinet monthly but is expected to be received by Cabinet on a bi-monthly basis from January 2022.</p> <p>However, as detailed in previous actions, this has not been provided to the General Purpose and Audit Committee (GPAC).</p>

Appendix 2 - Internal Audit of RIPI Actions reported as completed in June 2021

Extract from June 2021 update report					Summary of Internal Audit work - Evidence obtained and seen
Ref	Recommendation	Action	Progress made to date	Updated Deadline	
3(i)	The Chief Executive should oversee a review of the outcomes achieved from the use of transformation funding to demonstrate that the funding has been applied in accordance with the aim of the scheme.	A review of all schemes previously funded from transformation capital receipts be undertaken and a report produced that assesses whether the funding has been applied in accordance with the scheme.	This work is completed following discussions with the external auditor. An update will be made to GPAC as part of the report on the 2019/20 accounts.	COMPLETE	This action has not been reported publicly and nor has Internal Audit been provided with evidence of this being completed.
4(i)	The s151 officer should set out the strategy for applying capital receipts for transformation annually as part of the budget setting process.	A strategy for funding transformation to be incorporated into the budget setting process using the current Ministry of Housing, Communities and Local Government (MHCLG) Flexible Use of Capital Receipts Scheme.	Following extension of the Flexible Use of capital receipts scheme. Proposals for the use of up to £5 million of capital receipts, subject to availability of receipts will be drafted and agreed by ELT. This should be received in w/c 7 th June.	COMPLETE	The 'Transformation Funding Strategy & 2021/22 Usage' report to full Council on 5 th July 2021 detailed that, 'The Council's MTFS assumed up to £5 million of capital receipts could be utilised for transformation funding. The Council's strategy for use of flexible capital receipts is to ensure that such use remains affordable to the revenue account, taking into account the opportunity cost of otherwise funding the capital programme; ensuring such usage conforms to the requirements set out in the regulations; and delivers a positive and rapid rate of return in the level of savings delivered.' Examination of the report established that a total of 12 proposals were included.
4(ii)	The s151 officer should set out the strategy for applying capital receipts for transformation annually as part of the budget setting process.	In the absence of any national capital receipts for transformation scheme, the strategy for funding transformation will set out how future schemes will be funded using invest to save principles using rolling investment	See 4i above.	COMPLETE	See (4) i above. The 'Transformation Funding Strategy & 2021/22 Usage' report to full Council on 5 th July 2021 required that full Council: <i>'1.2 Approve the strategy as outlined in Section 3 to use capital receipts to support the delivery of ongoing savings where such proposals meet the requirements of the Flexible Capital Receipts Regulations, deliver positive payback, and are affordable;</i>

Appendix 2 - Internal Audit of RIPI Actions reported as completed in June 2021

Extract from June 2021 update report					Summary of Internal Audit work - Evidence obtained and seen
Ref	Recommendation	Action	Progress made to date	Updated Deadline	
		<p>that is set aside and supported by business cases that demonstrate return. Any business case will have to demonstrate governance of the programme to assure the section 151 officer and Cabinet that the deliverables are being met.</p> <p>All schemes approved for funding under this strategy will be assessed individually and against the overarching risk exposure and affordability for the Council.</p>			<p><i>1.3 Approve the specific list of transformation funding schemes as set out in the body of this report and summarised in Table 1; each proposed scheme be individually approved.'</i></p>
5(v)	The General Purposes and Audit Committee should receive reports on the actions being taken to address the Dedicated Schools Grant deficit and challenge whether sufficient progress is being made.	Progress against the recovery plan to be included in the monthly budget monitoring report to Children's, Families and Education Department Leadership Team, the Executive Leadership Team, the Children's Improvement Board and the quarterly Cabinet, General Purposes and Audit Committee and	Progress update included in the monthly budget monitoring to Education SLT and CFE DLT.	COMPLETE	<p>Examination of the '2021-22 -P02 CFE Directorate' spreadsheet confirms that monthly budget monitoring occurs. This includes the Dedicated Schools Grant (DSG), High Needs and Education Monitoring, where the financial position is recorded alongside an explanation of items such as anticipated overspend, financial pressures and underspends.</p> <p>Examination of the meeting minutes dated 19th May 2021 confirmed that the budget position was being reported to the High Needs Working Group. It was also confirmed that the meeting in July involved a review of the Quarter</p>

Appendix 2 - Internal Audit of RIPI Actions reported as completed in June 2021

Extract from June 2021 update report					Summary of Internal Audit work - Evidence obtained and seen
Ref	Recommendation	Action	Progress made to date	Updated Deadline	
		Scrutiny & Overview Committee which will bring a greater level of control and transparency.			<p>2 outturn, but the minutes of this meeting were not yet available.</p> <p>Examination of the Cabinet meeting minutes since March 2021 did not identify any specific presentations on the DSG recovery plan, although regular 'financial performance reports' were provided.</p> <p>Examination of the meeting minutes of the General Purposes and Audit Committee confirmed that an update on the DSG recovery plan was presented to the 4 March and 25 November 2021 meetings. A further update was also noted to be scheduled for the January 2022 meeting.</p> <p>Examination of the Children & Young People Sub-Committee minutes since March 2021 did not identify any specific presentations on the DSG recovery plan, although regular 'Service Impact and Budget update' reports were provided.</p>
5(vi)	The General Purposes and Audit Committee should receive reports on the actions being taken to address the Dedicated Schools Grant deficit and challenge whether sufficient progress is being made.	Progress on Dedicated Schools Grant recovery plan to be reported to the Schools' Forum on a termly basis	Included in the forward plan of agenda items for Schools' Forum	Complete and ongoing	Examination of the minutes of Schools' Forum meetings held in 2020/21 confirmed that Dedicated Schools Grant (DSG) Recovery Plan was presented to the meeting held on 26 April 2021 and examination of the forward plan (appended to the minutes of the meeting held on 8 November 2021) for the schools forum noted that this is next due to be presented at the meeting to be held on 6 December 2021, 17 January 2022 and 7 March 2022.
7(ii)	The Executive Director Children, Families and Education needs to identify the capacity threshold for the numbers of UASC that	Present options for the Council to deliver safe services within the capacity threshold to the Children's Improvement Board, Cabinet and General	A Cabinet paper on the Council's approach to caring for UASC will be presented on June 7 th 2021.	COMPLETE	<p>Correspondence with the Executive Officer for Children, Families and Education confirmed that the Council's approach to caring for UASC were presented to Cabinet on June 7th 2021.</p> <p>Examination of the report presented confirmed that this detailed the options for the Council to deliver safe</p>

