

Croydon

The Council Tax Care Leavers Relief Scheme for 2018/19

Reviewed April 2018

Delivering for Croydon

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1. Synopsis

- 1.1 To amend the Council Tax Welfare provisions within the Croydon Discretionary support scheme and to use the Council's power as a billing authority to reduce to nil the amount of council tax payable by young people leaving care as permitted by section 13A of the Local Government Finance Act 1992 from 1 April 2018, this will be known as the Care Leavers Relief Scheme (CLRS).

2. Recommendations

- 2.1 To agree the amendments to the Council Tax discretionary reduction policy scheme set out in Appendix 1 which creates a class of council tax charge payer for the purposes of a reduction to their council tax known as "Care Leavers Relief Scheme (CLRS)".
- 2.2 Which allows for application of council tax hardship relief under section 13A of the Local Government Finance Act 1992
- 2.3 To agree that this class of charge payers will be awarded a local council tax relief, by virtue of an award of CLRS that will reduce their council tax bill to nil.
- 2.3 To agree that this class of reduction will be applied in accordance with the Croydon Care Leaver Relief Scheme which is contained in Appendix 2 of this report.

3 Background

- 3.1 A Care leaver is defined as any adult who spent time in care as a child (i.e. under the age of 18). Such care could be in foster care, residential care (mainly children's homes), or other arrangements outside the immediate or extended family. The young person needs to be in care on the day before their 18th birthday to qualify or have been previously in care for a period greater than 2 years. The Care Leavers Relief will not be applicable to young people who have been adopted following a period in care
- 3.2 A special guardianship order is an order appointing one or more individuals to be a child's 'special guardian'. It is a private law order made under the Children Act 1989 and is intended for those children who cannot live with their birth parents and who would benefit from a legally secure placement.
- 3.3 The Council is responding to a Children's Society campaign that has identified a range of disadvantaged care leavers uniquely experience. In particular care leavers are a vulnerable group for council tax debt. The Children's Society details the case for care leavers at least up to the age of 21 to be exempted from paying council tax.
- 3.4 However as the council has a parenting role in some circumstances that lasts until the care leaver is 24, for this reason and in order to keep the scheme administratively simpler to support and not to distinguish for the purposes of exclusion any sub-set of care leaver, we propose to apply care leavers relief to every care leaver until their 25th birthday.
- 3.5 The Council agrees with the campaign's principal sentiments that young people's transition out of care and into adulthood is extremely difficult and that managing money for the first time without support from family, leaves care leavers at real risk of falling into debt.

- 3.6 Corporate parenting is a statutory function of the Council. The underlying principle is that every local authority will seek the same outcomes for young people in care that every good parent would want for their own children.
- 3.7 Care leavers who were looked after by a local authority rather than their parents are amongst the most vulnerable groups in our community. Outcomes for this group are generally poor and, as corporate parents, the Council wants to keep them safe, make sure their experiences leaving care and moving into independent living are positive and improve their ongoing life chances.
- 3.8 The council accepts its role as a responsible corporate parent and wants to further support those young people who have left care to be able to live independently as adults. The proposed scheme will reduce to nil the amount of council tax a care leaver pays so that this council tax cannot become a problem debt for them.
- 3.9 Under section 13A of the Local Government Finance Act 1992 the council has a general discretionary power to reduce liability for council tax in relation to individual cases or class (es) of cases that it may determine where national discounts and exemptions cannot be applied.
- 3.10 This relief must be awarded by the Council in accordance with the discretionary council tax reduction powers as contained within the Local Government Finance Act 1992.
- 3.11 The Care Leaver Relief awarded by the Council will not be reimbursed by the Government but the costs will be shared with the GLA.
- 3.12 Care Leavers Relief will be available from the start of the 2018/2019 financial year.
- 3.13 The Council Tax collection team and the Leaving care team are working on processes that will make it as easy as possible for care leavers to access this relief. For young people in the borough leaving Croydon's care, the process should be seamless and invisible, with the Council Tax collection team and the Leaving care team automatically registering care leavers with Council Tax for the relief. For those living in Croydon but leaving another council's care, we shall endeavor to make the application process for the relief as simple, and automatic as possible to maximise take-up.

4 Detail leading to our recommended Care Leaver Relief scheme

- 4.1 In order to adopt the Care Leaver Relief scheme, the Council is recommended to create a class of charge payer that describes the eligibility criteria and decide in each individual case to grant Care Leaver Relief.
- 4.2. The Council is empowered to determine the eligibility criteria for this relief.
- 4.3 The most cost-efficient way of determining the value of the Care Leaver Relief is to calculate how much council tax the care leaver still has to pay after any existing statutory discounts has been taken into account.

