

Reading Borough Council

Discretionary Council Tax Support Payment Policy 2019/20

1. Introduction

Discretionary Council Tax Support Payments provide assistance to Council Tax Support claimants who are considered to be in severe financial hardship and/or have exceptional circumstances and are unable to pay their Council Tax bill.

Discretionary Council Tax Support Payments falls within our Council Tax Reduction Scheme, and is an exercise of the Council's power under Section 13A(1)(c) of the Local Government Finance Act 1992 which allows the Council to make any further reduction to the Council Tax bill of an individual dwelling at the discretion of the Council.

The Council has set aside a limited fund for the purposes of this Discretionary Council Tax Support Payment Policy, which may be revised at any time throughout the year. Once this fund has been exhausted, it will not be possible to award any additional Council Tax reduction under this policy irrespective of the circumstances of each case or the volume of demand.

Discretionary Council Tax Support Payment awards are discretionary; applicants do not have a statutory right to an award. The Council may choose to amend or replace certain criteria used in this policy during the financial year 2018/19 or in subsequent financial years.

2. Statement of objectives

Our Discretionary Council Tax Support Payment Policy is designed to meet the Council's commitment towards helping vulnerable people within our area and has the following key objectives:

- To enable the Council to consider making a further reduction in Council Tax to help those people who meet certain qualifying criteria and who experience financial difficulty as a result of the Council Tax Reduction Scheme;
- To make a contribution to the alleviation of child poverty;
- To provide short term financial assistance with payment of Council Tax for people going through personal crises or difficult events who are facing severe financial hardship;
- To help people who are helping themselves;
- Recognising those persons who have demonstrated that they need additional financial support on account of medical grounds or on grounds of disability to pay their Council Tax;
- Encouraging and sustaining people in employment;
- Supporting young people leaving care

3. Making an application

A Discretionary Payment application form must be submitted, this can be done online at www.reading.gov.uk. Alternatively a paper application is available at the Civic Centre.

- The application will relate to the current Council Tax year within which it is submitted;
- Any application relating to a previous financial year must be made within one month from the date of the demand notice for the current year;
- In exceptional circumstances the Council may award a Discretionary Council Tax Support Payment for a previous financial year subject to its discretion;
- An application must be made by the person who is liable for the Council Tax at that dwelling or by somebody authorised to act on their behalf;
- The Council may request further information or reasonable evidence in support of an application. Where this is the case, the applicant will be asked to provide the necessary documentation within one month of the request. This timeframe may be extended in some circumstances;
- The Council will signpost the applicant to other internal departments for housing advice and support, as well as to other advice agencies that can offer assistance in areas such as budgeting and debt advice, where applicable.

4. Criteria for an award

The applicant will have to be entitled to and receiving some Council Tax Support. When assessing applications the Council will:

- Consider all applications on their individual merits;
- Take into account the financial and medical circumstances of the applicant, their partner and any dependants as well as any other occupants of the claimant's home;
- Take into account both the income and expenditure of the applicant and their partner;
- Take into account any savings or capital held by the applicant and their partner;
- Consider the level of indebtedness of the applicant and their family;
- Consider whether the applicant and their family's circumstances are of an exceptional nature;
- Take into account the effects of other welfare benefit reform changes affecting the applicant and their family;
- Take into account the amount available in the Discretionary Council Tax Support Payment Fund at the time of the application;
- Consider the possible impact of not making a reduction under this policy from the Discretionary Council Tax Support Payment Fund;
- If the applicant has an outstanding balance on their Council Tax liability;
- Take into account any other special circumstances brought to the attention of the Council's Entitlement & Assessment Team;
- Consider information already submitted to Reading Borough Council, specifically in relation to a Housing Benefit, Council Tax Support claim or homelessness application;
- Consider whether you have received Debt or Benefit Advice

5. Amount and Period of Award

The amount and period of the award is at the discretion of the Council. When considering the length of the award the Council will:

- Take into account the likelihood of any future changes affecting the applicant's financial position;
- Take into account any forthcoming changes of circumstances which might affect the need for such an award;
- Any exceptional circumstances as outlined within this policy;
- An award will be made by the application of a further reduction to the applicant's Council Tax account.

