

Meeting of Medway Council – Supplementary Agenda No.1

Date:	Thursday, 24 February 2022
Time:	7.00pm
Venue:	St George's Centre, Pembroke Road, Chatham Maritime, Chatham ME4 4UH

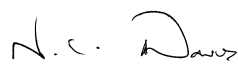
Agenda

7 Council Tax Reduction Scheme 2022-23

**(Pages 3 -
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Please find enclosed Appendices 1 – 5 to the report.

For further information please contact Wayne Hemingway, Head of Democratic Services on Telephone: 01634 332509 or Email: democratic.services@medway.gov.uk



Neil Davies
Chief Executive

Date: 16 February 2022

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- 1.1 The modelled cost of the proposed scheme is £12,554,933. This is £250,006 less than modelled cost of current scheme.
- 1.2 This is based on data and caseload extracted 13 January 2022.
- 1.3 There are some caveats; the modelling does not take account of pending claims as these are either incomplete or have had a change in circumstances meaning that the current entitlement is likely change. Additionally, there are some records where we do not currently hold all the data required to accurately calculate the entitlement under the proposed scheme as it is as not required under the current scheme. This in turn may affect the modelled outcomes. Consequently, whilst the modelled cost is less than the equivalent caseload of the current scheme, this allows for a margin of error resulting from the incomplete data.

Impact

Scheme	Total (p.a.)	Difference (p.a.)	number non-zero awards	newly zero awards	max weekly 'gain'	max weekly 'loss'	average weekly diff
Pensioner	6,593,862.66	-1.61	6,019	0	0.00	0.00	0.00
Passported	3,009,892.56	-18,354.17	3,921	5	2.45	-12.38	-0.09
More than 1 dependant	992,811.70	-112,372.71	1,464	63	15.92	-24.91	-1.41
1 dependant	617,731.65	-20,287.99	915	6	15.13	-21.49	-0.42
Couple no dependants	253,526.68	-8,847.31	302	7	15.00	-22.99	-0.55
Single person no dependants	1,087,107.86	-90,142.31	1813	28	13.52	-24.91	-0.94
TOTAL	12,554,933.10	-250,006.11	14,434	109	15.92	-24.91	-0.35

Scheme	Weekly difference	Number of awards
Passported	-£20 to -£10	1
	-£10 to £0	221
	£0 (no change)	3,678
	£0 to £10	26
More than 1 dependant	-£30 to -£20	6
	-£20 to -£10	78
	-£10 to £0	526
	£0 (no change)	720
	£0 to £10	163
	£10 to £20	34
1 dependant	-£30 to -£20	1
	-£20 to -£10	16
	-£10 to £0	268
	£0 (no change)	507
	£0 to £10	109
	£10 to £20	20
Couple no dependants	-£30 to -£20	1
	-£20 to -£10	6
	-£10 to £0	103
	£0 (no change)	128
	£0 to £10	66
	£10 to £20	5
Single no dependants	-£30 to -£20	1
	-£20 to -£10	23
	-£10 to £0	756
	£0 (no change)	838
	£0 to £10	208
	£10 to £20	15

Diversity impact assessment

TITLE				
Council Tax Reduction Scheme (CTRS)				
DATE				
14 January 2022				
LEAD OFFICER.				
Patrick Knight				
1 Summary description of the proposed change				
What is the change to policy / service / new project that is being proposed? How does it compare with the current situation?				
<p>Section 13A(1)(a) of the Local Government Finance Act 1992 prescribes that Medway Council is required to have a council tax reduction scheme (CTRS). The current 2021-2022 Medway scheme is a 'means-tested' scheme and is available from the following link: https://democracy.medway.gov.uk/mgIssueHistoryHome.aspx?Ild=29384.</p> <p>The traditional link between CTRS and Housing Benefit scheme has been eroded as any new claims by working age applicants are now considered under the Universal Credit scheme, which is administered by the Department for Work and Pensions (DWP) with a separate application for CTRS being made to the council.</p> <p>The service investigated the possibility of changing its CTRS for 2022-23. The aim being to simplify the scheme for both applicants and the service by using an income-based discount based on percentage bandings and income-grid scheme more aligned to council tax discounts than benefits.</p>				
Band/Discount percent	Single person	Couple with no children or young person	Couple or Lone Parent with one child/young person	Couple or Lone Parent with two or more children/young persons
Band 1* 65%	£0 to £94.99	£0 to £129.99	£0 to £179.99	£0 to £239.99
Band 2 55%	£95 to £139.99	£130 to £174.99	£180 to £229.99	£240 to £289.99
Band 3 45%	£140 to £184.99	£175 to £219.99	£230 to £279.99	£290 to £339.99
Band 4 35%	£185 to £229.99	£220 to £264.99	£280 to £329.99	£340 to £389.99
Band 5 20%	£230 to £269.99	£265 to £309.99	£330 to £379.99	£390 to £449.99
Band 6 0%	£270+	£310+	£380+	£450+
<ol style="list-style-type: none"> 1. Keep 'as is' scheme or move to a 'banded scheme' 2. Remain cost neutral 				

Diversity impact assessment

3. Scheme to be more transparent and easier to understand for the customer
4. Provide administrative efficiencies by simplification
5. Maintain pension age scheme (including War pensioners)
6. Level of support for working age (maximum level currently 65%)
7. Minimum level of support (currently 50p per week)
8. Banded scheme – ‘grid’ design reflecting household composition and income ranges
9. Protections for customers requiring additional assistance.
10. Calculation of income – including disregards of certain income such as disability benefits, carers allowance, universal credit housing costs, minimum income floor for self-employed
11. Flat rate household earnings disregards to encourage work uptake and simplify scheme
12. Capital limit levels (currently £16,000)
13. Level of Non-dependent deductions (if any)
14. Claiming arrangements
15. Effective dates for new claims and change of circumstance cases
16. Backdating period (currently one month maximum)
17. Use of extended payment schemes (to encourage movement into employment or increase hours./income from current employment.

2 Summary of evidence used to support this assessment

Eg: Feedback from consultation, performance information, service user.

Eg: Comparison of service user profile with Medway Community Profile

The consultation process began on 1 October 2021 and finished on 24 December 2021(12weeks). The consultation comprised of the following elements :

- Letter sent by post with a link to the online consultation to 6,000 randomly selected council tax payers (non-recipients of CTR), 3,000 pension-age CTR recipients (not directly affected by proposed scheme changes) and all 9,531 working-age CTR recipients.
- Online survey made available on the Medway website with provision of hard copy of consultation document where required
- Social media campaign
- Notification on the Landlord Portal
- Email to Housing Associations, Welfare & Advice Organisations and Support Groups providing details of the consultation and a link to the online survey to comment and disseminate to other relevant stakeholders.
- Posters and flyers at key council venues and outlets to promote the consultation.
- Consultation was undertaken with the major precepting authorities (Kent Police & Crime Commissioner and Kent Fire & Rescue) who are statutory consultees.

Diversity impact assessment

There were 819 responses received during the consultation period. A more important measure is whether the response rate provides a representative sample of the population. This provides the ability to assess how closely the results match the 'true value' by using knowledge of the sample size and how often an answer is given to define a 'confidence' level. For the purposes of this survey, we can assess this against response from the general population and those from residents in receipt of CTRS.

There were 317 responses to the randomly selected residents across Medway out of a population of 263,925; this is sufficient to provide a representative sample of the residents' views on the CTRS proposals with a confidence interval of $\pm 5.5\%$. So, for example if 47% of our sample picks an answer you can be 'sure' that if the entire population had been asked that between 41.5% (-5.5%) and 52.5% ($+5.5\%$) would have also picked that answer. At the end of the consultation period there were 502 respondents from CTR recipients out of the 15,738 households that are within the scheme. This provides a confidence interval of $\pm 4.3\%$. *The 2011 Census population data has been used in this analysis as some demographic characteristics, such as ethnicity and disability, are not updated as part of the latest population estimates published by the Office for National Statistics.*

The headline results are :-

- Whilst under Question 1, 38.33% wished to retain the current CTRS (27.13% said no with 34.54% stating they did not know) this changed significantly once the respondents considered the new proposed Income Grid scheme under Question 6 which saw 67.06% agreeing with its introduction (15.88% stated no with remaining 17.06% stating they did not know).
- All twelve proposed changes (Parts) saw the majority saying they agreed with the proposal. Agreement with each proposal was in the range of 55.53% to 81.16%
- Disagreement with each proposal was in the range of 5.77% to 17.66%
- "Don't know" response with each proposal was in the range of 12.89% to 29.38%

Diversity impact assessment

Age

Whilst the proposals relate to a working age scheme, this is specified within law and the council is following its obligations. The consultation was open to all and the response was as follows:

Age range	%
18-24	0.29%
25-34	6.47%
35-44	10.88%
45-54	22.65%
55-64	28.82%
65-74	14.71%
75-84	9.41%
85+	1.76%
Prefer not to say	5.00%

Disability

The consultation asked recipients if they considered that their day-to day activities were limited due to a health problem or disability. The response was:

Yes	39.58%
No	52.38%
Don't know	2.38%
Prefer not to say	5.65%

Race

The consultation sought to encompass all ethnic groups and the results are as follows:

Prefer not to say	7.69%
White British	80.18%
White Irish	0.00%
White Gypsy or Irish Traveller	0.00%
Any other White background	4.14%
Mixed/Multiple ethnic groups – White & Black African	0.00%
Mixed/Multiple ethnic groups – White & Black Caribbean	0.89%
Mixed/Multiple ethnic groups – White & Asian	0.30%
Any other multi mixed background	0.59%
Asian or Asian British - Pakistani	0.59%
Asian or Asian British - Indian	2.07%
Asian or Asian British - Bangladeshi	0.89%
Asian or Asian British - Chinese	0.00%
Any other Asian background	0.30%
Black African	0.89%
Black Caribbean	0.59%
Black British	0.89%
Any other Black background	0.30%

Diversity impact assessment

Sex

The consultation requested the respondents sex and the responses were:

Male	46.61%
Female	46.61%
Prefer not to say	6.78%

Low income households

By virtue of the consultation and the subject, it is likely that the majority of respondents would be in receipt of council tax reduction 61.24% of those who responded were in receipt of council tax reduction.

3 What is the likely impact of the proposed change?

Is it likely to:

Adversely impact on one or more of the protected characteristic groups

Advance equality of opportunity for one or more of the protected characteristic groups

Foster good relations between people who share a protected characteristic and those who don't

(insert Yes when there is an impact or No when there isn't)

Protected characteristic groups (Equality Act 2010)	Adverse impact	Advance equality	Foster good relations
Age	Yes	No	No
Disability	No	Yes	Yes
Gender reassignment	No	No	No
Marriage/civil partnership	No	No	No
Pregnancy/maternity	No	No	No
Race	No	No	No
Religion/belief	No	No	No
Sex	No	No	No
Sexual orientation	No	No	No
Other (eg low income groups)	No	Yes	No

Diversity impact assessment

4 Summary of the likely impacts

Who will be affected?

How will they be affected?

There will inevitably be a very small minority customers who are better off under the new scheme and some who are worse off. However, the wider impacts of the scheme are:

- The new scheme has been designed to support all low-income taxpayers and has been created strictly in accordance with the legislative requirements.
- The scheme changes will only apply to working age applicants, pension age applicants are covered by the Prescribed Requirements Regulations determined by Central Government and will not be affected by these changes.
- Any entitlement is awarded to claimants depending on their financial position and the number of people in their household and not any other criteria.
- All working age people are able to apply for the scheme and it is the revised scheme allows all working age people to estimate their entitlement

Modelled impact

Scheme	Total (p.a.)	Difference (p.a.)	number non zero awards	newly zero awards	max weekly 'gain'	max weekly 'loss'	Avg. weekly diff
Pensioner	6,761,896	0	6,164	0.00	0.00	0.00	0.00
Passported	3,330,131	-22,127	4,358	4.00	2.45	-12.38	-0.10
More than 1 dep	941,012	-168,171	1,411	64.00	13.96	-28.52	-2.17
1 dep	571,155	-57,596	873	13.00	13.89	-22.99	-1.24
Couple no deps	267,050	-17,401	324	9.00	15.10	-20.44	-1.00
Single person no deps	963,299	-136,037	1,647	43.00	14.87	-20.44	-1.54
TOTAL	12,834,543	-401,333	14,777	133.00	15.10	-28.52	-0.52

- The scheme is designed to protect the households with the lowest incomes and will redistribute the levels of support available in a fairer manner. The overall aim of this scheme is for the cost of the 2022-23 scheme to remain cost neutral when compared (based on the current caseload) to the current estimated expenditure for the 2021-2022 scheme. This will continue to allow up to 65% support to those applicants

Diversity impact assessment

on the lowest incomes and those who receive passported benefits (Income Support, Job Seeker’s Allowance (Income Based), Employment and Support Allowance (Income Related));

- The scheme will protect applicants who are disabled or where any member of their household is disabled;
- The scheme will be more generous to carers;
- All existing capital disregards will apply in the new scheme.

5 What actions can be taken to mitigate likely adverse impacts, improve equality of opportunity or foster good relations?

What alternative ways can the Council provide the service?

Are there alternative providers?

Can demand for services be managed differently?

All applicants, if they are detrimentally affected by the new scheme, will be able to apply for a payment from the Council’s Exceptional Hardship Fund. This is in line with Section 13A of the Local Government Finance Act 1992.

6 Action plan

Actions to mitigate adverse impact, improve equality of opportunity or foster good relations and/or obtain new evidence

Action	Lead	Deadline or review date
For any claimants who find themselves worse off under the new scheme, an Exceptional Hardship Fund will be launched alongside the new scheme. Applications to this can be monitored to identify trends	PK	01 July 2022
Monitoring of collection rates for council tax	IJ	Monthly
Communication plan to launch the new scheme	GG	March 2022
FAQs to be sent alongside council tax bills	GG	Feb 2022

Diversity impact assessment

7 Recommendation
The recommendation by the lead officer should be stated below. This may be: to proceed with the change, implementing the Action Plan if appropriate, consider alternatives, gather further evidence If the recommendation is to proceed with the change and there are no actions that can be taken to mitigate likely adverse impact, it is important to state why.
Recommended – It is recommended that the new proposed Council Tax Reduction scheme be implemented from 1 st April 2022.
8 Authorisation
The authorising officer is consenting that the recommendation can be implemented, sufficient evidence has been obtained and appropriate mitigation is planned, the Action Plan will be incorporated into the relevant Service Plan and monitored
Assistant Director
Date of authorisation

Council Tax Reduction Scheme 2022/23 Consultation

1. General Data Protection Regulations

This notice is about Medway Council and the collection of personal information for the Council Tax Reduction Scheme 2022/23 Consultation. Medway Council will be referred to as 'we', 'us' or 'our' in this notice. We are the data controller for the information you provide, this means we decide how your personal data is processed and for what purposes in relation to this survey.

By taking part in this survey, you will be agreeing to us processing your personal information in the running of this survey and the analysis of your response. Your information will not be passed to any other third parties unless stated below or we are required to do so by law. The types of activity this includes is: processing your survey, grouping and analysing the results by different characteristics e.g. age group, using anonymised comments, sharing aggregated results with other parts of the council, sharing aggregated results with ACS Consultancy, sharing response level information with other parts of the council and sharing response level information with ACS Consultancy. We will ask you for your consent for any other information that is not vital for the running of the survey where relevant.

When completing the survey, you will be asked to provide information about:

- Your demographics age group, sex, ethnicity and if you have a long-term illness or disability. Whether you live in Medway.
- Your organisation if you are answering on behalf of an organisation.
- Whether you are in receipt of Council Tax Reduction, work status, whether you are liable to pay council tax, and if you are currently serving in the Armed Forces.

This is a voluntary part of the survey allowing us to understand the profile of respondents, if there are any differences between groups and how it compares to Medway as a whole. Wherever possible this information is grouped to make it harder to identify a person, e.g. we ask your age group rather than your date of birth.

We will keep the completed surveys for six years after the close of the survey.

We will process your data as you have given your consent to complete the survey. After you have submitted the survey we have a legitimate interest in the processing of your personal data for the purposes outlined above.

If you would like to contact us for more information about the Council Tax Reduction Consultation you can contact us by email CTR2022@medway.gov.uk or in writing to Medway Revenue and Benefits Service, Gun Wharf, Dock Road, Chatham, Kent, ME4 4TR.

If you have any queries or complaints about this privacy notice please contact us:- Data Protection Officer, Information Governance Team, Legal Services, Medway Council, Gun Wharf, Dock Road, Chatham, Kent, ME4 4TR or by email at GDPR@medway.gov.uk.

You can view more information about your data protection rights at https://www.medway.gov.uk/info/200217/freedom_of_information/347/data_protection/2

2. Background to the Consultation

What is this consultation about?

Each year Medway Council must decide whether to change the Council Tax Reduction Scheme for working age applicants in its area. This year the Council has decided to significantly change the Council Tax Reduction Scheme to:

Make the scheme easier for residents to understand and access;

Provide greater stability to those who are in receipt of support;

Make the scheme work better with the Universal Credit award system;

Build in capacity to better manage increase in demand; and

Reduce administration costs which will ultimately prevent any additional costs being added to the Council Tax.

What is Council Tax Reduction?

Council Tax Reduction is a discount for Council Tax. The level of discount is based on the income of the household. Currently the maximum discount is 65% of Council Tax for working age households and 100% for pensioners. We are not proposing to change the maximum level of support available.

Why is a change to the Council Tax Reduction scheme being considered?

Councils are required to review their schemes each year and decide if they want to make any changes.

Before any changes can be implemented, they must be subject to public consultation.

Medway Council is proposing a number of changes to its existing scheme following a report to the Council's Cabinet on 03/08/2021. Details can be found on the following link under item 6 Council Tax Reduction Scheme 2022- 2023.

<https://democracy.medway.gov.uk/ieListDocuments.aspx?CId=115&MId=5057> (hard copy available upon request). The Council has a duty to consult you and provide you with the opportunity to tell us your views on the proposed changes to our Council Tax Reduction Scheme.

The Council is consulting on the following changes to its scheme for 2022/23 (more detail on the change proposals is given further in the consultation):

Introducing an income 'grid' scheme for all working age applicants replacing the current scheme which was based on the previous Council Tax Benefit Scheme. This will provide up to 65% support in certain cases **(Part 1)**;

Continuing to limit the number of dependant children used in the calculation of support to two for all working age applicants to provide consistency with the Department for Work and Pensions benefit schemes **(Part 2)**;

Introducing a flat rate non-dependant deduction of £10 per week for those non-dependants who are working and £5 per week for those who are not **(Part 3)**;

Disregarding the housing element of Universal Credit (in the same way that Housing Benefit is not considered income) **(Part 4)**;

Replacing the current earnings disregards (also known as a work allowance) with a standard £25 disregard for all applicants where they are in work **(Part 5)**;

Introducing a Minimum Income Floor for self-employed applicants **(Part 6)**;

Removing the Extended Payment provision **(Part 7)**;

Calculating all new claims and changes in circumstances to be effective of the day of the change in line with the discount schemes, rather than the current (benefit based) weekly basis **(Part 8)**;

Provide for backdating any discount (up to a maximum of 12 months) where circumstances show that the claimant would have been continuously eligible for the period in question had they applied at that time **(Part 9)**;

Protecting disabled persons by disregarding Personal Independence Payments or Disability Living Allowance and providing a further disregard of £40 per week where either the applicant, partner or dependant is in receipt of the disability benefit **(Part 10)**;

Protecting carers by fully disregarding any Carer's Allowance and the Support Component for those applicants in receipt of Employment and Support Allowance in the calculation **(Part 11)**;

Continuing to protect War Pensioners by disregarding War Pensions or War Disablement pensions in full and by enabling up to 100% support to be granted in some cases (**Part 12**);

In Medway area, almost 16,000 people currently receive Council Tax Reduction. The gross cost of the scheme is £13.98m which is spread across the Council (83.8%), Fire (4.4%) and Police (11.8%) in accordance with the proportion of Council Tax which each organisation levies (which is shown in brackets).

Who will this affect?

Working age households in the Medway area who currently receive or will apply for Council Tax Reduction.

Pension age households will not be affected as Central Government prescribes their scheme.

Are there any alternatives to changing the existing Council Tax Reduction Scheme?

We have thought about other options. These have not been completely rejected (including maintaining the current scheme) and you are asked about them in the questionnaire, but, at the moment we do not think we should implement them for the reasons given.

We have considered:

Continuing with the current scheme

This would mean less support for certain households and higher administration costs generally. Not making the proposed changes would significantly increase the administration of Council Tax Reduction. The current scheme does not work effectively with the Government's Universal Credit system. The multiple changes in Universal Credit inevitably lead to multiple changes in Council Tax Reduction which also impact collection of the charge.

This would increase the costs for all Council taxpayers in the area paying towards the scheme. The decision to increase Council Tax may need to be made by voting in a local referendum; or

Reduce funding to other Council services to pay for additional administration costs Keeping the current Council Tax Reduction scheme will mean an increase in administration costs and less money available to deliver other Council services.

Other banded scheme models

However, we are not proposing these as they could have too many negative consequences.

1. I have read the background information about the Council Tax Reduction Scheme: This question must be answered before you can continue. *

Yes

No

3. Changing the Scheme

2. Should the Council keep the current Council Tax Reduction scheme? (Should it continue to administer the scheme as it does at the moment?) *

Yes

No

Don't Know

3. Please use the space below to make any comments you have on keeping the Council Tax Reduction Scheme in its current format.

4. Options for change

Do you think we should choose any of the following options rather than the proposed changes to the Council Tax Reduction Scheme? Please select one answer for each source of funding.

4. Increase the level of Council Tax to cover the rising administration costs? *

Yes

No

Don't know

5. Find the additional administration costs by cutting other Council Services? *

- Yes
- No
- Don't know

5. Part 1 – The introduction of an Income Grid scheme to replace the current scheme for all applicants of working age

As explained in the background information, the Council is primarily consulting on the following proposals to change the existing Council Tax Reduction Scheme from 1st April 2022, which will reduce the administration cost of the scheme generally. The changes will also make the scheme simpler. Please note that whilst the changes are intended to reduce the level and cost of administration, the Council is not looking to reduce the total overall level of support available. For the lowest income households, the changes may increase the amount of support provided. Your responses are a part of this consultation.

The current scheme for Council Tax Reduction is largely based on the previous Council Tax Benefits scheme which was assessed alongside Housing Benefit. Housing Benefit for working age applicants is being phased out and it is not now possible to make new claims. Whilst Housing Benefit was the main provider of housing support for the working age, it was logical to maintain a Council Tax Reduction Scheme that mirrored the approach. With the roll out of Universal Credit, it gives the opportunity to significantly simplify what is effectively a Council Tax discount.

It is proposed that a simplified income 'grid' scheme will be introduced. Table 1 shows the level of discount available.

Table 1

Band	Discount	Single Person	Couple with no children	Couple or Lone Parent with one child/young person	Couple or Lone Parent with two or more children/young persons
1*	65%	£0 to £94.99	£0 to £129.99	£0 to £179.99	£0 to £239.99
2	55%	£95 to £139.99	£130 to £174.99	£180 to £229.99	£240 to £289.99
3	45%	£140.00 to £184.99	£175 to £219.99	£230 to £279.99	£290 to £339.99
4	35%	£185 to £229.99	£220 to £264.99	£280 to £329.99	£340 to £389.99
5	20%	£230 to £269.99	£265 to £309.99	£330 to £379.99	£390 to £449.99
6	0%	£270+	£310+	£380+	£450+
5	20%	£230 to £269.99	£265 to £309.99	£330 to £379.99	£390 to £449.99
6	0%	£270+	£310+	£380+	£450+

*Where any applicant or their partner are in receipt of Income Support, Income-Based Jobseeker's Allowance or Income-Related Employment and Support Allowance, a Band 1 discount will be given.

It is proposed that we may increase the level of incomes within the grid (Table 1) on an annual basis by the appropriate level of inflation measured by the Consumer Price Index (CPI) at 1st October preceding the effective financial year, rounded to the nearest pound.

The key principles of the scheme are as follows:

The level of discount (shown in the grid) will be based on the total net income (determined by the Council) of the applicant and their partner;

Income levels can vary in accordance with household size;

The maximum support available will remain at 65% (it should be noted that war pensioners will continue to receive support up to 100% as in the current scheme);

Certain aspects of the current scheme will be carried forward into the new scheme namely Disability Living Allowance, Personal Independence Payments and Child Benefit will continue to be disregarded;

Child Maintenance will also be disregarded from the calculation;

Applicants receiving Income Support, Income Related Employment and Support Allowance and Income-Based Jobseeker's Allowance will receive a Band 1 discount. Where applicants are not in receipt of those benefits and their income is above the levels specified in Band 1, Council Tax Reduction shall be awarded at the appropriate level (Bands 2, 3, 4 & 5);

The grid will be limited to a maximum of two dependant children **(see Part 2)**;

One of two flat rate charges will be made for non-dependants who live with the applicant **(see Part 3)**;

Disregarding the housing elements of Universal Credit **(see Part 4)**;

Removing all of the current earnings disregards and replacing them with a standard £25 disregard for all applicants where they are in work **(see Part 5)**;

Introducing a Minimum Income Floor for self-employed applicants **(see Part 6)**;

Removing the Extended Payment provision **(see Part 7)**;

Making all new claims and changes in circumstances which change any entitlement to Council Tax Reduction on a daily basis rather than the current (benefit based) weekly basis **(see Part 8)**;

Allowing discounts to be backdated up to 12 months. **(see Part 9)**;

Protecting disabled persons by disregarding Personal Independence Payments or Disability Living Allowance and providing a further disregard of £40 per week where either the applicant, partner or dependant is in receipt of the disability benefit **(Part 10)**;

Protecting carers by fully disregarding any Carer's Allowance and the support component for those applicants in receipt of Employment and Support Allowance in the calculation (**Part 11**); and

Continuing to protect War Pensioners by disregarding War Pensions or War Disablements pensions in full and by enabling up to 100% support to be granted in some cases (**Part 12**).

As with any change there may be both winners and losers; however, the Council is keen to protect as many applicants as possible.

Most applicants will receive the same support next year. Inevitably some households will have a little more to pay. Where an applicant experiences exceptional hardship, they will be able to apply for additional support from the Council under its Exceptional Hardship Fund.

The benefits of doing this are:

It provides more targeted support to those on the lowest incomes;

It provides a simpler scheme, easily understood by all applicants;

It will save significant increases in administration costs due to the introduction of Universal Credit; and

It should provide greater stability to Council Tax Reduction recipients by reducing the number of Council Tax demands during the year which prevents multiple changes to monthly instalments.

The drawbacks of doing this are:

Whilst the Council will look to protect Council Tax Reduction recipients as far as possible, there may be a few winners and losers; and some higher income households may receive less support.

6. Do you agree with introducing an income-based banded discount scheme? *

Yes

No

Don't Know

7. If you disagree please explain why and what alternative would you propose?

6. Part 2 - To limit the number of dependant children within the calculation for Council Tax Reduction to a maximum of two for all applicants

Within the current scheme, applicants who have children are awarded a dependant's addition within the calculation of their needs (Applicable Amounts). From April 2017, the Government scheme limited dependants in Universal Credit, Housing Benefit and Tax Credits to a maximum of two. Some applicants were protected where they made a claim for support before that date and already had more than two dependants. The new scheme will be based on an income grid system which takes into account the number of dependants within the household; however, it will be limited to two, for all applicants.

Child Benefit continues to be paid for every dependant and this will not count towards the applicants' income for the purpose of calculating Council Tax Reduction.

The benefits of doing this are:

Council Tax Reduction will be brought into line with the Department for Work and Pensions (DWP) benefits; and

It is simple and administratively easy to incorporate within the scheme.

The drawbacks of doing this are:

Applicants who have three or more dependant children may receive less Council Tax Reduction. However, this is offset by the Child Benefit not being counted. If the applicants face exceptional hardship they may apply for additional support through the Council's Exceptional Hardship Scheme.

8. Do you agree with this change to the scheme? *

- Yes
 No
 Don't Know

9. If you disagree please explain why and what alternative would you propose?

7. Part 3 – To set ‘flat rate’ non-dependant deductions

Currently, where an applicant (and their partner if they have one) has other adults living with them such as adult sons, daughters etc., their Council Tax Reduction may be reduced. Any charge made is called a non-dependant deduction. The Council currently makes a range of deductions depending on the circumstances of the non-dependant. In theory, the applicant should look to recoup this deduction from those adults. The Council cannot recover these charges from the non-dependant and must seek payment from the applicant, who will be in receipt of a low income or benefits. This option will introduce two ‘flat-rate’ non dependant deductions as follows:

£5 per week where the non-dependant is not working; and

£10 per week where the non-dependant is in work.

The benefits of doing this are:

The change is simple and administratively easy to incorporate within the scheme.

The drawbacks of doing this are:

A deduction will continue to be made where a non-dependant resides in the premises.

10. Do you agree with this change to the scheme? *

- Yes
 No
 Don't Know

11. If you disagree please explain why and what alternative would you propose?

8. Part 4 – Disregarding the housing element of Universal Credit

By moving to an income-based grid scheme it is essential that certain benefits are disregarded from the calculation of income. In order to protect the most vulnerable applicants, it is proposed that the following are not counted when assessing a person's income:

Any amount determined by the authority as being awarded for the housing element of Universal Credit.

The benefits of doing this are:

It will assist and support the most vulnerable; and

The change is simple and administratively easy to incorporate within the scheme.

The drawbacks of doing this are:

There may be a slight increase in the overall cost of the scheme.

12. Do you agree with this change to the scheme? *

- Yes
- No
- Don't Know

13. If you disagree please explain why and what alternative would you propose?

9. Part 5 – Removing the current earnings disregards and replacing them with a standard £25 per week disregard for all working applicants

Currently, where applicants (or their partner if they have one) have earnings and work over 16 hours per week, an earnings disregard is applied depending on their individual circumstances. The standard disregards (only one is awarded) are £5 per week for a single person, £10 per week for a couple, £20 per week if they meet certain conditions such as disablement or part time special employments or £25 for lone parents. If they work additional hours, in some circumstances they may receive an additional £17.10 disregard per week. Also, if childcare is paid by the applicant above that received free from Central Government, then further disregards can be made against earnings for monies paid out.

The proposed change to the scheme would introduce a standard, single disregard of £25 per week for the applicant where they work. The disregard will apply against earnings only. All other disregards will be removed.

The benefits of doing this are:

The change is simple and administratively easy to incorporate within the scheme; and

It makes the scheme easier to understand for Council Tax Reduction applicants and recipients.

The drawbacks of doing this are:

There may be applicants with larger families and who have high childcare costs (not met by Government schemes) who may see a reduction in support. (It should be noted that this is offset by the Child Benefit not being counted and that all applicants that face exceptional hardship may apply for additional support under the Council's Exceptional Hardship Scheme).

14. Do you agree with this change to the scheme? *

- Yes
- No
- Don't Know

15. If you disagree please explain why and what alternative would you propose?

10. Part 6 - To introduce a Minimum Income Floor for self-employed applicants

In order to align Council Tax Reduction with Universal Credit, the Council proposes to use a minimum level of income for those applicants who are self-employed. This would be in line with the National Living Wage for 35 hours worked per week. Any income above this amount would be taken into account based on the actual amount earned. The income would not apply for a designated start-up period of one year from the start of the business and the Council would have the discretion to waive the use of this facility in exceptional circumstances.