5 Financial Implications

- 5.1 There are financial implications to awarding any discounts other than those currently available under the statutory legislation and the additional financial burden of Section 13A council tax reductions such as Care Leavers Relief has to be met through an increase in the general level

of Council Tax for other payers or from the general fund. Awards of Care Leavers Relief will be made directly to council tax account and thus reducing council tax bill to nil

- 5.2 The granting of Section 13A discounts would reduce income from Council Tax.
- 5.3 The total cost of the relief proposed cannot be determined precisely as the number of care leavers who would continue to reside in Croydon cannot be accurately determined and neither can the value of the national discounts and or exemptions they may be entitled to. Taking into consideration these uncertainties this relief is expected to cost the council in the region of £193,355.44 (based on assumptions as detailed in Appendix 3 below).
- 5.4 Applications for Croydon Discretionary Support for hardship relief under Section 13A will be made by the Croydon Discretionary Support team, to the Council tax account.

6 Equality Implications

- 6.1 The Council must, in the exercise of its functions, have due regard to the need to eliminate discrimination, harassment and victimisation, and to advance equality of opportunity, and foster good relations, between those who share a relevant protected characteristic and those who do not share it (section 149 Equality Act 2010). The Council has a duty to have due regard to the need to remove or minimise disadvantages, take steps to meet needs, in particular steps to take account of disabled persons' disabilities, and encourage people to participate in public life. The Council must have due regard to the need to tackle prejudice and promote understanding.
- 6.2 A child or young person may come into care as a result of temporary or permanent problems facing their parents, as a result of abuse or neglect, or as a result of a range of difficulties, including not having a parent to care for them. National research indicates that this group is significantly disadvantaged in a range of outcomes compared to their peers.
- 6.3 In accordance with our equality duty, this proposal will therefore result in more favorable treatment being applied to care leavers living in Croydon, in order to advance equality of opportunity; with the overall aim of removing financial barriers, resulting in increased opportunities for employment, education and/or training opportunities.
- 6.4 This new scheme reflects the Council's responsibilities as a corporate parent to assist financially disadvantaged care leavers during their early years of independence. The Council has considered whether its decision impacts on equality matters and concluded there are no significant equality concerns. In general the relief does not enhance or detract significantly from the offering that is already available, and so has no substantive adverse equality impacts.
- 6.5 The initial screening for a Resident Impact Assessment (RIA), including a review of the most recent statistics available about the demographics of looked after children (Appendix 3) and an EQIA was completed in December 2017, and this did not identify any negative equality impacts for any protected characteristic or any human rights or safeguarding risks. For this reason a full RIA is not considered necessary.

7 Legal Implications

- 7.1 The Council has discretion to reduce council tax under section 13A(1)(c) of the Local Government Finance Act 1992. A scheme which exempts care leavers who are living in Croydon is lawful and reasonable as it supports the Council's corporate parenting role for care leavers up to the age of 24.

8. Conclusion and Reason for Recommendations

- 8.1 By introducing the Care Leaver Relief scheme the Council is reducing the financial burden on care leavers within its area

Additions / Appendices:

Addition 1 : (CDS) Scheme, Local assistance for vulnerable people

Appendix 1 : Council tax discretionary reduction policy.

Appendix 2 : Care Leavers Relief Scheme Guidance

Appendix 3 : Children looked after at 23/11/2017 by gender, age, category of need, and ethnic origin,

Final Report Clearance

Signed by:

Title:

Date:

Croydon Discretionary Support (CDS) Scheme

Local assistance for vulnerable people

Introduction

The Welfare Reform Act 2012 provides for the reform of the Social Fund which helps people with needs that are difficult to meet from their regular income or who are facing additional expenditure due to an emergency or disaster.

From April 2013 Croydon Council will be responsible for determining a scheme to make discretionary payments to assist certain vulnerable people. The scheme replaces the support previously provided by the DWP Social Fund in the form of Crisis Loans for general living expenses and Community Care Grants to help people stay in the community.