The Council may increase or decrease an award at any time where there are any changes in the applicant's circumstances.

6. Notification

The applicant will be notified in writing of the outcome of their application for a Discretionary Council Tax Support Payment under this scheme within one-month of receiving all of the necessary information and supporting evidence to make the decision.

Where the application is successful, we will tell the applicant:

- The amount of the award;
- The period of the award;
- The reason for the award;
- The need to report changes of circumstances.

Where the application is unsuccessful, we will explain the reasons why the decision has been made and explain the right of appeal.

7. Rights of appeal

The following procedure will operate where an applicant (or their appointed representative) has requested that we reconsider a decision not to make an award, or is disputing the amount of an award:

- Where the applicant is dissatisfied with a decision they will need to write to the Entitlement and Assessment Team within one month of the date of notification and request a review of the decision;
- The request must contain the reasons why the applicant does not believe the decision to be correct or the grounds on which they are aggrieved;
- Where it is apparent that the original decision was made in ignorance of a material fact, either because that information was not available at the time the decision was made or because the information was overlooked, then the decision will be revised accordingly;
- Where possible, the Entitlement and Assessment Team will try to resolve the matter by explaining the reasons for the decision to the applicant in writing, and also verbally where appropriate;
- An officer not involved in the original decision will carry out the review;
- The applicant will have one month to provide any supplementary information that is required in order to review the original decision. After this time, the review of the decision will be made based solely on the information held.

If we decide that the original decision should not be revised, we will provide full written reasons to the applicant, including any other steps that have been taken to resolve the issue.

Where the applicant remains dissatisfied with the outcome of their review request, or where the Council has failed to come to a decision on the request as discussed above within two months, the applicant may then submit an appeal to the Valuation Tribunal Service.

8. Fraud Prevention

The Council is committed to the prevention and tackling of fraud. Any applicant who tries to fraudulently claim a Discretionary Council Tax Support Payment award may have committed an offence under the Fraud Act 2006.

Where fraud or potential fraud is suspected the matter will be investigated and this could lead to criminal proceedings.

9. Publicity

This Discretionary Council Tax Support Payment Policy will be publicised and information will be provided to relevant agencies, stakeholders and other Council departments, as appropriate.

10. Monitoring & Review

We will routinely monitor and review our Discretionary Council Tax Support Payment Policy to ensure that it has been applied fairly and consistently. Information will be analysed to inform future decision making and to ensure that our policy continues to meet our objectives.

11. Legislation

The Discretionary Council Tax Support Payment Scheme falls within our Local Council Tax Reduction Scheme.

Reading Borough Council have in accordance with Section 13A (2) of the Local Government Finance Act 1992, (substituted by section 10 of the Local Government Finance Act 2012), set out their local Council Tax Reduction Scheme which comes into effect from 1st April 2016. Our Discretionary Council Tax Support Payment Policy is an associated policy to this scheme and is designed to meet the Council's commitment towards helping vulnerable people within our area.

The Discretionary Council Tax Support Payment Policy is distinct from the exercise of the Council's power under Section 13A(1)(c) of the Local Government Finance Act 1992 which allows the Council to make any further reduction to the Council Tax bill of an individual dwelling at the discretion of the Council. In exercising discretion whether to grant a discretionary payment under this policy, the Council will have regard to the needs of vulnerable groups, and in particular, the Council's obligations under the Equality Act 2010, the Child Poverty Act 2010, Housing Legislation (1996 and 2002 Acts) and the Armed Forces Covenant.

12. Contact

Reading Borough Council Entitlement and Assessment Team

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