The benefits of doing this are:

The change is simple and administratively easy to incorporate within the scheme; and

The treatment of income for self-employed claimants for Council Tax Reduction will be brought broadly into line with those applicants who are self-employed and who are in receipt of Universal Credit.

The drawbacks of doing this are:

Where a working age applicant is self-employed and continues to run a business where their income is below the national living wage level, the Council will assume they earn at least the minimum level (based on a 35-hour week, regardless of the hours they work).

16. Do you agree with this change to the scheme? *

- Yes
- No
- Don't Know

17. If you disagree please explain why and what alternative would you propose?

11. Part 7 – Removing the Extended Payment provision

In certain cases, where applicants have been in receipt of prescribed benefits (such as Income Support, Jobseekers Allowance or Employment and Support Allowance) and move into work which ends their entitlement, Council Tax Reduction can be paid for an additional 8 weeks after commencing work or increasing their hours. Similar provisions do not exist for Universal Credit claimants. As Universal Credit is to replace those existing (legacy) benefits, the Council feels that these provisions are no longer appropriate.

The benefits of doing this are

It will treat all applicants in receipt of DWP benefits equally; and

The change is simple and administratively easy to incorporate within the scheme.

The drawbacks of doing this are:

Applicants who are still in receipt of legacy benefits and who move into work before being transferred to Universal Credit may lose any potential extended payment.

18. Do you agree with this change to the scheme? *

- Yes
- No
- Don't know

19. If you disagree, please explain why and what alternative would you propose?

12. Part 8 – Any new claim or change in circumstances which changes Council Tax Reduction entitlement will be made from the date on which the change occurs, (rather than on a weekly basis as at present)

New claims and changes in circumstances that affect entitlement to Council Tax Reduction, under the current scheme, are largely effected on a weekly basis. As Council Tax is a daily charge, the Council believes it makes more sense to change entitlement to Council Tax Reduction on a daily basis. It should be noted that, the proposed new scheme is designed to reduce the number of changes that will affect entitlement in any event.

The benefits of doing this are:

It is in line with the way that Council Tax is charged and operated; and

The change is simple and administratively easy to incorporate within the scheme.

The drawbacks of doing this are:

There are no drawbacks to this option.

20. Do you agree with this change to the scheme? *

- Yes
- No
- Don't Know

21. If you disagree, please explain why and what alternative would you propose?

13. Part 9 – Extending the backdating provisions within the scheme

The current scheme limits the backdating of any application for Council Tax Reduction to 1 month before the date of application where continuous 'Good Cause' is proven.

The Council is of the opinion that the scheme should provide for backdating any discount (up to a maximum of 12 months) where circumstances show that the claimant would have been continuously eligible for the period in question had they applied at that time.

The benefits of doing this are:

This option will allow the Council more flexibility in granting support; and

The change is simple and administratively easy to incorporate within the scheme.

The drawbacks of doing this are:

There are no drawbacks to this change. It is unlikely to increase the costs of the scheme significantly.

22. Do you agree with this change to the scheme? *

Yes

No

Don't know

23. If you disagree, please explain why and what alternative would you propose?

14. Part 10 – Protecting disabled persons by disregarding Personal Independence Payments or Disability Living Allowance and providing a further disregard of £40 per week where the applicant, partner or dependant is in receipt of the disability benefit.

By moving to an income-based grid scheme it is essential that certain benefits are disregarded from the calculation of income. In order to protect the most vulnerable applicants, it is proposed that Personal Independence Payments and Disability Living Allowance are not counted when assessing a person's income. In addition, where either the applicant, their partner or any dependant is in receipt of any of those benefits, a further disregard of £40 per week will be made from the income used in the calculation

The benefits of this option are:

It will assist and support the most vulnerable; and

The change is simple and administratively easy to incorporate within the scheme.

The drawbacks of doing this are:

There are no drawbacks to this change as it will continue to protect persons with a disability. It is unlikely to increase the costs of the scheme significantly.

24. Do you agree with this change to the scheme? *

- Yes
- No
- Don't Know

25. If you disagree please explain why and what alternative would you propose?

15. Part 11 – Disregarding Carer's Allowance and the Support Component of the Employment and Support Allowance

By moving to an income-based grid scheme it is essential that certain benefits are disregarded from the calculation of income. In order to protect the most vulnerable applicants, it is proposed that Carer's Allowance and the Support Component of Employment and Support Allowance are not counted when assessing a person's income.

The benefits of this are:

It will assist and support the most vulnerable and it will potentially increase the support to carers: and

The change is simple and administratively easy to incorporate within the scheme

The drawbacks of doing this are:

There may be a slight increase in the overall cost of the scheme

26. Do you agree with this change to the scheme? *

- Yes
- No
- Don't Know

27. If you disagree please explain why and what alternative would you propose?

16. Part 12 – Continuing to protect War Pensioners by disregarding War Pensions or War Disablement pensions in full and by enabling up to 100% support to be granted in some cases

The current scheme protects certain war pensioners by disregarding the war pension in full. The Council will also allow up to 100% support (depending on the circumstances of the applicant). It is proposed that this will continue into the new scheme.

The benefits of this are:

- It replicates the current provisions;
- It maintains the Council's commitment to the Armed Forces Covenant; and
- It is administratively easy to incorporate within the new scheme.

The drawbacks of doing this are:

There may be a slight increase in the overall cost of the scheme.

28. Do you agree with this proposal? *

- Yes
- No
- Don't know

29. If you disagree please explain why and what alternative would you propose?

17. Alternatives to changing the Council Tax Reduction Scheme

If the Council keeps the current scheme, it will be less supportive to low-income households and administratively more complex. The proposals set out in this consultation will deliver more targeted support and administration savings.

30. Please use this space to make any other comments on the proposed scheme.

31. Please use the space below if you would like the Council to consider any other options (please state).

32. If you have any further comments or questions to make regarding the Council Tax Reduction Scheme that you haven't had opportunity to raise elsewhere, please use the space below.

18. About You

We collect this information to help us understand the communities that we serve so that services and policies can be delivered to meet the needs of everybody. Please feel free to leave questions that you do not wish to answer. All of the information gathered in this questionnaire is confidential and anonymous.

Your personal information will not be passed on to anyone and your personal details will not be reported alongside your responses.

33. Are you completing this form on behalf of an organisation or group?

Yes

No

If yes, please tell us the name of the organisation/group and add any other comments you wish to make.

19. Questions for Individuals

Please answer the following questions.

34. Do you live in Medway?

Yes

No

35. Are you currently receiving Council Tax Reduction?

Yes

No

36. Are you or your partner in work or self-employed?

Yes

No

37. Are you liable to pay Council Tax?

Yes

No

38. Do you have more than three pre-school or school age children in your household?

Yes

No

39. Are you currently serving in the Armed Forces?

Yes

No

40. What is your sex?

Male

Female

Prefer not to say

41. What is your age?

18-24

25-34

35-44

45-54

55-64

65-74

75-84

85+

Prefer not to say

42. Disability: Are your day to day activities limited because of a health problem or disability which has lasted, or is expected to last, at least 12 months?

Yes

No

Don't know

Prefer not to say

43. Ethnic Origin: What is your ethnic group?

- Prefer not to say
- White British
- White Irish
- White Gypsy or Irish Traveller
- Any other White background
- Mixed/Multiple ethnic groups - White & Black African
- Mixed/Multiple ethnic groups - White & Black Caribbean
- Mixed/Multiple ethnic groups - White & Asian
- Any other multi mixed background
- Asian or Asian British Pakistani
- Asian or Asian British Indian
- Asian or Asian British Bangladeshi
- Asian or Asian British Chinese
- Any other Asian background
- Black African
- British Caribbean
- Black British
- Any other Black background

44. Other ethnic group?

20. Next steps....

Thank you for completing the questionnaire.

You may submit further evidence, ideas, comments or questions (marked CTR consultation) by email to CTR2022@medway.gov.uk

The consultation closes at midnight Friday 24th December 2021.

We will listen carefully to what you tell us and take the responses into consideration when making a final decision on the 2022/23 scheme.

Following the decision, the full results from the consultation will be available on the Council's website.

The new scheme will start on 1 April 2022. The Council will consider the impact of the scheme annually and consult again if it thinks further changes need to be made.

Council Tax Reduction Scheme

2022/23 Consultation Results

The consultation process began on 1 October 2021 and finished on 24 December 2021 (12 weeks). There were 819 respondents.

	Yes	No	Don't know
Q1. I have read the background information about the Council Tax Reduction Scheme: This question must be answered before you continue.	99.21%	0.79%	N/A
Changing the Scheme	Yes	No	Don't know
2. Should the Council keep the current Council Tax Reduction scheme? (Should it continue to administer the scheme as it does at the moment?)	38.33%	27.13%	34.54%
3. Please use the space below to make any comments you have on keeping the Council Tax Reduction Scheme in its current format.	167 comments		
Options for Change	Yes	No	Don't know
4. Increase the level of Council Tax to cover the rising administration costs?	12.25%	77.91%	9.84%
5. Find the additional administration costs by cutting other Council Services?	29.72%	55.42%	14.86%
Part 1 – The introduction of an Income Grid scheme to replace the current scheme for all applicants of working age	Yes	No	Don't know
6. Do you agree with introducing an income-based banded discount scheme?	67.06%	15.88%	17.06%
7. If you disagree, please explain why and what alternative would you propose?	59 comments		
Part 2 - To limit the number of dependant children within the calculation for Council Tax Reduction to a maximum of two for all applicants	Yes	No	Don't know
8. Do you agree with this change to the scheme	68.08%	12.97%	18.95%
9. If you disagree, please explain why and what alternative would you propose?	48 comments		
Part 3 – To set 'flat rate' non-dependant deductions	Yes	No	Don't know
10. Do you agree with this change to the scheme?	64.18%	12.63%	23.19%
11. If you disagree, please explain why and what alternative would you propose?	43 comments		
Part 4 – Disregarding the housing element of Universal Credit	Yes	No	Don't know
12. Do you agree with this change to the scheme?	66.41%	10.94%	22.65%
13. If you disagree, please explain why and what alternative would you propose?	40 comments		
Part 5 – Removing the current earnings disregards and replacing them with a standard £25 per week disregard for all working applicants	Yes	No	Don't know
14. Do you agree with this change to the scheme?	64.71%	12.30%	22.99%
15. If you disagree, please explain why and what alternative would you propose?	35 comments		

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Part 6 - To introduce a Minimum Income Floor for self-employed applicants	Yes	No	Don't know
16. Do you agree with this change to the scheme?	55.53%	15.09%	29.38%
17. If you disagree, please explain why and what alternative would you propose?	44 comments		
Part 7 – Removing the Extended Payment provision	Yes	No	Don't know
18. Do you agree with this change to the scheme?	60.87%	17.66%	21.47%
19. If you disagree, please explain why and what alternative would you propose?	47 comments		
Part 8 – Any new claim or change in circumstances which changes Council Tax Reduction entitlement will be made from the date on which the change occurs, (rather than on a weekly basis as at present)	Yes	No	Don't know
20. Do you agree with this change to the scheme?	79.67%	5.77%	14.56%
21. If you disagree, please explain why and what alternative would you propose?	11 comments		
Part 9 – Extending the backdating provisions within the scheme	Yes	No	Don't know
22. Do you agree with this change to the scheme?	79.55%	6.91%	13.54%
23. If you disagree, please explain why and what alternative would you propose?	20 comments		
Part 10 – Protecting disabled persons by disregarding Personal Independence Payments or Disability Living Allowance and providing a further disregard of £40 per week where the applicant, partner or dependant is in receipt of the disability benefit.	Yes	No	Don't know
24. Do you agree with this change to the scheme?	81.16%	5.82%	13.02%
25. If you disagree, please explain why and what alternative would you propose?	26 comments		
Part 11 – Disregarding Carer's Allowance and the Support Component of the Employment and Support Allowance	Yes	No	Don't know
26. Do you agree with this change to the scheme?	76.26%	10.61%	13.13%
27. If you disagree, please explain why and what alternative would you propose?	25 comments		
Part 12 – Continuing to protect War Pensioners by disregarding War Pensions or War Disablement pensions in full and by enabling up to 100% support to be granted in some cases	Yes	No	Don't know
28. Do you agree with this proposal?	79.83%	7.28%	12.89%
29. If you disagree, please explain why and what alternative would you propose?	19 comments		
Alternatives to changing the Council Tax Reduction Scheme			
30. Please use this space to make any other comments on the proposed scheme	94 comments		
31. Please use the space below if you would like the Council to consider any other options (please state)	44 comments		

APPENDIX 4

32. If you have any further comments or questions to make regarding the Council Tax Reduction Scheme that you haven't had opportunity to raise elsewhere, please use the space below.	44 comments		
About You	Yes	No	
33. Are you completing this form on behalf of an organisation or group?	2.58%	97.42%	
Questions for Individuals	Yes	No	
34. Do you live in Medway?	100.00%	0.00%	
35. Are you currently receiving Council Tax Reduction?	61.24%	38.76%	
36. Are you or your partner in work or self-employed?	32.74%	67.26%	
37. Are you liable to pay Council Tax?	94.07%	5.93%	
38. Do you have more than three pre-school or school age children in your household?	2.93%	97.07%	
39. Are you currently serving in the Armed Forces?	0.00%	100.00%	
	Male	Female	Prefer not to say
40. What is your sex?	46.61%	46.61%	6.78%
	Age	%	
41. What is your age?	18-24	0.29%	
	25-34	6.47%	
	35-44	10.88%	
	45-54	22.65%	
	55-64	28.82%	
	65-74	14.71%	
	75-84	9.41%	
	85+	1.76%	
	Prefer not to say	5.00%	
	Response	%	
42. Disability: Are your day-to-day activities limited because of a health problem or disability which has lasted, or is expected to last, at least 12 months?	Yes	39.58%	
	No	52.38%	
	Don't know	2.38%	
	Prefer not to say	5.65%	

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	Response	%
43. Ethnic Origin: What is your ethnic group?	Prefer not to say	7.69%
	White British	80.18%
	White Irish	0.00%
	White Gypsy or Irish Traveller	0.00%
	Any other White background	4.14%
	Mixed/Multiple ethnic groups – White & Black African	0.00%
	Mixed/Multiple ethnic groups – White & Black Caribbean	0.89%
	Mixed/Multiple ethnic groups – White & Asian	0.30%
	Any other multi mixed background	0.59%
	Asian or Asian British - Pakistani	0.59%
	Asian or Asian British - Indian	2.07%
	Asian or Asian British - Bangladeshi	0.89%
	Asian or Asian British - Chinese	0.00%
	Any other Asian background	0.30%
	Black African	0.89%
	Black Caribbean	0.59%
	Black British	0.89%
	Any other Black background	0.30%

COMMENTS from respondents to Public Consultation

Question3. Please use the space below to make any comments you have on keeping the Council Tax Reduction Scheme in its current format. (167 comments)

1 Because it helps with disabled very much

2 I think the council needs to make it a lot clearer on what help people can get. I am disabled and get pip but my husband works 4.5 nights a week and I still have to pay £114 a month council tax as I don't know what help is available to me

3 It is very confusing and impossible to work out whether it is correct.

4 It ignores single occupancy households. Even with the 25% discount, a personal living alone in a house still has to meet 75% of the bill on a single income whereas those in a multi occupancy, multi income household - for instance two working adults & two working offspring, lodgers etc - are effectively only charged 25%. This is a shocking inequality.

5 The current scheme means a large proportion of those who cannot work for whatever reason have hardly any money from their benefits

6 Will single households still be eligible for 25% discount

APPENDIX 4

7 Disabled and Carers need protecting as should Single person claimants who live in a Social Housing property
8 I don't think it's broken, so why fix it?
9 I just think its a good idea.
10 I would like to answer this after reading the proposed changes.
11 no coment
12 The situation seems fluid
13 lam fine it hard to pay as it is anymore payments in the amount every month I will not be able to pay if any thing u could extend to 12 months a year and lower the cost of tax
14 you get a 25 percent if you are living on your own, it should be 75 percent, [fact] i can afford 5 pounds per month
15 But I feel the working class should get a Reduction Scheme as Most Council Tenants who are on dss or other benefits should have no problems paying Council Tax monthly even if they had a Council Tax Reduction.
16 There is no real understanding as to why the current system is broken, does not feel properly explained. Would be concerned about bringing new schemes in and the difficulties that come with that, it is never easy and although it aims to reduce admin could easily increase
17 Unless the changes to the way Council Tax reductions are made are simple to follow. please do not maove to something that is more incomprehensible.
18 I receive a discount as I am a lone parent and also as I am on Employment Support Allowance and it is a fair scheme.
19 Reduce council tax for elderly pensioners.
20 I am a carer for my husband who has Parkinsons Disease and we are claiming universal credit and struggle with paying our council tax even after the mjinor reductions you make.
21 It is a very useful reduction scheme
22 After reading the notes above, the current scheme spends much more in admin. charges.
23 Poor people can't afford it
24 Being on UC and paying 25% i don't think this should change, as it will benefit me to keep to keep it as it is.
25 It is a very complicated system at present. But the new system doesn't seem any less complicated..and how would it be more cost effective with new system
26 A few people like myself have health problems and due to the pandemic was unable to go back to work yet The council should look at the majority of people s income and how much they can afford to pay I have always tried to pay the council tax
27 On benefits so need help.
28 It's good as it is
29 Change in some cases are needed but surely there is a considerable amount of information and the schedule is in place so why change .Also the cost involved.
30 If the current reduction scheme can't continue without increased costs then alternatives have to be explored. I'm assuming that any ways of reducing costs to the current scheme have been explored, including best use of staff time, systems, council buildings and staff working from home.
31 More money needs to be used for elderly and social service
32 Make it easier to apply for disabled residents
33 I have read the above but don't understand enough to make a decent/fair judgement.
34 Not sure what means
35 Should does more reduction for families whom they are on low income or one of parent is not able for work due to health situation.
36 It used to be that if you were on benefits you paid a minimal amount of council tax. I am currently unemployed and have i pay£150 a month.
37 I always found it confusing not very clear how the reduction is applied but nonetheless it worked

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38 If it's not broken don't fix it
39 As pensioners we have a fixed income
40 I don't think it's fair. A person when part of a couple who has worked and bought their own home and now at the age of 50+ finds themselves single in that nice home that they worked hard to pay for but cannot get any help with their council tax, apart from the 25% discount even though they earn a low wage because they own their own home. A person who rents the same home in the same area in the same circumstances would get a further reduction. This suggests that such a person is being penalised for working to be able to afford to live in a nice home or area with a higher band.
41 It does seem a fair way of working it out
42 Keep the scheme as it is as it works to help vulnerable residents
43 The key issue here is that CT is very poor value for money in Medway. These small changes will do nothing to change this fact and Medway council turn its attention to the real issue.
44 Please Keep it The Same Reduction Scheme!
45 council tax is a big burden on people who are unemployed , my daughter is on universal credit , she has a little cleaning job , which for each pound she earns they take away in benefit, she has just recently ended a relationship, now as a single person is hoping for a reduction in council tax, but seems not entitled to single person as she has a dyslectic son living at her home , he is an alcoholic ,solely dependant on his mother , but does have universal credit . what reduction should she receive, ??in council tax
46 It works well.
47 I am a single mum even though i get 25% reduction i still struggle to pay my council tax.
48 Why change unless the council just want to make more money out of residents
49 It would help people more if you added a paragraph to the annual Council tax bill indicating who might benefit from a Council Tax reduction and where to apply for that reduction. A lot of people probably don't realise that they are eligible. A short form online, or in writing if they don't have access to a computer, answering basic eligibility questions should be enough for you to decide if they are eligible and for how much.
50 At the moment people have a rough understanding or they can find out about it easy enough as I had to. Keep changing established policy only makes it harder for people to know if they are entitled to it or not and causes confusion.
51 The current scheme appears to be too costly in terms of administration, and doesn't fit with the Universal Credit system.
52 THE SYSTEM IS VASTLY OVER COMPLICATED.
53 Seems fair to me as I am happy with current reduction that I receive. That said I was penalised when I moved to area from Durham where I received 100% reduction.
54 As it has been working for the benefit of everyone and has worked
55 In line with government schemes this needs updating to match the government schemes and reduce administration from the council
56 No comment
57 I think if people are on very low income or benefits should not have to pay council tax or should only pay a small amount of council tax. If people cannot afford to pay it, as in my case, it leads to anxiety and depression and if people are on medication already for these problems it just escalates the situation.
58 It is all very well to say that changes must be made because we can move forward, but we have endured cuts to benefits for almost the last fifteen years. We as a council must also protect the poor who cannot protect themselves. Citizens that are to ill to work must be also taken care off, how are they supposed meet the increases in council tax payments when they are to ill to work to acquire the funds to pay the council.
59 The new scheme sounds better
60 The council should have the right to amend this scheme. However, I would stress the importance that any changes does not penalise existing claimants too much.

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61 I think the current council tax reduction fees are fair and that as a society we should help those in worse circumstances than ourselves.
62 The application process is currently very daunting (as I recall the online application had around 40 pages to fill out) and with Universal Credit most applicants will only be applying for Council Tax Reduction, not housing benefit, so many of the questions are redundant. It needs to be drastically simplified.
63 Doesn't really matter as the Council are a law upon themselves and don't bother about people's hardships so long as they get their money from everyone.
64 As a retired person, a householder and a pensioner, who has paid council tax in full throughout my working life and am still paying in full, I had no idea and have never been informed as to whether I could be eligible for a Council Tax reduction. Maybe the annual tax demand should clearly indicate the possibility of a tax reduction in order to alert newly retired pensioners.
65 Reduction for those receiving Universal credit should be retained.
66 Unless you are going to reduce the payments of those with less money to waste, I fear this will ultimately end up costing those who can ill afford it
67 The scheme needs to be updated in the light of the introduction of Universal Credit
68 The current system works, but may not be the best use of funds and will always need review in light of new schemes and working practices.
69 It would make a whole lot difference if house rent payments made by universal Credit are removed from the calculation of income in regards to council tax
70 It is so hard to make schemes fair to all, there are so many reductions you have listed.
71 council tax reduction scheme should be kept on its format as its clearly described what we paying and deducting.
72 The current scheme appears to be fairly balanced as does the proposed new scheme. I benefit from the current reduction scheme as a single occupant. However, I am of pension age and would hope that any new scheme introduced would include single occupancy and pensioners.
73 There comes a time for changes, especially due to the predicament that we have all faced over the past two years and the wounds to heal for the next couple of years, obviously this is all unprecedented so therefore changes need to be introduced to offer the right aid to those in need through these times, then revised again in October 2023. With the position of technology of today that wasn't around two years ago let alone many years ago, needs to be utilised to reduce administration not increase it. We are all slowly becoming a paperless society with the exception of the generations before ourselves "the current 70+" which respectfully find technology a struggle and prefer paper method. We should be a society that works smarter than harder, making things easier, like electronic registration "made easy", those with an account can access information custom to them and their needs and requirements, to offer information like a dashboard, all of this can be centrally managed with low administration "a lot less than 2+-years ago". We all know that taking advantage of today's technology makes lighter workload and encourages the general public to be part of that
74 Unsure about it because I have been lucky enough never to have used it so don't feel that I know enough about the scheme, even after reading the documentation, to have an opinion
75 It needs a change.
76 I'm unsure of what immediate impact any change to the scheme may or may not have on someone like myself who currently receives the council tax reduction. It sounds beneficial if it means that any households' benefits are disregarded as they're not considered a proper income, and if this was the case then people wouldn't be able to cope with the amount of council tax they're expected to pay.
77 The current scheme is confusing to understand meaning you are never truly certain that you are: a) getting your full entitlement b) not being overpaid and potentially being accused of fraud The calculation sent in the post is over simplified so much so that even with an A level in maths I had to play about with my various benefit ins and outs to take a guess at the amounts listed. Anyone with poor school grades could easily be committing fraud and not even know it. Reading the intro I was unaware of just how much money from my benefits is treated as income and its really not.
78 none

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79 Undecided at the moment as without any figures to see it's difficult to say, obviously if the new reduction scheme will be easier to understand and will help more people then that will be a positive.
80 Having read all of the .pdf appendices I do not understand the income grids shown for the 3 models - the reason being that various worked examples would clearly spell out the impacts of the 3 models compared to today's model - with this clear info I would be in a position to understand the impact on different categories of resident to make an informed decision.
81 The council tax reduction scheme Is the only way many households are still able to function. Many Low income/non working/pensionable age households simply wouldn't be able to afford any changes. It is unlikely that changes will mean further reductions, only increases. I cannot afford any additions.
82 After reviewing all the background information on the facts, I feel it makes no sense to continue with the current scheme which has proved incompatible with Universal Credit, is not cost effective nor fair or supportive to claimants. Added to that continuing with the old scheme would force customers into debt and have little or no chance to ever recover financially. It will have a knock-on effect.
83 Reducing costs wherever possible is very important
84 To be honest i have had no problems with the council.
85 Time for change - My wife is Disabled and I can only work part time as we have 3 disabled Children. Maybe we might actually qualify under the new reforms.
86 I have chronic ling disease which is very debilitating and prevents me from working, I currently have to live on universal credit which is a paltry amount. any increases will severely affect my life as every other aspect of the cost of living is also rising. PLEASE think of the very poor people in medway and DO NOT increase this.
87 Seems to work OK under the present regulations
88 Because I don't have job and I'm not capable to pay without reduction
89 We are pensinors and as such use a lot less of the facilities you provide and yet you want to reduce the council tax for working families who say they cannot afford to pay. Because I worked and put a little by for my retirement we can not get a reduction and have to pay the full rate .How is that fair .
90 No comment
91 Most people have worked with the current scheme for years and understand it.
92 It works at the moment, however if a new system makes things easier than that would be a bonus
93 I believe he council should administer the scheme as it is the people in their borough that it applies to.
94 The Council Tax Reduction Scheme works well for participating households.
95 The old saying if it isn't broken, but did it work in the first place i.e are the right people receiving this benefit.
96 It seems that keeping the current format is more costly to administer and generally confusing to residents; therefore upgrading and simplifying the scheme is a timely change.
97 takes too long to sort out is such a hassle and hard to understand
98 I think the council should make the proposed changes to the tax reduction scheme
99 I am scared that you will reduce the amount of my council tax refund. I prefer to not "rock the boat"
100 I don't know how the current scheme is figured out but as a single father with a child who has a disability who is home schooled so I have to work part time the current reduction scheme did not make that much of a difference to my council tax charge.
101 I feel those on benefits should not get such a generous discount as some of them have more cash to spend than those on lower incomes. There does not seem to be a fair playing field.
102 It should all be applied for at the same time as uc
103 Changes at the moment will be hard on low income and unemployed people with all the other bills rising as well.
104 As a single occupier my demand on council services is greatly reduced in comparison with a couple with or without children
105 It all seems very confusing
106 It works so why change it.

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107 The current scheme is difficult for people to understand and the non-dependant deductions are complicated
108 you must be trying to change it because you consider it too generous
109 Not well at the moment - mental health problems ongoing. Not really well enough to answer the survey, unfortunately.
110 The outline is fairly complex, and I'm not sure much of it applies to me as I am not in receipt of benefits currently. However, I am receipt of a CT reduction as I live on my own - if this is not in question, and the new changes will be more cost effective, then I am in favour of the changes
111 The council should assist its customers who are in great need of help and who can not afford the council tax at the full rate which is ridiculous
112 When you change such a big and important scheme the admin cost would be huge and at a time when money is not available for some essential services paying much needed money to fix something that may be floored but not broken seems unnecessary
113 single person households and vulnerable groups should ct to get reductions
114 You have explained in the background information that keeping the scheme in its current form would mean increased admin costs (because of changes in Universal Credit), which would impact on other aspects of services you provide. So if that is the case, it can't be right to keep the scheme as it is, since council needs to make the best use of public money. However, before deciding whether I agree with this, I need to see how the changes you are proposing affect me and my two children, as I am a lone parent in full-time work.
115 I think that in the list a lot of people I know pay March through to April which is one in the new scheme you would not happen
116 Needs to be simplified
117 It would have been more sensible to describe the changes in an easier way for a layman to digest and understand. with what i have read and being a disabled person receiving PIP then having this payment discounted in any calculation for a council tax reduction, should i ever apply for one, can only be a good thing for me
118 im not reforming this scheme is such a good idea for single occupants with low incomes
119 Any proposed changes would no doubt be a decrease in any current reduction that Council Tax payers already receive.
120 The CTRS focuses on extracting money from the poorest. It is therefore unethical but also costs time to administer and to chase non-payment; this occurs in the form of third-party bailiffs which harm the PR of the council.
121 I am a single occupant and works full time so not sure whether any changes will affect the amount I pay.
122 the scheme as it is currently is costly and clunky to administer. It is confusing for the claimants
123 The scheme has worked very well in the past and I can see no reason to change now or in the future.
124 Just because I'm working age doesn't actually mean I can work! I am FULLY disabled, bed bound for the past 7 years but DO NOT qualify for ANY disability Reductions! How is that fair?? Also every year Medway Council increases and increases the council tax... and don't pat yourselves on the back for the COVID-19 "relief" as you just clawed it all back in this year's council tax! Also, stealing disabled peoples DLA/PIP payments to line your pockets and continue to provide substandard "Adult Social Services/Care" that even the RSPCA would have issues with is plain disgusting! It's hard enough to pay the ridiculous amount now to force people into paying more money for less Services is immoral!
125 There should be a trial period to see if it works or not.
126 The current system is complex and secret. The 65% is insufficient as the people are on very minimal incomes. You do not pay tax until you reach a threshold which is about £ 12500. This is a TAX.
127 Whilst I am not yet in receipt of an old age pension I was given early retirement in 2014 due to ill health. Any change or reduction to the current 25% single occupancy discount could potentially have a significant impact on my income from a private pension. I receive no benefits.
128 Not sufficient detailed information released at this time to make a qualified decision either way

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129 I think the changes are unnecessary
130 The scheme appears to be fair and takes into consideration the needs of claimants.
131 I am not sure to be honest and I think I am not the right person to be asked this question. I have never claimed any sort of benefits to really know how really how this process would affect me, so an opinion should be sought from people have have gone through the process and have more experience
132 Their needs to be change
133 as a single person household with no dependants- im unsure how this will affect me as im not able to get any benefits to help my living costs. If this is adjusted, it doesn't state if I will end up paying more?
134 It should not remain the same if the costs can be reduced AND there is not a financial implication to the recipients whereby they will not receive the same discount. If there is a way to reduce the cost of administration and working age people will not be financially impacted in a negative way then I agree a change should be made.
135 It works and although difficult to understand claimants know what they are entitled to.
136 Insufficient understanding to comment
137 Iam currently a single working age occupant and only just earning over the minimum age well until April 2022 anyway so unsure at this point if you are going to make me worse off or not so have opted to keep existing scheme
138 It sounds good to reduce administration costs.
139 Already looking at the scheme Consultation page and I'm confused. Plus cannot return to last page keep reread as you have to start all over again!!
140 This is aiding people in the area and the scheme should be kept live but the amount/level of support could be reviewed. Vs Current cost of living increases this may need to increase
141 It appears. people are being asked for council tax at random.
142 Some Tenants are having a Reduction Scheme which helps with paying Council Tax to the Council and is a Reduced amount, Affordable and is helpful. If people have problems paying this they should have a re-housinh scheme which is affordable. As alot of Tenants and flat owners or shared flats cause their own.
143 I don't know, so this box is useless.
144 Appears to work fine
145 hard enough to pay the 25% and everything else
146 If it's working then why should you change it
147 It would be nice to be considered for council tax reduction scheme
148 The council tax reduction should be reduced down, I got a back disc problem meaning I can't work a lot making it hard to afford the tax.
149 I am not sure what the council tax reduction scheme means
150 I'm just not sure
151 Think there should be a reduction for young rental/buyers as the council tax is larger than most other bills!
152 CTR is an important safety net for working households which can be in receipt of much lower net income than many households receiving UC inc housing benefit, Ct etc.
153 Do not reduce the amount. There are also too much T&Cs for many people to read in this survey to fully understand what is required for them to complete the surevey.
154 Do not reduce the amount. There are also too much T&Cs for many people to read in this survey to fully understand what is required for them to complete the surevey.
155 If the current scheme is kept the administration needs to be simplified for the customer. At the moment the customer is receiving too much paperwork, most of which is wastage. There must be a simple way of explaining to the customer how the council has worked out your bill. It only confuses everyone when they receive 8-12 pages of 'working out', therefore it becomes unclear to the customer what they should be reading.
156 Because there is very vulnerable people who rely on council tax reduction, otherwise they would struggle more than they do now

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157 Don't see a problem with it as it is.
158 It is difficult to answer this question without knowing how the scheme would be changed and how it would affect individuals
159 The scheme as it stands at the moment just doesn't work hard to understand and can be unfair
160 Any planned changes to the current scheme should not be to the detriment of existing claimants. This just looks like a cost-cutting exercise, at a time when the economy seems to be going pear shaped
161 There is no reason to keep the current scheme as the proposals appear to make things much easier for people needing help.
162 Don't see the point of change But I do understand we have to move forward
163 Whilst I am technically within the working age group I was given early retirement in 2014 due to ill health and receive a private pension. My income as a consequence is much less than when I was working and any change/reduction in the discount would potentially impact heavily on my finances.
164 think it should take into account those on disability and carer's allowance and other benefits.
165 I have no difficulty with it and it works well. As only 1 person I don't cost you a lot of extra money. I think it is unfair to discriminate between persons that work their butt off to earn their wage and pay their way, and persons that don't do anything and get extra benefits for this privilege.
166 paper form - answer illegible (something about austerity and something would be evil)
167 Yes want to help
Question 7. Comments to Part 1 Introducing an income-based discount scheme (59 comments)
1 I'm a single person who works but would lose out under this scheme.
2 only if i get 75 percent discount
3 But I do not agree with alot of people claiming disability allowance as to rent arrears or council Tax arrears and generally people on income support, of course people with a disability have a priority, but esa or income support also have key priorities, no one really should have problems paying a Council Tax each month, working class people have had problems keeping up.
4 Big brother wants more money from the middle to low earners. Who will decide what your income is? The better off will pay less as they have good accountants.
5 I think it will cause issues. Medway has many areas of deprivation and Lower Super Output areas and has some very distinct areas of affluence. I think it also gives the wrong impression about developing skills and aspiring for better jobs and higher pay, people should be on a pathway of progression not think if I do that it will affect my council tax. I work very hard to earn my money, why should there not be a reduction for people that earn over a certain amount then as well. Some people may choose to have a low income and some have no choice and don't think they should be rewarded for that. If that is the case I don't think it should be changed.
6 By the read of things i would see it as my council tax would rise which i am not able to afford.
7 Why should I as a two income family pay for some work shy low life crack head
8 We have to pay to cover the running cost not just in one area but across the whole .More money means a better organisation and better service all round. It's not possible to run the financial obligations like an elastic band cutting is stretching lets pay a little to save later.
9 That would be a fairer system
10 Not sure means
11 Even the reduction on council tax is still high for unemployed person and why is increasing every year . Should stay in one level for these families. There is plenty of other expenses to face this difficult life .
12 See previous point made. Bear in mind that Medway council is elected to govern, not to seek populist solutions to the problem or shed responsibility in this way.