Part 1: Principles

1.1 The principles of the CDS scheme are to provide discretionary payments:

- a) to support people in times of crisis.
- b) to support people moving out of institutional or residential care, help residents stay in their communities and help keep families together

Further detail is provided in section 4 below

Part 2. Eligibility

2.1 Payments of CDS will only be made to applicants who are

- a) in receipt of one or more of the following benefits
 - income support
 - income or contribution-based jobseeker's allowance
 - income-related or contribution-based employment and support allowance
 - pension credit
 - universal credit
 - if an applicant is due to leave an institution or care home within 6 weeks and are likely to get one of the above benefits they may be eligible.
 - if a prisoner or young offender on release on temporary licence, the person they are living with is on a qualifying benefit
 - any disability benefit
 - housing benefit
 - council tax support

and

- b) aged 16 or over

and

- c) resident in Croydon (and have lived here for 3 months prior to applying), unless exceptional circumstances apply, or
- have been placed in housing outside the borough by the London Borough of Croydon within the past 6 months, or
 - is moving into Croydon after leaving institutional or residential care, or
 - is moving into Croydon after recently leaving prison, or
 - is moving into Croydon after being recently discharged from the armed forces, or
 - is moving into Croydon and is the former spouse or dependent of a recently deceased member of the armed forces

and

- d) without sufficient resources which would cause serious hardship to their family or themselves which could affect their household's health or safety

and

- e) not excluded under paragraph 2.3

2.2 The council retains the right to make a CDS payment in exceptional circumstances to a person who is on low income (i.e. their income is below their applicable amount) but not in receipt of a qualifying benefit where that person can demonstrate

- a) why they are unable to receive such benefits

and

- b) that they meet all the other qualifying criteria

and

- c) that they are not excluded under paragraph 2.3

2.3 No payments will be made to claimants and their partners

- a) who could have applied for help to the DWP but have not done so
- who are subject to a DWP sanction, except where they need help with fuel or emergency travel costs
 - whom the council has reason to believe do not reside at the address which is stated on the claim form
 - who are classified as persons from abroad
 - who are full-time students, as defined by the council tax, housing benefit or universal credit legislation, and who are not in receipt of a DWP benefit
 - who have received a DWP Social Fund or Grant award for the same reason in the past 12 months
 - who have made a successful CDS claim in a rolling 12 month period unless exceptional circumstances apply or an award for emergency living expenses has been made and the claimant needs help to move to more suitable accommodation or to remain in their existing accommodation

- have been placed in housing in Croydon by another local authority
- b) who have applied for help with the cost of moving or setting up home but the rent for the proposed accommodation is above the maximum eligible rent for housing benefit or universal credit purposes and they have no reasonable prospect of making up the shortfall

Part 3. Claims for CDS

3.1 No CDS payment will be made unless a claim is made to the council, except where paragraph 4.22(e) or paragraph 6.8 applies.

3.2 A claim can be made over the phone, in writing, online and face to face at Bernard Weatherill House, Mint Walk, Croydon.

3.3 Claims by telephone or in person can only be made between 9am and 4pm, Monday to Friday (except where it is a public holiday). Facilities are available to claim online and these are available 24/7. A personal visit can be arranged on request

3.4 Claims for CDS must include

- the name and current address of the person making the claim, except where the claimant is homeless
- the date of birth of the person making the claim
- the national insurance number of the person making the claim
- whether they have been placed in Croydon by another authority
- what support is being requested – i.e. certain goods or the level and purpose of financial support
- details of why the claim is being made and what consequences there will be if payment is not awarded
- details of any successful CDS claim made within the last 12 months
- details of what other assistance the claimant has considered or sought before making the claim and the result

3.5 The council can require claimants to supply such information or documentary evidence within 14 days as it deems necessary in order to decide the claim, including evidence of identity and residency.

3.6 Acceptable evidence of identity is

- current passport
- current driving licence
- current bank statement showing name and current address
- 2 utility bills, dated within the last 4 months, showing name and current address
- benefit award letter showing name and current address
- letter from solicitor, social worker, probation officer or HM Revenues and Customs showing name and current address

3.7 Acceptable evidence of residency includes, but is not limited to,

- a tenancy agreement
- a utility bill
- a letter or telephone call from a registered social landlord
- evidence from the council's own records

3.8 Evidence of identity or residency may not be required where the claimant is unable to provide it as a result of a disaster, domestic violence, leaving institutional or residential care or because they have no fixed abode.

3.9 Failure to supply the information or documentary evidence within the time limit without good cause will result in the claim being refused.

3.10 Evidence and applications will be accepted from or, with the claimant's consent, may be sought from

- the claimant and/or their representative
- social workers
- youth offending officers or youth offending specialists
- probation officers
- medical professionals
- landlords
- other council departments
- other local authorities

3.11 The council may require claimants to be interviewed at their home, at the council's offices or at some other place specified by the council at a reasonable time so that their claim can be progressed.