Appendix 2 - Internal Audit of RIPI Actions reported as completed in June 2021

Extract from June 2021 update report					Summary of Internal Audit work - Evidence obtained and seen
Ref	Recommendation	Action	Progress made to date	Updated Deadline	
	it has the capacity to deliver safe UASC services to.	Purposes and Audit Committee and Scrutiny & Overview Committee to increase levels of control and improve transparency.			<p>services to UASC within the capacity threshold and confirms that the capacity threshold for numbers of UASC is 66 but that Croydon was caring for 205 UASCs. The report further detailed that if the Council were to accept no new UASCs for two years whilst reducing 40 current UASCs, the number of UASC would be within capacity threshold by 2023/24. It was identified that this would result in a budget shortfall of £13m over the next three years.</p> <p>An 'Accompanied Asylum Seeking Children Update' was subsequently provided to the 13 September 2021 Cabinet meeting.</p> <p>A paper 'Update on support for Asylum Seekers in Croydon' was presented to the 17 November 2021 Croydon Children's Continuous Improvement Board.</p> <p>No papers on UASC were noted as being presented to the Overview and Scrutiny Committee or the Children & Young People Sub-Committee during 2021.</p> <p>Although a presentation on UASC and the corresponding risk register entry was made in February 2021, no papers on UASC were noted as being presented to the General Purposes and Audit Committee during 2021.</p>
8(i)	The Cabinet reports on the financial position need to improve the transparency of reporting of any remedial action taken to address in year overspends.	A review of financial reporting best practice is to be undertaken and the results used to design reports and a system of reporting that will improve its approach to managing finance, performance and risk to introduce a greater level of transparency and better	A process for monthly reporting is being developed with the period 1 report to come to Cabinet June 7 th 2021. These reports will develop iteratively over the coming months. See recommendation 8 – ii for further information on performance monitoring.	COMPLETE	The 'Croydon Renewal and Improvement Plan - Performance Reporting Framework & Measures; report initially on 12 th April 2021 and then the subsequent updates to Cabinet on 7 th June and 26 July 2021 provided, 'an update on the implementation of the Council's Corporate Performance Action Plan and development of the associated performance reports as agreed at Cabinet on the 12 April 2021. The performance, finance and risk report (appendix A) will improve the corporate performance offer by providing timely and accurate performance data on programme / project status, performance against Corporate Renewal Plan

Appendix 2 - Internal Audit of RIPI Actions reported as completed in June 2021

Extract from June 2021 update report					Summary of Internal Audit work - Evidence obtained and seen
Ref	Recommendation	Action	Progress made to date	Updated Deadline	
		grip of expenditure. All departments will be required to report against their budgets to the Departmental and Executive Leadership Teams on a monthly basis.			<p>KPI's, and progress against the delivery of financial savings.'</p> <p>It is noted that the development of the report is an iterative process, with a report detailing the four areas of programmes, finance and risk expected to become available in September 2021.</p> <p>This was in addition to the regular 'Financial Performance Report' being provided to Cabinet.</p>
8(ii)	The Cabinet reports on the financial position need to improve the transparency of reporting of any remedial action taken to address in year overspends.	<p>The Council will develop a new corporate framework for monthly reporting that includes finance, performance and risk. This will report to the Executive Leadership Team, Cabinet, General Purposes and Audit Committee and Scrutiny and Overview Committee as appropriate.</p> <p>The new framework will include progress against service delivery, departmental actions plans, savings opportunities and actions contained within the Croydon Renewal Plan. All actions will be assigned to accountable people (including relevant</p>	<p>The Council has developed a new Corporate framework to deliver monthly Corporate Finance, Performance and Risk update reports. These monitor implementation of improvement actions across the Council (including those contained in the RIPI and as part of the CRP) and set out KPIs and accountable officers.</p> <p>The PMO presented an approach to monthly Corporate, Finance, Performance Risk Reporting to Cabinet on April 12th.</p> <p>The June 7th Corporate Finance, performance & Risk report iteration will provide a final set of CRP measures, and targets set to date, as well as a further update on the work streams in place to produce a full set of corporate</p>	<p>COMPLETE – first iteration of report now developed and shared. updates are scheduled to come to Cabinet monthly</p>	<p>Examination of the Executive Leadership Team (ELT) /Corporate Management Team (CMT) forward planner confirmed that the 'Corporate Finance, Performance and Risk' report was a monthly agenda item, being reported at the 4th meeting each month.</p> <p>In addition to the updates to the 12th April, 7th June and 26 July 2021 Cabinet meetings, 'Corporate Finance, Performance & Risk' reports were confirmed to be reported to the October and November 2021 Cabinet meetings.</p>

Appendix 2 - Internal Audit of RIPI Actions reported as completed in June 2021

Extract from June 2021 update report					Summary of Internal Audit work - Evidence obtained and seen
Ref	Recommendation	Action	Progress made to date	Updated Deadline	
		cabinet member) and will be tracked through a central reporting team to ensure that the process is joined up, consistent and timely. This will be a recognised Programme Management Office function using savings and actions trackers.	performance reports by September 2021 Cabinet. The monthly reports will develop over time as recommendations are progressed.		
19(i)	The s151 officer and monitoring officer should monitor compliance with loan covenants with Brick by Brick and report any breaches to Members.	Loan covenants are within scope of the PwC strategic review and will be considered as part of the overall recommendations. A review of the existing loan covenants and their governance is to be undertaken. Learning from this review, a new system of control for all loan agreements entered into by the Council will be presented to Members and this will form part of the new Corporate Finance, Performance and Risk reporting system. The review and the proposed new system for loan covenants will	Loan agreements to be redrafted to provide a comprehensive single agreement. The February Cabinet report agreed that detail of the revised loan scheme be delegated to the Chief Executive after consultation with the leader and appropriate lead members.	COMPLETE	<p>The 'Treasury Management Strategy Statement, Capital Strategy, Minimum Revenue Provision Policy Statement and Annual Investment Strategy 2021/2022' presented to the February 2021 Cabinet meeting detailed that, '<i>The RIF [Revolving Investment Fund] also acted as a funder to the Council's Housing Development Company Brick by Brick, enabling the development of homes in the Borough. The Council has commissioned a review of the RIF which was reported to the Cabinet in November 2020. No new investments other than a loan for working capital to Brick by Brick will be made in 2021/22.</i>'</p> <p>There is no evidence of the review and proposed new system for loan covenants being presented to GPAC & Overview Committee prior to being presented to Cabinet for approval.</p> <p>No clear metrics have been provided for the proposed system governing loan covenants as forming part of the new Corporate, Finance, Performance and Risk reporting system.</p>

Appendix 2 - Internal Audit of RIPI Actions reported as completed in June 2021

Extract from June 2021 update report					Summary of Internal Audit work - Evidence obtained and seen
Ref	Recommendation	Action	Progress made to date	Updated Deadline	
		be presented to GPAC & Scrutiny and Overview Committee prior to being presented to Cabinet for approval.			
LBC1 (i)	Given the challenges ahead there will need to be improvement of the Council's approach to risk management to enable a satisfactory turnaround of the financial position.	Corporate Finance, Performance and Risk management to be combined into one reporting function to remove silo thinking and increase the rigour to enable delivery of services, savings plans and the overarching Improvement Plan. This will require one new unified system of corporate reporting.	<p>PMO developing initial Corporate Finance, Performance and Risk report. These reports will be developed monthly and will provide updates from across the Council on key KPIs. A Cabinet report on the process of reporting was provided on April 12th 2021.</p> <p>The June 7th Corporate Finance, performance & Risk report iteration will provide a final set of CRP measures, and targets set to date, as well as a further update on the work streams in place to produce a full set of corporate performance reports by September 2021 Cabinet.</p> <p>The monthly reports will develop over time as recommendations are progressed.</p>	COMPLETE	<p>Please also refer to 8(i) above.</p> <p>The 'Croydon Renewal and Improvement Plan - Performance Reporting Framework & Measures; report initially on 12th April 2021 and then the subsequent updates to Cabinet on 7th June and 26 July 2021 provided, 'an update on the implementation of the Council's Corporate Performance Action Plan and development of the associated performance reports as agreed at Cabinet on the 12 April 2021. The performance, finance and risk report (appendix A) will improve the corporate performance offer by providing timely and accurate performance data on programme / project status, performance against Corporate Renewal Plan KPI's, and progress against the delivery of financial savings.'</p> <p>It is noted that the development of the report is an iterative process, with a report detailing the four areas of programmes, finance and risk expected to become available in September 2021.</p> <p>This was in addition to the regular 'Financial Performance Report' being provided to Cabinet. The progress of developing Corporate Finance, Performance and Risk report (FPR) and a draft copy of FPR is reported in the Cabinet meeting on 12th April 2021 and 7th June 2021.</p> <p>Complete 'Corporate Finance, Performance & Risk' reports were confirmed to be reported to the October and November 2021 Cabinet meetings.</p>