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<p>13 I believe A PERSON SHOULD BE ASSESSED on their needs , so if a single person has a dependant son over the age of 25 , this must be considered as would a child , without taking money for a room he occupies , people struggle more than ever now , council tax is well over priced , currently there is a strike where dustbin are not being emptied , not this gillingham area ,but causing a health hazard , so this should reflect in payments to council tax .to keep putting up council tax, where water rates once used to be included is dismal and disgusting .this planet is suffering with over population and migrants,</p>
<p>14 Why should the council have access to my financial position to pay for their short-comings in money management</p>
<p>15 It is always those that only just don't qualify that have to pay out and then struggle. Everyone accesses the same services, should all pay the same</p>
<p>16 It is the cost of the tax that is important. I receive a reduction because I am a single person household. Any change in that is unacceptable. My household makes less demands on council services, e.g rubbish collection than a multi-person household. Most multi-person house holds have greater income than mine and so should pay the whole cost. This would change would discriminate against single person households</p>
<p>17 However, I think the rate of discount should be less</p>
<p>18 No</p>
<p>19 The council doe not have to bring this scheme on line at all, why change the current way of working. As a council you are reducing your internal costs if that is the case cut the wages across the board from the highest paid to middle management and see where that brings us rather then bring the burden on the people least able to protect them selves.</p>
<p>20 There always changes but none to which really helps the person ..</p>
<p>21 The scheme based on income (per week) is o.k. If i was setting up this scheme, i would try to simplify the bands. Less options, less admin. Simpler to understand for claimants? Again, one single additional payment 'because you have children' . Payment is therefore, not dependent on the number of children.</p>
<p>22 People who have worked hard all their lives and beyond pension age will be targeted to pay more, while the people who claim benefits and have never worked get no reductions to their payments.</p>
<p>23 So at the moment I get a discount of 7 or 8 hundred, but now you wanna give me 239.99 discount, how the hell would I find Near w grand.</p>
<p>24 Anything income based administered by the government requires extra powers of investigation and enforcement. One only has to look at the insane powers and liberties taken by the HMRC to see how bad it can get. An income based scheme from the council would be supportable if the council got what it needed from the HMRC/DWP, with no additional powers for itself.</p>
<p>25 Should be simple flat rate per household otherwise needs need to be verified</p>
<p>26 People that have higher income than others should not be penalised for it, the level playing field should be the same and to be fair and not excluded. Exception to the rule where the property is larger than the other "band type", location etc....</p>
<p>27 Having read this page I still do not understand your proposal and the impact it will have on me or other types of resident.</p>
<p>28 I don't understand this, you have not made this easy to read, or understand - it would appear this survey has been created by someone who understands the systems. I'm 1 question away for closing this down and not bothering.....</p>
<p>29 I do think Child maintenance should be counted as an income. If the couple were living together with their children then their income would be counted. However some parents with custody of the children can receive quite a substantial amount. I appreciate some payments are periodic. But that can be said for work. When I was a single parent I received no child maintenance (ex husband was not working or the maintenance service we're unable to get hold of an employer), but I was working full time. A friend of mine was working 2 days a week and got over £700 per month child maintenance. On paper she had more income then me and got every benefit she was entitled to. However I was entitled to none. How is this fair?</p>
<p>30 They should pay the full rate like we have to. We have to cut down on things some months to pay our full rate.</p>

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31 So confusing !!! meant to be simplifying things but this complicates things even more !!!!!
32 No, because peoples situations change and those like myself who work with agencies etc have varying wage structures and cannot say 100% we are or will be earning X amount over the course of the tax year.
33 because it should matter how many children u have it should all be the same
34 As always, those with income support, child support etc get even more benefits and those of us working and unable to claim benefits and have no children because we cant afford it get financially penalised again to prop up all those who cant keep their legs closed
35 Only disregarding carers of you are on ESA is unfair and the earnings disregard of £25 is ludicrous. Lets limit councillors expences to £25PW INSTEAD
36 Unfortunately not well at the moment - mental health condition ongoing. Not well enough to do this survey at the moment.
37 I'm sure any scheme can improved? But my personal opinion is until as a council you have the money to implement the new scheme and the means to rectify any problems. I think the next 2or even 3 years are going to be dealing with the fallout from Covid. Which I think is far from over.
38 single person households use less council services like waste/water etc but asking them to pay more than a 10 person household just because they are on a higher income feels like its crime to study hard, work hard and earn more. Not a good example for future generations
39 I don't agree with the income grid you propose above because you have put couples and lone parents into the same columns. I don't think that is fair - in my case, one person's wage pays for two children, not two people's wages. The effect of what you propose above is that I would no longer receive a 25% reduction, if I've understood correctly, I would get no help, at a time when outgoings for my children are increasing because they are getting older and want to go to university. So the impact of what you propose for us, would be less available income to spend on my children and opportunities for them, and paying more in council tax. I'm a teacher so I also currently have my pay frozen. I don't want my children to lose out because you are trying to cut admin costs by changing a scheme which currently benefits us. So I would also want the income band to alter for lone parents with two children. (And lone parents with one child). My outgoings are not reducing, they are going to increase, since my children are also talented at sports, but actually also what incentive then to progress through the teaching bands, more workload, less time with my own children and overall less available income to spend on them? Obviously I'm not going to agree with a scheme that disadvantages my family at a time when the cost of everything is increasing and my own pay is frozen anyway. My children are the future, I want the best for them. I'm on U1, which puts us out of any reduction in council tax with what you propose.
40 I don't know about an alternative, however it seems unfair for some households with a higher household income to lose out if people there are in employment than a household with a lower income to have a greater discount where adults are not working, if this is a possibility.
41 This is so confusing and should have been made easier for people to understand. At the end of the day any consultation ALWAYS achieves its aim
42 i feel the richer people should always pay more
43 Why should the burden always fall on those who already contribute the most income tax and national insurance to this wasteful government. The Barnett formula, which discriminates against English Councils, needs to be abolished and the savings redistributed fairly.
44 As usual those hard working families will lose out.
45 however I do not agree with the MIF for self-employed sub-contractors as they have no way of being able to manage their own work - I think it is a barbaric introduction with UC and creating an awful lot of poverty and homelessness will follow for men disproportionately who already have it difficult when trying to get housed. They are not being fairly treated by their 'employers' or the benefit system as it is. I also thing 35% of the council tax when on the lowest wages or off long term sick is a lot of money to find
46 I do not see inclusion in the proposed arrangements for those with a mental illness like dementia or Alzheimer's disease and in receipt of attendance allowance being disregarded for 25% of council tax - this arrangement is in place in other local authorities.

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47 But the discount for “regular” pensioners should be higher! No matter how much you earn, I agree with the cap on dependant children... you should only have as many children that you can afford to support! This is why people pop out as many kids they can just to sit on benefits or expect the government or tax payers past and present to support their children! Also, tax the higher earners and civil servants, who get discounts and perks for everything, let them pay the “lion’s share” of the administration costs as I can guarantee that the people providing administration are amongst those whom get the lowest pay and so-called discounts in the first place!
48 This is a survey designed for people working in the benefits sector to use. This survey does not relate to ordinary citizens. Q5 asked where should the council get the money to cover the additional costs, the failed city of culture bid (£2 Million), the failed city status bid (£2 Million) and more of the same.
49 Income based will still penalise families with more than 2 children, those already on benefits, pensioners (single) who have a small private pension & state pension who are very slightly above the threshold for any benefits. I am not qualified to propose an alternative, without fully understanding all the facts that are not expressed in this survey, proposals are for the people/'companies' being paid to work in this consultation
50 I am the only person in the household- and as I don't have any children I get NO assistance or other benefits. Why should council tax reduction be income based? If I could afford to pay more, I wouldn't be living in a one bedroom flat.
51 Does the income based scheme include the income from benefits as there are a lot of people on benefits that get more income than me?
52 I don't disagree.
53 money grabbing it looks like, seasonal events should be ditched
54 I have a son who is single with no children and on a low income. He gets no benefits or help of any type from anybody except a reduction in his council tax. But now even that looks like it is going. His tax's pay for other peoples benefits and other peoples children. But as a single white man he gets nothing.
55 Only if the DLA and PIP are included as income as this is a substantial amount
56 because 1 person who doesn't cause trouble to the council and works very hard to pay their way therefore deserves a discount, so why should they be discriminated against 1 person that doesn't work very hard to pay their way and may not be interested to do so but therefore gets a discount?
57 As a disable person I don't think it is fair I pay 45% of my benefit out in council tax with ever increasing fuel bills to pay aswell
58 paper form - answer illegible (something about millionaires? and tax breaks)
59 I would like to tell you about the reduction of the garbage payment because od to múch
Question 9. Comments to Part 2 To limit the number of dependant children within the calculation for Council Tax Reduction to a maximum of two for all applicants (48 comments)
1 Those with more than 2 children are once again penalised
2 There is no point if you are still limiting it to 2 kids (what is the national average)
3 I have 4 children and 2 after this date would mean i end up paying more
4 Not sure
5 Would penalise families with more children
6 Child benefit is important and very costly to bring up a child ,to target people with children is despicable . THE LAW MIGHT CHANGE TO LIMIT FAMILIES TO TWO CHILDREN .
7 Discount based on income and number of children (without limit).
8 Single person discount Based on size of house. Bigger house, pay more No discounts for benefits, they still access same services. If you have a big house, you will pay more
9 Multiple child families should plan for their costs before multiplying, not expect everyone else to burden the costs
10 No

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11 Why should we limit the amount of discount for children to two only, the council does not take Child Benefit into account at the moment. This is another way to bring further hardships to poor families with more then two children. They can apply for further help if need but why put them in this difficult position in the first place.
12 People don't choose to be needing help but can't take off a kids mouth ..
13 I don't have a problem with this in principle for new claimants. However, a better idea, for new claimant, is a household plan. This focuses on who lives at a house; the income/benefits at that house and the birthdates of the eligible child(ren).
14 An alternative to this would be a percentage reduction added per child this could easily be calculated by a simple spread sheet.
15 So my child benefit that doesn't go anywhere near to feeding and clothe my child will now be used to pay council tax, robbing ****,
16 It should be changed as people have a tendency to have children to get more income.
17 They would be in receipt of child benefit. This should be counted towards income.
18 I can see how it would be easier to bring it in line with the government only paying child benefit for two children, but I'm not sure how helpful or majorly necessary it is to charge families more council tax for a 3rd child or more. It seems as though it will be penalising people who fall pregnant with a 3rd child and will put more pressure on them, knowing that they won't receive any benefit to help, but that their council tax will increase.
19 I have always struggled with any generic 2 child maximums. The idea that only 3rd and up children born after the initial creation of this rule fine, should I have another child I am doing so in full knowledge they will not receive support. Everyone's circumstances are different but there is no serious provisions for extenuating circumstances besides get buried in debt nearly lose your house they pay lump sum to clear debt(court charges not included) long term it fixes nothing instead just repeating loop until something changes outside of the benefits system to break cycle This is my story and demonstrates work needs to go into the help for special cases your current additional support left me and my children at genuine risk of harm. All of mine were born before the idea was even being suggested in parliament I cannot shed 2 children due to a reduction in my finances yet before my sons diagnosis, the benefit cap figure applied to my family meant after paying the top rent amount (£110/week conveniently equal to 2 children's tax credit entitlement) I am still playing catch up on council tax bills that I couldn't afford then. 5 people cannot live on 3 peoples money I didn't intend to be a divorced single mum of 4 my husband turned violent after 12 years together. I looked for work companies lie when they say they want to emoy single mums, they want the time flexibility of 16-18 years with no commitments. The discretionary payment cleared my mounting rent debts £2000 caused by my then husband refusing to separate the benefit claims (primary claimant has to cancel joint claim for me to claim single) taking all money that wasn't labelled for kids and not paying the rent top up. Over a year later with threat of eviction this was remedied by a guy from MHS. After every section of council and government benefits agency I could find either refused to discuss or said nothing could be done. 5 years later my mum cleared the court cost amount (balance was still shown as rent arrears on my account, they won't amend tenancies in arrears) that had stopped me from removing a domestic abuser removed by the police from my tenancy making me unable to legally turn him away from the house. I needed the discretionary payment to cover full amount to be safe in my house no one considered that just the numbers!
20 The number of children should be taken into account and be factored into the calculations used to determine the level of support provided. This is because more children equals more day to day family expenses.
21 I don't like the idea of a tax on children.
22 Having children is a choice - If you have more children you are responsible for paying for them - I have 3 children!
23 They should have to pay the full rate like most of us have to
24 Pensioners must be considered ,for the reduction of their council tax, because the shops and other establishments do always consider discounts or reduction on their council tax.

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25 I think if the money is there to fund an Exceptional Hardship Scheme then that money should be used to support those applicants with three or more children directly rather than having to make a claim under the scheme. The fact that this scheme exists shows that these people will invariably face exceptional hardship.
26 Yes because if you can't afford to have more children then don't have them and expect others to make allowances and support them for you. We should, however, with a genuine need but appreciate it is hard to define that
27 These people who choose to have ten kids say, know that they will only receive help with the first two, then that's down to them, and if you are pregnant and told your unborn child will have a long term illness and still go ahead then that cost should be meet by them.
28 if you have more than 2 kids you have to provide for them regardless of how much you get to give the same discount to people with 2 children as those with 4 makes no sense and will only mean low income families are struggling more i dont know what the answer is but its not that
29 I dont have children, so not in a position to give an opinion
30 There has to be changes but fair to those on benefits and the tax payer must be a balanced one
31 It should be based on where you live and the size of your house not your income. Incomes can fluctuate and cause more work in recalculation or fraudulent claims. People with lots of children tend to live in bigger homes yet get all the benefits and those in smaller, don't. For once, this should be about the size of property, location, whether owned or rented not I can afford to live in a bigger house in a better area because I am getting more benefits scenario. Council tax should be about property not income, that's what the benefit system is there for. If the council tax system has to prop up the benefit system then that is wrong.
32 I'm not wholly sure, but I would be very concerned about certain people's ability and means to access relevant hardship funds in a timely manner
33 I guess the coucil tax should be based on the usage of services and should be fair to all irrespective of earnings.Excluding the pensioners only.
34 It makes sense to align this with what is happening nationally, but households with more that two children have more outgoings, so it doesn't seem very fair, and potentially puts more children into poverty?
35 Yet again it is all about denying money the poorest most needy and vulnerable members of our society. Are you all happy with that?
36 child benefit is restricted to 2 children so should this
37 It should be in line with DWP... don't have more kids than you can afford to support, whether you're on benefits or not. Don't procreate if you can't afford it! Why should other have to pay to support your kids!
38 "If the applicants face exceptional hardship they may apply for additional support through the Council's Exceptional Hardship Scheme" only if they know how to access the scheme can do 100mtr hurdles in under 30 seconds and know ****.
39 Not relevant as I have no children.
40 Don't keep penalising the same group of people if they are already being penalised by central government (DWP) It all becomes double taxation which ever way it is viewed. I'm not qualified to offer a solution as should any professional advisors 'employed' by Medway Council are paid to do so in consideration to the council & residents
41 No dependants so doesn't seem fair to comment
42 This will create financial hardship which will directly effect children who are the most vulnerable within our community. I propose that arrangements under the current scheme, which takes into account all children within the household and award them adependant's addition within the calculation of their needs, should be maintained.
43 Penalises second families with more than 2 children - increase support for families with 3 or more children
44 Seems to be fair especially if other benefits mean counteract this
45 I don't disagree.

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46 My Son is single with no Children and on a low income the only help he gets is a reduction in his council tax. Poor people or people with more children than they can support should get help from other means other benefits not council tax..
47 paper form - answer illegible (possibly "stealing from the poor is an outrage and it is not" ... illegible)
48 I would like to tell you about the reduction of the garbage payment because to much
Question 11. Comments to Part 3 To set 'flat rate' non-dependant deductions (43 comments)
1 Dependant people could slip though the dependency net with the amount of beaurocracy involved, there could perhaps be a face to face interview.
2 Why should a working dependant get more money where as a non dependant not working get Lees
3 what if they are disabled ? we pay enough council tax as it is give the chiefs a large pay cut
4 It put a huge strain on lower income families, for which even £5 is a large sum of money if you don't have it I turn causing more people to get into debt.
5 Should be increased if working for the first year as they would need help when they first start a job.
6 if a non dependant has no income how are they paying the flat rate of £5 per week .. perhaps the householders cannot afford to pay this extra flat rate of £5 per week as ultimately it will be their responsidility to cover this amount. some non dependants do not qualify for benefits due to their age or circumstances. if the householder is on benefits they already receive enough to cover basic living cost , which most of the time does not even cover gas electricity water bills per week , let alone extra charges for council tax that they already contriute towards and there is not much left each week without the fact that the cost of living is soaring daily food gas electric but benefits and wages are not increasing at the same rate... where will they find £20 from each month without getting into more debt?
7 I don't really understand. Why more if the non-dependant is working? This does not make any sense at all.
8 Not sure
9 Many single parent with sons and daughters who reach 18 years old do not collect rent or payment towards concil tax - because they are still in education or not in well paid job, also do not accept that they should pay as they are not the house owner and that in their eyes they are still only the son or daughter. For children of people on income support and the child goes onto income support this should be taken directly for the child and not the responsibility of the house owner. Most sons and daughters do not get work the day after their 18th birthday. They should not be included until the September after they have left full time education. I am now retired but have been through this with my son when he became 18 years of age and as he rightly said "The bill is not in my Name" after a very rough divorce he knew that I was not responsible for my ex husbands debits unless the bill was in my name. 18-21 years olds should be exempt or presented with a council tax bill in their own name. If they can claim Universal Credit at 18 then they should be able to claim Council Tax benefit at 18 regardless of where they live. A person is NOT Responsible for a bill that is not in there own name.
10 No discount for adults living with parents unless disabled or carers. If not working parent's decision to support. If working should pay their share of household expenses (and probably do in most cases).
11 We are currently in receipt of benefits as my husband had a major stroke in 2020 and has major brain damage. We have supported our son through his A Levels at this very stressful time for him and he did exceptionally well. However he chose to get full time employment instead of going to University so that he can be at home to help me with his Dad. He is on a low wage as he's only just started ,so certainly couldn't be expected to cover the £40 a month we will lose by him living here .I feel this is very unfair, Council Tax should based on the property value and owners situation , it isn't the poll tax so no one else in the property should be charged independently.
12 Non-dependents should not qualify for a discount
13 The more claimants = more admin. The only circumstance for the 'one household claim policy' is if there are more than one family living at an address.
14 I had to move out of mums for being punished to work having to pay all rent and c tax. So if 10 or 5 instead of being ripped off then yes, otherwise no.

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15 Why would you offer a £10.00 reduction to a non-dependent who is working, over a £5.00 reduction to a non-dependent who is not working. The person or persons that are registered as responsible for the council tax regardless of how many non-dependents there are, should still be responsible for the tax to their residents and location The exception to the rule as I had mentioned from the start to have their own logon portal
16 I disagree with this because even people who are non dependent can still sometimes struggle with council costs, particularly around the holidays and for people who have children, and most importantly those who are receiving benefits. I would propose that a reduction of council costs should be available to everyone, particularly those who I mentioned above
17 I think so, another wordy question - So your reducing the reduction? in other words you will get less reduction.
18 I am unsure of this one as I do not claim DLA or PIP but I do claim it for my 5 year. My 19 yr old daughter who is classed as my non-dependant does claim PIP so I am not sure how this part of the new scheme would impact me.
19 To be fair, it should continue to be based on the circumstances of the non dependant
20 I live alone, so do not have an opinion
21 You could take an X amount from benefits for council tax prior to the claimant getting paid. If the claimant does X amount of work then their contribution should increase.
22 YOU NEED TO TAKE INTO ACCOUNT THE AGE OF THE NON DEP ALSO IF YOUR BENEFIT IS ONLY £50PW AND YOU DEDUCT £5 PW HOW IS THAT PERSON GOING TO FEED THEMSELVES, CONTRIBUTE TO BILLS AND JOB SEARCH
23 I do not agree that those in receipt of a relevant disability benefit should have a flat rate deduction. I feel these should continue as the current system, zero deduction if the applicant and/or partner is in receipt of a relevant disability benefit. Applying a flat rate deduction to those who are already vulnerable due to a health condition or disability would have an impact on their ability to manage as they do not currently have to pay these deductions.
24 I'm not sure, but those deductions do not sound particularly high, I worry some people may struggle
25 too many loopholes and encourage people provide false information
26 At the moment this doesn't apply to me, and also I found reading it rather confusing.
27 Will this apply to disabled people not sure that should happen
28 all adults residing at a premises should pay their way
29 Again hard working people on low incomes penalised yet again.
30 I disagree if it's left to the applicant's to foot the bill. "In theory" Medway Council knows the names, addresses and National Insurance Numbers of the non dependents, go after them for your blood money! Also the discount should be the same rate for both working and non working dependants.
31 I agree that if the applicant has another a doula living with them then they should not receive the full discount benefit as the other adult should have their source of income and be able to give the application money towards the tax. However I don't agree that everyone should automatically receive the deduction with a non dependent as people's will play the system. I think the reduction should be discontinued where another no dependent is living in the house and the money saved should be used to keep everyone's rate low
32 What about services (military) families.
33 Proposed change would not appear to be relevant to my case as I live alone.
34 All non-dependant persons in one household should contribute to the expenses of that household whether they are in work or receiving benefit, if that is not forthcoming to the named Council Tax payer that becomes their responsibility of that household not the rest of the community, very much like their food/phone bills.
35 As with only 2 dependents being recognised regardless of how many children you may have, the same should apply to each household calculating a maximum of 2 adults.
36 I don't disagree.
37 Why should a non dependant be given a reduction if they are in work?

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38 Find out what the non dependent is earning - many are living at home to save money for a deposit for buying a house so the taxpayer is finding this by subsidising the householder who is getting the ctr
39 Unanswered on paper form
40 we used to have a scheme years ago whereby every adult paid, would this work now? can't remember what it was called or under what government regime.
41 (paper form - question was left blank)
42 paper form - answer illegible
43 I would like to tell you about the reduction of the garbage payment because to much
Question 13. Comments to Part 4 Disregarding the housing element of Universal Credit (40 comments)
1 What have you done with all the money that you did use last year apart from the covid sites what are not need
2 As long as council Tenants are aware of these or the changes for them.
3 They needs to be more details than that given before I could agree ?
4 Are you just trying to save money; to pay for council errors?
5 I agree that it makes sense to fall in line with DWP but if it going to cost more for the scheme then no. Find another way to save money so the cost doesn't reduce. There is lots of people that have no choice but have housing benefit and I fully respect and understand but there is some many people in Medway that choose not to work and have housing benefit and make an active choice to live their lives like that, this seems like it is encouraging this and the scope of thinking around this has been narrow.
6 Council tax is a a massive price we pay/ workers pay, every year you increase, will get to a point people wont be able to afford food you keep increasing all these costs. Im a single mum on benefits and yes i pay small price now in comparision to others but i also have other bills that rise every year to pay.
7 I should not pay any more than anyone else just because I make an effort to provide for my family and not live off of benefits
8 The housing element does not cover ground rent and some charges I am personally liable to pay, whether working or not and then you have to wait nine months. I am therefore worse off already than somebody living with the parents for example, although by your reckoning they cannot help out parents apparently by your reckoning with council tax even if they are working. The way the Government treats owner occupiers claiming benefits is already appalling. Just don't change this as it is just not fair. If council tax is paid by renters directly to you allow the housing reduction but often it is paid through rent.
9 I would still view this as income as it is being used for housing, the same way I would use my own income. The money is still being received so why increase the cost of the scheme in order to ignore this fact.
10 Not sure
11 Everyone pays the same regardless of benefits
12 I really don't have a good understanding of benefit scheme. I just gratefully accept what I am awarded. This is only whilst I can afford to live a reasonably happy, albeit frugal life.
13 Provided those qualifying have been thoroughly assessed and there is a genuine reason for credit
14 While there is an increase in the cost of the scheme, who will the increase be passed on too.
15 Why we have to pay when it simply don't work for the people in need
16 Declare: I am an unpaid carer.
17 If their benefits bring their income up to the same level as those who do not warrant a reduction, then they should be treated on a 'level playing field'.
18 Keep it as it is
19 Again those who pay the most will still pay the most, but they might not have the big income to cover this
20 This is a personal matter to the individual and their circumstances. Maybe best to have a leverage level displayed to illustrate guideline and requirements to register themselves as such.
21 Will the increase in the overall cost of the scheme be past on to the less fortunate????