3.12 Failure to attend an interview without good cause will result in the claim being refused.

4. CDS qualifying criteria

4.1 The principles of the CDS scheme are to provide discretionary payments

- to support people in times of crisis.
- to support people moving out of institutional or residential care, help residents stay in their communities and help keep families together
- In circumstances where the Council considers that other statutory provision for council tax reduction is insufficient

4.2 Further detail for the type of support the scheme can provide is provided below

To support people in times of crisis

4.3 CDS payments will only be paid

- for the replacement of essential items following a disaster
- to cover emergency living expenses

Replacement of items following a disaster

4.4 A disaster is an event of great or sudden misfortune, resulting in significant damage to, destruction or loss of, essential possessions or property.

4.5 A disaster can apply to an individual dwelling or to a community.

4.6 A disaster does not include any deliberate damage to or deliberate destruction of possessions or property.

Emergency living expenses

4.7 Emergency living expenses are day to day living expenses where the claimant has no other available income or resources.

4.8 The need for emergency living expenses must be because of one of the following reasons:

- the need for emergency travel expenses, i.e. the claimant is required to travel, has had no opportunity to plan that travel and has no or insufficient funds to meet the cost of travel
- loss of money where that loss is not the fault of the claimant
- capital which the claimant cannot immediately access
- fuel expenses where the claimant might otherwise lose their fuel supply or in order to reconnect the fuel supply
- board and lodge expenses for people who are homeless or fleeing domestic violence and would otherwise sleep on the street
- living expenses on leaving institutional or residential care
- living expenses for people recently discharged from prison

4.9 Where a claimant states that their money has been stolen, the claim must be supported by a crime reference number.

4.10 The amount of the emergency living expenses will be 50% of the claimant's personal allowance(s) in their applicable amount (the figure used to calculate benefit to reflect the basic living needs of the claimant and their family), calculated on a daily basis.

4.11 Emergency living expenses will be paid for a maximum of 14 days.

4.12 No more than one award for emergency living expenses can be made during a rolling 12 month period.

4.13 No award for emergency living expense will be made if welfare benefit payments are spent or exhausted.

Where other statutory provision for Council Tax Reduction is insufficient

4.14 Reduction of Council Tax under legislation section 13 A (1)c of the Local Government Finance Act 2012, gives the council discretion to reduce the amount of council tax a person is liable to pay.

4.15 Reductions under this legislation are at the discretion of Croydon Council and there is no statutory entitlement to an award.

CDS payments to support people moving out of institutional or residential care, help residents keep in their communities and help keep families together.

General

4.16 CDS payments will not be made for

- maternity expenses
- funeral expenses

- expenses which the council has a statutory duty to meet
- housing costs or improvements
- an educational or training need,
- expenses in connection with court (legal proceedings) such as legal fees, court fees, fines, costs, damages or subsistence
- removal or storage charges if you are being re-housed following a compulsory purchase order, a redevelopment or closing order or a compulsory exchange of tenancies
- domestic assistance and respite care
- any repair to council property
- a medical, surgical, optical, aural or dental item or service which can be provided free of charge by the National Health Service
- investments
- costs of purchasing, renting or installing a telephone and of any call charges
- holidays
- non essential electrical goods, including a fridge or freezer where there is no young person or disabled person in the household

People moving out of institutional or residential care

4.17 CDS payments can be made where to a person who has moved out of institutional or residential care after being resident there for six months or more and, in order to set up home, requires

- furniture, household equipment and connection charges
- suitable clothing and footwear
- removal expenses where the claimant cannot claim a Discretionary housing payment (DHP)
- fares when moving home where the claimant cannot claim a DHP
- rent in advance where the claimant cannot claim a DHP
- a rent deposit where the claimant cannot claim a DHP

4.18 Institutional and residential care includes residence in NHS hospitals, care homes, hostels, nursing homes, staff intensive sheltered housing, local authority care, foster care, prisons and youth custody, detention or treatment centres.

Helping people to stay in the community

4.19 CDS payments can made in order to help a qualifying person stay in the community or to delay them having to enter care, by

- improving their existing living arrangements, or
- enabling them to move to more suitable accommodation, or
- enabling them to move nearer to someone who can offer support

4.20 A “qualifying person” in para.4.17 is

- a frail elderly person who
 - has restricted mobility, or
 - has difficulty performing personal care tasks
- a person with physical or mental disability
- a person who is chronically sick
- a person who has misused alcohol, drugs or other substances and is seeking rehabilitation

4.21 Improving existing living arrangements includes

- structural repairs and maintenance, where home improvement and renovation grants are not available
- addition or improvement to physical or mental impairment facilities, where a disabled facilities grant is not available
- exceptional need for bedding as the claimant or a member of their family is bedridden or incontinent
- fuel reconnection charges
- laundry needs where the claimant or a member of their family is bedridden or incontinent