Appendix 2 - Internal Audit of RIPI Actions reported as completed in June 2021

Extract from June 2021 update report					Summary of Internal Audit work - Evidence obtained and seen
Ref	Recommendation	Action	Progress made to date	Updated Deadline	
LBC1 (vii)	Given the challenges ahead there will need to be improvement of the Council's approach to risk management to enable a satisfactory turnaround of the financial position.	vi) Councillors to be provided overview of Council risk function and how risks are constantly monitored and updated in the organisation	Cabinet training workshop took place in January 2021. The action is complete therefore but will need to be developed further to ensure that proper attention to changing financial position is considered throughout the year. Officers will look at opportunities to provide key learning to members through refreshed work programme for 2022.	COMPLETE	The Head of Fraud, Risk & Insurance confirmed that a risk management training session was provided for joint political Cabinet and ELT on the evening of 20 of January 2021. He explained that this session gave an overview of the risk management framework at Croydon and the risk register itself.
LBC2 (ii)	Clarifying member and officer roles to support good governance arrangements	A review of the member and officer Codes of Conduct will be undertaken to incorporate any learning from recent events and to ensure that they explicitly include the seven principles of public life, known as the Nolan principles, as the basis of the ethical standards expected of elected and appointed public office holders.	The Local Government Association Code of Conduct 2020 was reported into Ethics Committee in February 2021. Members asked for a gap analysis to come back to the committee in April to inform any potential future changes. This Gaps Analysis was provided to Councillors at the May 26 th Ethics Committee. This is linked to LBC2 - ii.	COMPLETE	Examination of the minutes of the Ethics Committee meeting held on 11 th February 2021 confirmed that LGA's new model Code of Conduct was presented at the meeting and that members asked for a gap analysis to come back to the committee in April to inform any potential future changes. Examination of the minutes of the subsequent Ethics Committee meeting held on 26 th May 2021 confirmed that the completed gap analysis was reported. The member Code of Conduct was then approved at the 11 October 2021 full Council meeting. The officer Code of Conduct is yet to be approved.

REPORT TO:	General Purposes and Audit Committee 25 January 2022
SUBJECT:	Council Meeting Dates 2022/23
LEAD OFFICER:	John Jones Monitoring Officer
WARDS:	All
COUNCIL PRIORITIES	
The dates for full Council are proposed to facilitate early production of the Council diary and to enable future planning of Council business for the 2022/23 Municipal Year.	
FINANCIAL IMPACT:	
Financial implications arising from the implementation of these recommendations are outlined in 3.15 of this report.	
1. RECOMMENDATIONS	
The Committee is asked to:	
1.1	Approve, on behalf of the Council, the schedule of Full Council meeting dates for 2022/2023 as outlined in either: <ul style="list-style-type: none"> • Option A: Appendix 1, the Full Council meeting dates as detailed in paragraph 3.5 of the report, which schedule the meetings on Mondays; OR <ul style="list-style-type: none"> • Option B: Appendix 2, the Full Council meeting dates as detailed in paragraph 3.11 of the report, which schedule the meetings on Wednesdays;
1.2	Note the schedule of Cabinet meeting dates for 2023/23 as detailed in paragraphs 3.6 and 3.12 of the report; and
1.3	Note the proposed schedule of remaining meeting dates for 2022/23 as detailed in both appendices.

2. EXECUTIVE SUMMARY

- 2.1 Members are asked to consider for approval and noting respectively the proposed schedule of dates for Council and Cabinet Meetings for the Council year 2022/23. The early approval of these dates will facilitate the publication of the Council Diary.

3. DETAIL

- 3.1 The Council's Constitution stipulates at paragraph three of Part 4A that seven meetings of the Full Council including Annual and Council Tax meetings shall be held in each year.

3.2 Paragraph 3.1 of the Council Procedure Rules, Part 4A of the Council's Constitution, states that responsibility to determine the dates of the Full Council meetings rests with the General Purposes and Audit Committee.

3.3 Two appendices have been attached to the report for the Committee's consideration.

Appendix 1

3.4 Appendix 1 schedules Full Council meetings to be held on a Monday, similarly to previous years. This outlines the Cabinet meetings being held on a Monday also.

3.5 The proposed dates for consideration for the Council year 2022/23 are listed below:

- Monday 23 May 2022 (Annual Council)
- Monday 11 July 2022
- Monday 17 October 2022
- Monday 12 December 2022
- Monday 30 January 2023
- Monday 27 February 2023 (Council Tax meeting)
- Monday 27 March 2023
- Monday 15 May 2023 (indicative date for Annual Council 2023)

3.6 In accordance with paragraph 1.5(a) of Part 4D of the Constitution, Cabinet meeting dates are set by the Leader of the Council. The Committee is asked to note the following Cabinet meeting dates that have been provisionally agreed by the Leader:

- Monday 6 June 2022
- Monday 4 July 2022
- Monday 12 September 2022
- Monday 10 October 2022
- Monday 14 November 2022
- Monday 5 December 2022
- Monday 23 January 2023
- Monday 20 February 2023
- Monday 20 March 2023

3.7 The dates proposed above for Cabinet meetings are provisional, and will be updated following the election for the directly elected Mayor on 5 May 2022.

Appendix 2

3.8 Appendix 2 schedules Full Council meetings to be held on a Wednesday. This is being proposed to the General Purposes and Audit Committee for consideration.

3.9 The proposed dates for consideration for the Council year 2022/23 are listed below:

- Wednesday 25 May 2022 (Annual Council)
- Wednesday 13 July 2022
- Wednesday 19 October 2022
- Wednesday 14 December 2022
- Wednesday 1 February 2023
- Wednesday 1 March 2023 (Council Tax meeting)
- Wednesday 29 March 2023
- Wednesday 17 May 2023 (indicative date for Annual Council 2023)

3.10 In accordance with paragraph 1.5(a) of Part 4D of the Constitution, Cabinet meeting dates are set by the Leader of the Council. The Committee is asked to note the following Cabinet meeting dates that have been provisionally agreed by the Leader:

- Wednesday 8 June 2022
- Wednesday 6 July 2022
- Wednesday 14 September 2022
- Wednesday 12 October 2022
- Wednesday 16 November 2022
- Wednesday 7 December 2022
- Wednesday 25 January 2023
- Wednesday 22 February 2023
- Wednesday 22 March 2023

3.11 The dates proposed above for Cabinet meetings are provisional, and will be updated following the election for the directly elected Mayor on 5 May 2022.