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22 Universal credit should include an element to pay for council tax.
23 Understandably an increase may be necessary but only as long as the increase was fractional and not so great that customers were forced into further financial hardship.
24 Because some people don't use the housing element of their u.c for housing and just spend it. People on benefits need to live in the real world. They are receiving benefits and U are giving them a greater discount because of it. Where is the incentive to get these people back to work or upping their working hours if they are working. You do not give me a discount for my mortgage payments. So how is this fair? The social sector and private sector is totally out of sync. Sick to death of this entitled society.
25 NONE
26 Those who say they can not afford to pay the full rate .Most likely have the latest mobile phones lardge tvs sky etc .
27 The most vulnerable should be supported but using UC housing element as that marker may not be that accurate.
28 I do not claim universal credit, so do not have an opinion
29 The scheme is open to abuse and makes claimants even less likely to seek employment
30 If their benefit can be discounted can te same for my income be too
31 not happy
32 I agree you should disregard certain benefits. Either way your going force a "slight increase in the overall cost of the scheme"
33 I do think everyone should have to pay council tax. Why would you not? They are already benefiting in a scheme. I believe that it should be looked at very carefully and perhaps more housing credit given if it's a must to cover the cost of the police etc. I think this would make it clearer for everyone.
34 Difficult to answer without knowing what the proposed bands are and therefore the potential impact on my income.
35 Always owned my home so no experience
36 I agree with this scheme but some Tenants have debt problems paying Council Tax, and as I have had a Council Reduction I seen it help and easier to pay monthly. Their is no excuse for any Tenant not to be able to pay Council Tax even if they had a Reduction Scheme, generally even working class Tenants should have a Reduction.
37 I don't disagree
38 it should all be included as income, a person who works and has a mortgage would not get a disregard fir housing costs
39 stealing from the poor does not help alleviate poverty
40 I would like to tell you about the reduction of the garbage payment because to much
Question 15. Comments to Part 5 Removing the current earnings disregards and replacing them with a standard £25 per week disregard for all working applicants (35 comments)
1 Makes it harder for those working with more than 2 children
2 It will make others suffer! There should never be a reduction in any support
3 Not sure
4 Should be means tested regardless of circumstances. If other schemes in previous pages take account of children, OAPs, disability etc...
5 It will; discriminate against single personhouseholds
6 Charges are not fair.
7 I think that this would set a president for limiting child birthing rates in society removing a basic human right. The alternative would be to have again a simple grid deduction per child which is not difficult when using a simple spreadsheet.
8 People who intentionally only do 16 hrs should be included

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9 it seems like this is applying the same disregard to single parents as to couples and that's not fair. They may be working too but they have to support all the family overheads from one salary rather than sharing with another. Also two adults are going to use more of what C Tax pays for than one.
10 Keep as it is
11 May seem fairer to some families. Does not affect me as do not have children. Unable to comment further.
12 As explained in my previous. This is a personal matter to the individual and their circumstances. Maybe best to have a leverage level displayed to illustrate guideline and requirements to register themselves as such.
13 It sounds as though more families will be left with no choice but to apply for the exceptional hardship fund which is both stressful and maybe then more work on the councils part.
14 I disagree with this as having a large family can be challenging so it's important that for those that struggle get as much support offered to them as possible. I would propose, particularly for newly large families, that they are offered support
15 Does this exemption apply to me, I'm a single person, working without any dependents?
16 I agree to this proposal as it seems to be the better of the choices, it concerns me that larger families may miss out on support. As long as the processing of the Hardship Scheme Assessment (if eligible), were speedy so families do not slip into further financial hardship.
17 We should support families already struggling with childcare costs
18 In this day and age If you can not afford to keep your child clothes and feed you why bring a child into this world. There is so much protection now to not have children.
19 Again those with three children or more will have to apply to the councils Exceptional Hardship Scheme whereas if the council assess that a family may be in exceptional financial hardship that could trigger an extra payment without the family having to make a separate application.
20 To be fair, it should be based on the circumstances of the individual in work
21 FAR TOO LOW A BLANKET DISREGARD not fair on lower earners
22 no
23 Although administratively simpler, it doesn't seem very fair to lump everyone together and apply the highest disregard (£25) amount you currently have.
24 I don't think it's fair to say that single people, couples, lone parents etc. should have the same disregard because their setup is different/costs are different.
25 Yet again the needs the vulnerable are ignored and they, not the council, will have to do with less
26 Looks again like hard working families will get less.
27 Don't have large families if you can't support them. Help out ALL pensioners and the Disabled instead!
28 As a non-working individual with a private pension this, again, is a proposal which would not seem applicable to my situation.
29 Seems to have worked up till now
30 I feel like there will be a lot extra cost to this and it will be on the cost of something else. I do not have alternative ideas sorry.
31 Once again people paying for extra childcare will probably be worse off
32 I don't disagree
33 It seems
34 paper form - answer illegible
35 I would like to tell you about the reduction of the garbage payment because too much
Question 17. Comments to Part 6 To introduce a Minimum Income Floor for self-employed applicants (44 comments)
1 I am sorry but anybody who is working should not be getting any any benefit why should there when I got done for my girlfriend working back ****

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2 Self employed, depending on the job, are paid at different rates per hour/per day and, what happens if the minimum wage is scrapped.
3 Should keep a period for start-up for self-employed people. Just keep what there is at the moment. They get little enough support already.
4 Not sure
5 If they don't work 35 hours and they only work 5 how can they afford to pay extra if the income was not received Take note of all the hours worked not a standard figure
6 Why can't you just take into calculate the income based on the year before just like they do with normal tax every April.. If they can do it so can council tax
7 What you propose does not take into account that if you don't work - you don't earn. Hours may vary from week to week. Sole Traders like taxi drivers, driving instructors, beauty therapists, construction workers are self employed but do not necessarily work 35 hours 52 weeks of the year. Each person has ups and downs in flows of work, but on going expenses that do not change, like rent for chair, room, to taxi office etc, or franchise for use of car advertising etc or tools and short contracts 4-6 week one site then nothing for a month maybe then maybe next 6 mths work. The self employed do not get holiday pay, sick pay or national public holiday pay. There is no easy solution so therefore keep current system even though it does not necessarily work for all. All I know is that I spent time as a self employed person (call sole trader for tax purposes) and that one suit does not fit all persons. Very many years ago back in the 90's got into serious financial difficulties and the council man took a copy with my permission of the last 12 mths bank statement and came back with the reality that I was only earning £30 per week although my mortgage was being paid, was advised to get an accountant, which I could not afford. Received full council tax rebate and given necessary form for the up coming year. Best system over my working life was in the late 80s. Returned to work temp up London after have youngest child but because not permanent I was put as a casual signer at the unemployment exchange, found that although I work Mon-Fri I still had to sign for Saturday as I had not worked this helped with child care costs which government did not help with at the time. Sorry but child minders got greedy - the year it was introduced child care Doubled. That a debate I do not want to go down. Keep the current system - at least it helps
8 There should be no special discount/benefit for self employed. 1-it is their decision to change status- 2- there are already substantial tax benefit available by doing so- 3-it should not be a local authority consideration.
9 Irrespective of income, using the same services so all pay equally
10 Although my husband can no longer work ,he used to be a Taxi Driver and sometimes took very little money .He used to work 60 hours +, but very often his money would have fallen well below the national wage. To increase council tax in this circumstance on an assumption is dreadful and will put self employed people under even greater pressure. This should not be changed from the old system.
11 Self-employed benefit in other ways, eg paying themselves dividends rather than salary to avoid/reduce paying tax
12 In my experience it takes more than 1 year of self employment to be profitable. I would increase the period to 3 years.
13 If income is 'king' - you don't have to worry about hours worked.
14 An alternative would be to use predicted income for the following year as stated by self taxation paperwork. Use a simple formula, then deduct if applicable
15 Keep it as it is
16 This discriminates against the self employed and means that they will not get a fair reduction in Council Tax if their business income falls below the National Minimum Wage. They would need to provide accounts so that they can receive an appropriate Council Tax reduction.
17 Most business when started run in a deficit and the self employed person is likely to be earning less than the stated minimum, this will stifle small and independent upstart business preventing future growth for the local economy
18 Unable to comment as this does not affect me. However, any changes to the scheme may seem fairer.

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19 As explained in my previous. This is a personal matter to the individual and their circumstances. Maybe best to have a leverage level displayed to illustrate guideline and requirements to register themselves as such to qualify the reduction.
20 This appears to disadvantage those people that work self-employed because their employer has pushed them into self-employed status, not cool
21 My late husband was self employed and his wages fluctuated greatly. This proposal would/could have left us severely out of pocket depending on his wages.
22 I think it should not be 'assumed' that all Self Employed people earn the minimum wage or above but instead- perhaps local authorities could work with these businesses to first take into account what their monthly earnings are 'before' they are billed. Not only for the first year but as a matter of practice so they are billed on individual ability to pay.
23 Don't impose a minimum level which would harm those on the lowest incomes
24 NONE
25 If you are reducing the council tax for some it should be for all.
26 Because I am self employed, and I might working more than 35 h week, but selling Vintage clothing isn't plain sailing I am certainly not earning 35h weekly wages, still have bills to pay, which just about managing with help of Universal credit, prices are going up, but minimum living allowance has already been reduced, by £86 per month. I am not entitled to warm home discount, winter is coming up energy will increase too. And I sure I am not only one in this situation where I could do with keeping as much council tax reduction as possible.
27 To call yourself self employed, there should be a max amount of hours, as cash in hand still go's on,
28 it should not be assumed it should go on fact as this will cause such hardship to many
29 Im not self employed so do not have an opinion
30 If you are just starting your self employment or in these covid times having to start over again it can take a while to get your self employment up and running. Also if like myself you have a child with a disability but still want to work but can only do specific hours because your child has to be with you and can not be left alone assuming the applicant will be hitting the minimum hours per week is not a level playing field for some people. There must be a way to assess peoples individual circumstances in this situation.
31 Self-employed should be registered companies so that their incomes and taxes are properly accounted for. Since the government has introduced schemes like IR35, it appears selfemployed people are still earning money that they are not declaring and able to claim benefits.
32 People go self emp for many reasons. It may be to fit in with child care by doing some cleaning during the day. not every one who is self employed can earn over £1200 pm. this is punishing people
33 same as before
34 It seems unfair to penalise the people earning less than NLW?
35 It can be quite difficult to run a business, so assuming self-employed people earn the minimum wage is not appropriate to assume. Is it not possible/appropriate to learn more about these individuals' income to help them better?

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36 I do not agree with the MIF. The MIF is not realistic to what it is really like for self-employed people on low income. It does not take into account the true cost of being self-employed and does not allow the time that it takes to build a successful business. It is even worse for claimants that are sub-contractors where to all intent and purposes they are 'employed' so cannot go and find their own work but are at the beck and call of their contractor who can use them as and when they want with very little notice. If the claimant then says no they lose that work stream. It is company's using cheap labour and the workers have no security and very little income less than low paid PAYE workers. This means they have little financial resilience and on top of this get less help. It disproportionately affects men who tend to be in these kinds of jobs but now even women are working with companies such as Hermes as self-employed parcel deliverers getting about 59p a parcel. I think sub-contracted people should be treated the same as PAYE - using their invoice income and taking an amount off for NI and Tax each month or week - MIF is just an evil invention and in time many claimants will become homeless and destitute when all they are doing is trying to eek a living. Businesses that have a wage and dividends paid to them the information will be on the tax returns and is easily identified.

37 I agree with bringing this in line. Working more hours for less pay should not be penalised! Same way working less hours for more pay should not be rewarded!

38 People are being forced into self employment by the JCP and do not earn enough to meet the mythical national minimum wage, they would then be taxed as well!

39 Not applicable to me.

40 Self employed people vary rarely declare all they earn anyway

41 I don't disagree

42 The treatment of income for self-employed claimants for Council Tax Reduction will be brought broadly into line with those applicants who are self-employed and who are in receipt of Universal Credit. I don't understand why you are discriminating- just because one works flat out to earn ones living and pays ones taxes and the other claims self employment and UC and tax relief. no encouragement for people to work basically. For those in receipt of UC and self employed could you propose a scheme to help them get their earnings up and get off UC? grants etc?

43 paper form - answer illegible (something about tax breaks)

44 Because is to much payment garbag

Question 19. Comments to Part 7 Removing the Extended Payment provision (47 comments)

1 If they have been out of work, for a period say 2 years, then any grace period of support will help them in the work place and, give them time to adjust to the financial loss....to work costs money.

2 if people are moving to work from benefits they are not likely to have savings that they can rely on before getting paid from their job which could be a month later ... this provision would help at the moment them to afford to travel to work , feed themselves and budget before getting paid, affording clothes or equipment needed to start the job.

3 Not sure

4 If the applicant doesn't have the income as yet they won't be able to afford the payments, but I believe only a calendar month is sufficient for transition

5 Keep the payment extended, give us chance to transfer into work and get used to the income before trying to screw us over, I personally am on income support I am looking at going back to work when my youngest turns 2 (his currently 6 months old) if I feel I would lose anything going to work why would I? Working people should get more benefits to encourage those who don't work to work, those with children under 2 should be entitled to normal benefits as they sit currently, after 2 benefits should drop unless you have genuine reason to not work ie disability. When you go to work childcare should be fully supplied and paid for to help support those working, transferring over to work should be completely supported leaving the claimant with normal council tax and rent reductions for at least a month, you normally work 2 weeks in advance when getting a new job, leaving people skint for the first month or 2. Take into consideration new job rules ect or else you'll have noone wanting to get a job due to the panic of not being able to feed their family or having the councils fake bailiffs bashing on the door to collect your money.

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6 Look the system is broken long before it started. Lost job applied for income support which was not to start until my next pay date although I had to work a month before I was paid. For those going into Salary paid jobs (Monthly pay) - Child care paid upfront, travel costs to and from work paid, lunch costs need to be paid all before you have been paid. I was told my benefit would stop from the day I sign off and family income supplement would take upto 5 weeks after receipt of first pay cheque. Those on monthly paid loose both ends of unemployment period - 1st claim cannot be paid until after the date of last pay cheque and stops on the day you start work. Proposal keep the first 4 weeks extension.
7 Why should anyone receive extra help when the are working?
8 The amount of time to transfer from one form of payment to another as we know never runs smoothly, so who will pay the bill for council tax again to penalise the poorest people.
9 it is unfair on those getting universal credit and they are generally the poorest, treat everyone the same
10 It does not help .
11 You assume too much. For example, the recent £20 - uplift in UC was not available to ESA or IC (Legacy) claimants. The proposed move from Legacy benefits to UC could still take years for all claimants to be moved. Therefore, there is still inequality in the system. I cannot support further inequality, especially as current recommendations are to wait to be changed. Besides, any claimant on legacy benefits who go to work and subsequently claim, will automatically go onto UC. Change only for new claimants!!!
12 This could leave the applicant in financial difficulties if they move from benefits to paid employment especially were the applicants has to work a month in advance, the extended payment provision could be reduced to four weeks.
13 People in this bracket need additional support and extending the discount to ensure they are robustly settled in a new situation seems more resilient. It would seem fairer to adjust UC to the CTR extension rather than remove it from the other benefits.
14 Keep as before
15 Keep as it is
16 Single people are already struggling to live now. They would be able to survive without food banks now.
17 There is a delay in receiving Universal Credit. It is not immediate. Putting the person in a position of financial loss.
18 The claim is this is to prevent discrimination against people on new benefits compared to old, this is clearly just a cost saving measure as the reverse could easily be done. You should be granting the same rights to people for fairness, not removing them from others
19 As explained in my previous. This is a personal matter to the individual and their circumstances. Maybe best to have a leverage level displayed to illustrate guideline and requirements to register themselves as such to qualify the reduction.
20 It will penalise those who have just moved into work and need to adjust to the changes.
21 I find it unfair and unwise for those in receipt of universal credit to not be considered for a reduction in council tax as some of these people may have financial struggles as well as mental health issues that could do without the stress and struggle of council tax fines. I propose that this is made easier for those I mentioned above to be considered for a reduction
22 I think people that are in universal credit but then start working should also have the 8 week reduction period
23 Applicants who are still in receipt of legacy benefits and who move into work before being transferred to Universal Credit should not lose any potential extended payment.
24 Even when employed, presumably people will be working for at least 4 weeks before being paid. Does this proposal take this into account?
25 I agree only if wages along with the Universal Credit rate is greater than that of the legacy benefit rates then I agree, as customers will stand a chance of managing to pay their way and not fall into further financial hardship. Otherwise, I disagree and propose higher wages.
26 NONE

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27 Its not fair to reduce the tax for some and not others who have worked all their live and have to pay for others
28 Unemployed usually has same credit to pay, and same jobs You don't even get wages for atleast 4 weeks, there usually other expenses,when starting new job,travel cost,uniform etc. bills are coming, therefore council tax reduction is big help when transitioning from unemployment to starting a job.
29 When someone has been unemployed and then moves into work, they typically have to "prefinance" their first month's transport, parking etc, before they receive their paycheck/salary at the end of their first month working. With Universal Credit reductions happening once the "Change of Circumstances" is reported, an sudden increase in Council Tax due would be unwelcome and would put additional stress on vulnerable people. I agree that the current 8 weeks delay is too long; I suggest a 4 week delay.
30 its hard enough getting back into work people need help till they at least get their first pay
31 Im empolyed and have been since leaving school, so do not have an opinion
32 punishing people financially again removes incentives to get on own 2 feet
33 Again, it is worrying that certain people who are paid legacy benefits might miss out on extended payments when it is reasonable they are due these
34 this will encourage people to remain on benefits or go into UC
35 Yet again why are you hitting the poorest and most needy whilst being selective of the the benefit
36 There is a delay between acceptance onto Universal Credit and receipt. There is also a delay with appeals processes for individuals. Extended payment provision should remain.
37 When someone starts work and comes off benefits there should be a transition period of support. It is wrong to just take away support. My son had this experience and he had to borrow money from family to manage until he got his first wage. It can be frightening coming off benefits.
38 As i am still in receipt of 'legacy' benefits i would be worse off financially if this was 'approved'. Carry on as before in my opinion.
39 It should stay the same. There are no alternatives.
40 CTR should still run on for 8 weeks.
41 As I receive no benefits I can't address this point.
42 I feel those on Legacy benefits would be placed at a disadvantage, they cannot apply for an advance payment like Universal Credit recipients and will likely be placed in financial hardship due to working for several weeks before receiving payment from their employer. I propose this element should remain in place and would not be an administrative burden to do so.
43 Some Tenants have drug habits and spend all there savings payments on Drugs, they are also responsible for their bills no excuse if a debt occurs.
44 I don't disagree
45 paper form - answer illegible (something about tax for the poor and poverty)
46 I Don,t know
47 Paper form - this was left blank
Question 21.Comments to Part 8 Any new claim or change in circumstances which changes Council Tax Reduction entitlement will be made from the date on which the change occurs, (rather than on a weekly basis as at present) (11 comments)
1 I don't know as you say new changes may effect the plan. It must work these new changes as the safest options of the old style Reduction Scheme most Tenants paid and alot of the others are in debt some to their own, working class need some support to.
2 These people need time to adjust to any changes and a reduction plan should be arranged between all parties....not big brother putting his foot down
3 Not sure
4 The Russian say if something is not broken do not fix it so my thoughts are not to change the current scheme.
5 Seem reasonable

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6 New claims maybe but to deny a person or household's change in circumstances is uncaring and cold, it should be on a case to case basis. If Medway Council decides to adopt this option and insists there are no drawbacks then there shouldn't be any need for any increases in "administration fee, should there!
7 Overdue.
8 Entitlements is the proper way,
9 I don't disagree
10 paper form - answer illegible
11 I don't know
Question 23. Comments to Part 9 Extending the backdating provisions within the scheme (20 comments)
1 Not sure
2 The backdating should not be more than a month. Where circumstances change to the extent that help is required with council tax, people should be (and probably are in most cases) aware of the options. Help and advice is freely available from various organisations. The only acceptable delay should be in processing the application.
3 Payment should only be from the time of the claim.
4 12 mo th
5 If people dont apply in time it is their own fault
6 I propose that six month back dating payment of discount would be sufficient. After good cause is found for discount.
7 Not all circumstances may be relevant keep it simple
8 you should know which benefits are available, so should not take 12 months to work out.
9 Greater flexibility is a good thing
10 Its not fair to reduce the tax for some and not others who have worked all their live and have to pay for others
11 This would only give the applicant a lump sum that they do not need to pay for something that they have already used.
12 i would still limit the time to a month
13 This would lead to a possible significant increase in debt for the party concerned who are likely to be in poverty.
14 I agree with this change and believe that in cases where it can be shown that it's Medway Council's at fault the period of backdating should go back as far as as the "administrative error dates, no mater the cost. Medway Council has no qualms in holding other's responsible for its own errors believing the person/household it's penalising is at fault for not spotting Medway Council's errors! No matter what decision the cost is going to come out of everyone else's pocket's not Medway Council's!
15 Overdue
16 Eligibility is of course a Tenants responsibility. Also making sure they pay and as it happens the Reduction Scheme has helped me to.
17 I don't disagree
18 (paper form - question left blank)
19 paper form - answer illegible (possibly " the less strain upon the" ... illegible ... "righteous tabloid reader bigots")
20 I don't know
Question 25. Comments to Part 10 Protecting disabled persons by disregarding Personal Independence Payments or Disability Living Allowance and providing a further disregard of £40 per week where the applicant, partner or dependant is in receipt of the disability benefit. (26 comments)
1 No change

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2 Will it work,
3 I agree but i think there needs to be specification on what type of disabilities. I know people that are 'disabled' but not actually disabled in the slightest and live better lived than most of us , doesn't seem right that they get this disregard but for the genuinely disabled then most definitely.
4 Leave things along
5 The benefits replace wages or support when unable to work therefore people should still pay their way
6 Both DLA and PIP are non means tested benefits. They should never come into consideration for change, unless proposed by Westminister. The additional £40 disregard is welcomed.
7 Closer checks need to be made on people claiming PID or DLA as many people are able to work, drive a car and generally do most activities but still get PID and DLA. The people who cannot look after themselves are targeted to completed endless forms when its clear they are unable to work as their disability (mentally or physically is too severe). (Not including mental illness (caused by smoking drugs or other illegal substances) or claimed backaches that stop a person working for there entire adult life).
8 What happens when dwp unfairly takes pip or DLA away, suddenly get hounded by the council, hoping we go **** ourselves in the meantime because we can't afford it or can't stand what's happening, are you gonna provide extra support on helping get what we are entitled back and not just signpost
9 I am of the opinion that there should be deeper and more thorough checks on disability claims to weed out the fraudulent claims this could save a lot money to keep other services going
10 This seems fair to disabled citizens
11 this would benefit me greatly, remember er are real people not just statistics and numbers
12 If someone has a disability and their disability enables them to work then this should be reviewed. There are many jobs for people working from home now. Obviously people with disabilities and the range of their disabilities is vast and should not be treated as a blanket policy.
13 Its not fair to reduce the tax for some and not others who have worked all their lives and have to pay for others .its not the council who is paying for the reduced rate It the likes of me and thousands like me who have to pay the full rate.
14 Income is income whatever the source and people not entitled to any benefits are paying for the benefits
15 I do not moving to a income-based grid scheme, so cannot agree with the statement
16 At present the DLA and PIP are paying out more than ever. The definition of disability needs to be modified to not include people who can still function, but those who truly need the help of others to be able to function in their daily life. The councils and governments are paying out more and more in disability and people who could function normally appear to be entitled to that benefit. Mental health has increased due to Social Media platforms, so should we consider removing this from the benefits, or discounting them from this scheme. I believe that people with real disabilities should, but there are too many that can claim for disabilities that are not life threatening or debilitating.
17 Invariably people with disability need more room due to their disability so need to buy bigger properties. not all disabled people live in social housing or have disabled or unemployed spouses. This seems to me that those spouses who are paying their way & working will be penalised for living with someone with a disability
18 I agree with the PIP and DLA being disregarded however do not understand why a further £40 needs to be disregarded on top of this. I think £25 would be fair as this is the same as working people!
19 I agree with this completely, especially for those on the highest PIP/DLA payments and this should fully backdated to when the person started receiving the hugest rate(so. We, the disabled, get screwed over and pay out more and more each and every day/week/month/year due to substandard care and/or services provided by Medway Council.
20 PIP are awarded whether you get benefits or not and should be disregarded.
21 A person receiving Pip is currently earning and so is there partner why is this fair
22 As you have seen disabilities of certain Council Tenants as a fair few people have had their benefits changed to have a Reduction Scheme.
23 I don't disagree

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24 These benefits are substantial and should be counted
25 paper form - answer illegible ("less strain on" ..illegible ... "the better, they not the" ... illegible)
26 I don't know how to sey
Question 27. Comments to Part 11 Disregarding Carer's Allowance and the Support Component of the Employment and Support Allowance (25 comments)
1 You have some carers who are on income support or sickness benefits being carers for other people not even trained.
2 Leave things along
3 There are already provisions in the previous pages to account for this.
4 ***** allowance is in place of a wage. Wage earners have to pay so should be equal
5 No increase is acceptable
6 It depends on how you term cater, some claim this when they actually are well off but because they are entitled to it
7 I dont think people that are carers or get support related ESA should be disregarded from the calculation of income, as they get a low income and so should pay a low council tax rate or no council tax at all. I have just moved from the Greenwich Borough and I am in receipt of ESA (support group) and I never had to pay any council tax to the Greenwich borough.
8 The key is what slight increase means in the over hall charge of the scheme.
9 Some carers are intentionally looking after more than one person and making a claim for each person they look after.
10 It is difficult to make an informed judgement wg
11 This seems fair
12 I would like to know if this includes Special Guardianship Allowances, kinship allowance, and other payments that are received from Social Services that are for the support for children that are previous LAC's or live with other family members.
13 As previously said. A lot of these benefits are given out willy nilly. With lots of council workers working from home the face to face checks are a thing of the past. Carers allowances again should be tested. These are open to abuse. If someone has had to give up work to care for a relative then "yes". But if said person has never worked and is now suddenly "a carer". It makes you wonder. If a retired couple suddenly start claiming for their husband/wife. How is this allowed? Or their son/daughter suddenly becomes carer even though the son/daughter has never worked. There is no incentive again for people to work if they can suddenly start doing mum/dads shopping and get paid for it. Talk about easy street. How you police this I don't know.
14 What you are saying all the hard working people that worked all their working life and put a bit by if they could for their retirement to fund the scheme. How is that a fair solution.
15 Income is income whatever the source and income tax payers are paying for all benefits
16 I do not agree with moving to a income-based grid scheme
17 As per the disability benefit this should only be applied if the care is for those unable to cope, e.g. would not be able to leave the house and perform tasks around the house without the extra help.
18 For exactly the same reason as last time not all carers are paid for the care they give & have to work too by doing this you penalise those that work.
19 Should disregard the carer component of UC too
20 it read that you only would dis carers of in receipt of ESA
21 I agree with this, in my particular case, you add my daughters meagre £63/week in our household income but despite this you refuse to grant us the correct Council Tax Reductions. I believe in cases such as this should be backdated as far as said household's have been receiving "Carers Allowance" no mater the cost. Medway Council already puts a huge burden financially/mentally and physically on these households. I'm sure Medway Council will find a way of clawing it back from the lowest earner's somehow.
22 You say there may be a slight increase in the cost of this scheme

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23 I don't disagree
24 paper form - answer illegible (possibly stealing from the poor in a cunning way? ... illegible ... is sick and evil)
25 I don't know how to sey
Question 29. Comments to Part 12 Continuing to protect War Pensioners by disregarding War Pensions or War Disablement pensions in full and by enabling up to 100% support to be granted in some cases (19 comments)
1 Pensions can be added to which some people do and that's unfair to others
2 Not sure
3 I dont think war pensioners should pay council tax. They fought for our country.
4 Cost should not hit the people
5 I do agree with continuing this, but why should it incur extra cost when it is already in practice.
6 Why would you disregard the war pension. This is a personal matter to the individual and their circumstances. Maybe best to have a leverage level displayed to illustrate guideline and requirements to register themselves as such.
7 This seems fair
8 War Disablement pensions should be protected in full by enabling up to 100% support to be granted in some cases. There sh
9 Because these group of individuals put their lives in danger in other to serve and "protect king and country"
10 Income is income whatever the source
11 The armed forces is a choose you make, many people are injured in there line of work, but do not get the same treatment, is this because there is no glory just working for a living. so the disability side is ok but why another pension for doing a job of work?
12 I do not agree with changing the scheme, so i think we should keep it the same
13 not happy to pay more
14 War pensioner's fought for this damn country, they deserve all and any support from their Governments and Local Authorities. This should automatically be extended to ALL pensioners requiring additional financial support, as they paid into a tax and national insurance scheme all their working lives only to get screwed in the end.
15 I agree
16 Discounts should be given to war pensioners as a sign of respect
17 I don't disagree
18 paper form - possibly "any further strain for poor war-veterans is as wrong as" .. illegible
19 I don't know
Question 30. Any other comments on the proposed scheme (94 comments)
1 N/A
2 I feel that it is a sensible change to the CTR. I'm a disabled parent with a disabled child and currently I would have no idea if my reduction is correct!
3 The Council Tax should be affordable to all working and non working residents. Medway Council expect too much from the residents and don't give enough to warrant all the increases
4 Single people seems to h been forgotten in this new plan. I work and therefore under this new proposal I could end up paying all of my council tax. As a, single person I have no support but could end up paying the same as a couple.
5 Its a good idea
6 Seems a sensible option0
7 perhaps more in depth detail.

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8 be more patient on people who are struggling with council tax don't just chuck it out to the bailiff we pay tax on absolutely everything if your looking to put costs up so is everyone else except employers so its not easy out there

9 It sounds like good responses to problems from people who did not pay Council Tax, but also has ideas of helping Council Or other Tenants in households, as generally I feel that alot of problems of some council Tenants even who had a Reduction Scheme should have no excuses for not paying their council Tax, working class pay their Rent and council Tax without help from The social security, but covid has put alot of people onto Universal credit which I feel have curbed rent arrears for myself.

10 Are low-income households low income because of choice or because of specific health/medical related issues or genuine issues. For those claiming JSA over the past 2 years and on and off for the last 10 years and is fully abled and could easily get a job but doesn't, do i think they should get lots of help...no if anything they should be charged more. It is encouraging negative behaviour for certain groups and more thinking needs to be done to under stand those that this new scheme could support in the low income area. When a mention of additional costs or savings is made, it is impossible to sit here and say whether I agree or not when I have no idea what these figures are. Anything that increases costs to the scheme should come from any savings made from the scheme, basically juggling the money around in a different so it is proportioned slightly differently. If you provide the figures and asked me new or old scheme I would be able to be very clear, this is a very hypothetical question. If it is going to cost £1 extra I don't mind, if anything over £5000 or over no i don't want it. I would also be interested to know how much the council benefits from this potential change or non change. I think you have to also take into consideration the external financial factors at play here, I am a full time employee and work hard for my money for me and my family. In the last few months we have seen an increase to National Insurance, Council Tax, Petrol, Gas, Electricity and that is just to name a few things, the cost of living is turning into a joke and the rate of inflation is exceeding earnings. The council doing something now that could potential cost the council more is not a good idea, if this scheme is to go forward an huge amount of more work will be needed to make it fair as the information provided here is wishy washy. I do fear it is only a matter of time till the people start to revolt, there is so much negativity about Medway Council as every other council faces but Medway does get it particularly bad and things like this could cause serious issues and there will be some questions. Why does this have to happen now? We are dealing with a pandemic that has been completely mishandled and the public are effectively paying for the mistakes being made by the people that lead us. If you are going to create something new, rip the old up completely and start with a new innovative fresh approached, that actually is realistic with the realities particularly of those low income earners. Do something that clearly helps people and get them onside rather than another change that will jsut take more more and cause more aggro, lessons need to be learnt.

11 More help for carers and their disabled partners who have very low income or are claiming universal credit is paramount to this scheme.

12 The scheme should be designed to ensure that people who are on a low income have the means to pay what is required without having to sacrifice essential items from their budget. Many working families have higher outgoings than the amount of income they have coming in because of high rental costs in accommodation and the various costs of living so the income brackets need to be clearer and calculated appropriately.

13 If the scheme is implemented as explained,I believe that there is a level of fairness to all those who would be affected.

14 None

15 It makes sense to rationalise the support available to reflect the Universal credit regulations re benefits.

16 I agree that those on benefits get help with council tax,which is fair.

17 All good

18 From what is set out here I believe the proposed changes provide for a more streamlined and fairer system.

19 It seems logical.

20 Not sure things changing all time

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21 Should the administration savings not be used to benefit the vulnerable rather than increasing the council tax for others?
22 They should change the current scheme to support low - income households .
23 The scheme is in place to help those in need, some might need more support some will need less, I strongly believe it is a very individual situation and its about the best possible outcome for one particular household that could be so different from another household
24 I think that the amount of council tax that we pay at present is high enough. I cannot afford to pay any higher
25 As pensioner we are on a low income ,basic pension
26 As stated in previous comments, take into consideration those transferring over to work from being on benefits
27 In general I think this scheme is a good thing.
28 It appears to me that the theme of these changes are making the administration simpler but you will never please everyone
29 Support of disabled, medically ill and unemployed is of upmost importance. Any change that supports these things will be of benefit.
30 Overall it sounds more efficient and fairer to those most disadvantaged.
31 This exercise is not very effective. One cannot be sure how it will affect an individual. It is a paper exercise to fulfil your legal obligations
32 These changes should of been made earlier as the current scheme was way out of touch with current circumstances
33 I have failed to see how it affects me as I am a pensioner and have no other income sources. But I see how it could affect those on benefits.
34 On a limited income it can be hard to keep up with payments, especially living alone.
35 There seems to be a lot of changes to introduce in one go next April. The council might consider a phased introduction over a longer period - say 3 years - to minimise problems and hardship for those affected.
36 No comment
37 I think the more money someone earns then the more council tax they should pay. The people with the lowest income should pay the least council tax, or none at all.
38 Consider these changes to the present scheme make sense as they simplify the 'minefield' of the existing scheme and hopefully should make it easier for both claimants and employees to administer
39 The key words are targeted support and administration savings, we are not here to make your administration savings that is an internal council matter and not the concern of poor people, who need all the support one give us. I see no appreciable gain in the bring the scheme into fruition.
40 Some of the schemes yes but some big no. Too.
41 All very well including everyone in low income households, however there are many so called low income households where everyone smokes, drinks, drive excessively big cars and have a diet of takeaways. No prove is required to show where the payments are going to, however if you are a severe learning disabled person unable to walk, poor communication skills and needs care they have to provide receipts for every payment they make i.e. to day centre, outings to swimming pool, bowling etc. Most don't smoke or drink to excess and are unable to drive.
42 At the end of the day the Council does what it wants disregardles of what public opinions are and how the disabled and poorer public are really affected..
43 I agree with the scheme as long as it is going to save money and weed out all the false claimants. I also think families with more than 3 children should have there child allowance taken into account.
44 I'm dubious if this is solely to collect more cash of those that least afford it to maximise your coffers
45 n/a
46 Any move by the council to cut waste and use taxpayer money wisely is to be commended.
47 Changes are inevitable, provided no one is much worse off, the changes are appropriate.