4.22 Moving to more suitable accommodation means moving because the existing accommodation is not suited to the claimant or members of their family due to factors such as

- steep stairs or living space on different levels
- a bathroom which can only be reached with difficulty
- inadequate toilet, bathing and washing facilities
- structural defects
- the size of the accommodation
- inability to meet current housing costs in full

4.23 Where a person has moved to more suitable accommodation or to be nearer a person who can offer support, CDS payments can be made to cover

- removal expenses, fares when moving home
- essential furniture, household equipment and connection charges

Families under exceptional pressure

4.24 CDS payments can be made to families under exceptional pressure. Exceptional pressure includes but is not limited to

- the breakdown of a relationship, particularly where there is reasonable evidence of domestic violence
- overcrowding, as defined by housing guidance and legislation
- where a member of the family has a disability that is too difficult to manage
- sudden domestic upheaval as a result of unforeseen circumstances
- sudden reduction in welfare support as a result of changes in local or government schemes, i.e. Housing Benefit and/or Council Tax Support
- rent in advance where there is no other available provision for discretionary help

4.25 Where a payment is made as the result of the breakdown in relationships, CDS payments can be made to cover

- removal expenses
- storage charges
- furniture and household equipment
- clothing and footwear
- fares when moving home

4.26 CDS payments for removal expenses and fares can be made where there is reconciliation in a relationship where, prior to the separation, the couple had been living together for 3 months or more where there are children in the household

4.27 Where a claimant is under exceptional pressure because the accommodation is particularly overcrowded, CDS payments can be made to cover

- removal expenses (except where the council has a duty to re-house the claimant)
- essential household equipment and connection charges
- fares when moving home

4.28 Where a claimant is under exceptional pressure because of high washing costs because of a disabled child or other dependent for whom they have kinship care responsibilities, CDS payments can be made to cover

- a new washing machine and any connection charges
- repairs to a washing machine
- tumble dryer or washing machine with tumble dryer where there are no suitable drying facilities

4.29 Where a claimant is under exceptional pressure because the need to repair or replace items damaged by behavioural problems within the family, CDS payments can be made to cover

- essential household items
- security items, e.g. safety gates, cupboard and window locks or reinforced glass

4.30 CDS payments can be made where a claimant is under exceptional pressure because they need to carry out structural repairs or improvements to keep a home habitable or for the safety of a child or disabled person

4.31 CDS payments can be made where a claimant is under exceptional pressure because they are responsible for a disabled child or other dependent for whom they have kinship care responsibilities and the nature of the disability causes

- excessive wear and tear on clothing or footwear, or
- rapid weight gain or loss

4.32 CDS payments can be made where a claimant is under exceptional pressure because the family includes a disabled family member or a child under five and they need to install a prepayment meter or pay a reconnection charge.

People setting up home as part of a planned resettlement programme

4.33 CDS payments can be made where a claimant needs help to set up home in the community as part of a planned resettlement programme following a period during which he has been without a settled way of life.

4.34 A person without a settled way of life means a person who has been

- using a night shelter
- staying in a hostel
- sleeping on the streets
- using an emergency winter shelter
- using a temporary supported lodging scheme

4.35 A planned resettlement programme means a programme run by a local authority, a voluntary organisation, a housing association or a registered charity.

4.36 Where a claimant is setting up home as part of a planned resettlement programme, CDS payments can be made to cover

- essential furniture and household equipment

- connection charges, if the move involves installing domestic appliances
- removal expenses and storage charges where the claimant cannot claim a DHP
- fares on moving home, where the claimant cannot claim a DHP
- rent in advance, where the claimant cannot claim a DHP

4.37 No more than one application can be made for a grant within a rolling 12 month period.

Travel expenses

4.38 CDS payments can be made to cover the reasonable travel expenses of a claimant where they are visiting a child and

- that child is in the care of an estranged partner, and
- the question regarding the child's upbringing has not yet been decided by the court.

4.39 CDS payments can be made to cover the cost of an escort's fare where the person concerned cannot travel alone because of youth, age, illness or disability.

Part 5. Decisions

5.1 All decisions will be notified in writing.

5.2 Recognising the urgent need of the claimant in the case of supporting people in times of crisis, all such claims will be decided within one day.

5.3 All other decisions will be made within 14 days from the completed application

5.4 Notifying a claimant in writing includes notifying a claimant by e-mail.

5.5 Notifying a claimant in person or by telephone does not remove the requirement to also notify the claimant in writing.