3.12 Both Appendix 1 and Appendix 2 to the report details all the proposed meeting dates for 2022/23, including Committees, Sub-Committees and panels. While the Committee is not required to formally approve these dates, they are being circulated early for Members' convenience.

Resourcing the 2022/23 council diary

3.13 Members will be aware that, following a continuing increase in demand for decision making meetings and the resources to support them, there has been an ongoing capacity gap in Democratic Services since March 2020.

3.14 The proposed council diary includes 133 scheduled meetings and anticipates a further 35 demand led meetings, such as Planning or Licensing Sub-Committees. This is greater than the over 155 meetings per annum that the Council currently has resourced to support.

3.15 In order to correctly right size Democratic Services and Scrutiny to meet the needs of the organisation in the light of both its improvement journey and the change of governance model from May 2022, the Local Government Association is currently undertaking a peer review of democratic services.

3.16 It is anticipated that any changes that are needed to be made as a result of options or recommendations from the peer review will be included in the 2022/23 budget. In the event that any such changes are not budgeted for, a revised Council diary will be presented to the General Purposes & Audit Committee to reduce the number of scheduled meetings to the level of resource the Council has available to deliver them.

4. CONSULTATION

- 4.1 The dates proposed in this report are based on a number of considerations. These include showing consideration to statutory requirements such as the setting of the Council Tax and the annual statement of accounts and the need to avoid school holiday dates. The dates are otherwise set by reference to the Municipal year which runs from May to May and the financial year which runs from 1 April to 31 March.
- 4.2 There has been consultation with Members from both Groups on the dates proposed in this report.

5. LEGAL CONSIDERATIONS

- 5.1 Schedule 12 of the Local Government Act 1972 requires the Council to hold an annual meeting and such other meetings as it may determine.

6. EQUALITIES IMPACT

- 6.1 Consideration to the timing of school holiday dates has been made when setting the proposed dates. This is to take into consideration that the caring responsibilities of Members and staff impact on their ability to attend meetings during school holidays.

CONTACT OFFICER:	Stephen Rowan, Head of Democratic Services stephen.rowan@croydon.gov.uk
BACKGROUND DOCUMENTS:	None
APPENDICES:	Appendix 1 – Council Diary 2022/23 (<i>Option A, as outlined in the recommendations</i>) Appendix 2 – Council Diary 2022/23 (<i>Option B, as outlined in the recommendations</i>)

Date	Meeting	Notes
Monday 25 April 2022		
Tuesday 26 April 2022	PENSION COMMITTEE	
	TENANTS & LEASEHOLDER PANEL	
Wednesday 27 April 2022	CORPORATE PARENTING PANEL	
	TRAFFIC MANAGEMENT ADVISORY COMMITTEE	
Thursday 28 April 2022	PLANNING COMMITTEE	
Friday 29 April 2022		
Monday 02 May 2022		Bank Holiday
Tuesday 03 May 2022	HEALTH & SOCIAL CARE SCRUTINY SUB-COMMITTEE	
Wednesday 04 May 2022		
Thursday 05 May 2022		LOCAL ELECTIONS
Friday 06 May 2022		
Monday 09 May 2022		
Tuesday 10 May 2022		
Wednesday 11 May 2022		
Thursday 12 May 2022		
Friday 13 May 2022		
Monday 16 May 2022		
Tuesday 17 May 2022		
Wednesday 18 May 2022		
Thursday 19 May 2022		
Friday 20 May 2022		
Monday 23 May 2022	COUNCIL	Annual Council
Tuesday 24 May 2022		
Wednesday 25 May 2022		
Thursday 26 May 2022	PLANNING COMMITTEE	
Friday 27 May 2022		
Monday 30 May 2022		Bank Holiday
Tuesday 31 May 2022		School Holiday
Wednesday 01 June 2022		School Holiday
Thursday 02 June 2022		School Holiday
Friday 03 June 2022		School Holiday
Monday 06 June 2022	CABINET	
Tuesday 07 June 2022		
Wednesday 08 June 2022	SAFER NEIGHBOURHOOD BOARD	
Thursday 09 June 2022	GENERAL PURPOSES & AUDIT COMMITTEE	
Friday 10 June 2022		
Monday 13 June 2022		
Tuesday 14 June 2022	PENSION COMMITTEE	10am
	SCRUTINY & OVERVIEW COMMITTEE	
Wednesday 15 June 2022	HEALTH & WELLBEING BOARD	2pm
Thursday 16 June 2022	PLANNING COMMITTEE	
Friday 17 June 2022		
Monday 20 June 2022		
Tuesday 21 June 2022	CHILDREN & YOUNG PEOPLE SCRUTINY SUB-COMMITTEE	
Wednesday 22 June 2022	LICENSING COMMITTEE	
Thursday 23 June 2022	MEMBER LEARNING & DEVELOPMENT PANEL	
	CORPORATE PARENTING PANEL	
Friday 24 June 2022		
Monday 27 June 2022		
Tuesday 28 June 2022	HEALTH & SOCIAL CARE SCRUTINY SUB-COMMITTEE	
	TENANTS & LEASEHOLDER PANEL	
Wednesday 29 June 2022		
Thursday 30 June 2022	PLANNING COMMITTEE	
Friday 01 July 2022		
Monday 04 July 2022	CABINET	
Tuesday 05 July 2022	STREETS, ENVIRONMENT & HOMES SCRUTINY SUB-COMMITTEE	
Wednesday 06 July 2022	TRAFFIC MANAGEMENT ADVISORY COMMITTEE	
Thursday 07 July 2022	PENSION BOARD	2pm
	GENERAL PURPOSES & AUDIT COMMITTEE	
Friday 08 July 2022		
Monday 11 July 2022	COUNCIL	
Tuesday 12 July 2022	SCRUTINY & OVERVIEW COMMITTEE	
Wednesday 13 July 2022		
Thursday 14 July 2022	PLANNING COMMITTEE	
Friday 15 July 2022		
Monday 18 July 2022		
Tuesday 19 July 2022		
Wednesday 20 July 2022		
Thursday 21 July 2022		
Friday 22 July 2022		
Monday 25 July 2022		School Holiday
Tuesday 26 July 2022		School Holiday
Wednesday 27 July 2022		School Holiday
Thursday 28 July 2022	PLANNING COMMITTEE	School Holiday
Friday 29 July 2022		School Holiday
Monday 01 August 2022		School Holiday