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48 Going by the many years I have been a house owner, paying my way through society and having gained a great deal of experience and knowledge, knowing the system is by no means perfect, thus having all walks of life and conditions, it is apparent that changes need to be modelled for the better and enhanced as time moves on. Considerations need to be made more personal than a number, hence the "portal system", where the administration can be controlled to a minimum with less to no paper with the exception to the older generation "70+". level up the playing field so no one feels excluded, however circumstances need to be met. The scheme needs to be fairer and balanced. Utilise and embrace today's and tomorrow's technology to move the administration to be smarter and not harder.
49 The current changes should not interfere with the level of works council is providing.
50 If it means more help for low income families, then any proposed changes seem like a good idea. With the recent withdrawal to universal credit and the minuscule increase in other benefits each year (compared to the cost of living always rising, and more so if you're disabled and not able to work at all), major changes to council tax that mean people are worse off would only come as a massive stress and panic to people. Any easier system and less complicated way of applying sounds like a positive.
51 If the new scheme were to be implemented i would like more checks on low income families, that they do not receive any undisclosed income so that genuine claimants are looked after, as some who claim hide a bigger income.
52 There should be a discount for working people on a low income who receive working tax credit
53 N/A
54 Any proposed changes to the current scheme will be welcomed if it genuinely helps those most in need.
55 Please see my first comment (question 3) I would have preferred worked examples for the three models for each of the group's to allow me to make a fully informed decision.
56 I feel very cynical regarding changes to existing policies. I don't feel this survey was necessarily easy to follow. I simply cannot afford any increase in council tax. My cynical brain tells me that changes rarely equate to savings for the general public.
57 please please consider people and their circumstances
58 How are the saving going to be spent?
59 The council should be supporting more old age pensioners than any body else They even now have to find extra money to pay their TV licence. more out of their saving.
60 comments: as funding could be reduced on non essentials without seriously having a negative effect on the overall spending.
61 If it helps people and makes the process easier then it sounds ok. As long as it protects the most vulnerable. That is important.
62 There needs to be a reduction in all benefits as the country has become benefit dependent generally
63 If it changes it will be exactly the same people who are on a lower income will still be in the same situation
64 Any new scheme will get up some ones nose.
65 Overall, the changes look good and the team is commended on all efforts thus far.
66 I firmly believe we should keep the current scheme and be smarter with how we run it.
67 It seems very complicated to me.
68 What about the other pensioners? There is no mention about them. Will they still be rolled into the same working payments, or will they be protected?
69 Band 6 is too low and the earnings threshold should be circa £315 for a single person in line with the minimum wage
70 COST CUTTING MONEY PINCHING PUNISHING THE POOR AND LOW PAID
71 The system needs to be faire the customers who are hard up and on certain benefits have not got a lot of spare money to pay council tax the system need to be more flexible
72 I'm in favour of streamlining any service and making it better. But at this time any changes can't be at the cost of higher outlays.The money spent on admin could be used elsewhere.
73 none

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74 I don't agree overall with the income grid you are proposing to use as I don't think it is fair to categorise couples and lone parents together, and as I've explained, my own children will be worse off with what you propose.
75 Making processes more consistent with other aspects (e.g. benefits) will make it easier in terms of administrative tasks and customers' understanding. However, issues with the original things may continue going through and not actually being solved, so this should be beared in mind and steps taken to rectify these. People who are most likely to be affected negatively should be considered more than just low income households. There needs to be a wider approach in encouraging more people into work and being able to afford paying their council tax than relying on the Council Tax Reduction Scheme.
76 as long as it protects low earning incomes and the most vunerable it appears to address these issues
77 There are many aspects of these changes which are positive despite the overall ethics of targeting the poorest acknowledged above. The overall tax burden on people at present highest since 1950s
78 It seems to be a fair system being proposed and as long as it is easy to apply and easy to administer - with limited or no 'double' effort or keying in data that would be beneficial all round. Please do include those with mental illnesses like dementia and Alzheimer's disease who should be 'disregarded' as far as council tax is concerned and if living with their carer (wife or husband' the level of council tax paid would be as though the person was a single person.
79 No matter what scheme Medway Council put's or keeps in place will continue to be substandard and cost those in Ned of actual financial support worse off, whilst civil servants line their pockets!
80 "will deliver more targeted support and administration savings" translates as tax more save more cash for our brown envelopes.
81 I am not sure I fully understand why I was asked to consider completing the survey. Presumably, my age was a factor, but many of the points raised appear to relate to those receiving some form of benefits which is not applicable in my case.
82 If it's not broken leave it alone
83 The council needs to support low-income households and administration cost should be low to save finance. Simple Administration.
84 As a person who has very limited experience of benefits- this wasn't very well explained
85 n/a
86 I support the idea. No comments.
87 It seems you are only changing the council tax reduction scheme in order to accommodate for the changes in certain benefits so why change for everybody - not really sure what you mean by administration costs as we pay by direct debit so can't see any cost in that - nobody ever answers the phone in the council tax department so obviously no cost there for staff
88 I may have missed it but I assume some sort of increased payments will be made in line with the RPI or some similar index
89 It sounds like a good way forward.
90 I think people should be supported when their income is low.
91 This proposed scheme is so complicated as to be totally beyond the understanding of normal people.
92 Present scheme complex, change preferable N.B. customer completed paper form and made a umber of comments & annotations outside the main answers to the questions which could not be captured here
93 paper form probably "it is disgusting people pay more council tax less services so no austerity)
94 But a want to help for May payment garbage because is to much
Question 31 . Please use the space below if you would like the Council to consider any other options (please state) (44 comments)
1 N/A
2 Definitely the Single person allowance should be increased for people in Social Housing. You cannot reasonably feed/keep yourself warm, pay essential bills etc on the pittance given and pay Council tax
3 Make the reduction scheme easier for full time single parents to access and provide evidence instead of all of the unnecessary questions that you require.

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4 No one should have excuses for not paying their council Tax with or without a Reduction Scheme. Although I have spoke with working class who need some help to.
5 The single persons occupancy discount should be a separate element/section when applying for a discount because that shouldn't be classed as a benefit application (as it is now). The applicant should only need to prove that they are only occupant over 18 years of age residing at the residence regardless of whether they are working or not. If they are not working or on a lower income then they would be applying for council tax reduction in the form of a benefit which would then mean they need to share the details with you about their income, savings and outgoings. There is no need for all that information to be declared just because a person has declared they are living alone.
6 I think when i go back to work being single parent of 4 children under age of 11! I should have to only get 25% Off, i think council should help working single parents more with a bigger percentage of so they can afford to live , as currently not working i pay 39. A month but when i work 16 hours ill pay 130–140 odd yet my work wages will just replace what i get in benefit so why will i get effected massively by council tax that isnt far off the cost of a house with 2 working people? There is never help for single parents who work to provide alone. Only 25% off? But 25% more a house hold of 100 thousand a year can afford but my 7 thousand cant? Would be handy if the council Helped single parents in work with more than 25% off, no wonder people are poor
7 People that are working are paying enough in taxes and other contributions and should not be required to support others in Medway
8 Depending on other contributions made in this survey, I would think that Council should cosider other options after analysing them, after showing the pros and cons including positive benefits.
9 Lower tax amounts for poor people
10 As a pensioner, my Council Tax bill is always a worry. Any help we receive is welcome.
11 There was no benefit for residents supporting large households, including dependents and retired parents in need of extra domestic care.
12 Please make your letters easier to understand. I can never u derating them. Tell me how much I am going to receive and how much I have to pay. And stop punishing people for paying on a different date. You've taken me to court over lack of payment when I was paying it on the 16th and not the 21st. I have mental health problems and addiction and I pay it religiously when I get UC BUT its never good enough. If I'm paying it then please accept its being paid regardless of the actual date!
13 More support should be given to widowed parents, these households are turned upside down after the loss of a spouse, especially if that person was the main income provider It's a final situation with no choice where people are left with nothing after a loss but of course a different view when those left behind have savings over a certain amount
14 The present system should be continued
15 Yes i Would Like The Council To Consider Other Options!
16 Simplifying the calculations would help us understand more.
17 Look at all options
18 vet how much so called low incomes actually spend on leisure i.e. smoking, drinking, takeaways
19 What was the outlay of admin and costs when those on full benefits had 100% discount v's all the admin and costs chasing 35% off people that find it hard to pay, you end up taking some to court. If that 35% cost the admin etc what is the point, and reinstate 100%
20 n/a
21 If the council is finding it hard to fund all of it's commitments, perhaps it should look to it's events which are a non essential and being removing funding from those
22 Council should make every attempt to protect less abled and vulnerable peoples.
23 Please take a thorough look at your provision for special cases the way you have considered this proposal carefully and considered all options, this level of review needs applying to many of the financial services offered
24 N/A

APPENDIX 4

25 I think that this new scheme needs to show that it can support the working families on low incomes while also showing support for people that are on benefits or unable to work or have children or non-dependants that are on DLA or PIP or receive payments from social services for things such as Special Guardianship allowances, kinship allowance and so on as these children need to be able to live in a home that is not likely to suffer financial hardship due to lack of income or having to pay a higher rate of tax. Also is there still to be a discount if there has been adaptations made on the home by the local authority for people that have disabilities but have not been awarded PIP?
26 Try harder to wipe out the fraudulent claims which are many and blatant
27 Sack most of the staff and get a large computer, as this will happen in the future any way.
28 I would suggest that successful applicants benefiting from Council Tax Reduction should also receive allied benefits, such as Warm Home Discounts, discounted water, electricity, internet etc. It may be worth the Council entering into agreements with providers to make this easier for its most vulnerable and needy residents.
29 I firmly believe we should keep the current scheme.
30 What about the other pensioners?
31 INCOME AND CIRCUMSTANCES BASED
32 The customer who were on benefits previously did not pay council tax at all this was fairer
33 I think the councils main objective must be just to keep all essential services running at this very difficult time. If there is great changes you risk the possibility of people slipping through the system? Which can cause untold misery and more time and money to sort out.
34 council should stop discriminating people according to how much they earn we 're sending everyone specially to the younger generation a very bad message so if you're on disability , benefits,UC you get off easy
35 I would like the income grid to change so my own children aren't disadvantaged. This is the problem with introducing blanket changes, rather than assessing families more individually. I don't want my own disposable income to reduce at a time when my pay is frozen and my children need more. I think it is short sighted as well because by going to university, my children will be in a better position to contribute to the economy in the future. As I indicated, the changes you're proposing are also causing me to reflect on my own work/life decisions.
36 Increase in direct grant by using xxxxxxxx to lobby for additional government finance. Current tax burden highest since 1950s; government should move monies from COVID suppliers (xxxxxxxxxxxxxx) to local government.
37 Why don't the civil servant's and elected Councillors take a pay cut to pay for their "proposed" changes and making those in need pay for it.
38 Using an income based reduction grid would be very unfair on people who live alone: work full time and do not draw benefits. Using income based, does not allow true reflection of living costs for that household (fuel to work, insurances, etc). People that live on their own cannot ask for a partner to help out with unexpected bills.
39 n/a
40 No other options.
41 No one on DWP should pay any contributions to council tax at all. Most on WDP Benefits cannot even to eat and heat properly, let alone pay Council Tax. Take many people on ESA, they may be of 'working age,' but will never be able to work through ill health. The 'Working age' badge is purely a misnomer with any government department.
42 Make the administration documentation simpler. At present it is totally incomprehensible. The amount of paper is at least one Amazon Tree. Nobody saves money by generating documentation.
43 paper form - answer illegible but along the lines of "reducing council tax for the poor, a policy of no austerity"
44 Yes but for May payment is too much for May self payment garbage

APPENDIX 4

Question 32 . If you have any further comments or questions to make regarding the Council Tax Reduction Scheme that you haven't had opportunity to raise elsewhere, please use the space below. (44 comments)

1 N/A

2 There needs to be liaison with frontline Housing Officers so that they and their Estate Champions are aware of help available to keep the Social Housing Tenants aware

3 I think that that amount of earnings from savings is much too high. They were assessed at an unrealistic level before the pandemic but are even worse now.

4 Stop use use are money on the coivid sites as nobody use them anymore when u can get them from anywhere and the mps should be pay the sane not more and keep the same tax amount

5 I hope it works.

6 The current system is very intrusive and many questions that are asked are unnecessary which means many people do not actually apply for help when then need for fear of actually be worse off financially after they have declared everything that your current applications ask. I don't know how to make it simpler but possibly linking the DWP systems for benefit claiming applicants and better and easier communication between the departments would make it easier for applicants to know what they are eligible for and how they obtain it

7 Try to get work shy off of benefits and back to work

8 No

9 Update the website. It looks like it's from 1995, is confusing and difficult to use.

10 The wording is rather complicated and even difficult to understand for a resident working in a highly professional environment!

11 Self-employed person - There are a lot of industries which keep people self employed/franchaised person because it saves on pensions, taxes, sickness benefits, holiday pay etc. and because they are short term contracts or simply independent workers within a skilled industries, plumbers, electricians, driving jobs, home hair dressers etc. The old system that went along side Working Tax Credit/Housing/Council tax benefit was not great but helped. You cannot ass-u-me that if one is self employed they earn a living wage. More likely they rather do some work, keep self-respect and not be on dole

12 No.

13 I am in receipt of ESA (support group) and I cannot afford to pay the council tax. I suffer with a lot of illnesses including OCD, anxiety and depression, which I am taking medication for, but having to pay the rate of council tax for being on ESA has made my illness's worse than what they were.

14 consider some pensioners are receiving £140 week state pension, like others need support, far below the minimum wage

15 I'm not sure if I'm in the correct band, I an a registered person

XX

16 Yes. You should take the opportunity to link it to waste disposal and target households that contribute more weekly waste get an initial opportunity to adjust their behaviour (a mandatory course maybe - like having to take driving lesson refresher courses if you get caught speeding) and if they don't lessen their impact on the environment then their council tax bill goes up & their CTR reduction is therefore nullified. As a single parent household with 1 black bag and 2 recycling bags of waste per week - i find it shocking that there are two parent households regularly contributing 8 or 9 black bags of waste per week!!! and i have to both suffer the pollution consequences AND pay extra council tax so that you can clean their mess up. There is no more time to waste on this and you need to get heavy with people.

17 Gov, councils all spend spend spend to recover very little, cost at source, sometimes it's more cost effective going back to older systems

18 n/a

19 Happy for the change.

20 Just that ALL CLAIMANTS FOR ANY BENEFITS should be more thoroughly vetted because of illegal claims which costs us all more money.

APPENDIX 4

21 NONE
22 It is important to keep as much council deduction to people as possible,perhaps to save for it,recycling and garden collections could reduced yo every fortnight. Also I have noticed a lot of lights and computers left on in the buildings,true the night,school holidays etc,if that's done in the building where council pays bills for,perhaps turning things off,and other energy and money saving methods could be implemented, also reducing a carbon footprint.Regards xxxxxxxx
23 Robot bin men?
24 I firmly believe we should keep the current scheme.
25 I would just like it to fair across the board and make it easier to apply for not every body has the internet but the council thinks they do , also some customers cant do the paperwork them selves make it easier for support workers to get the the hoops ! you email and get the sorry we have high volumes of emails response and often dont get a reponse at all very stressful when you could end up in jail for non payment. your tel 01634 333222 is simply terrible
26 Thank you for the chance to have my say . It is much appreciated and makes people feel inclusive.
27 no
28 I would like to know what other measures you're taking to reduce costs.
29 Provide details about the terms and conditions of the Council Tax Reduction Scheme online, in full, when the new one is finalised for transparency.
30 Do not use the most vulnerable and or poorest as cash cows to the council
31 as long as it doesnt affect me as a low wage earner
32 The needs to be more consideration given to single pensioners who do not qualify for any additional benefits in excess of their state pension.
33 Overall it is an ethical scheme. It should be scrapped at the earliest opportunity.
34 Does the new scheme permit the single person discount for paying council tax
35 Medway Council needs to stop threatening to make their substandard "service's" even worse if it's residents refuse to agree to their demands to claw money from those who really actually need it, not including those who pump out kids to get extra financial benefits and needs. Make the rich and the higher earners, pay more and civil servants and councillors should take a pay cut and give up their discount's and perks. By civil servants I mean those actually working for/in Local Authorities such as Medway Council!
36 I think the whole benefits system needs looking at further and although most of this change will be great I think more people with have a change to 'play the system' rather the being fair to all and those whole truly need help.
37 n/a
38 I have no further comments.
39 I would like to have seen the calculation of costs proving the new arrangements were broadly cost neutral
40 This form and it's contents are too complicated for normal people let alone with mental health issues.
41 whatever is done we need to get value for money,ie road cleanersneed to sweep roads so dirt doesnt get swept into drains causing blockages which cost yet more monet to fix
42 If you are disregarding my council tax allowances I would at least ask you to maintain my roads to a full standard and the overflowing road drains already reported in a planning consultation for Bakersfield I would expect you to clear in the first 3 months of the new year. xxxxxxxxxxxxxxxxxxxxxxxxxx please action Medway Council. please get back to me in confirmation. you need to deliver results especially if you are taking away privileges. also you need to refuse planning permission to further housing in the Lower Rainham Road area as it is overcrowding the roads and facilities such as doctors etc
43 paper form - possibly "taking and stealing from poor via council tax drives down living standards which is evil given millionaire scum get tax breaks"
44 Because there IS a lot of money I need you to reduce my garbage payment fess if possible



**Medway Council
Council Tax Reduction Scheme
S13A and Schedule 1a of the Local Government Finance Act 1992**

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1.0 Introduction to the Council Tax Reduction Scheme

- 1.1 The following has been adopted by the Council and details the Council Tax Reduction scheme for the period from 1st April 2022.
- 1.2 This document details how the scheme will operate for both pension credit age and working age applicants and in accordance with Section 13A of the Local Government Finance Act 1992 specifies the classes of person who are to be entitled to a reduction under the scheme and is effective from 1st April 2022 for a period of one financial year.
- 1.3 The scheme in respect of pension age applicants is defined by Central Government within the following:
- Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012;
 - Council Tax Reduction Schemes (Prescribed Requirements and Default Scheme) (England) (Amendment) Regulations 2012;
 - Council Tax Reduction Schemes (Transitional Provision) (England) Regulations 2013;
 - Council Tax Reduction Schemes (Detection of Fraud and Enforcement) (England) Regulations 2013;
 - Council Tax Reduction Schemes (Prescribed Requirements) (England) (Amendment) Regulations 2013;
 - The Council Tax Reduction Schemes (Prescribed Requirements) (England) (Amendment) (No. 2) Regulations 2014;
 - The Council Tax Reduction Schemes (Prescribed Requirements) (England) (Amendment) Regulations 2015;
 - The Council Tax Reduction Schemes (Prescribed Requirements) (England) (Amendment) Regulations 2016;
 - The Council Tax Reduction Schemes (England) (Amendment) Regulations 2017;
 - The Council Tax Reduction Schemes (Prescribed Requirements) (England) (Amendment) Regulations 2018;
 - The Council Tax Reduction Schemes (Prescribed Requirements) (England) (Amendment) Regulations 2020;
 - The Council Tax Reduction Schemes (Prescribed Requirements) (England) (Amendment) Regulations 2021;
 - The Council Tax Reduction Schemes (Prescribed Requirements) (England) (Amendment) Regulations 2022; and
 - Local Government Finance Act 1992 (as amended by the Local Government Finance Act 2012).

The scheme for pension age applicants – Central Government’s scheme as defined by the Council Tax Reduction Scheme (Prescribed Requirements) (England) Regulations 2012

- 1.4 There are three main classes under the prescribed pension credit age scheme, for each of which there are a number of qualifying criteria. In all cases individuals must not be of a prescribed class exempted from reduction, such as a person subject to immigration control with limited leave to remain. The definition of a pension credit age person is a person who;
- (a) has attained the qualifying age for state pension credit; and
 - (b) is not, or, if he has a partner, his partner is not;
 - i. a person on income support, on an income-based jobseeker’s allowance or on an income-related employment and support allowance; or
 - ii. a person with an award of universal credit

The three prescribed classes are as follows;

Class A: pensioners whose income is less than the applicable amount.

On any day Class A consists of any person who is a pensioner:

- (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 5 of Schedule 1 of the Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012, is not absent from the dwelling throughout the day; in respect of whom a maximum Council Tax Reduction amount can be calculated;
- (c) who does not fall within a class of persons prescribed for the purposes of paragraph 2(9) of Schedule 1A to the Local Government Finance Act 1992 and excluded from the authority's scheme;
- (d) whose income (if any) for the relevant week does not exceed his applicable amount calculated in accordance with paragraph 9 and Schedule 2 of the Local Government Finance Act 1992;
- (e) not have capital savings above £16,000; and
- (f) who has made an application for a reduction under the authority's scheme.

Class B: pensioners whose income is greater than the applicable amount.

On any day class B consists of any person who is a pensioner:

- (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 5 of Schedule 1 of the Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012, is not absent from the dwelling throughout the day; in respect of whom a maximum Council Tax Reduction amount can be calculated;
- (c) who does not fall within a class of person prescribed for the purposes of paragraph 2(9) of Schedule 1A to the Local Government Finance Act 1992 and excluded from the authority's scheme;
- (d) whose income for the relevant week is greater than his applicable amount calculated in accordance with paragraph 9 and Schedule 2 to the Local Government Finance Act 1992;
- (e) in respect of whom amount A exceeds amount B where:
 - (i) amount A is the maximum Council Tax Reduction in respect of the day in the applicant's case; and
 - (ii) amount B is 2 6/7 per cent of the difference between his income for the relevant week and his applicable amount;
- (f) not have capital savings above £16,000; and
- (g) who has made an application for a reduction under the authority's scheme.

Class C: alternative maximum Council Tax Reduction

On any day class C consists of any person who is a pensioner:

- (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 5 of Schedule 1 of the Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012, 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 prescribed for the purposes of paragraph 2(9) of Schedule 1A to the 1992 Act and excluded from the authority's scheme;
- (e) who has made an application for a reduction under the authority's scheme; and
- (f) in relation to whom the condition below is met.

The condition referred to in sub-paragraph (f) is that no other resident of the dwelling is liable to pay rent to the applicant in respect of the dwelling and there is an alternative maximum Council Tax Reduction in respect of the day in the case of that person which is derived from the income, or aggregate income, of one or more residents to whom this sub-paragraph applies.

The above applies to any other resident of the dwelling who:

- (a) is not a person who, in accordance with Schedule 1 to the 1992 Act, falls to be disregarded for the purposes of discount;
- (b) is not a person who is liable for council tax solely in consequence of the provisions of section 9 of the 1992 Act (spouse's or civil partner's joint and several liability for tax);

- (c) is not a person who is residing with a couple or with the members of a polygamous marriage where the applicant is a member of that couple or of that marriage and—
 - (i) in the case of a couple, neither member of that couple is a person who, in accordance with Schedule 1 to the 1992 Act, falls to be disregarded for the purposes of discount; or
 - (ii) in the case of a polygamous marriage, two or more members of that marriage are not persons who, in accordance with Schedule 1 to the 1992 Act, fall to be disregarded for the purposes of discount;
- (d) is not a person who, jointly with the applicant, falls within the same paragraph of section 6(2)(a) to (e) of the 1992 Act (persons liable to pay council tax) as applies in the case of the applicant; or
- (e) is not a person who is residing with two or more persons both or all of whom fall within the same paragraph of section 6(2)(a) to (e) of the 1992 Act where two or more of those persons are not persons who, in accordance with Schedule 1 to the 1992 Act, fall to be disregarded for the purposes of discount.

Disregard of certain incomes

- 1.5 For those who have reached the qualifying age for state pension credit, the Council has resolved to enhance the government scheme (as defined by the Council Tax Reduction Scheme (Prescribed Requirements) (England) Regulations 2012 to disregard in full the following:
- (a) a war disablement pension;
 - (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 sub-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.
- 1.6 The authority further enhances Central Government's scheme for pensioners in so far as, further to schedule 7 part 1 of the prescribed requirements, the authority determines to accept a new claim for Pension Credit as a claim for Council Tax Reduction where it receives a 'Local Authority Claim Information' document from the DWP

The provisions outlined above, enhance the Central Government's scheme.

THE SCHEME FOR WORKING AGE APPLICANTS – THE COUNCIL'S LOCAL SCHEME

- 1.7 The adopted scheme for working age applicants is an income band scheme means test, which compares income against a range of discounts available. Full details of the working age scheme of the authority are contained within this document from section 2 onwards. The authority is required to specify a scheme for working age and therefore this scheme only applies to a person who;
- (a) has not attained the qualifying age for state pension credit; or
 - (b) has attained the qualifying age for state pension credit if he, and his partner, is a person on income support, on an income-based jobseeker's allowance, on an income-related employment and support allowance or on universal credit.
- 1.8 The Council has resolved that there will be **two** classes of persons who will receive a reduction in line with adopted scheme. The scheme has qualifying criteria. In all cases individuals must

not be of a prescribed class exempted from reduction as specified within section 7 of this scheme.

Class D

To obtain reduction the individual (or partner) must:

- (a) have not attained the qualifying age for state pension credit; or
- (b) he has attained the qualifying age for state pension credit and he, or if he has a partner, his partner, is a person on income support, on income-based jobseeker's allowance or an income-related employment and support allowance; or a person with an award of universal credit.
- (c) be liable to pay council tax in respect of a dwelling in which he is solely or mainly resident;
- (d) is not deemed to be absent from the dwelling;
- (e) not fall within a class of person prescribed for the purposes of paragraph 2(9) of Schedule 1A to the Local Government Finance Act 1992 and excluded from the authority's scheme;
- (f) be somebody in respect of whom a maximum Council Tax Reduction amount can be calculated;
- (g) not have capital savings above £16,000;
- (h) not have income above the levels specified within the scheme;
- (i) be a person in respect of whom a day in which s/he is liable to pay council tax falls within a week in respect of which the person's *income* is within a range of incomes specified within Schedule 1; and
- (j) has made a valid application for reduction.

Class E

Those working age applicants who (or where their partner) is in receipt of a war pension or war disablement pension shall be entitled to make a claim for reduction and will be assessed under Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012 as amended.

Council Tax Reduction Scheme

Details of reduction to be given for working age applicants for the financial year 2022/23

2.0 Interpretation – an explanation of the terms used within this policy

2.1 In this policy–

‘the 1992 Act’ means the Local Government Finance Act 1992;

‘the 2000 Act’ means the Electronic Communications Act 2000;

‘Abbeyfield Home’ means an establishment run by the Abbeyfield Society including all bodies corporate or incorporate 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;

‘an 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 the authority designates as able to claim Council tax reduction – for the purposes of this policy all references are in the masculine gender but apply equally to male and female;

‘application’ means an application for a reduction under this scheme:

‘attendance allowance’ means–

(a) an attendance allowance under Part 3 of the Act;

(b) an increase of disablement pension under section 104 or 105 of the Act;

(c) a payment under regulations made in exercise of the power conferred by paragraph 7(2)(b) of Part 2 of Schedule 8 to the Act;

(d) an increase of an allowance which is payable in respect of constant attendance under paragraph 4 of Part 1 of Schedule 8 to the Act;

(e) a payment by virtue of article 14, 15, 16, 43 or 44 of the Personal Injuries (Civilians) Scheme 1983 or any analogous payment; or

(f) any payment based on need for attendance which is paid as part of a war disablement pension;

‘the authority’ means a billing authority in relation to whose area this scheme has effect by virtue of paragraph 4(6) of Schedule 1A to the 1992 Act;

‘basic rate’, where it relates to the rate of tax, has the same meaning as in the Income Tax Act 2007 (see section 989 of that Act).

‘board and lodging accommodation’ means accommodation provided to a 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;

‘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 as amended by The Child Benefit (General), Child Tax Credit (Amendment) Regulations 2014 and The Child Benefit (General) (Amendment) Regulations 2015;

‘child tax credit’ means a child tax credit under section 8 of the Tax Credits Act 2002;

‘the Children Order’ means the Children (Northern Ireland) Order 1995;

‘claim’ means a claim for council tax reduction;

‘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;

‘contributory employment and support allowance’ means an 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;

‘converted employment and support allowance’ means an employment and support allowance which is not income-related and to which a person is entitled as a result of a conversion decision within the meaning of the Employment and Support Allowance (Existing Awards) Regulations;

‘council tax reduction’ means council tax reduction as defined by S13a Local Government Finance Act 1992 (as amended);

‘couple’ means;

- (a) a man and woman who are married to each other and are members of the same household;
- (b) a man and woman who are not married to each other but are living together as husband and wife;
- (c) two people of the same sex who are civil partners of each other and are members of the same household; or
- (d) two people of the same sex who are not civil partners of each other but are living together as if they were civil partners.

Two people of the same sex are to be treated as living together as if they were civil partners if, and only if, they would be treated as living together as husband and wife were they of opposite sexes.