5.6 The council can decide to

- pay the claim in full
- pay the claim in part
- refuse the claim

5.7 Where the council decides to refuse a claim, the council's decision notification will state the reason for that refusal.

5.8 The council can refuse a claim if

- it has insufficient funds to make a payment, or
- it has reason to believe it will run out of funds before the end of the financial year

5.9 Where the council decides to pay a claim in full or in part, the council's decision notification will state the amount of the payment

5.10 Where the council decides to pay a CDS claim in respect of emergency living expenses, the council's decision notice will state the period covered by the payment.

- 5.11 Where the council decides to pay a CDS claim in respect of furniture, household equipment, connection charges, clothing or footwear, the council's decision notification will state the amount of the payment.
- 5.12 Where the council decides to pay a CDS claim in respect of travel or accommodation expenses, the council's decision notification will state the reason for the payment.
- 5.13 Where the council decides to pay travel expenses, the amount of the payment will be
- a) the standard rate of public transport, excluding air fares (except where air travel is the cheapest option); or
 - b) the cost of petrol either
 - up to the cost of public transport, if public transport is available, or
 - in full, if public transport is not available or the claimant and/or their partner cannot use public transport because of a physical disability or because they are frail and elderly; or
 - c) the cost of taxi fares if either
 - the claimant and/or their partner cannot use public transport because of a physical disability or because they are frail and elderly, or
 - public transport is not available and there is no access to private transport

Part 6. Payments

- 6.1 Payment will be made within 3 days of the decision being made, or as soon as reasonably practicable thereafter.
- 6.2 Payments of CDS will normally be in the form of gifts cards or vouchers, redeemable in specified shops.
- 6.3 Where a payment is in respect of additional assistance for council tax support, payment will be made by reducing the amount on the outstanding council tax bill.
- 6.4 The maximum amount of funding for any one claimant is £1,500 over a rolling 12 month period, except where
- a) the claimant is requesting help with a rent deposit, rent in advance and/or the cost of moving, or
 - b) paragraph 6.8 applies.
- 6.5 Payment above this limit and in respect of the limit on claims within a period will only be made in extreme circumstances and at the agreement of the Executive Director of Corporate Resources and Customer Services.
- 6.6 Where the council make a CDS payment, the council retains the right to ask the claimant to provide a receipt confirming that the payment was used for the purpose for which it was claimed.
- 6.7 The council retains the right to make payment by instalments.
- 6.8 The Chief Executive of Croydon Council may make an award of up to £50,000 through the CDS scheme to any charitable or not for profit organisation which is supporting vulnerable people in Croydon who, if those people applied directly for similar support, would be eligible for assistance under this scheme.

Applications need to confirm the number and demographics of such customers it is believed would be assisted, how such support meets the principles of the CDS scheme and be clear of the overall social impacts to the wider community.

By way of evidence the council will also require:

- A breakdown and understanding of expected spend.
- Detailed plans for the delivery of the project
- Confirmation of customer/residents that will be supported by this work
- Detail of expected deliverables, outcomes and improvements over what period of time, what data sources have been used to substantiate these estimates

Detailed records will be required during and after the project to confirm actual costs and the outcomes and deliverables of the project, including the customers supported and how.

Part 7. Appeals

7.1 Except where paragraph 7.2 applies, a claimant or organisation under 6.8 can appeal against a decision to refuse a claim or to pay a claim in part.

7.2 There is no right of appeal against a decision made under

- a) paragraph 2.2
- b) paragraph 2.3(i)
- c) paragraph 5.8
- d) part 6, apart from 6.8
- e) paragraph 7.5
- f) paragraph 7.10

7.3 An appeal must be made

- a) within 14 days of the written decision notification in respect of a CDS claim from a person in a time of crisis, or
- b) within 1 month of the written decision notification in respect of all other CDS claims

7.4 The council has the discretion to extend the time limits specified in paragraph 7.3 if the claimant has continuous good cause for not appealing sooner.

7.5 An appeal must

- a) be made in writing
- b) be signed by the claimant or their representative
- c) state the reasons why the claimant believes the decision is incorrect including any additional information which they believe should be taken into consideration.

7.6 Any appeal will be heard by an officer of the council of appropriate seniority who is designated as an appeals officer and was not involved in the original decision.

7.7 The designated officer will make a decision within 14 days of an appeal being received, or as soon as reasonably practicable thereafter.