Tuesday	02 August 2022		School Holiday
Wednesday	03 August 2022		School Holiday
Thursday	04 August 2022		School Holiday
Friday	05 August 2022		School Holiday
Monday	08 August 2022		School Holiday
Tuesday	09 August 2022		School Holiday
Wednesday	10 August 2022		School Holiday
Thursday	11 August 2022	PLANNING COMMITTEE	School Holiday
Friday	12 August 2022		School Holiday
Monday	15 August 2022		School Holiday
Tuesday	16 August 2022		School Holiday
Wednesday	17 August 2022		School Holiday
Thursday	18 August 2022		School Holiday
Friday	19 August 2022		School Holiday
Monday	22 August 2022		School Holiday
Tuesday	23 August 2022		School Holiday
Wednesday	24 August 2022		School Holiday
Thursday	25 August 2022	PLANNING COMMITTEE	School Holiday
Friday	26 August 2022		School Holiday
Monday	29 August 2022		Bank Holiday
Tuesday	30 August 2022		School Holiday
Wednesday	31 August 2022	SAFER NEIGHBOURHOOD BOARD	
Thursday	01 September 2022		
Friday	02 September 2022		
Monday	05 September 2022		
Tuesday	06 September 2022	SCRUTINY & OVERVIEW COMMITTEE	
Wednesday	07 September 2022	CORPORATE PARENTING PANEL	
Thursday	08 September 2022	PLANNING COMMITTEE	
Friday	09 September 2022		
Monday	12 September 2022	CABINET	
Tuesday	13 September 2022	PENSION COMMITTEE	10am
		CHILDREN & YOUNG PEOPLE SCRUTINY SUB-COMMITTEE	
Wednesday	14 September 2022	LICENSING COMMITTEE	
Thursday	15 September 2022	SOUTH LONDON WASTE PARTNERSHIP JOINT COMMITTEE (TBC)	
		GENERAL PURPOSES & AUDIT COMMITTEE	
Friday	16 September 2022		
Monday	19 September 2022		
Tuesday	20 September 2022	HEALTH & SOCIAL CARE SCRUTINY SUB-COMMITTEE	
Wednesday	21 September 2022	ETHICS COMMITTEE	
Thursday	22 September 2022	PLANNING COMMITTEE	
Friday	23 September 2022		
Monday	26 September 2022		Labour Party Conference (TBC)
Tuesday	27 September 2022	STREETS, ENVIRONMENT & HOMES SCRUTINY SUB-COMMITTEE	Labour Party Conference (TBC)
Wednesday	28 September 2022		Labour Party Conference (TBC)
Thursday	29 September 2022	MEMBER LEARNING & DEVELOPMENT PANEL	
Friday	30 September 2022		
Monday	03 October 2022		Conservative Party Conference
Tuesday	04 October 2022		Conservative Party Conference
Wednesday	05 October 2022		Conservative Party Conference
Thursday	06 October 2022	PLANNING COMMITTEE	
Friday	07 October 2022		
Monday	10 October 2022	CABINET	
Tuesday	11 October 2022	TENANTS & LEASEHOLDER PANEL	
Wednesday	12 October 2022		
Thursday	13 October 2022	PENSION BOARD	2pm
		GENERAL PURPOSES & AUDIT COMMITTEE	
		CROYDON & LEWISHAM STREET LIGHTING JOINT COMMITTEE	
Friday	14 October 2022		
Monday	17 October 2022	COUNCIL	
Tuesday	18 October 2022	SCRUTINY & OVERVIEW COMMITTEE	
Wednesday	19 October 2022	HEALTH & WELLBEING BOARD	2pm
Thursday	20 October 2022	PLANNING COMMITTEE	
Friday	21 October 2022		
Monday	24 October 2022		School Holiday
Tuesday	25 October 2022		School Holiday
Wednesday	26 October 2022		School Holiday
Thursday	27 October 2022		School Holiday
Friday	28 October 2022		School Holiday
Monday	31 October 2022		
Tuesday	01 November 2022	CHILDREN & YOUNG PEOPLE SCRUTINY SUB-COMMITTEE	
Wednesday	02 November 2022		
Thursday	03 November 2022	PLANNING COMMITTEE	
Friday	04 November 2022		
Monday	07 November 2022		

Tuesday	08 November 2022	HEALTH & SOCIAL CARE SCRUTINY SUB-COMMITTEE	
Wednesday	09 November 2022	CORPORATE PARENTING PANEL	
Thursday	10 November 2022		
Friday	11 November 2022		
Monday	14 November 2022	CABINET	
Tuesday	15 November 2022	STREETS, ENVIRONMENT & HOMES SCRUTINY SUB-COMMITTEE	
Wednesday	16 November 2022	ETHICS COMMITTEE	
Thursday	17 November 2022	PLANNING COMMITTEE	
Friday	18 November 2022		
Monday	21 November 2022		
Tuesday	22 November 2022		
Wednesday	23 November 2022	SAFER NEIGHBOURHOOD BOARD	
Thursday	24 November 2022	GENERAL PURPOSES & AUDIT COMMITTEE	
Friday	25 November 2022		
Monday	28 November 2022		
Tuesday	29 November 2022		
Wednesday	30 November 2022		
Thursday	01 December 2022	PLANNING COMMITTEE	
Friday	02 December 2022		
Monday	05 December 2022	CABINET	
Tuesday	06 December 2022	PENSION COMMITTEE	10am
		SCRUTINY & OVERVIEW COMMITTEE	
Wednesday	07 December 2022	LICENSING COMMITTEE	
Thursday	08 December 2022		
Friday	09 December 2022		
Monday	12 December 2022	COUNCIL	
Tuesday	13 December 2022	SOUTH LONDON WASTE PARTNERSHIP JOINT COMMITTEE (TBC)	
Wednesday	14 December 2022	TRAFFIC MANAGEMENT ADVISORY COMMITTEE	
Thursday	15 December 2022	PLANNING COMMITTEE	
Friday	16 December 2022		
Monday	19 December 2022		School Holiday
Tuesday	20 December 2022		School Holiday
Wednesday	21 December 2022		School Holiday
Thursday	22 December 2022		School Holiday
Friday	23 December 2022		School Holiday
Monday	26 December 2022		Bank Holiday
Tuesday	27 December 2022		Bank Holiday
Wednesday	28 December 2022		School Holiday
Thursday	29 December 2022		School Holiday
Friday	30 December 2022		School Holiday
Monday	02 January 2023		Bank Holiday
Tuesday	03 January 2023		
Wednesday	04 January 2023		
Thursday	05 January 2023		
Friday	06 January 2023		
Monday	09 January 2023		
Tuesday	10 January 2023	SCRUTINY & OVERVIEW COMMITTEE	
Wednesday	11 January 2023	CORPORATE PARENTING PANEL	
Thursday	12 January 2023	PENSION BOARD PLANNING COMMITTEE	2pm
Friday	13 January 2023		
Monday	16 January 2023		
Tuesday	17 January 2023	CHILDREN & YOUNG PEOPLE SCRUTINY SUB-COMMITTEE	
Wednesday	18 January 2023	HEALTH & WELLBEING BOARD	2pm
Thursday	19 January 2023	GENERAL PURPOSES & AUDIT COMMITTEE	
Friday	20 January 2023		
Monday	23 January 2023	CABINET	
Tuesday	24 January 2023	HEALTH & SOCIAL CARE SCRUTINY SUB-COMMITTEE	
Wednesday	25 January 2023		
Thursday	26 January 2023	MEMBER LEARNING & DEVELOPMENT PANEL PLANNING COMMITTEE	
Friday	27 January 2023		
Monday	30 January 2023	MAYORALTY & HONORARY FREEDOM SELECTION SUB-COMMITTEE COUNCIL	6pm
Tuesday	31 January 2023	STREETS, ENVIRONMENT & HOMES SCRUTINY SUB-COMMITTEE	
Wednesday	01 February 2023	TRAFFIC MANAGEMENT ADVISORY COMMITTEE	
Thursday	02 February 2023	GENERAL PURPOSES & AUDIT COMMITTEE	
Friday	03 February 2023		
Monday	06 February 2023		
Tuesday	07 February 2023	TENANTS & LEASEHOLDER PANEL	
Wednesday	08 February 2023	ETHICS COMMITTEE	
Thursday	09 February 2023	PLANNING COMMITTEE	
Friday	10 February 2023		
Monday	13 February 2023		School Holiday