‘date of claim’ means the date on which the claim is made, or treated as made, for the purposes of this policy

‘designated authority’ means any of the following;

the local authority; or a person providing services to, or authorised to exercise any function of, any such authority;

‘designated office’ means the office designated by the authority for the receipt of claims for council tax reduction;

- (a) by notice upon or with a form approved by it for the purpose of claiming council tax reduction; or
- (b) by reference upon or with such a form to some other document available from it and sent by electronic means or otherwise on application; or
- (c) by any combination of the provisions set out in sub-paragraphs (a) and (b) above;

‘disability living allowance’ means a disability living allowance under section 71 of the Act;

‘dwelling’ has the same meaning in section 3 or 72 of the 1992 Act;

‘earnings’ has the meaning prescribed in section 25 or, as the case may be, 27;

‘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 2000 Act;

‘employed earner’ is to be construed in accordance with section 2(1)(a) of the Act 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;

‘Employment and Support Allowance Regulations’ means the Employment and Support Allowance Regulations 2008 and the Employment and Support Regulations 2013 as appropriate;

‘Employment and Support Allowance (Existing Awards) Regulations’ means the Employment and Support Allowance (Transitional Provisions, Housing Benefit and Council Tax Benefit) (Existing Awards) Regulations 2010;

‘family’ has the meaning assigned to it by section 137(1) of the Act and Section 8 of this scheme;

‘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 him on 24th April 1992 or, in Scotland, on 10th April 1992;

‘a guaranteed income payment’ means a payment made under article 14(1)(b) or article 21(1)(a) of the Armed Forces and Reserve Forces (Compensation Scheme) Order 2005(b);

‘he, him, his’ also refers to the feminine within this policy

‘housing benefit’ means housing benefit under Part 7 of the Act; **‘the Housing Benefit**

Regulations’ means the Housing Benefit Regulations 2006;

‘Immigration and Asylum Act’ means the Immigration and Asylum Act 1999;

‘an income-based jobseeker’s allowance’ and **‘a joint-claim jobseeker’s allowance’** have the same meaning as they have in the Jobseekers Act 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;

‘Income Support Regulations’ means the Income Support (General) Regulations 1987(a);

‘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 assigned to it by section 2 of the Care Standards Act 2000; and
- (c) in Scotland, means an independent health care service as defined in section 2(5)(a) and (b) of the Regulation of Care (Scotland) Act 2001;

‘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;

‘Jobseekers Act’ means the Jobseekers Act 1995; **‘Jobseeker’s Allowance Regulations’** means the Jobseeker’s Allowance Regulations 1996 and Jobseeker’s Allowance Regulations 2013 as appropriate; **‘limited capability for work’** has the meaning given in section 1(4) of the Welfare Reform Act;

‘limited capability for work-related activity’ has the meaning given in section 2(5) of the Welfare Reform Act 2007;

‘the London Bombing 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 dependants 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 except in Part 1 of Schedule 1;

‘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;

‘member of a couple’ means a member of a married or unmarried couple;

‘member of the work-related activity group’ means a claimant who has or is treated as having limited capability for work;

‘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;

'net earnings' means such earnings as are calculated in accordance with this scheme;

'net profit' means such profit as is calculated in accordance with this scheme;

'the New Deal options' means the employment programmes specified in regulation 75(1)(a)(ii) of the Jobseeker's Allowance Regulations and the training scheme specified in regulation 75(1)(b)(ii) of those Regulations;

'new dwelling' means, for the purposes of the definition of 'second authority' and sections 60C, and 61C the dwelling to which a applicant has moved, or is about to move, in which the applicant is or will be resident;

'non-dependant' means any person, who normally resides with an applicant or with whom an applicant normally resides except;

(a) any member of the applicant's family;

(b) if the applicant is polygamously married—

(i) where the applicant has (alone or jointly with his partner) an award of universal credit, any—

(aa) party to such a marriage other than the applicant's partner; and

(bb) any child or young person who is a member of his household and for whom he or his partner or another party to the polygamous marriage is responsible; or

(ii) in any other case, 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) 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) 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; and

(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.

'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;

'ordinary clothing or footwear' means clothing or footwear for normal daily use, but does not include school uniforms, or clothing or footwear used solely for sporting activities;

'partner' means—

(a) where an applicant is a member of a couple, the other member of that couple; or

(b) where an applicant is polygamously married to two or more members of his household, any such member to whom he is married;

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

'payment' includes part of a payment;

'pensionable age' has the meaning given by the rules in paragraph 1 of Schedule 4 to the Pensions Act 1995 as amended by the Public Services Pension Act 2013 and Pensions Act 2014;

'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;

'pensioner' a person who has attained the age at which pension credit can be claimed;

'person affected' shall be construed as a person to whom the authority decides is affected by any decision made by the council;

'personal independence payment' has the meaning given by Part 4 of the Welfare Reform Act 2012 and the Social Security (Personal Independence Payments) 2013;

'person treated as not being in Great Britain' has the meaning given by section 7;

'personal pension scheme' means—

(a) a personal pension scheme as defined by section 1 of the Pension Schemes Act 1993 as

amended by the Public Service Pension Act 2013;

(b) an annuity contractor trust scheme approved under section 20 or 21 of the Income and Corporation Taxes Act 1988 or a substituted contract within the meaning of section 622(3) or that Act which is treated as having become a registered pension scheme by virtue of paragraph 1(1)(f) of Schedule 36 of 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 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 a marriage to which section 133(1) of the Act refers namely;

(a) a person is a husband or wife by virtue of a marriage entered into under law which permits polygamy; and

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

'public authority' includes any person certain of whose functions are functions of a public nature;

'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 course' means a qualifying course as defined for the purposes of Parts 2 and 4 of the Job Seeker's Allowance Regulations 1996

'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 person in respect of whom payment has been made from the Fund, the Eileen Trust, MFET Limited, the Skipton Fund, the Caxton Foundation 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 authority' means an authority administering council tax reduction;

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

'resident' has the meaning it has in Part 1 or 2 of the 1992 Act;

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

'self-employment route' means assistance in pursuing self-employed earner's employment whilst participating in–

(a) an employment zone programme;

(b) a programme provided or other arrangements made pursuant to section 2 of the 1973 Act (functions of the Secretary of State) or section 2 of the Enterprise and New Towns (Scotland) Act 1990 (functions in relation to training for employment, etc.);

(c) the Employment, Skills and Enterprise Scheme;

(d) a scheme prescribed in regulation 3 of the Jobseeker's Allowance (Schemes for Assisting Persons to Obtain Employment) Regulations 2013;

(e) Back to Work scheme.

'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 persons suffering from hepatitis C and other persons eligible for payment in accordance with the scheme’s provisions.

‘special account’ means an account as defined for the purposes of Chapter 4A of Part 8 of the Jobseeker’s Allowance Regulations or Chapter 5 of Part 10 of the Employment and Support Allowance Regulations;

‘sports award’ means an award made by one of the Sports Councils named in section 23(2) of the National Lottery etc. 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 Act’ means the State Pension Credit Act 2002;

‘student’ has the meaning prescribed in section 43;

‘subsistence allowance’ means an allowance which an employment zone contractor has agreed to pay to a person who is participating in an employment zone programme;

‘the Tax Credits Act’ means the Tax Credits Act 2002;

‘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, the Young People’s Learning Agency for England, the Chief Executive of Skills Funding or 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, the department or approved by the 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.

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 1973 Act or is training as a teacher;

‘the Trusts’ means the Macfarlane Trust, the Macfarlane (Special Payments) Trust and the Macfarlane (Special Payments) (No. 2) Trust;

‘Universal Credit’ means any payment of Universal Credit payable under the Welfare Reform Act 2012, the Universal Credit Regulations 2013, The Universal Credit (Consequential, Supplementary, Incidental and Miscellaneous Provisions) Regulations 2013, Universal Credit (Miscellaneous Amendments) Regulations 2013 and the Universal Credit (Transitional Provisions) Regulations 2014;

‘Up-rating Act’ means the Welfare Benefit Up-rating Act 2013, the Welfare Benefits Up-rating Order 2014 and the Welfare Benefits Up-rating Order 2015;

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

‘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 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;

'week' means a period of seven days beginning with a Monday;

'Welfare Reform Act' means the Welfare Reform Act 2007;

'Working Tax Credit Regulations' means the Working Tax Credit (Entitlement and Maximum Rate) Regulations 2002 as amended.

2.2 In this policy, where an amount is to be rounded to the nearest penny, a fraction of a penny shall be disregarded if it is less than half a penny and shall otherwise be treated as a whole penny.

2.3 For the purpose of this policy, 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 paid in accordance with regulation 27A of the Jobseeker's Allowance Regulations or section 19 or 20A or regulations made under section 17A of the Jobseekers Act (circumstances in which a jobseeker's allowance is not payable); or

(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 regulation 27A of the Jobseeker's Allowance Regulations or section 19 or 20A or regulations made under section 17A of that Act;

(c) in respect of which he is a member of a joint-claim couple for the purposes of the Jobseekers Act and no joint-claim jobseeker's allowance is payable in respect of that couple as a consequence of either member of that couple being subject to sanctions for the purposes of section 20A of that Act;

(d) in respect of which an income-based jobseeker's allowance or a joint-claim 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).

2.4 For the purposes of this policy, 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 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.

2.5 For the purposes of this policy, two persons shall be taken to be estranged only if their estrangement constitutes a breakdown of the relationship between them.

2.6 In this policy, 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).

3.0 Requirement to provide a National Insurance Number

3.1 No person shall be entitled to reduction unless the criteria below in 3.2 is satisfied in relation both to the person making the claim and to any other person in respect of whom he is claiming reduction.

3.2 This subsection is satisfied in relation to a person if–

(a) the claim for reduction 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 national insurance number that has been allocated to the person to be ascertained; or
- (b) the person makes an application for a national insurance number to be allocated to him which is accompanied by information or evidence enabling such a number to be so allocated and the application for reduction is accompanied by evidence of the application and information to enable it to be allocated.

3.3 Paragraph 3.2 shall not apply–

- (a) in the case of a child or young person in respect of whom council tax reduction is claimed;
- (b) to a person who;
 - i. is a person in respect of whom a claim for council tax reduction is made;
 - ii. is subject to immigration control within the meaning of section 115(9)(a) of the Immigration and Asylum Act;
 - iii. is a person from abroad for the purposes of this scheme; and
 - iv. has not previously been allocated a national insurance number.

4.0 Persons who have attained the qualifying age for state pension credit

4.1 This scheme applies to a person 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;
 - (a) a person on income support, on income-based jobseeker’s allowance or an income-related employment and support allowance; or
 - (b) a person with an award of universal credit.

5.0 Persons treated as not being in Great Britain and Persons Subject to Immigration Control

Persons treated as not being in Great Britain

5.1 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.

5.2 Except where a person falls within 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.

5.3 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.

5.4 For the purposes of 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;
- (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(1) of those Regulations, or
 - (ii) a family member (within the meaning of regulation 7 of those Regulations) of such a jobseeker;
- (b) regulation 15A(1) 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 of the Treaty on the Functioning of the European Union (in a case

where the right to reside arises because a British citizen would otherwise be deprived of the genuine enjoyment of their rights as a European Union citizen).

- 5.4A 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 by virtue of—
- (a) (Removed by the Council Tax Reductions Schemes (Prescribed Requirements) (England) (Amendment) Regulations 2021
 - (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.
- 5.4B Paragraph (5A)(b) does not apply to a person who—
- (a) has a right to reside granted by virtue of being a family member of a relevant person of Northern Ireland; and
- would have a right to reside under the EEA Regulations if the relevant person of Northern Ireland were an EEA national, provided that the right to reside does not fall within paragraph (4)(a) or (b)
- 5.5 A person falls within this paragraph if the person is—
- (za) a person granted leave in accordance with the immigration rules made under section 3(2) of the Immigration Act 1971⁽⁸⁾, where such leave is granted by virtue of—
 - (i) the Afghan Relocations and Assistance Policy; or
 - (ii) the previous scheme for locally employed staff in Afghanistan (sometimes referred to as the ex-gratia scheme);
 - (zb) a person in Great Britain not coming within sub-paragraph (za) or (e)(iv) who left Afghanistan in connection with the collapse of the Afghan government that took place on 15th August 2021
 - (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
 - (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 1971¹ where that leave is—

¹ As amended by the Immigration Act 2014 and the Immigration Act 2014 (Commencement No. 2) Order 2014

- (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;
 - (iii) leave deemed to have been granted by virtue of regulation 3 of the Displaced Persons (Temporary Protection) Regulations 2005; or
 - (iv) granted under the Afghan Citizens Resettlement Scheme.
- (f) a person who has humanitarian protection granted under those rules;
- (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 or 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).

5.6 A person falls within this paragraph if the person is a Crown servant or member of Her Majesty's forces posted overseas.

5.7 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.

5.8 In this regulation—
"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 Regulations" means the Immigration (European Economic Area) Regulations 2006; and the Immigration (European Economic Area) (Amendment) (No. 2) Regulations 2014 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
"EEA national" has the meaning given in regulation 2(1) of the EEA Regulations;
"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; and
"Her Majesty's forces" has the same meaning as in the Armed Forces Act 2006.

Persons subject to immigration control

5.9 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.

5.10 A person who is a national of a state which has ratified the European Convention on Social and Medical Assistance (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 paragraph 5.9

5.11 "Person subject to immigration control" has the same meaning as in section 115(9) of the Immigration and Asylum Act 1999.

6.0 Transitional provision

6.1 The above does not apply to a person who, on 31st March 2015—

- (a) is liable to pay council tax at a reduced rate by virtue of a council tax reduction under an authority's scheme established under section 13A (2) of the Act; and
- (b) is entitled to an income-based jobseeker's allowance, until the first of the events in paragraph 6.2 occurs.

6.2 The events are—

- (a) the person makes a new application for a reduction under an authority's scheme established under section 13A (2) of the Act; or
- (b) the person ceases to be entitled to an income-based jobseeker's allowance.

6.3 In this section "the Act" means the Local Government Finance Act 1992.

7.0 Temporary Absence (period of absence)

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

7.2 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 in Great Britain 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) subject to sub-paragraph (2B), a period of absence within Great Britain not exceeding 13 weeks, 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;
- (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) subject to sub-paragraph (2D), a period of absence within Great Britain is unlikely to exceed 52 weeks or, in exceptional circumstances, is unlikely substantially to exceed that period and;
- (d) subject to sub-paragraphs (2F), (3C), (3E) and (3G) and where sub-paragraph (2E) applies, a period of absence outside Great Britain not exceeding 4 weeks, beginning with the first day of that absence from Great Britain 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 resides is not let or sub-let; and (iii) the period of absence from Great Britain is unlikely to exceed 4 weeks;

7.2A The period of 13 weeks referred to in sub-paragraph (2)(b) shall run or continue to run during any period of absence from Great Britain.

7.2B Where—

- (a) a person returns to Great Britain after a period of absence from Great Britain (period A);
- (b) that person has been absent from the dwelling, including any absence within Great Britain, for less than 13 weeks beginning with the first day of absence from that dwelling; and

(c) at the outset of, or during, period A, period A ceased to be treated as a period of temporary absence,
then any day that follows period A and precedes the person's return to the dwelling, shall not be treated as a period of temporary absence under sub-paragraph (2)(b).

7.2C The period of 52 weeks referred to in sub-paragraph (2)(c) shall run or continue to run during any period of absence from Great Britain.

7.2D Where —

1. a person returns to Great Britain after a period of absence from Great Britain (period A);
2. that person has been absent from the dwelling, including any absence within Great Britain, for less than 52 weeks beginning with the first day of absence from that dwelling; and
3. at the outset of, or during, period A, period A ceased to be treated as a period of temporary absence,
then, any day that follows period A and precedes the person's return to the dwelling, shall not be treated as a period of temporary absence under sub-paragraph (2)(c).

7.2E This sub-paragraph applies where—

1. a person is temporarily absent from Great Britain;
2. immediately before that period of absence from Great Britain, the person was not absent from the dwelling.

7.2F If the temporary absence referred to in sub-paragraph (2)(d) is in connection with the death of—

1. the person's partner or a child or young person for whom the person or the person's partner is responsible;
2. the person's close relative;
3. the close relative of the person's partner; or
4. the close relative of a child or young person for whom the person or the person's partner is responsible,
then the period of 4 weeks in the opening words of sub-paragraph (2)(d) may be extended by up to 4 further weeks if the relevant authority considers it unreasonable to expect the person to return to Great Britain within the first 4 weeks (and the reference in subparagraph (iii) of that paragraph to a period of 4 weeks shall, where the period is extended, be taken as referring to the period as so extended).";

7.3 This sub-paragraph applies to a person who—

- (a) is a person to whom sub-paragraph (3A) applies;
 - (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) is undergoing, or whose partner or dependent child is undergoing medical treatment, or medically approved convalescence, in accommodation other than residential accommodation;
- (d) is following a training course;
- (e) is undertaking medically approved care of a person;
- (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) is receiving medically approved care provided in accommodation other than residential accommodation;
- (h) is a student;
- (i) is receiving care provided in residential accommodation and is not a person to whom subparagraph (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.

- 7.3A This sub-paragraph applies to a person (“P”) who is—
- (a) detained in custody on remand pending trial;
 - (b) detained pending sentence upon conviction; or
 - (c) as a condition of bail required to reside—
 - (i) in a dwelling, other than a dwelling P occupies as P’s home; or
 - (ii) in premises approved under section 13 of the Offender Management Act 2007(a),and who is not also detained in custody following sentence upon conviction.
- 7.3B This sub-paragraph applies where—
- (a) a person is temporarily absent from Great Britain;
 - (b) the person is a member of Her Majesty’s forces posted overseas, a mariner or a continental shelf worker;
 - (c) immediately before that period of absence from Great Britain, the person was not absent from the dwelling.
- 7.3C Where sub-paragraph (3B) applies, a period of absence from Great Britain not exceeding 26 weeks, beginning with the first day of absence from Great Britain, shall be treated as a period of temporary absence where and for so long as—
- (a) the person intends to return to the dwelling;
 - (b) the part of the dwelling in which he usually resided is not let or sub-let;
 - (c) the period of absence from Great Britain is unlikely to exceed 26 weeks.
- 7.3D This sub-paragraph applies where—
- (a) a person is temporarily absent from Great Britain;
 - (b) the person is a person described in any of paragraphs (b), (c), (g) or (j) of subparagraph (3);
 - (c) immediately before that period of absence from Great Britain, the person was not absent from the dwelling.
- 7.3E Where sub-paragraph (3D) applies, a period of absence from Great Britain not exceeding 26 weeks, beginning with the first day of absence from Great Britain, shall be treated as a period of temporary absence where and for so long as—
- (a) the person intends to return to the dwelling;
 - (b) the part of the dwelling in which he usually resided is not let or sub-let;
 - (c) the period of absence is unlikely to exceed 26 weeks, or in exceptional circumstances, is unlikely substantially to exceed that period.
- 7.3F This sub-paragraph applies where—
- (a) a person is temporarily absent from Great Britain;
 - (b) the person is a person described in any of paragraphs (a), (d), (e), (f), (h) or (i) of subparagraph (3);
 - (c) immediately before that period of absence from Great Britain, the person was not absent from the dwelling.
- 7.3G Where sub-paragraph (3F) applies, a period of absence from Great Britain not exceeding 4 weeks, beginning with the first day of absence from Great Britain, shall be treated as a period of temporary absence where and for so long as—
- (a) the person intends to return to the dwelling;
 - (b) the part of the dwelling in which he usually resided is not let or sub-let;
 - (c) the period of absence is unlikely to exceed 4 weeks, or in exceptional circumstances, is unlikely substantially to exceed that period.
- 7.4 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; and
(b) on temporary release from detention in accordance with Rules made under the provisions of the Prison Act 1952 or the Prisons (Scotland) Act 1989.

7.5 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.

7.6 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 of the activities mentioned in section 11(2) of the Petroleum Act 1998(a);

“designated area” means any area which may from time to time be designated by Order in Council under the Continental Shelf Act 1964(b) 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 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 medical practitioner;

“member of Her Majesty’s forces posted overseas” means a person who is a member of the regular forces or the reserve forces (within the meaning of section 374 of the Armed Forces Act 2006(c)), who is absent from the main dwelling because the person has been posted outside of Great Britain to perform the duties of a member of Her Majesty’s regular forces or reserve forces;”; and

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

“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;

“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.

Transitional provision

- 7.7 Subject to paragraph (8), the provision shall not apply in respect of a person who is temporarily absent from Great Britain on 1st April 2017 until the day that person returns to Great Britain.
- 7.8 Paragraph (7) does not apply to a person who, on 1st April 2017, is temporarily absent from Great Britain and is—
- (a) a member of Her Majesty’s forces posted overseas;
 - (b) absent in the capacity of a continental shelf worker; or
 - (c) absent in the capacity of a mariner.
- 7.9 In this section—
- “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 of the activities 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 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;
- “member of Her Majesty’s forces posted overseas”** means a person who is a member of the regular forces or the reserve forces (within the meaning of section 374 of the Armed Forces Act 2006), who is absent from the dwelling that the person normally occupies as his home because the person has been posted outside of Great Britain to perform the duties of a member of Her Majesty’s regular forces or reserve forces; and
- “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.

8.0 Membership of a family

- 8.1 Within the reduction scheme adopted by the Council ‘family’ means;
- (a) a married or unmarried couple;
 - (b) married or unmarried 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;
 - (c) two people of the same sex who are civil partners of each other and are members of the same household (with or without children);
 - (d) two people of the same sex who are not civil partners of each other but are living together as if they were civil partners (with or without children),
 - (e) and for the purposes of sub-paragraph (d) two people of the same sex are to be regarded as living together as if they were civil partners if, but only if, they would be regarded as living together as husband and wife were they instead two people of the opposite sex;
 - (f) except in prescribed circumstances, a person who is not a member of a married or unmarried couple and a member of the same household for whom that person is responsible and who is a child or a young person;

For the purposes of the scheme a child is further defined as a ‘child or young person’

A 'child' means a person under the age of 16 and a 'Young Person' is someone aged 16 or over but under 20 and who satisfies other conditions. These conditions are:

- they are aged 16, have left 'relevant education' or training, and 31 August following the sixteenth birthday has not yet been passed;
- they are aged 16 or 17, have left education or training, are registered for work, education or training, are not in remunerative work and are still within their 'extension period';
- they are on a course of full-time non-advanced education, or are doing 'approved training', and they began that education or training before reaching the age of 19;
- they have finished a course of full-time non-advanced education, but are enrolled on another such course (other than one provided as a result of their employment);
- they have left 'relevant education' or 'approved training' but have not yet passed their 'terminal date'.

- 8.2 Paragraph 8.1 the definition of child or young person shall not apply to a person who is;
- (a) on income support;
 - (b) an income-based jobseeker's allowance or an income related employment and support allowance; or be entitled to an award of Universal Credit; or
 - (c) a person to whom section 6 of the Children (Leaving Care) Act 2000 applies

- 8.3 The definition also includes a child or young person in respect of whom there is an entitlement to child benefit but only for the period that Child Benefit is payable

9.0 Circumstances in which a person is to be treated as responsible (or not responsible) for a child or young person.

- 9.1 Subject to the following paragraphs a person shall be treated as responsible for a child or young person who is normally living with him and this includes a child or young person.

- 9.2 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 shall be treated for the purposes of paragraph 9.1 as normally living with;
- a. the person who is receiving child benefit in respect of him; 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.

- 9.3 For the purposes of this scheme a child or young person shall be 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 section shall be treated as not so responsible.

10.0 Circumstances in which a child or young person is to be treated as being or not being a member of the household

- 10.1 Subject to paragraphs 10.2 and 10.3, the applicant and any partner and, where the applicant or his partner is treated as responsible for a child or young person, that child or young person and any child of that child or young person, shall be treated as members of the same household notwithstanding that any of them is temporarily absent from that household.

- 10.2 A child or young person shall not 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 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 with the applicant or his partner under a relevant enactment; or

- (b) placed 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.

10.3 Subject to paragraph (4), paragraph (1) shall not apply to a child or young person who is not living with the applicant and he–

- (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; or in accordance with an adoption allowance scheme made under section 71 of the Adoption and Children (Scotland) Act 2007 (adoption allowances schemes).

10.4 The authority shall treat a child or young person to whom paragraph (3a) 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 responsible to do so taking into account the nature and frequency of that child’s or young person’s visits.

10.5 In this paragraph ‘relevant enactment’ means the Army Act 1955, the Air Force Act 1955, the Naval Discipline Act 1957, the Matrimonial Proceedings (Children) Act 1958, the Social Work (Scotland) Act 1968, the Family Law Reform Act 1969, the Children and Young Persons Act 1969, the Matrimonial Causes Act 1973, the Children Act 1975, the Domestic Proceedings and Magistrates’ Courts Act 1978, the Adoption and Children (Scotland) Act 1978, the Family Law Act 1986, the Children Act 1989, the Children (Scotland) Act 1995 and the Legal Aid, Sentencing and Punishment of Offenders Act 2012 as amended.

11.0 Calculation of income and capital of members of applicant’s family and of a polygamous marriage

11.1 The income and capital of an applicant’s partner within this scheme and for the purposes of claiming council tax reduction is to be treated as income and capital of the applicant and shall be calculated or estimated in accordance with the following provisions in like manner as for the applicant; and any reference to the ‘applicant’ shall, except where the context otherwise requires be construed for the purposes of this scheme as if it were a reference to his partner.

11.2 Where an applicant or the partner of is married polygamously to two or more members of his household–

- (a) the applicant shall be treated as possessing capital and income belonging to each such member; and
- (b) the income and capital of that member shall be calculated in accordance with the following provisions of this scheme in like manner as for the applicant.

11.3 The income and capital of a child or young person shall not be treated as the income and capital of the applicant.

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

12.1 Any universal credit new claim notification received by the authority may be used as a claim for reduction or in the assessment of council tax reduction including data received from the Secretary of State where the applicant no longer qualifies for a universal credit award

12.2 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 may use the calculation or estimate of the 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. The authority may use any other assessment based on the information provided by the Secretary of State.

- 12.3 The authority may adjust the amount referred to in sub-paragraph (2) to take account of
- (a) income consisting of the award of universal credit;
 - (b) any sum to be disregarded in the calculation of earnings;
 - (c) any sum to be disregarded in the calculation of income other than earnings; and
 - (d) any sum determined by the authority as the proportion of housing costs award;
- 12.4 The amount for the award of universal credit is to be determined by multiplying the amount of the award by 12 and dividing the product by 52.
- 12.5 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 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 that award

13.0 Calculation of income on a weekly basis

- 13.1 For the purposes of this scheme the income of an applicant shall be calculated on a weekly basis by estimating the amount which is likely to be his average weekly income.

14.0 Average weekly earnings of employed earners

- 14.1 Where an applicant's income consists of earnings from employment as an employed earner his average weekly earnings shall be estimated by the authority by reference to his actual earnings over a period determined by the authority as reasonable. This period will not exceed 52 weeks.
- 14.2 Where the applicant is recently employed and cannot furnish the appropriate evidence, the authority may require the applicant's employer to furnish an estimate of the applicant's likely weekly earnings over such period as the authority may require and the applicant's average weekly earnings shall be estimated by reference to that estimate.
- 14.3 Where the amount of an applicant's earnings changes during an award the authority shall 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.

15.0 Average weekly earnings of self-employed earners

- 15.1 Where an applicant's income consists of earnings from employment as a self-employed earner his average weekly earnings shall 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. This period shall not exceed 52 weeks.

15A.0 Minimum Income Floor

- 15A.1 Where no start up period (as defined within 15A.2) applies to the applicant or partner, the income used by the Council in the calculation of their award will be the gross amount declared by the applicant or a substituted amount whichever is the higher. This substituted amount shall not be less than 35 hours multiplied by the national living wage (or national minimum wage as

appropriate) From that, the Council will deduct only an estimate for tax, national insurance and a pension contribution (where a pension contribution is being made).

15A.2 The Council shall determine an appropriate start up period for the employment activity being conducted by the applicant or partner. This will normally be one year from the date of commencement of the employment activity. During this period, no Minimum Income Floor shall be applied. The start-up period ends where the person is no longer in gainful self-employment.

15A.3 Where an applicant or partner holds a position in a company that is analogous to that of a sole owner or partner in the business of that company, he shall be treated as if he were such sole owner or partner and in such a case be subject to the substituted amount where appropriate.

15A.4 No start-up period may be applied in relation to an applicant where a start-up period has previously been applied, whether in relation to a current or previous award of a Council Tax Reduction.

15A.5 In order to establish whether to award a start up period, the applicant must satisfy the Council that the employment is

- Genuine and effective. The Council must be satisfied that the employment activity is being conducted; and
- Being conducted with the intention of increasing the income received to the level that would be conducive with that form of employment.

15A.6 For the purposes of determining whether an applicant is in gainful self-employment or meets the conditions for a start up-period, the Council will require the applicant to provide such evidence or information that it reasonably requires to make that decision, the Council may also require the self-employed person to attend an interview for the purpose of establishing whether the employment is gainful or whether the conditions for a start-up period are met.

15A.7 Where the applicant satisfies the authority that, based on his or her circumstances, there are good reasons that a Minimum Income Floor should not apply, the authority may, at its discretion, determine that no Minimum Income Floor applies to that particular award of Council Tax Reduction.

16.0 Average weekly income other than earnings

16.1 An applicant's income which does not consist of earnings shall be estimated over such period as is appropriate in order that his average weekly income may be estimated accurately. Such period shall not exceed 52 weeks.

17.0 Calculation of average weekly income from tax credits

17.1 Where this section applies, the period over which a tax credit is to be taken into account shall be the period set out in paragraph (2)

- 17.2 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.

17.3 For the purposes of this section 'tax credit' means child tax credit or working tax credit.

18.0 Calculation of weekly income

- 18.1 For the purposes of this scheme where the period in respect of which a payment is made;
- (a) does not exceed a week, the weekly amount shall be the amount of that payment;
 - (b) exceeds a week, the weekly amount shall 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 quotient by 7.
- 18.2 The weekly amount of earnings of an applicant shall 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 quotient by 7.

19.0 Earnings of employed earners

- 19.1 Earnings means in the case of employment as an employed earner, 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—
 - (g) (i) travelling expenses incurred by the applicant between his home and his 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;
 - (h) 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);
 - (i) 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);
 - (j) any such sum as is referred to in section 112 of the Act (certain sums to be earnings for social security purposes);
 - (k) 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;
 - (l) 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;
 - (m) 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 as amended.
- 19.2 Earnings shall not include—
- (a) any payment in kind;
 - (b) any payment in respect of expenses wholly, exclusively and necessarily incurred in the performance of the duties of employment;
 - (c) any occupational pension

20.0 Calculation of net earnings of employed earners

- 20.1 For the purposes of this scheme, the earnings of an applicant derived or likely to be derived from employment as an employed earner to be taken into account shall be his net earnings.
- 20.2 There shall be disregarded from an applicant's (or their partner's) net earnings, £25 per week. This shall apply irrespective of the applicant's household and only one disregard shall be applied per claim.
- 20.3 Net earnings shall 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 National Insurance contributions
 - (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 20.5 in respect of any qualifying contribution payable by the applicant; and
- 20.4 In this section 'qualifying contribution' means any sum which is payable periodically as a contribution towards a personal pension scheme.
- 20.5 The amount in respect of any qualifying contribution shall 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 section the daily amount of the qualifying contribution shall 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.
- 20.6 Where the earnings of an applicant are estimated an appropriate estimate of net earnings shall be determined in line with paragraph (3) above.

21.0 Earnings of self-employed earners

- 21.1 'Earnings', in the case of employment as a self-employed earner, means the gross income of the employment
- 21.2 'Earnings' shall not include any payment 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 shall it include any sports award.
- 21.3 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 trademark; or
 - (b) any payment in respect of any—
 - (i) book registered under the Public Lending Right Scheme 1982; or
 - (ii) work made under any international public lending right scheme that is analogous to the Public Lending Right Scheme 1982, where the applicant is the first owner of the copyright, design, patent or trademark, or an original contributor to the book of work concerned.