7.8 The designated officer may request additional information or evidence in order to decide the appeal.

7.9 The designated officer can

- a) allow the appeal in whole
- b) allow the appeal in part
- c) refuse the appeal

7.10 There is no right of appeal against the decision of the designated officer.

Appendix 1: Council tax discretionary reduction policy

Council tax discretionary reduction policy

1. Background

1.1 Section 13A (1)(c) of the Local Government Finance Act 1992, as amended by section 10 of the Local Government Finance Act 2012, gives the council discretion to reduce the amount of council tax a person is liable to pay.

1.2 This discretion is additional to council tax reductions available from:

- Statutory discounts and exemptions or
- Croydon Council's council tax reduction scheme

1.3 Section 13 (1) states:

(1) The amount of council tax which a person is liable to pay in respect of any chargeable dwelling and any day

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

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

1.4 This discretionary power enables the Council to reduce liability to

- Individual council tax payers
- Groups of council tax payers defined by common characteristics or circumstances
- Council tax payers within a defined geographical boundary
- All council tax payers in the borough

In circumstances where the Council considers that other statutory provision for council tax reduction is insufficient

2. Principles

2.1 In exercising discretion under this legislation the Council will adhere to the following principles

- Reductions under this legislation are at the discretion of Croydon Council and there is no statutory entitlement to an award
- The Council will consider every application on its own merits
- It will take into account all relevant considerations
- It will ensure reasonableness and consistency by establishing guidelines for decision making
- It will ensure that guidelines for decision making will not fetter its discretion and the Council will be prepared to consider and make exceptions where it is reasonable to do so
- Decisions on the amount of any reduction and the period of award will be based on the merits and circumstances of the council tax payer

3. Croydon Discretionary Scheme

- 3.1 The Council has a scheme (the Croydon Discretionary Scheme) which covers discretionary payments to assist vulnerable people with additional needs which are not covered by other statutory reduction schemes
- 3.2 The scheme includes provision for the discretionary reduction in council tax liability.
- 3.3 The guidelines for exercising discretionary powers to reduce council tax liability, including the consideration of exceptional circumstances, are included within the Croydon Discretionary Scheme Policy

Care Leavers Relief Scheme

Policy for determining applications for council tax reduction under Section 13A of the Local Government Finance Act 1992 in respect of Care Leavers Relief.

1.0 Background

- 1.1 The council recognises that young people's transition out of care and into adulthood is extremely difficult. Managing money for the first time, without support from family, leaves care leavers at real risk of falling into debt. The council has decided to support those council tax charge payers leaving its care by reducing their net liability for council tax to Croydon Council after any national discounts and or exemptions have been applied until the day before the charge payer's 25th birthday.

The young person needs to be in care on the day before their 18th birthday to qualify or have been previously in care for a period greater than 2 years. The Care Leavers Relief will not be applicable to young people who have been adopted following a period in care

- 1.2 Under Section 13A(1-3) of the Local Government Finance Act 1992 (as amended), the Council has the power to reduce liability for Council Tax in relation to individual cases or class(es) of cases that it may determine. It says:

Where a person is liable to pay council tax in respect of any chargeable dwelling and day, the billing authority for the area in which the dwelling is situated may reduce the amount which he is liable to pay as respects the dwelling and the day to such extent as it thinks fit. This allows for a further reduction where a reduction under council tax support has been applied

The power under subsection 1) above includes the power to reduce an amount to nil

The power under subsection 1) may be exercised in relation to particular cases or by determining a class of case in which liability is to be reduced to an extent provided by the determination.

There are financial implications to awarding any discounts other than those currently available under the statutory legislation and the financial burden of Section 13A discounts has to be met through an increase in the general level of Council Tax for other payers or from the general fund.

In addition to this:

The granting of Section 13A discounts would reduce income from Council Tax;

The Council Tax Support scheme exists to ensure that those on low incomes receive financial assistance with their Council Tax.

In order to provide further support for care leavers Council Members have created a new class of council tax charge payer known as 'Care Leavers' and have decided to reduce the council tax bill for Care Leavers to zero, after any other national reliefs have been applied.

Where a care leaver is residing with a foster carer, and the foster carer is liable to pay Council Tax, the foster carer will be eligible for Council Tax Care Leavers relief. An award of Care Leaver Relief will be made directly onto the foster carers Council Tax liability, reducing this to zero after any statutory discounts or exemptions have been awarded.

This policy will apply up to and including the date of the day before the care leavers 25th birthday.

Reducing Council Tax in these circumstances will hereafter be known as an award of Care Leavers Relief.