Tuesday	14 February 2023	SCRUTINY & OVERVIEW COMMITTEE	School Holiday
Wednesday	15 February 2023		School Holiday
Thursday	16 February 2023		School Holiday
Friday	17 February 2023		School Holiday
Monday	20 February 2023	CABINET	
Tuesday	21 February 2023		
Wednesday	22 February 2023		
Thursday	23 February 2023	PLANNING COMMITTEE	
Friday	24 February 2023		
Monday	27 February 2023	COUNCIL	Budget Council
Tuesday	28 February 2023	CHILDREN & YOUNG PEOPLE SCRUTINY SUB-COMMITTEE	
Wednesday	01 March 2023	CORPORATE PARENTING PANEL	
Thursday	02 March 2023	GENERAL PURPOSES & AUDIT COMMITTEE	
Friday	03 March 2023		
Monday	06 March 2023		
Tuesday	07 March 2023	HEALTH & SOCIAL CARE SCRUTINY SUB-COMMITTEE	
Wednesday	08 March 2023	SAFER NEIGHBOURHOOD BOARD	
Thursday	09 March 2023	PLANNING COMMITTEE	
Friday	10 March 2023		
Monday	13 March 2023		
Tuesday	14 March 2023	PENSION COMMITTEE STREETS, ENVIRONMENT & HOMES SCRUTINY SUB-COMMITTEE	10am
Wednesday	15 March 2023	LICENSING COMMITTEE	
Thursday	16 March 2023	MEMBER LEARNING & DEVELOPMENT PANEL	
Friday	17 March 2023		
Monday	20 March 2023	CABINET	
Tuesday	21 March 2023		
Wednesday	22 March 2023		
Thursday	23 March 2023	PENSION BOARD PLANNING COMMITTEE	2pm
Friday	24 March 2023		
Monday	27 March 2023	COUNCIL	
Tuesday	28 March 2023	SCRUTINY & OVERVIEW COMMITTEE	
Wednesday	29 March 2023	HEALTH & WELLBEING BOARD	2pm
Thursday	30 March 2023		
Friday	31 March 2023		
Monday	03 April 2023		School Holiday
Tuesday	04 April 2023		School Holiday
Wednesday	05 April 2023		School Holiday
Thursday	06 April 2023	PLANNING COMMITTEE	School Holiday
Friday	07 April 2023		Bank Holiday
Monday	10 April 2023		Bank Holiday
Tuesday	11 April 2023		School Holiday
Wednesday	12 April 2023		School Holiday
Thursday	13 April 2023		School Holiday
Friday	14 April 2023		School Holiday
Monday	17 April 2023		
Tuesday	18 April 2023	CHILDREN & YOUNG PEOPLE SCRUTINY SUB-COMMITTEE SOUTH LONDON WASTE PARTNERSHIP JOINT COMMITTEE (TBC)	
Wednesday	19 April 2023	ETHICS COMMITTEE	
Thursday	20 April 2023	GENERAL PURPOSES & AUDIT COMMITTEE	
Friday	21 April 2023		
Monday	24 April 2023		
Tuesday	25 April 2023	PENSION COMMITTEE TENANTS & LEASEHOLDER PANEL	10am
Wednesday	26 April 2023	CORPORATE PARENTING PANEL TRAFFIC MANAGEMENT ADVISORY COMMITTEE	
Thursday	27 April 2023	PLANNING COMMITTEE	
Friday	28 April 2023		
Monday	01 May 2023		Bank Holiday
Tuesday	02 May 2023		
Wednesday	03 May 2023		
Thursday	04 May 2023		
Friday	05 May 2023		
Monday	08 May 2023		
Tuesday	09 May 2023		
Wednesday	10 May 2023		
Thursday	11 May 2023		
Friday	12 May 2023		
Monday	15 May 2023	COUNCIL	Annual Council
Tuesday	16 May 2023		
Wednesday	17 May 2023		
Thursday	18 May 2023	PLANNING COMMITTEE	
Friday	19 May 2023		
Monday	22 May 2023		

Tuesday 23 May 2023	HEALTH & SOCIAL CARE SCRUTINY SUB-COMMITTEE	
Wednesday 24 May 2023		
Thursday 25 May 2023		
Friday 26 May 2023		

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Date	Meeting	Notes
Monday 25 April 2022		
Tuesday 26 April 2022	PENSION COMMITTEE	
	TENANTS & LEASEHOLDER PANEL	
Wednesday 27 April 2022	CORPORATE PARENTING PANEL	
	TRAFFIC MANAGEMENT ADVISORY COMMITTEE	
Thursday 28 April 2022	PLANNING COMMITTEE	
Friday 29 April 2022		
Monday 02 May 2022		Bank Holiday
Tuesday 03 May 2022	HEALTH & SOCIAL CARE SCRUTINY SUB-COMMITTEE	
Wednesday 04 May 2022		
Thursday 05 May 2022		LOCAL ELECTIONS
Friday 06 May 2022		
Monday 09 May 2022		
Tuesday 10 May 2022		
Wednesday 11 May 2022		
Thursday 12 May 2022		
Friday 13 May 2022		
Monday 16 May 2022		
Tuesday 17 May 2022		
Wednesday 18 May 2022		
Thursday 19 May 2022		
Friday 20 May 2022		
Monday 23 May 2022		
Tuesday 24 May 2022		
Wednesday 25 May 2022	COUNCIL	Annual Council
Thursday 26 May 2022	PLANNING COMMITTEE	
Friday 27 May 2022		
Monday 30 May 2022		Bank Holiday
Tuesday 31 May 2022		School Holiday
Wednesday 01 June 2022		School Holiday
Thursday 02 June 2022		School Holiday
Friday 03 June 2022		School Holiday
Monday 06 June 2022		
Tuesday 07 June 2022	SAFER NEIGHBOURHOOD BOARD	
Wednesday 08 June 2022	CABINET	
Thursday 09 June 2022	GENERAL PURPOSES & AUDIT COMMITTEE	
Friday 10 June 2022		
Monday 13 June 2022		
Tuesday 14 June 2022	PENSION COMMITTEE	10am
	SCRUTINY & OVERVIEW COMMITTEE	
Wednesday 15 June 2022	HEALTH & WELLBEING BOARD	2pm
Thursday 16 June 2022	PLANNING COMMITTEE	
Friday 17 June 2022		
Monday 20 June 2022		
Tuesday 21 June 2022	CHILDREN & YOUNG PEOPLE SCRUTINY SUB-COMMITTEE	
Wednesday 22 June 2022	LICENSING COMMITTEE	
Thursday 23 June 2022	MEMBER LEARNING & DEVELOPMENT PANEL	
	CORPORATE PARENTING PANEL	
Friday 24 June 2022		
Monday 27 June 2022		
Tuesday 28 June 2022	HEALTH & SOCIAL CARE SCRUTINY SUB-COMMITTEE	
	TENANTS & LEASEHOLDER PANEL	
Wednesday 29 June 2022	TRAFFIC MANAGEMENT ADVISORY COMMITTEE	
Thursday 30 June 2022	PLANNING COMMITTEE	
Friday 01 July 2022		
Monday 04 July 2022		
Tuesday 05 July 2022	STREETS, ENVIRONMENT & HOMES SCRUTINY SUB-COMMITTEE	
Wednesday 06 July 2022	CABINET	
Thursday 07 July 2022	PENSION BOARD	2pm
	GENERAL PURPOSES & AUDIT COMMITTEE	
Friday 08 July 2022		
Monday 11 July 2022		
Tuesday 12 July 2022	SCRUTINY & OVERVIEW COMMITTEE	
Wednesday 13 July 2022	COUNCIL	
Thursday 14 July 2022	PLANNING COMMITTEE	
Friday 15 July 2022		
Monday 18 July 2022		
Tuesday 19 July 2022		
Wednesday 20 July 2022		
Thursday 21 July 2022		
Friday 22 July 2022		
Monday 25 July 2022		School Holiday
Tuesday 26 July 2022		School Holiday
Wednesday 27 July 2022		School Holiday
Thursday 28 July 2022	PLANNING COMMITTEE	School Holiday
Friday 29 July 2022		School Holiday
Monday 01 August 2022		School Holiday
Tuesday 02 August 2022		School Holiday