22.0 Calculation of net profit of self-employed earners

- 22.1 For the purposes of this scheme the earnings of an applicant to be taken into account shall 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 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 national insurance contributions payable under this scheme; and
 - ii. one-half of the amount calculated in accordance with paragraph (11) in respect of any qualifying premium.
- 22.2 There shall be disregarded from an applicant's (or their partner's) net earnings, £25 per week per claim.
- 22.3 The net profit of the employment must be calculated by taking into account the earnings for the employment over the assessment period less
- (a) 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. national insurance contributions payable calculated in accordance with section 22; and
 - iii. one-half of the amount calculated in accordance with paragraph (11) in respect of any qualifying premium.
- 22.4 For the purposes of paragraph (1b) the net profit of the employment shall be calculated by taking into account the earnings of the employment over the assessment period less, any expenses wholly and exclusively incurred in that period for the purposes of the employment.
- 22.5 No deduction shall be made under 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) any debts, except bad debts proved to be such, but this sub-paragraph shall not apply to any expenses incurred in the recovery of a debt.
- 22.6 A deduction shall be made under 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; and
 - (b) the repair of an existing business asset except to the extent that any sum is payable under an insurance policy for its repair.
- 22.7 The authority shall refuse to make deduction in respect of any expenses where it is not satisfied given the nature and the amount of the expense that it has been reasonably incurred.
- 22.8 For the avoidance of doubt–
- (a) deduction shall not be made in respect of any sum unless it has been expended for the purposes of the business;
 - (b) a deduction shall 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

22.9 Where an applicant is engaged in employment, as a child minder the net profit of the employment shall be one-third of the earnings of that employment, less an amount in respect of

- (a) income tax; and
- (b) national insurance contributions calculated by the authority in line with 23.2;
- (c) one-half of the amount any qualifying pension contribution in accordance with paragraph 22.11.

22.10 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 shall not be offset against his earnings in any other of his employments.

22.11 The amount in respect of any qualifying premium shall 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 section the daily amount of the qualifying premium shall be determined

- (a) where the qualifying premium is payable monthly, by multiplying the amount of the qualifying premium by 12 and divided 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.

22.12 In this section, '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 claim.

23.0 Deduction of tax and contributions of self-employed earners

23.1 The amount to be deducted in respect of income tax under section 22 shall be calculated on the basis of the amount of chargeable income and 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 section 257(1) of the Income and Corporation Taxes Act 1988(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 is to be applied and the amount of the personal reliefs deductible under this paragraph shall be calculated on a pro rata basis.

23.2 The amount to be deducted in respect of national insurance contributions under section shall be the total of—

- (a) the amount of Class 2 National Insurance contributions payable 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 the Act (small profits threshold) 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 shall be reduced pro rata; and
- (b) the amount of Class 4 contributions (if any) which would be payable under section 15 of the Act (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 shall be reduced pro rata.

23.3 In this section 'chargeable income' means—

- (a) the earnings derived from the employment less any expenses deducted under section 22;
- (b) in the case of employment as a child minder, one-third of the earnings of that employment.

24.0 Calculation of income other than earnings

- 24.1 For the purposes of this scheme, the income of an applicant which does not consist of earnings to be taken into account shall be his gross income and any capital treated as income under section 25.
- 24.2 There shall be disregarded from the calculation of an applicant's gross income any sum, where applicable, specified in Schedule 2.
- 24.3 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 shall be the gross amount payable.
- 24.4 Where the applicant or, where he is a member of a couple, his partner is receiving a contributory employment and support allowance and that benefit has been reduced under regulation 63 of the Employment and Support Allowance Regulations, the amount of that benefit to be taken into account is the amount as if it had not been reduced.
- 24.5 Where an award of any working tax credit or child tax credit under the Tax Credits Act 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 shall be the amount of working tax credit or child tax credit awarded less the amount of that deduction.
- 24.6 'Tax year' means a period beginning with 6th April in one year and ending with 5th April in the next.
- 24.7 Paragraphs (7),(8), (9) and (10) apply to any applicant who is a student. Paragraph (8) and (9) apply where a relevant payment has been made to a person in an academic year; and that person abandons, or is dismissed from, his course of study before the payment to him of the final instalment of the relevant payment.
- 24.8 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 paragraph (1) in respect of a person to whom paragraph (7) applies, shall be calculated by applying the formula–
$$\frac{A - (B \times C)}{D}$$
Where
A = the total amount of the relevant payment which that person would have received had he remained a student until he last day of the academic term in which he abandoned, or was dismissed from, his course;
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 = the weekly amount of the relevant payment, before the application of the £10 disregard, which would have been taken into account as income had the person not abandoned or been dismissed from, his course and, in the case of a person who was not entitled to council tax reduction immediately before he abandoned or was dismissed from his course, had that person, at that time, been entitled to housing benefit;
D = the number of reduction weeks in the assessment period.
- 24.9 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 paragraph (1) in respect of a person to whom paragraph (8) applies, shall be calculated by applying the formula in paragraph (8) 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.

24.10 In this section– ‘academic year’ and ‘student loan’ shall have the same meanings as for the purposes of this scheme, ‘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 date is earlier

‘quarter’ in relation to an assessment period means a period in that year beginning on;

- (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 dependants.

25.0 Capital treated as income and Notional Income

25.1 Any payment received under an annuity shall be treated as income.

25.2 Any earnings to the extent that they are not a payment of income shall be treated as income.

25.3 Any Career Development Loan paid pursuant to section 2 of the 1973 Act shall be treated as income

25.4 Where an agreement or court order provides that payments shall 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), shall be treated as income.

25.6 An applicant shall be treated as possessing income of which he has deprived himself for the purpose of securing entitlement of reduction or increasing the amount of that reduction.

25.7 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) rehabilitation allowance made under section 2 of the 1973 Act;
- (e) child tax credit; or
- (f) working tax credit,

any income which would become available to the applicant upon application being made, but which has not been acquired by him, shall 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.

25.8 Any payment of income 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) shall, where that payment is a payment of an occupational pension, a pension or other periodical payment made under or by 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) shall, 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 that family) shall 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.

25.9 This section shall not apply in respect of a payment of income made—

- (a) under 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 1973 Act 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;
 - (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 previous participation in the Mandatory Work Activity Scheme;
- (e) 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 (i) and any member of his family does not possess, or is not treated as possessing, any other income apart from that payment.

25.10 Where an applicant is in receipt of any benefit (other than council tax reduction) 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 shall treat the applicant as possessing such benefit at the altered rate from 1st April in that year..

25.11 Where—

- (a) 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 shall 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.

25.12 Paragraph (11) shall 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, 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.

25.13 ‘Work placement’ means practical work experience which is not undertaken in expectation of payment.

25.14 Where an applicant is treated as possessing any income under this section, the foregoing provisions of this scheme shall apply for the purposes of calculating the amount of that income as if a payment has actually been made and as if it were actual income which he does possess.

25.15 Where an applicant is treated as possessing any earnings under this section his net earnings shall 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 starting rate or, as the case may be, the starting rate and the basic rate of tax applicable to the assessment period less only the personal relief to which the applicant is entitled under sections 257(1) of the Income and Corporation Taxes Act 1988 (personal allowances) as is appropriate to his circumstances; but, if the assessment period is less than a year, the earnings to which the starting rate of tax is to be applied and the amount of the personal relief deductible under this subparagraph shall be calculated on a pro rate basis;
- (b) an amount equivalent to the amount of the primary Class 1 National Insurance contributions that would be payable by him 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.

26.0 Capital limit

26.1 For the purposes of this scheme, the prescribed amount is £16,000 and no reduction shall be granted when the applicant has an amount greater than this level.

27.0 Calculation of capital

27.1 For the purposes of this scheme, the capital of an applicant to be taken into account shall, subject to paragraph (2), be the whole of his capital calculated in accordance with this scheme and any income treated as capital under this scheme

27.2 There shall be disregarded from the calculation of an applicant’s capital under paragraph (1), any capital, where applicable, specified in Schedule 3.

28.0 Disregard of capital of child and young person

28.1 The capital of a child or young person who is a member of the applicant's family shall not be treated as capital of the applicant.

29.0 Income treated as capital

29.1 Any bounty derived from employment and paid at intervals of at least one year shall be treated as capital.

29.2 Any amount by way of a refund of income tax deducted from profits or emoluments chargeable to income tax under Schedule D or E shall be treated as capital.

29.3 Any holiday pay which is not earnings shall be treated as capital.

29.4 Any income derived from capital shall be treated as capital but only from the date it is normally due to be credited to the applicant's account.

29.5 In the case of employment as an employed earner, any advance of earnings or any loan made by the applicant's employer shall be treated as capital.

29.6 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, shall be treated as capital.

29.7 There shall 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.

29.8 Any arrears of subsistence allowance which are paid to an applicant as a lump sum shall be treated as capital.

29.9 Any arrears of working tax credit or child tax credit shall be treated as capital.

30.0 Calculation of capital in the United Kingdom

30.1 Capital which an applicant possesses in the United Kingdom shall 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;

31.0 Calculation of capital outside the United Kingdom

31.1 Capital which an applicant possesses in a country outside the United Kingdom shall 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 sale, 10 per cent. and the amount of any encumbrances secured on it.

32.0 Notional capital

32.1 An applicant shall be treated as possessing capital of which he has deprived himself for the purpose of securing entitlement to council tax reduction or increasing the amount of that

reduction except to the extent that that capital is reduced in accordance with section 33.

32.2 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 3; 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 Schedule 3 refers; or
- (f) child tax credit; or
- (g) working tax credit,

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

32.3 Any payment of capital, other than a payment of capital specified in 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) shall, 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) shall, where it is not a payment referred to in subparagraph (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) shall 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.

32.4 Paragraph 32.3 shall 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 1973 Act 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;
 - 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 Mandatory Work Activity Scheme;
- (d) Enterprise Scheme;
- (e) in respect of an applicant's participation in the Employment, Skills and Enterprise Scheme or Back to Work Scheme;
- (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—
 - vi. 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;
 - vii. the payment is made to the trustee in bankruptcy or any other person acting on behalf

- of the creditors; and
- viii. the person referred to in (i) and any member of his family does not possess, or is not treated as possessing, any other income apart from that payment.

32.5 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 shall be disregarded; and
- (b) he shall 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 Section shall apply for the purposes of calculating that amount as if it were actual capital which he does possess.

32.6 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 paragraph (5) shall be disregarded.

32.7 Where an applicant is treated as possessing capital under any of paragraphs (1) and (2) the foregoing provisions of this Section shall apply for the purposes of calculating its amount as if it were actual capital, which he does possess.

33.0 Diminishing notional capital rule

33.1 Where an applicant is treated as possessing notional capital the amount which he is treated as possessing shall be reduced by the amount calculated by the authority as the weekly amount of council tax reduction lost due to the inclusion of the notional capital within the calculation.

33.2 The authority will reduce any notional capital at a frequency of 13 weeks.

34.0 Capital jointly held

34.1 Where an applicant and one or more persons are beneficially entitled in possession to any capital asset they shall be treated 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 Section shall 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.

34A.0 Calculation of tariff income from capital

34A.1 Where the claimant's capital calculated in accordance with this scheme exceeds £6,000 it shall be treated as equivalent to a weekly income of £1 for each complete £250 of in excess of £6,000 but not exceeding £16,000

34A.2 Notwithstanding paragraph 34A.1 where any part of the excess is not a complete £250 that part shall be treated as equivalent to a weekly tariff income of £1.

34A.3 For the purposes of paragraph 34A.1, capital includes any income treated as capital under section 29 (income treated as capital).

35.0 Students - Student related definitions

35.1 In this scheme the following definitions apply;

'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 shall 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 section 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 the Chief Executive of Skills Funding under 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 consider that it is reasonable for the following person 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 education authority as defined in section 12 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 Island, 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, the Chief Executive of Skills Funding 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, the Chief Executive of Skills Funding 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 under section 14 of the Education Act 2002 or the Chief Executive of Skills Funding, in the student’s learning agreement signed on behalf of the establishment which is funded by either of those persons for the delivery of that course; 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’ means any kind of educational grant or award and includes any scholarship, studentship, exhibition allowance or bursary;

‘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, the 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;

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

‘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.

‘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 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 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 shall include, in Scotland, a young student's bursary paid under regulation 4(1)(c) of the Student's Allowances (Scotland) Regulations 2007

35.2 For the purposes of the definition of 'full-time student', a person shall 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) 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.

35.3 For the purposes of sub-paragraph (a) of paragraph 43.2, the period referred to in that sub-paragraph shall include;

(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.

36.0 Students who are excluded from entitlement to council tax reduction

36.1 Students except those defined in paragraph (3) are not able to claim Council tax reduction under Classes D of the authority's reduction scheme.

36.2 To be eligible for reduction, the student must be liable for Council Tax under Section 6 of the Local Government Finance Act 1992 and they must not be deemed to be a full-time student or a person from abroad within the meaning of section 7 of this scheme (persons from abroad).

36.3 Paragraph 36.2 shall not apply to a student

(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 in receipt of a Personal Independence Payment;

- (d) 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;
- (e) (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,
- (f) who is;
 - (i) aged under 21 and whose course of study is not a course of higher education, or
 - (ii) a qualifying young person or child within the meaning of section 142 of the Act (child and qualifying young person);
- (g) 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) or 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.

- 36.4 For the purposes of paragraph (3(f)(i)) the student must have begun, or been enrolled or accepted onto the course before attaining the age of 19
- 36.5 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.
- 36.6 An intercalating student may be eligible for a reduction if the following circumstances are met:
- (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 engaging 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 (7).
- 36.7 The period specified for the purposes of paragraph (6) 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,
- which shall first occur.

37.0 Students - Calculation of grant income

- 37.1 The amount of a student's grant income to be taken into account shall, subject to paragraphs

(2) and (3), be the whole of his grant income.

37.2 There shall 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 of 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 childcare costs of a child dependant.
- (i) of higher education bursary for care leavers made under Part III of the Children Act 1989.

37.3 Where a student does not have a student loan and is not treated as possessing such a loan, there shall 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.

The above amounts shall be adjusted annually in line with the Housing Benefit Regulations 2006.

37.4 There shall also be excluded from a student's grant income the grant for dependants 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.

37.5 Subject to paragraphs (6) and (7), a student's grant income shall be apportioned;

- (a) subject to 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.

37.6 Any grant in respect of dependants 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 dependants under Part 3 of Schedule 2 to the Education (Mandatory Awards) Regulations 2004 shall be apportioned equally over the period of 52 weeks or, if there are 53 reduction weeks (including part-weeks) in the year, 53.

37.7 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 dependants shall be apportioned over the same period as the student's loan is apportioned or, as the case may be, would have been apportioned.

37.8 In the case if a student on a sandwich course, any periods of experience within the period of study shall be excluded and the student's grant income shall 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.

38.0 Students- Calculation of covenant income where a contribution is assessed

38.1 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 shall be the whole amount of the covenant income less, subject to paragraph (3), the amount of the contribution.

38.2 The weekly amount of the student's covenant shall be determined—

- (a) by dividing the amount of income which falls to be taken into account under paragraph (1) by 52 or 53, whichever is reasonable in the circumstances; and
- (b) by disregarding from the resulting amount, £5.

39.0 Students - Covenant income where no grant income or no contribution is assessed

39.1 Where a student is not in receipt of income by way of a grant the amount of his covenant income shall be calculated as follows;

- (a) any sums intended for any expenditure specified in the calculation of grant income necessary as a result of his attendance on the course shall be disregarded;
- (b) any covenant income, up to the amount of the standard maintenance grant, which is not so disregarded, shall be apportioned equally between the weeks of the period of study;
- (c) there shall be disregarded from the amount so apportioned the amount which would have been disregarded in the calculation of grant income had the student been in receipt of the standard maintenance grant; and
- (d) the balance, if any, shall be divided by 52 or 53 whichever is reasonable in the circumstances and treated as weekly income of which £5 shall be disregarded.

39.2 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 shall be calculated in accordance with sub-paragraphs (a) to (d) of paragraph (1).

40.0 Students - Covenant Income and Grant income – non-disregard

40.1 No part of a student's covenant income or grant income shall be disregarded under this scheme

41.0 Treatment of student loans

41.1 A student loan shall be treated as income.

41.2 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 shall be apportioned equally between the weeks in the period beginning with;
 - (i) except in a case where (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 with 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 shall be apportioned 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 that academic year and 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 Secretary of State, the longest of any vacation is taken and for the purposes of this sub-paragraph, 'quarter' shall have 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 shall be apportioned equally between the weeks in the period beginning with;
 - (i) except in a case where (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 coincide 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 shall 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 the course;

and, in all cases, from the weekly amount so apportioned there shall be disregarded £10.

41.3 A student shall be treated as possessing a student loan in respect of an academic year where;

- (a) a student loan has been made to him in respect of that year; or
- (b) he could acquire such a loan in respect of that year by taking reasonable steps to do so.

41.4 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 shall be, subject to 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.

41.5 There shall be deducted from the amount of income taken into account under 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.

The above amounts shall be adjusted annually in line with the Housing Benefit Regulations 2006.

42.0 Students - Treatment of fee loans

42.1 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.

43.0 Students - Treatment of payments from access funds

43.1 A payment from access funds, other than a payment to which paragraph 43.2 applies, shall be disregarded as income.

- 43.2 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, shall be disregarded as income to the extent of £20 per week.

43.3 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 shall be disregarded as income.

44.0 Students - Disregard of contribution

44.1 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 shall be disregarded for the purposes of assessing that other partner's income.

45.0 Further disregard of student's income

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

46.0 Students - Income treated as capital

46.1 Any amount by way of a refund of tax deducted from a student's covenant income shall be treated as capital.

46.2 Any amount paid from access funds as a single lump sum shall be treated as capital.

46.3 An amount paid from access fund 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, shall be disregarded as capital but only for a period of 52 weeks from the date of the payment.

47.0 Students - Disregard of changes occurring during summer vacation

47.1 In calculating a student's income the authority shall 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.

48.0 Maximum Council Tax Reduction

48.1 Subject to paragraphs (2) to (4), the amount of a person's maximum Council Tax Reduction in respect of a day for which he is liable to pay council tax, shall be 65 per cent, of the amount A divided by B where;

- (a) A is the amount set by the appropriate 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 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 48A.0 (Non-dependant deductions).

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

48.2 In calculating a person’s maximum Council Tax Reduction 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, shall be taken into account.

48.3 Subject to 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 but excepting any person so residing with the applicant who is a student who is excluded from entitlement to Council Tax Reduction applies, in determining the maximum Council Tax Reduction in his case in accordance with paragraph (1), the amount A shall be divided by the number of persons who are jointly and severally liable for that tax.

48.4 Where an applicant is jointly and severally liable for council tax in respect of a dwelling with only his partner, paragraph (3) shall not apply in his case.

48A.0 Non-dependant deductions

48A.1 Subject to the following provisions of this paragraph, the non-dependant deductions in respect of a day referred to in section 48 (maximum council tax reduction) shall be;

- (a) in respect of a non-dependant aged 18 or over in remunerative work, £10 x 1/7;
- (b) in respect of a non-dependant aged 18 or over to whom sub-paragraph (a) does not apply, £5 x 1/7.

Where no evidence is provided by the applicant as to whether the non-dependant is in remunerative work, the higher deduction shall be made.

48A.2 Only one deduction shall be made under this section in respect of a couple or, as the case may be, members of a polygamous marriage 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 shall be deducted.

48A.3 In applying the provisions of paragraph 48A.2 in the case of a couple or, as the case may be a polygamous marriage, regard shall be had, for the purpose of that paragraph, to the couple’s or, as the case may be, all members of the polygamous marriage’s joint weekly gross income.

48A.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 or 77 or 77A 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 deduction in respect of that non-dependant shall be apportioned equally between those liable persons.

48A.5 No deduction shall be made in respect of any non-dependants occupying an applicant’s dwelling

if the applicant or his partner is–

- a. blind or treated as blind; or
- b. receiving in respect of himself:
 - attendance allowance, or would be receiving that allowance but for:
 - i. a suspension of benefit in accordance with regulations under section 113(2) of The Act; or
 - ii. an abatement as a result of hospitalisation; or
 - the care component of the disability living allowance, or would be receiving that component but for:
 - i. a suspension of benefit in accordance with regulations under section 113(2) of The Act; or
 - ii. an abatement as a result of hospitalisation; or
- c. 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);
- d. 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;

48A.6 No deduction shall 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 a youth training established under section 2 of the 1973 Act or section 2 of the Enterprise and New Towns (Scotland) Act 1990; or
- c. he is a full-time student within the meaning of section 35.0; or
- d. he is not residing with the applicant because he has been a patient for a period of excess of 52 weeks, and for these purposes;
- e. 'patient' has the meaning given within this scheme, and
- f. 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 shall be treated as having been a patient continuously for a period equal in duration to the total of those distinct periods;
- g. he is not residing with the claimant because he is a member of the armed forces away on operations

49.0 Date on which entitlement is to begin

49.1 Subject to paragraph (2), any person to whom or in respect of whom a claim for council tax reduction is made and who is otherwise entitled to that reduction shall be so entitled from the date on which that claim is made or is treated as made.

49.2 Where a person is otherwise entitled to council tax reduction 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 claim is made or is treated as made, he shall be so entitled from the date of claim

50.0 Date on which change of circumstances is to take effect

50.1 A change of circumstances which affects entitlement to, or the amount of, a reduction under the authority's scheme ("change of circumstances"), takes effect from date on which the change actually occurs.

50.2 Subject to paragraph (3), 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.

50.3 Where the change of circumstances is that income, or an increase in the amount of income, 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 shall take 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 of this scheme.

51.0 Making an application

51.1 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.

51.2 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 claim, 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.

51.3 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, the 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.

51.4 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).

51.5 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 week's 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).

51.6 Anything required by the 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.

51.7 The authority must;

- (a) inform any person making an application of the duty imposed on them
- (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.

52.0 Procedure by which a person may apply for a reduction under the authority's scheme²

52.1. Paragraphs 2 to 7 apply to an application made under the authority's scheme.

52.2. An application may be made;

- (a) in writing,
- (b) by means of an electronic communication in accordance with Part 4 of this Schedule, or
- (c) where the authority has published a telephone number for the purpose of receiving such applications, by telephone.
- (d) a notification of a new claim for Universal Credit from DWP, may be treated by the authority as a claim for reduction.

52.3 An application which is made in writing must be made to the designated office on a properly completed form. The form must be provided free of charge by the authority for the purpose.

52.4 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 (a) applies, request the applicant to complete the defective application or, in the case to which sub-paragraph (b) applies, supply the applicant with the approved form or request further information and evidence.

52.5 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.

52.6 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. An application made by electronic communication is defective if the applicant does not provide all the information the authority requires.

52.7 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.

52.8 If an application made by telephone is defective the authority must provide the person making the application with an opportunity to correct the defect. An application made by telephone is defective if the applicant does not provide all the information the authority requests during the telephone call.

52.9 Notwithstanding other paragraphs within this section, the authority will determine the method by which claims are to be made as well as where claims should be sent or delivered.

52.10 Where an applicant ('C') makes a claim which includes (or which C subsequently requests should include) a period before the claim is made, the authority may, at its discretion, treat the claim as made on a date up to one year before the date on which the request is received by the authority.

² Inserted by Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012

53.0 Date on which an application is made³

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

(a) in a case where;

(i) an award of state pension credit which comprises a guarantee 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 that state pension credit which comprises a guarantee credit was received at the appropriate DWP office,

the first day of entitlement to state pension credit which comprises a guarantee credit arising from that claim;

(b) in a case where

(i) an applicant or his partner is a person in receipt of a guarantee credit,

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

(iii) the application 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 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 is made within one month of the date on which the claim for that 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;

(d) in a case where;

(i) an applicant or his partner is a person on income support, an income-based jobseeker's allowance or an 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 is received at the designated office within one month of the date of the change,

the date on which the change takes place;

(e) 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 the 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;

(f) except where paragraph (a), (b) or (e) is satisfied, 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 an applicant following the applicant first notifying, by whatever means, the authority of an intention to make an application, the date of first notification;

(g) in any other case, the date on which an application is received at the designated office.

53.2 For the purposes only of sub-paragraph (1)(c) 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

³ Inserted by Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012

Jobseekers 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.

- 53.3 Where there is a defect in an application 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, 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.
- 53.4 The authority is to 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.
- 53.5 The conditions are that—
(a) where the authority receives 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 an application is not on approved form or further information requested by authority applies;
(i) the approved form sent to the applicant is received at the offices of the authority 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 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 offices 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.
- 53.6 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 the 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.
- 53.7 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 the 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;
(i) a pensioner, or
(ii) a person who has attained, or whose 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.

53.8 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 job seekers allowance or an employment and support allowance.

54.0 Submission of evidence electronically

54.1 The authority may accept such evidence, documents and certificates to support the claim electronically where it feels that this would be acceptable given the nature of the claim

55.0 Use of telephone provided evidence

55.1 The authority may accept such evidence to support the claim by telephone where it feels that this would be acceptable given the nature of the claim

56.0 Information and evidence⁴

56.1 Subject to sub-paragraph (3), a person who makes an application for a reduction under an 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.

56.2 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.

56.3 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 of this scheme;
 - (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.

56.4 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 that 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.

56.5 Nothing in this paragraph requires a person who is a pensioner to furnish any certificates, documents, information or evidence relating to a payment to which sub-paragraph (7) applies.

56.6 Where the authority makes a request under sub-paragraph (4), it must;

⁴ Inserted by Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012

- (a) inform the applicant or the person to whom a reduction under its scheme has been awarded of his duty under paragraph 9 (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 9, 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.

- 56.7 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 or the London Bombings Relief Charitable Fund; and
 - (b) a payment which is disregarded under paragraph 24 of Schedule 5, other than a payment under the Independent Living Fund (2006);

- 56.8 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.

57.0 Amendment and withdrawal of application⁵

- 57.1 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.
- 57.2 Where the application was made by telephone the amendment may also be made by telephone.
- 57.3 Any application amended is to be treated as if it had been amended in the first instance.
- 57.4 A person who has made an application may withdraw it by notice to the designated office at any time before a decision has been made on it.
- 57.5 Where the application was made by telephone, the withdrawal may also be made by telephone.
- 57.6 Any notice of withdrawal given in accordance with sub-paragraph (4) or (5) has effect when it is received.
- 57.7 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.

58.0 Duty to notify changes of circumstances⁶

- 58.1 Subject to sub-paragraphs (3), (6) and (7), 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 the authority's scheme) including at any time while the applicant is in receipt of such a reduction.

⁵ Inserted by Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012

⁶ Inserted by Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012

- 58.2 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 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.
- 58.3 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.
- 58.4 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.
- 58.5 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.
- 58.6 The duty imposed on a person by sub-paragraph (1) includes in the case of a person falling within alternative maximum council tax reduction, giving written notice to the authority of changes which occur in the number of adults in the dwelling or in their total gross incomes and, where any such adult ceases to be in receipt of state pension credit, the date when this occurs.
- 58.7 All changes in circumstances should be notified to the authority in writing (or by whatever format agreed by the authority) within one calendar month of the happening of the event or change in circumstance. This timescale may be extended at the discretion of the authority. Where such a change is not received within that timescale and where the change would increase the level of reduction payable, the authority may use a date later than the actual change of circumstances

59.0 Decisions by the authority⁷

- 59.1 The authority must make a decision on an application under its scheme within 14 days or as soon as reasonably practicable thereafter.

60.0 Notification of decision⁸

- 60.1 The authority must notify in writing any person affected by a decision made by it under its

⁷ Inserted by Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012

⁸ Inserted by Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012

scheme;
(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.

60.2 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 9(1);
(b) explaining the possible consequences (including prosecution) of failing to comply with that duty; and
(c) setting out the circumstances a change in which might affect entitlement to the reduction or its amount.

60.3 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.

60.4 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.

60.5 A person affected to whom the 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 decision on any matter set out in the notice.

60.6 The written statement referred to in sub-paragraph (5) must be sent to the person requesting it within 14 days or as soon as reasonably practicable thereafter.

60.7 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 (8).

60.8 This sub-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(3) 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 to act for a person unable to act.

61.0 Time and manner of granting council tax reduction⁹

61.1 Where a person is entitled to a reduction under this authority's scheme in respect of his liability for the authority's council tax as it has effect in respect of a chargeable financial year ("the chargeable year"), the authority must discharge his entitlement;
(a) by reducing, so far as possible, the amount of his liability to which regulation 20(2) of the Council Tax (Administration and Enforcement) Regulations 1992 refers; or

⁹ Inserted by Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012

- (b) where;
 - (i) such a reduction is not possible; or
 - (ii) such a reduction would be insufficient to discharge the entitlement to a reduction under the authority's scheme; or
 - (iii) the person entitled to the reduction is jointly and severally liable for the council tax and the authority determines that such a reduction would be inappropriate, by making payment to him of the amount of reduction to which he is entitled, rounded where necessary to the nearest penny.

61.2 The authority must notify the person entitled to a reduction under this scheme of the amount of that reduction and how his entitlement is to be discharged in pursuance of paragraph (1).

61.3 In a case to which paragraph (1)(b) refers;

- (a) if the amount of the council tax for which he remains liable in respect of the chargeable year, after any reduction to which sub-paragraph (1)(a) refers has been made, is insufficient to enable his entitlement to a reduction under the authority's scheme in respect thereof to be discharged, upon the final instalment of that tax becoming due any outstanding reduction;
 - (i) must be paid to that person if he so requires; or
 - (ii) in any other case must (as the authority determines) either be repaid or credited against any subsequent liability of the person to make a payment in respect of the authority's council tax as it has effect for any subsequent year;
- (b) if that person has ceased to be liable for the authority's council tax and has discharged the liability for that tax, the outstanding balance (if any) of the reduction under the authority's scheme in respect thereof must be paid within 14 days or, if that is not reasonably practicable, as soon as practicable thereafter
- (c) in any other case, the reduction under the authority's scheme must be paid within 14 days of the receipt of the application at the offices of the authority or, if that is not reasonably practicable, as soon as practicable thereafter.

61.4 For the purposes of this paragraph "instalment" means any instalment of the authority's council tax to which regulation 19 of the Council Tax (Administration and Enforcement) Regulations 1992 refers (council tax payments).

62.0 Persons to whom reduction is to be paid¹⁰

62.1 Subject to paragraph (2), any payment of the amount of a reduction must be made to that person.

62.2 Where a person other than a person who is entitled to a reduction under this authority's scheme made the application for the reduction and that first person is a person acting pursuant to an appointment or is treated as having been so appointed, the amount of the reduction may be paid to that person.

63.0 Shortfall in reduction¹¹

63.1 Where, on the revision of a decision allowing a reduction under the authority's scheme to a person, it is determined that the amount allowed was less than the amount to which that person was entitled, the authority must either;

- (a) make good any shortfall in reduction which is due to that person, by reducing so far as possible the next and any subsequent payments he is liable to make in respect of the council tax of the authority as it has effect for the chargeable financial year until that shortfall is made good; or
- (b) where this is not possible or the person concerned so requests, pay the amount of any

¹⁰ Inserted by Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012

¹¹ Inserted by Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012

shortfall in reduction due to that person within 14 days of the revision of the decision being made or if that is not reasonably practicable, as soon as possible afterwards.

64.0 Payment on the death of the person entitled¹²

64.1 Where the person entitled to any reduction under this scheme has died and it is not possible to award the reduction which is due in the form of a reduction of the council tax for which he was liable, the authority must make payment of the amount of the reduction to his executor or administrator in accordance with regulation 58(4) of the Council Tax (Administration and Enforcement) Regulations 1992.

65.0 Offsetting

65.1 Where a person has been allowed or paid a sum of council tax reduction under a decision which is subsequently revised or further revised, any sum allowed or paid in respect of a period covered by the subsequent decision shall be offset against arrears of entitlement under the subsequent decision except to the extent that the sum exceeds the arrears and shall be treated as properly awarded or paid on account of them.

66.0 Payment where there is joint and several liability¹³

66.1 Where;

- (a) a person is entitled to a reduction under the authority's 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(7) 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.