2.0 Care Leavers Relief application process

- 2.1(a) This can be accessed through the identification and nomination of a care leaver by the Council's Leaving Care teams, or the Council Tax Service.
- 2.1(b) Through the identification and nomination by any other public body or professional organisation that confirms that the care leaver was in care (being 'looked after' as a result of a statutory obligation).
- 2(c) In any other circumstance by application through Croydon Discretionary Scheme. Croydon Discretionary Scheme sets out how the council tax welfare provision can be applied and will adopt this as the prescription for awarding hardship.

The award can be made for any period from 1st April 2018 where the care leaver is liable for Council tax.

- 2 (d) Where the care leaver resides at a property and is not the liable person for payment of Council Tax the liable person for Council Tax will be awarded the Care Leavers Relief to reduce their Council Tax bill to zero, after any other national reliefs have been applied

3.0 Eligibility Criteria

The following will be assessed when making a decision:

- 3.1 Whether the care leaver has applied for any national exemptions or discounts they would be entitled to. These must be assessed before Care Leavers relief is awarded.
- 3.2 The date of the day before the care leaver's 25th birthday determines the last day of the period of the award
- 3.3 Croydon Council's Care leavers' team or other public body or professional organisation have confirmed that the care leaver was in the care (being 'looked after').
- 3.5 Whether Croydon is the council tax billing authority to whom the care leaver is liable to make council tax payments.

- 3.6 If subsequent to an award the charge payer's liability for council tax reduces during the period of the award, any Care Leavers Relief in excess of this reduced liability will be an overpayment of Care Leavers Relief. The Council may recover this overpayment by any legal means at its disposal including offsetting this amount against any future periods of Care Leavers Relief or by adding the excess amount to any further council tax liability demanded for subsequent periods.

The Council's finances will allow for the reduction to be made

4.0 Policy Review

- 4.1 This policy can be reviewed at any stage by the authorised personnel.

Appendix 3:

The Council Tax Care Leavers Relief Scheme for 2018/19

Scheme overview

In order to provide further support for care leavers a new class of council tax charge payer known as ‘Care Leavers’ has been created to reduce the council tax bill to zero, after any other discounts and exemptions

This policy will apply up to and including the date of the day before the care leavers 25th birthday for any care leavers placed in the borough by Croydon or any other Local authority.

Care leavers as at 23rd November 2017 by gender, age, category of need, and ethnic origin

Care leavers		719	
Gender	Male	524	72%
	Female	195	28%
Age	18-21	526	73%
	22 and over	193	27%
Ethnic origin	White	149	22%
	Mixed	43	1%
	Asian or Asian British	221	33%
	Black or Black British	203	29%
	Other Ethnic groups	103	15%

Resident out of borough	Resident in borough		Placed in Borough **
290	429		40 (**)
	Have CTAX liability. (109 CTR, 43 exempt)	152	Estimate: 40 Care leavers placed in borough by other LA's
	No CTAX liability	277	

	Total
Total Council Tax net liability per year (those in receipt of CTR) Average net liability = £776.88 (pa) X 109 CTR active claims =	£84,679.92
Assume 40 Care leavers placed in borough by other LA's (£776.88 X 40 = £31,075.20	£31,075.20
Estimated expenditure for the Care Leavers Relief Scheme for 2018/19 £84,679.92 + £31,075.20 = £115,755.12	£115,755.12
56 Care Leavers residing with Foster carer/parents/relative. If we grant 100% relief (after discount and exemptions) to all properties. Assume all properties are in band C the maximum cost would be £1,385.72 (band C equivalent) x 56 = £77,600.32* *This figure is inflated as we have no way of knowing what discounts/exemptions are available to these households, so we have assumed none are available and this is the maximum amount of Council Tax that would be payable.	£193,355.44

Assumptions in implementing the scheme

- Placed in Borough by Croydon: Care Leaver identified and nominated by the Council's Children's Services to the Council Tax Service. No application required.
- The young person needs to be in care on the day before their 18th birthday to qualify or have been previously in care for a period greater than 2 years.
- The Care Leavers Relief will not be applicable to young people who have been adopted following a period in care.
- Relief applied up to and including the date of the day before the care leavers 25th birthday.
- Care leavers placed by other local Croydon: Application process (On-line/ children's services)
- Relief to be awarded net Council Tax liability (Full liability less any discounts/exemptions)
- Care leaver living with partner/foster carers relief awarded to liable parties for Council Tax
- Consultation during December.
- Relief granted under Croydon discretionary award scheme: Council tax discretionary reduction policy Section 13A (1).
- Process to be operational by 1st April 2018 and prior to annual billing which will take place during the 3rd weekend in February 2018.