Wednesday	03 August 2022		School Holiday
Thursday	04 August 2022		School Holiday
Friday	05 August 2022		School Holiday
Monday	08 August 2022		School Holiday
Tuesday	09 August 2022		School Holiday
Wednesday	10 August 2022		School Holiday
Thursday	11 August 2022	PLANNING COMMITTEE	School Holiday
Friday	12 August 2022		School Holiday
Monday	15 August 2022		School Holiday
Tuesday	16 August 2022		School Holiday
Wednesday	17 August 2022		School Holiday
Thursday	18 August 2022		School Holiday
Friday	19 August 2022		School Holiday
Monday	22 August 2022		School Holiday
Tuesday	23 August 2022		School Holiday
Wednesday	24 August 2022		School Holiday
Thursday	25 August 2022	PLANNING COMMITTEE	School Holiday
Friday	26 August 2022		School Holiday
Monday	29 August 2022		Bank Holiday
Tuesday	30 August 2022		School Holiday
Wednesday	31 August 2022	SAFER NEIGHBOURHOOD BOARD	
Thursday	01 September 2022		
Friday	02 September 2022		
Monday	05 September 2022		
Tuesday	06 September 2022	SCRUTINY & OVERVIEW COMMITTEE	
Wednesday	07 September 2022	CORPORATE PARENTING PANEL	
Thursday	08 September 2022	PLANNING COMMITTEE	
Friday	09 September 2022		
Monday	12 September 2022	LICENSING COMMITTEE	
		PENSION COMMITTEE	10am
Tuesday	13 September 2022	CHILDREN & YOUNG PEOPLE SCRUTINY SUB-COMMITTEE	
Wednesday	14 September 2022	CABINET	
Thursday	15 September 2022	SOUTH LONDON WASTE PARTNERSHIP JOINT COMMITTEE (TBC)	
		GENERAL PURPOSES & AUDIT COMMITTEE	
Friday	16 September 2022		
Monday	19 September 2022		
Tuesday	20 September 2022	HEALTH & SOCIAL CARE SCRUTINY SUB-COMMITTEE	
Wednesday	21 September 2022	ETHICS COMMITTEE	
Thursday	22 September 2022	PLANNING COMMITTEE	
Friday	23 September 2022		
Monday	26 September 2022		Labour Party Conference (TBC)
Tuesday	27 September 2022	STREETS, ENVIRONMENT & HOMES SCRUTINY SUB-COMMITTEE	Labour Party Conference (TBC)
Wednesday	28 September 2022		Labour Party Conference (TBC)
Thursday	29 September 2022	MEMBER LEARNING & DEVELOPMENT PANEL	
Friday	30 September 2022		
Monday	03 October 2022		Conservative Party Conference
Tuesday	04 October 2022		Conservative Party Conference
Wednesday	05 October 2022		Conservative Party Conference
Thursday	06 October 2022	PLANNING COMMITTEE	
Friday	07 October 2022		
Monday	10 October 2022		
Tuesday	11 October 2022	TENANTS & LEASEHOLDER PANEL	
Wednesday	12 October 2022	CABINET	
		PENSION BOARD	2pm
Thursday	13 October 2022	GENERAL PURPOSES & AUDIT COMMITTEE	
		CROYDON & LEWISHAM STREET LIGHTING JOINT COMMITTEE	
Friday	14 October 2022		
Monday	17 October 2022	HEALTH & WELLBEING BOARD	2pm
Tuesday	18 October 2022	SCRUTINY & OVERVIEW COMMITTEE	
Wednesday	19 October 2022	COUNCIL	
Thursday	20 October 2022	PLANNING COMMITTEE	
Friday	21 October 2022		
Monday	24 October 2022		School Holiday
Tuesday	25 October 2022		School Holiday
Wednesday	26 October 2022		School Holiday
Thursday	27 October 2022		School Holiday
Friday	28 October 2022		School Holiday
Monday	31 October 2022		
Tuesday	01 November 2022	CHILDREN & YOUNG PEOPLE SCRUTINY SUB-COMMITTEE	
Wednesday	02 November 2022		
Thursday	03 November 2022	PLANNING COMMITTEE	
Friday	04 November 2022		
Monday	07 November 2022		
Tuesday	08 November 2022	HEALTH & SOCIAL CARE SCRUTINY SUB-COMMITTEE	