66.2 Subject to sub-paragraph (3) any payment made under sub-paragraph (1) must be made to the person who is entitled to the reduction.

66.3 Where a person other than a person who is entitled to a reduction under the authority's scheme made the application and that first person is a person acting pursuant to an appointment this scheme or is treated as having been so appointed, the amount of the reduction may be paid to that person.

67.0 Use of information from and to the Department of Work and Pensions (DWP) and Her Majesty's Revenues and Customs (HMRC)

67.1 The authority will use information provided by the DWP and HMRC for the purposes of Council Tax Reduction, council tax liability, billing, administration and enforcement as outlined within Schedule 2 of the Local Government Finance Act 1992 as amended by the Local Government Finance Act 2012 and the Social Security (Information-sharing in relation to Welfare Services etc.) (Amendment) Regulations 2013

67.2 Where required by the relevant department and where required by law, the authority will share information obtained for Council Tax Reduction with the DWP or HMRC as appropriate and in accordance with Data Protection requirements¹⁴.

¹² Inserted by Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012

¹³ Inserted by Schedule 8 of the Council Tax Reductions Scheme (Prescribed Requirements) (England) Regulations 2012

¹⁴ Data Retention and Investigatory Powers Act 2014 and Data Retention Regulations 2014

68.0 Collection of information

68.1 The authority may receive and obtain information and evidence relating to claims for council tax reduction, the council may receive or obtain the information or evidence from–

- (a) persons making claims for council tax reduction;
- (b) other persons in connection with such claims;
- (c) other local authorities; or
- (d) central government departments including the DWP and HMRC

68.2 The authority may verify relevant information supplied to, or obtained.

69.0 Recording and holding information

69.1 The authority may

- (a) may make a record of such information; and
- (b) may hold that information, whether as supplied or obtained or recorded, for the purpose of forwarding it to the person or authority for the time being administering council tax reduction.

70.0 Forwarding of information

70.1 The authority may forward it to the person or authority for the time being administering claims to or awards of council tax reduction to which the relevant information relates, being

- (i) a local authority;
- (ii) a person providing services to a local authority; or
- (iii) a person authorised to exercise any function of a local authority relating to council tax reduction.

71.0 Persons affected by Decisions

71.1 A person is to be treated as a person affected by a relevant decision of the authority where that person is;

- (a) an applicant;
- (b) in the case of a person who is liable to make payments 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 or reduction on his behalf,
 - (ii) in Scotland, a tutor, curator, judicial factor or other guardian acting or appointed in terms of law administering that person's estate, or
 - (iii) an attorney with a general power or a power to receive benefit or reduction appointed by the person liable to make those payments 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 this scheme;

72.0 Terminations

72.1 The authority may terminate, in whole or in part the Council tax reduction where it appears to the authority that an issue arises whether;

- (a) the conditions for entitlement to Council tax reduction are or were fulfilled; or
- (b) a decision as to an award of such a reduction should be revised or superseded.

Where the person fails to provide information to the authority as requested in relation to any matter relating to their liability for Council Tax. Where the amount of current reduction reduces to zero, the award will end.

73.0 Procedure by which a person may make an appeal against certain decisions of the authority¹⁵

73.1 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.

73.2 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.

73.3 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 the valuation tribunal under section 16 of the 1992 Act¹⁶.

74.0 Procedure for an application to the authority for a reduction under section 13A(1)(c) of the 1992 Act¹⁷

74.1 An application to the authority for a reduction under section 13A(1)(c) of the 1992 Act may be made;
(a) in writing,
(b) by means of an electronic communication in accordance this scheme or
(c) where the authority has published a telephone number for the purpose of receiving such applications, by telephone.

74.2 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).

75.0 Exceptional Hardship Scheme

75.1 The authority may provide additional help to an applicant who is entitled to reduction under its Exceptional Hardship Scheme.

75.2 Such payments shall be deemed to be made under S13A (1)(a) of the 1992 Act.

76.0 Interpretation for the use of electronic communication

76.1 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 an authority for sending, receiving, processing or storing of any information.

77.0 Conditions for the use of electronic communication

¹⁵ Inserted by Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012

¹⁶ As amended by the Tribunal Procedure (Amendment No 3) Rules 2014

¹⁷ Inserted by Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012

77.1	The authority may use an electronic communication in connection with applications for, and awards of, reductions under its scheme.
77.2	A person other than the 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.
77.3	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.
77.4	The second condition is that the person uses an approved method of; <ul style="list-style-type: none"> (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.
77.5	The third condition is that any information sent by means of an electronic communication is in a form approved for the purposes.
77.6	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.
77.7	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.
77.8	In this paragraph “approved” means approved by means of a direction given by the Chief Executive of the authority for the purposes of this section.
78.0	Use of intermediaries
78.1	The authority may use intermediaries in connection with; <ul style="list-style-type: none"> (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.
79.0	Effect of delivering information by means of electronic communication
79.1	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 an authority’s scheme on the day the conditions imposed; <ul style="list-style-type: none"> (a) by this section; and (b) by or under an enactment, are satisfied.
79.2	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).
79.3	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.
80.0	Proof of identity of sender or recipient of information
80.1	If it is necessary to prove, for the purpose of any legal proceedings, the identity of— <ul style="list-style-type: none"> (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.

81.0 Proof of delivery of information

- 81.1 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.
- 81.2 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.
- 81.3 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.

82.0 Proof of content of information

- 82.1 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.

83.0 Counter Fraud and compliance

- 83.1 In order to protect the finances of the authority and also in the interests of all council taxpayers, the authority will undertake such actions as allowed by law to;
(a) Prevent and detect fraudulent claims and actions in respect of Council tax reduction;
(b) Carry out investigations fairly, professionally and in accordance with the law; and
(c) Ensure that sanctions are applied in appropriate cases
- 83.2 The authority believes that it is important to minimise the opportunity for fraud and;
(a) will implement rigorous procedures for the verification of claims for council tax reduction;
(b) will employ sufficient Officers to fulfil the authority's commitment to combat fraud;
(c) will actively tackle fraud where it occurs in accordance with this scheme;
(d) will co-operate with the Department for Work and Pensions (DWP), Her Majesty's Revenues and Customs and take part in joint working including prosecutions; and
(e) will in all cases seek to recover all outstanding council tax.
- 83.3 The authority shall put into place such administrative policies, procedures and processes as are necessary to ensure that the actions outlined within paragraph (1) and (2) can be carried out successfully. In particular the authority shall undertake actions provided by the Council Tax Reduction Schemes (Detection of Fraud and Enforcement) (England) Regulations 2013.

Schedule 1

Calculation of the amount of Council Tax Reduction in accordance with the Discount Scheme.

1. The authority's Council Tax Reduction scheme from 2022/23 shall be calculated on the basis of the following Banded Discount Scheme:

Band	Discount	Single Person with no children/young persons	Couple with no children/young persons	Couple or Single Person with one child/young person	Couple or Single Person with two or more children/young persons
1*	65%	£0 to £94.99	£0 to £129.99	£0 to £179.99	£0 to £239.99
2	55%	£95 to £139.99	£130 to £174.99	£180 to £229.99	£240 to £289.99
3	45%	£140.00 to 184.99	£175 to £219.99	£230 to £279.99	£290 to £339.99
4	35%	£185 to £229.99	£220 to £264.99	£280 to £329.99	£340 to £389.99
5	20%	£230 to £269.99	£265 to £309.99	£330 to £379.99	£390 to £449.99
6	0%	£270+	£310+	£380+	£450+

2. The amount of discount to be granted is to be based on the following factors:
- The maximum Council Tax Reduction as defined within this scheme;
 - The Council Tax family as defined within this scheme;
 - The income of the applicant and partner as defined within this scheme; and
 - The capital of the applicant and partner as defined within this scheme.
3. For the sake of clarity all incomes shown within the table above are weekly in accordance with the scheme requirements and definitions.
4. Discount bands vary depending on both weekly income and the household (family as defined within this scheme). For the sake of clarity, it should be noted that in any application for reduction is limited to a maximum of two dependant children or young persons.
5. Any applicant whose capital is greater than £16,000 shall not be entitled to any Council Tax Reduction whatsoever.
6. The authority **may** increase the level of incomes within the grid specified in paragraph 1 on an annual basis by the appropriate level of inflation measured by the Consumer Price Index (CPI) at 1st October preceding the effective financial year, rounded to the nearest pound.
7. *Where an applicant or partner is in receipt of Income Support, Income Related Employment and Support Allowance or Income Based Jobseeker's Allowance, discount will be awarded at Band 1 level.

Schedule 2

Sums to be disregarded in the calculation of income other than earnings

1. Any amount paid by way of tax on income,
2. Any payment made to the claim and 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 or Back to Work Scheme, but only for 52 weeks beginning with the date of receipt of the payment.
3. 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) volunteer,
 if he otherwise derives no remuneration or profit from the employment and is not to be treated as possessing any earnings under section 32.0 (notional income).
4. Any payment in respect of expenses arising out of the applicant's participation in a service user group.
5. 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.
6. 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.
7. Where the applicant is a member of a joint-claim couple for the purposes of the Jobseekers Act and his partner is on an income-based jobseeker's allowance, the whole of the applicant's income.
8. 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.
9. Any disability living allowance or personal independence payment or AFIP
10. Any concessionary payment made to compensate for the non-payment of;
 - (a) income support;
 - (b) an income-based jobseeker's allowance.
 - (c) an income-related employment and support allowance.
11. 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.
12. Any attendance allowance.
13. Any payment to the applicant as holder of the Victoria Cross or of the George Cross or any analogous payment.
14. (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 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 National Assembly for Wales 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
- (iii) 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).
15. 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.
- 16 (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 1973 Act 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.
- 17 (1) Subject to sub-paragraph (2), any of the following payments;
 (a) a charitable payment;
 (b) a voluntary payment;
 (c) a payment (not falling within sub-paragraph (a) or (b) above) from a trust whose funds are derived from a payment made in consequence of any personal injury to the applicant;
 (d) 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
 (e) a payment (not falling within sub-paragraphs (a) to (d) 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) shall 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.

- 18. 100% of any of the following, namely
 - (a) a war disablement pension (except insofar as such a pension falls to be disregarded under paragraph 9 or 10);
 - (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 sub-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.

- 19. £15 of any;
 - (a) widowed mother’s allowance paid pursuant to section 37 of the Act;
 - (b) widowed parent’s allowance paid pursuant to section 39A of the Act.

- 20. (1) Any income derived from capital to which the applicant is or is treated as beneficially entitled.

- 21. 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.

- 22. (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 under section 2 of the Education Act 1962 (discretionary awards) or 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 defined within this scheme.
 - (2) For the purposes of sub-paragraph (1), the amount shall 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.
23. Any payment made to the applicant by a child or young person or a non- dependent.
24. Where the applicant occupies a dwelling as his home and the dwelling is also occupied by a person 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–
- (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.
25. (1) 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 £20.00, 100 per cent. of such payments;
- (b) where the aggregate of any such payments exceeds £20.00, £20.00 and 50 per cent. of the excess over £20.00.
- (2) In this paragraph, ‘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.
26. (1) Any income in kind, except where regulation 30(11)(b) (provision of support under section 95 or 98 of the Immigration and Asylum Act 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.
27. 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.
28. (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(b) (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 Order, in pursuance of Article 15 of, and paragraph 17 of Schedule 1 to, that Order (contribution by an authority to child’s maintenance);

- (a) in accordance with regulations made pursuant to section 14F of the Children Act 1989(c) (special guardianship support services);
- (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.
29. 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).
30. 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) 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
- (f) a Local Health Board established under section 16BA of the National Health Service Act 1977 or established by an order made under section 11 of the National Health Service (Wales) Act 2006
31. 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).
32. (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(e) 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.
33. (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) shall only 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, (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).

34. Any payment of income which is to be treated as capital.
35. Any social fund payment made pursuant to Part 8 of the Act (the Social Fund) or any local welfare provision as defined by the Social Security (Miscellaneous Amendments) Regulations 2013
36. Any payment under Part 10 of the Act (Christmas bonus for pensioners).
37. 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.
38. (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 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.

(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 support 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.

39. Any Housing Benefit or where the applicant is entitled to an award of Universal Credit which includes a housing element, any sum determined by the authority as the proportion of housing costs award.
40. Any payment made by the Secretary of State to compensate for the loss (in whole or in part) of entitlement to housing benefit.
41. 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.
42. Any payment in consequence of a reduction of council tax under section 13 or section 80 of the 1992 Act (reduction of liability for council tax).
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).
(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).
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).

45. 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.
46. (1) Where an applicant's family includes at least one 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 such be aggregated and treated as if they were a single payment.
 (3) A payment made by the Secretary of State in lieu of maintenance shall, for the purpose of sub-paragraph (1), be treated as a payment of maintenance made by a person specified in sub-paragraph (1).
47. (1) Any payment of child maintenance made or derived from a liable relative where the child or young person in respect of whom the payment is made is a member of the applicant's family, except where the person making the payment is the applicant or the applicant's partner.
 (2) In 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.
48. 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.
49. Any guardian's allowance.
50. (1) If the applicant is in receipt of any benefit under Parts 2, 3 or 5 of the Act, any increase in the rate of that benefit arising under Part 4 (increases for dependants) or section 106(a) (unemployability supplement) of the Act, where the dependant 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 dependant in respect of whom the increase is paid is not a member of the applicant's family.
51. 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.
52. In the case of a pension awarded at the supplementary rate under article 27(3) of the Personal Injuries (Civilians) Scheme 1983(a) (pensions to widows, widowers or surviving civil partners), the sum specified in paragraph 1(c) of Schedule 4 to that Scheme.
- 53 (1) Any payment which is
 (a) made under any of the Dispensing Instruments to a widow, widower or

- (b) 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 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).

- 54. Any council tax reduction or council tax benefit to which the applicant is entitled.
- 55. 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).
- 56. (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) shall apply only in respect of payments, which are paid to that person from the special account
- 57. (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.
- 58. 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.
- 59. 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.
- 60. Any discretionary housing payment paid pursuant to regulation 2(1) of the Discretionary Financial Assistance Regulations 2001 as amended by the Welfare Reform Act 2012 (Consequential Amendments) Regulations 2013.
- 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 payments to a claimant made under section 49 of the Children and Families Act 2014 (personal budgets and direct payments)
- 63. Any payment of child benefit.

64. Any Windrush compensation payment.
65. Any payment made under the We Love Manchester Emergency Fund.
66. Any payment made under the London Emergency Trust.
67. Carers Allowance.
68. The support component of Employment and Support Allowance.
69. Where, but for the adoption of this scheme, the applicant, any partner, or child (including young person) would meet the criteria for their award to include a disability premium, enhanced disability premium, severe disability premium or disabled children premium under the Council Tax Reduction Scheme (Default Scheme) 2013 regulations, a disregard of £40 shall be made from their weekly income. Only one disregard shall apply per award.
70. Any Local Welfare Payment paid to the applicant by the authority;
71. Any payment of Council Tax Rebate paid under the Government announcement on 3rd February 2022.

Schedule 3
Capital to be disregarded

1. 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, in particular 5, in Scotland, any croft land on which the dwelling is situated; but, notwithstanding section 15 (calculation of income and capital of members of applicant's family and of polygamous marriage), only one dwelling shall be disregarded under this paragraph.
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 the Employment, Skills and Enterprise Scheme or Back to Work Scheme but only for 52 weeks beginning with the date of receipt of the payment but only for 52 weeks beginning with the date of receipt of payment.
4. 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.
5. 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.
6. 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 shall 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.
7. 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 provided that it is no more than £10,000.
8. Where the applicant is a member of a joint-claim couple for the purposes of the Jobseekers Act 1995 and his partner is on income-based jobseeker's allowance, the whole of the applicant's capital.
9. 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.
10. (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 claim for council tax reduction 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.

(3) 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.

11. (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) an income-related benefit;
 - (b) an income-based jobseeker's allowance;
 - (c) any discretionary housing payment paid pursuant to regulation 2(1) of the Discretionary Financial Assistance Regulations 2001;
 - (d) working tax credit and child tax credit
 - (e) an income-related employment and reduction allowance

but only for a period of 52 weeks from the date of the receipt of arrears or of the concessionary payment.

12. 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.

12. Any sum—
- (a) deposited with a housing association as defined in section 1(1) of the Housing Associations Act 1985 or section 338(1) of the Housing (Scotland) Act 1987 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.

13. 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 council tax reduction or to increase the amount of that reduction.

14. The value of the right to receive any income under an annuity or the surrender value (if any) of such an annuity.

15. 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.

16. (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).

17. The value of the right to receive any income under a life interest or from a life rent.
18. The surrender value of any policy of life insurance.
19. Where any payment of capital falls to be made by instalments, the value of the right to receive any outstanding instalments.
20. 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).
21. (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.
22. Any social fund payment.
23. 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.
24. Any capital which, by virtue of sections 31 or 51 (capital treated as income, treatment of student loans) is to be treated as income.
25. 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.
27. Any payment made under or by the Trusts, the Fund, the Eileen Trust, MFET Limited, the Independent Living Fund (2006), the Skipton Fund, the Caxton Foundation or the Charitable Fund.
28. 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 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 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.

(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 any of the Trusts 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 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 support 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.

(7) 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.

28. (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.
29. 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, or such longer period as is reasonable in the circumstances to enable him to dispose of those premises.
30. 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.
31. 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.
32. Any payment made by the Secretary of State to compensate for the loss (in whole or in part) of entitlement to housing benefit.
33. The value of the right to receive an occupational or personal pension.
34. The value of any funds held under a personal pension scheme
35. 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.
36. 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).
37. Any payment made pursuant to section 2 of the 1973 Act 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.
38. Any payment in consequence of a reduction of council tax under section 13 or, as the case may be, section 80 of the Local Government Finance Act 1992 (reduction of liability for council tax), but only for a period of 52 weeks from the date of the receipt of the payment.
39. 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.
40. Any arrears of supplementary pension which is disregarded under this scheme but only for a period of 52 weeks from the date of receipt of the arrears.
 41. (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 the receipt of the payment or repayment.
 42. 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.
 43. Any payment made under Part 8A of the Act (entitlement to health in pregnancy grant).
 44. 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.
 45. 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.
 46. Any payment made by a local authority under section 3 of the Disabled Persons (Employment) Act 1958 to homeworkers assisted under the Blind Homeworkers' Scheme.
 47. (1) Subject to sub-paragraph (2), where an applicant satisfies the conditions in section 131(3) and (6) of the Act (entitlement to alternative maximum council tax reduction), the whole of his capital.

(2) Where in addition to satisfying the conditions in section 131(3) and (6) of the Act the applicant also satisfies the conditions in section 131(4) and (5) of the Act (entitlement to the maximum council tax reduction), sub-paragraph (1) shall not have effect.
 48. (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.

49. 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
 - (b) compensation for the death of one or both parents where the person concerned is under the age of 18.
50. Any payment to the applicant as holder of the Victoria Cross or George Cross.
51. 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.
52. (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.
53. (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 National Assembly for Wales 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 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).
54. 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.
55. 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.

56. 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 interment 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.
57. (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 shall apply 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 shall apply 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 shall apply 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 shall apply 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 shall apply 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 shall apply

	<p>for the period beginning on the date on which that payment is made and ending–</p> <p>(i) two years after that date; or</p> <p>(ii) on the day before the day on which that person</p> <p>(aa) ceases receiving full-time education; or</p> <p>(bb) attains the age of 20,</p> <p>whichever is the latest.</p>
	<p>(5) In this paragraph, a reference to a person–</p> <p>(a) being the diagnosed person’s partner;</p> <p>(b) being a member of a diagnosed person’s family;</p> <p>(c) acting in place of the diagnosed person’s parents,</p> <p>at the date of the diagnosed person’s death shall include 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.</p>
	<p>(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 Creutzfeld- Jakob disease;</p> <p>‘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 Creutzfeld-Jakob disease for the benefit of persons eligible for payments in accordance with its provisions;</p> <p>‘trust payment’ means a payment under a relevant trust.</p>
58.	<p>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</p> <p>(a) was a slave labourer or a forced labourer;</p> <p>(b) had suffered property loss or had suffered personal injury; or</p> <p>(c) was a parent of a child who had died,</p> <p>during the Second World War.</p>
59.	<p>(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.</p> <p>(2) For the purposes of sub-paragraph (1) ‘local authority’ includes in England a county council.</p>
60.	<p>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 section 12A to 12D of the National Health Service Act 2006 (direct payments for health care).</p>
61.	<p>Any payment made to the applicant pursuant to regulations under section 2(6)(b), 3 or 4 of the Adoption and Children Act 2002.</p>
62.	<p>Any payment made to the applicant in accordance with regulations made pursuant to section 14F of the Children Act 1989 (special guardianship support services).</p>
63.	<p>Any payments to a claimant made under section 49 of the Children and Families Act 2014 (personal budgets and direct payments),</p>
64.	<p>Any Windrush compensation payment.</p>
65.	<p>Any payment made under the We Love Manchester Emergency Fund.</p>
66.	<p>Any payment made under the London Emergency Trust.</p>



**Council Tax Reduction Scheme
Exceptional Hardship Policy
2022/23**

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1.0 Background

- 1.1 An Exceptional Hardship Fund has been created by the Council to assist applicants for Council Tax Reduction (CTR) who are facing 'exceptional hardship'. The fund has been created to provide further assistance where an applicant is in receipt of Council Tax Reduction but the level of support being paid by the Council does not meet their full Council Tax liability.
- 1.2 The Exceptional Hardship Fund will be available to any applicant (whether pension or working age) where their daily award of Council Tax Reduction does not meet 100% of their Council Tax liability (less any appropriate discounts and any non-dependant deductions).
- 1.3 The Exceptional Hardship Fund will also be open to those applicants who have applied Council Tax Reduction but have not qualified **and** have made an application under the EHF scheme **within one month** of receiving the decision from the Council. However, in such cases the applicant will need to provide evidence of exceptional circumstances above and beyond a financial reason given that their income / capital will have already been determined to be in excess of the scheme levels.
- 1.4 In the case of paragraph 1.3, the Exceptional Hardship Fund will not be available for those applicants who are precluded from the scheme under the Prescribed Requirement Regulations.
- 1.5 The main features of the fund are as follows:
- The operation of the Fund will be at the total discretion of the Council;
 - The Fund will be operated by the Revenues and Benefits section on behalf of the Council;
 - There is no statutory right to payments from the fund although the Council will consider all applications received;
 - Exceptional Hardship Fund payments will only be available from 1st April 2022 and **will not be available for any other debt other than outstanding Council Tax;**

- A pre-requisite to receive a payment from the Fund is that an amount of Council Tax Reduction **must be in payment** for any day that an Exceptional Hardship Fund payment is requested **or** that an application has been made for Council Tax Reduction and has subsequently been refused within 1 month from the date of application for an Exceptional Hardship Fund payment;
- Where an Exceptional Hardship Payment is requested for a previous period, Exceptional Hardship must have been proven to have existed throughout the whole of the period requested;
- Exceptional Hardship Payments are designed as a short-term help to the applicant only and it is expected that payments will be made for a short term only; and
- All applicants will be expected to engage with the Council and undertake the full application process. Failure to do so will inevitably mean that no payment will be made.

2.0 Exceptional Hardship Fund and Equalities

2.1 The creation of an Exceptional Hardship Fund facility meets the Council's obligations under the Equality Act 2010.

2.2 This policy has been created to ensure that a level of protection and support is available to those applicants most in need. It should be noted that the Exceptional Hardship Fund is intended to help in cases of **extreme** financial hardship and not support a lifestyle or lifestyle choice. Whilst the definition 'Exception Hardship' is not exactly defined by this policy, it is accepted that changes to the level of support generally will cause financial hardship and any payment made will be at the total discretion of the Council. Exceptional Hardship should be considered as 'hardship beyond that which would normally be suffered'

3.0 Purpose of this policy

3.1 The purpose of this policy is to specify how the Council will operate the scheme, to detail the application process and indicate a number of factors, which will be considered when deciding if an Exceptional Hardship Fund payment can be made.

3.2 Each case will be treated on its own merits and all applicants will be treated fairly and equally in terms of access to the Fund and also the decisions made.

4.0 The Exceptional Hardship Fund Process

4.1 As part of the process of applying for additional support from the Exceptional Hardship Fund, all applicants must be willing to undertake **all** of the following:

- a. Make a separate application for assistance (where required by the Council);
- b. Provide full details of their income and expenditure;
- c. Accept assistance from either the Council or third parties such as the Citizens Advice or similar organisations to enable them to manage their finances more effectively including the termination of non-essential expenditure;
- d. Identify potential changes in payment methods and arrangements to assist the applicant;
- e. Assist the Council to minimise liability by ensuring that all discounts, exemptions and reductions are properly granted; and
- f. Maximise their income through the application for other welfare benefits, cancellation of non-essential contracts and outgoings and identifying the most economical tariffs for the supply of utilities and services generally.

4.2 Through the operation of this policy, the Council will look to:

- Allow a short period of time for someone to adjust to unforeseen short-term circumstances and to enable them to “bridge the gap” during this time, whilst the applicant seeks alternative solutions;
- Enable long term support to households in managing their finances;
- Help applicants through personal crises and difficult events that affect their finances;

- Prevent exceptional hardship;
- Help those applicants who are trying to help themselves financially; and
- Encourage and support people to obtain and sustain employment.

4.3 It cannot be awarded for the following circumstances:

- Where full Council Tax liability is already being met by Council Tax Reduction;
- For any other reason, other than to reduce Council Tax liability;
- Where the Council considers that there are unnecessary expenses/debts etc. and that the applicant has not taken reasonable steps to reduce these; or
- To pay for any additional Council Tax caused through the failure of the applicant to notify changes in circumstances in a timely manner or where the applicant has failed to act correctly or honestly.

5.0 Awarding an Exceptional Hardship Fund Payment

5.1 The Council will decide whether or not to make an Exceptional Hardship Fund award, and how much any award might be.

5.2 When making this decision the Council will consider:

- The shortfall between Council Tax Reduction and Council Tax liability;
- Whether the applicant has engaged with the Exceptional Hardship Payment process;
- If a Discretionary Housing Payment for Housing Benefit or Universal Credit Housing Element) has already been awarded to meet a shortfall in rent;
- The personal circumstances, age and medical circumstances (including ill health and disabilities) of the applicant, their partner, any dependants and any other occupants of the applicant's home;
- The difficulty experienced by the applicant, which prohibits them from being able to meet their Council Tax liability, and the length of time this difficulty will exist;
- Shortfalls due to non-dependant deductions;
- The income and expenditure of the applicant, their partner and any dependants or other occupants of the applicant's home;
- How reasonable expenditure exceeds income;

- All income received by the applicant, their partner and any member of their household irrespective of whether the income may fall to be disregarded under the Council Tax Reduction scheme;
- Any savings or capital that might be held by the applicant, their partner and any member of their household irrespective of whether the capital may fall to be disregarded under the Council Tax Reduction scheme;
- Other debts outstanding for the applicant and their partner;
- The exceptional nature of the applicant and/or their family's circumstances that impact on finances; and
- The length of time they have lived in the property.

5.3 The above list is not exhaustive and other relevant factors and special circumstances will be considered.

5.4 An award from the Exceptional Hardship Fund does not guarantee that a further award will be made at a later date, even if the applicant's circumstances have not changed.

5.5 An Exceptional Hardship Fund payment may be less than the difference between the Council Tax liability and the amount of Council Tax Reduction paid. The level of payment may be nil if the authority feels that, in its opinion, the applicant is not suffering 'exceptional hardship' or where the applicant has failed to comply with the Exceptional Hardship process.

6.0 Publicity

6.1 The Council will make a copy of this policy available for inspection and will be published on the Council's website.

7.0 Claiming an Exceptional Hardship Fund payment

7.1 An applicant must make a claim for an Exceptional Hardship Fund award by submitting an application to the Council. The application form can be obtained via

the telephone, in person, at one of the Council offices and/or via the Council's website.

7.2 Applicants can request assistance with the completion of the form from the Revenues and Benefits Service or Customer Services at the Council.

7.3 The application form must be fully completed and supporting information or evidence provided, as reasonably requested by the Council.

7.4 In most cases the person who claims the Exceptional Hardship Fund award will be the person entitled to Council Tax Reduction. However, a claim can be accepted from someone acting on another's behalf, such as an appointee, if it is considered reasonable.

8.0 Changes in circumstances

8.1 The Council may revise an award from the Exceptional Hardship Fund where the applicant's circumstances have changed which either increases or reduces their Council Tax Reduction entitlement.

9.0 Duties of the applicant and the applicant's household

9.1 A person claiming an Exceptional Hardship Fund payment is required to:

- Provide the Council with such information as it may require making a decision;
- Tell the Council of any changes in circumstances, within 21 days, that may be relevant to their ongoing claim; and
- Provide the Council with such other information as it may require in connection with their claim.

10.0 The award and duration of an Exceptional Hardship Payment

10.1 Both the amount and the duration of the award are determined at the discretion of the Council and will be done so on the basis of the evidence supplied and the circumstances of the claim.

10.2 The start date of such a payment and the duration of any payment will be determined by the Council. In any event, the maximum length of the award will not exceed the end of the financial year in which the award is given.

11.0 Award of the Exceptional Hardship Fund payment

11.1 Any Exceptional Hardship Fund payment will be made direct onto the applicant's Council Tax account, thereby reducing the amount of Council Tax payable.

12.0 Overpaid Exceptional Hardship Fund Payments

12.1 Overpaid Exceptional Hardship Fund payments will generally be recovered directly from the applicant's council tax account, thus increasing the amount of council tax due and payable.

13.0 Notification of an award

13.1 The Council will notify the outcome of each application for Exceptional Hardship Fund payments in writing. The notification will include the reason for the decision and advise the applicant of their appeal rights.

14.0 Appeals

14.1 Exceptional Hardship Fund payments are subject to the statutory appeal process as they are made as part of the Council's Council Tax Reduction scheme under Section 13A 1A of the Local Government Finance Act 1992.

14.2 If the applicant is not satisfied with the decision in respect of an application for an Exceptional Hardship Fund payment, a decision to reduce the amount of Exceptional Hardship Fund payment, a decision not to backdate an Exceptional Hardship Fund payment or a decision that there has been an overpayment of an Exceptional Hardship Fund payment, the Council will look at the decision again.

14.3 An officer, other than the original decision maker, will consider the appeal by reviewing the original application and any other additional information and/or representation made, and will make a decision within 14 days of referral or as soon as practicable.

14.4 The outcome of the appeal will be set out in writing, detailing the reasons for the decision or upholding the original decision.

14.5 Further appeals can be made as per Council Tax Reduction to an independent Valuation Tribunal

15.0 Fraud

15.1 The Council is committed to protect public funds and ensure funds are awarded to the people who are rightfully eligible to them.

15.2 An applicant who tries to fraudulently claim an Exceptional Hardship Fund payment by falsely declaring their circumstances, providing a false statement or evidence in support of their application, may have committed an offence under The Fraud Act 2006.

15.3 Where the Council suspects that such a fraud may have been committed, this matter will be investigated as appropriate and may lead to criminal proceedings being instigated.

16.0 Complaints

16.1 The Council's 'Compliments and Complaints Procedure' (available on the Council's website) will be applied in the event of any complaint received about this policy.

17.0 Policy Review

17.1 This policy will be reviewed every year and updated as appropriate to ensure it remains fit for purpose. However, the review may take place sooner should there be any significant changes in legislation.