Wednesday	09 November 2022		
Thursday	10 November 2022	CORPORATE PARENTING PANEL	
Friday	11 November 2022		
Monday	14 November 2022		
Tuesday	15 November 2022	STREETS, ENVIRONMENT & HOMES SCRUTINY SUB-COMMITTEE	
Wednesday	16 November 2022	CABINET	
Thursday	17 November 2022	PLANNING COMMITTEE	
Friday	18 November 2022		
Monday	21 November 2022		
Tuesday	22 November 2022	SAFER NEIGHBOURHOOD BOARD	
Wednesday	23 November 2022	ETHICS COMMITTEE	
Thursday	24 November 2022	GENERAL PURPOSES & AUDIT COMMITTEE	
Friday	25 November 2022		
Monday	28 November 2022		
Tuesday	29 November 2022		
Wednesday	30 November 2022		
Thursday	01 December 2022	PLANNING COMMITTEE	
Friday	02 December 2022		
Monday	05 December 2022	LICENSING COMMITTEE	
Tuesday	06 December 2022	PENSION COMMITTEE	10am
		SCRUTINY & OVERVIEW COMMITTEE	
Wednesday	07 December 2022	CABINET	
Thursday	08 December 2022	TRAFFIC MANAGEMENT ADVISORY COMMITTEE	
Friday	09 December 2022		
Monday	12 December 2022		
Tuesday	13 December 2022	SOUTH LONDON WASTE PARTNERSHIP JOINT COMMITTEE (TBC)	
Wednesday	14 December 2022	COUNCIL	
Thursday	15 December 2022	PLANNING COMMITTEE	
Friday	16 December 2022		
Monday	19 December 2022		School Holiday
Tuesday	20 December 2022		School Holiday
Wednesday	21 December 2022		School Holiday
Thursday	22 December 2022		School Holiday
Friday	23 December 2022		School Holiday
Monday	26 December 2022		Bank Holiday
Tuesday	27 December 2022		Bank Holiday
Wednesday	28 December 2022		School Holiday
Thursday	29 December 2022		School Holiday
Friday	30 December 2022		School Holiday
Monday	02 January 2023		Bank Holiday
Tuesday	03 January 2023		
Wednesday	04 January 2023		
Thursday	05 January 2023		
Friday	06 January 2023		
Monday	09 January 2023		
Tuesday	10 January 2023	SCRUTINY & OVERVIEW COMMITTEE	
Wednesday	11 January 2023	CORPORATE PARENTING PANEL	
Thursday	12 January 2023	PENSION BOARD	2pm
		PLANNING COMMITTEE	
Friday	13 January 2023		
Monday	16 January 2023		
Tuesday	17 January 2023	CHILDREN & YOUNG PEOPLE SCRUTINY SUB-COMMITTEE	
Wednesday	18 January 2023	HEALTH & WELLBEING BOARD	2pm
Thursday	19 January 2023	GENERAL PURPOSES & AUDIT COMMITTEE	
Friday	20 January 2023		
Monday	23 January 2023		
Tuesday	24 January 2023	HEALTH & SOCIAL CARE SCRUTINY SUB-COMMITTEE	
Wednesday	25 January 2023	CABINET	
Thursday	26 January 2023	MEMBER LEARNING & DEVELOPMENT PANEL	
		PLANNING COMMITTEE	
Friday	27 January 2023		
Monday	30 January 2023	TRAFFIC MANAGEMENT ADVISORY COMMITTEE	
Tuesday	31 January 2023	STREETS, ENVIRONMENT & HOMES SCRUTINY SUB-COMMITTEE	
Wednesday	01 February 2023	MAYORALTY & HONORARY FREEDOM SELECTION SUB-COMMITTEE	6pm
		COUNCIL	
Thursday	02 February 2023	GENERAL PURPOSES & AUDIT COMMITTEE	
Friday	03 February 2023		
Monday	06 February 2023		
Tuesday	07 February 2023	TENANTS & LEASEHOLDER PANEL	
Wednesday	08 February 2023	ETHICS COMMITTEE	
Thursday	09 February 2023	PLANNING COMMITTEE	
Friday	10 February 2023		
Monday	13 February 2023		School Holiday
Tuesday	14 February 2023	SCRUTINY & OVERVIEW COMMITTEE	School Holiday
Wednesday	15 February 2023		School Holiday

Thursday	16 February 2023		School Holiday
Friday	17 February 2023		School Holiday
Monday	20 February 2023		
Tuesday	21 February 2023	CORPORATE PARENTING PANEL	
Wednesday	22 February 2023	CABINET	
Thursday	23 February 2023	PLANNING COMMITTEE	
Friday	24 February 2023		
Monday	27 February 2023		
Tuesday	28 February 2023	CHILDREN & YOUNG PEOPLE SCRUTINY SUB-COMMITTEE	
Wednesday	01 March 2023	COUNCIL	Budget Council
Thursday	02 March 2023	GENERAL PURPOSES & AUDIT COMMITTEE	
Friday	03 March 2023		
Monday	06 March 2023		
Tuesday	07 March 2023	HEALTH & SOCIAL CARE SCRUTINY SUB-COMMITTEE	
Wednesday	08 March 2023	SAFER NEIGHBOURHOOD BOARD	
Thursday	09 March 2023	PLANNING COMMITTEE	
Friday	10 March 2023		
Monday	13 March 2023		
Tuesday	14 March 2023	PENSION COMMITTEE STREETS, ENVIRONMENT & HOMES SCRUTINY SUB-COMMITTEE	10am
Wednesday	15 March 2023	LICENSING COMMITTEE	
Thursday	16 March 2023	MEMBER LEARNING & DEVELOPMENT PANEL	
Friday	17 March 2023		
Monday	20 March 2023		
Tuesday	21 March 2023	HEALTH & WELLBEING BOARD	2pm
Wednesday	22 March 2023	CABINET	
Thursday	23 March 2023	PENSION BOARD PLANNING COMMITTEE	2pm
Friday	24 March 2023		
Monday	27 March 2023		
Tuesday	28 March 2023	SCRUTINY & OVERVIEW COMMITTEE	
Wednesday	29 March 2023	COUNCIL	
Thursday	30 March 2023		
Friday	31 March 2023		
Monday	03 April 2023		School Holiday
Tuesday	04 April 2023		School Holiday
Wednesday	05 April 2023		School Holiday
Thursday	06 April 2023	PLANNING COMMITTEE	School Holiday
Friday	07 April 2023		Bank Holiday
Monday	10 April 2023		Bank Holiday
Tuesday	11 April 2023		School Holiday
Wednesday	12 April 2023		School Holiday
Thursday	13 April 2023		School Holiday
Friday	14 April 2023		School Holiday
Monday	17 April 2023		
Tuesday	18 April 2023	CHILDREN & YOUNG PEOPLE SCRUTINY SUB-COMMITTEE SOUTH LONDON WASTE PARTNERSHIP JOINT COMMITTEE (TBC)	
Wednesday	19 April 2023	ETHICS COMMITTEE	
Thursday	20 April 2023	GENERAL PURPOSES & AUDIT COMMITTEE	
Friday	21 April 2023		
Monday	24 April 2023		
Tuesday	25 April 2023	PENSION COMMITTEE TENANTS & LEASEHOLDER PANEL	10am
Wednesday	26 April 2023	CORPORATE PARENTING PANEL TRAFFIC MANAGEMENT ADVISORY COMMITTEE	
Thursday	27 April 2023	PLANNING COMMITTEE	
Friday	28 April 2023		
Monday	01 May 2023		Bank Holiday
Tuesday	02 May 2023		
Wednesday	03 May 2023		
Thursday	04 May 2023		
Friday	05 May 2023		
Monday	08 May 2023		
Tuesday	09 May 2023		
Wednesday	10 May 2023		
Thursday	11 May 2023		
Friday	12 May 2023		
Monday	15 May 2023		
Tuesday	16 May 2023		
Wednesday	17 May 2023	COUNCIL	Annual Council
Thursday	18 May 2023	PLANNING COMMITTEE	
Friday	19 May 2023		
Monday	22 May 2023		
Tuesday	23 May 2023	HEALTH & SOCIAL CARE SCRUTINY SUB-COMMITTEE	
Wednesday	24 May 2023		

Thursday	25 May 2023		
Friday	26 May 2023		

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