



Hinckley & Bosworth Borough Council

FORWARD TIMETABLE OF CONSULTATION AND DECISION MAKING

SCRUTINY COMMISSION
COUNCIL

13 SEPTEMBER 2018
2 OCTOBER 2018

WARDS AFFECTED: All Wards

COUNCIL TAX CARE LEAVERS DISCOUNT

Report of Head of Finance

1. PURPOSE OF REPORT

- 1.1 To introduce a Care Leavers discount for Council Tax and use the Council's power as a billing authority to reduce to nil the amount of council tax payable by young people leaving care as permitted by section 13A of the Local Government Finance Act 1992 from 1 April 2019.

2. RECOMMENDATION

- 2.1 That members:
- approve the policy as set out in appendix 1
 - agree that this class of charge payers will be awarded a local council tax discount to reduce their council tax bill to nil

3. BACKGROUND TO THE REPORT

- 3.1 The Children's Society campaign note a range of disadvantages care leavers experience that is not applicable to other groups, making them a vulnerable group for council tax debt. The Children's Society put forward a strong case for care leavers, at least up to the age of 25, to be exempted from paying council tax. With a recommendation that Care leavers are exempt from paying council tax until the age of 25 in order to avoid them getting into debt after leaving care.
- 3.2 A local authority looks after care leavers rather than their parents, and these young people are amongst the most vulnerable groups in our community. Outcomes for this group are generally poor. There is a moral responsibility on all Councils to keep them safe, make sure their experiences leaving care and moving into independent living are positive and improve their ongoing life chances.
- 3.3 The council has a general discretionary power to reduce liability for council tax in relation to care leavers Under section 13A of the Local Government Finance Act 1992.

3.4 Central Government will not reimburse the Care Leaver Relief awarded by the Council.

3.5 We are enquiring with the County Council if Children's Services can automatically register care leavers for this relief and share the information with districts to try and provide a seamless service, but there are data protection issues to consider. HBBC will endeavour to make the process as simple as possible.

4. EXEMPTIONS IN ACCORDANCE WITH THE ACCESS TO INFORMATION PROCEDURE RULES

4.1 Report to be taken in open session

5. FINANCIAL IMPLICATIONS (AW)

5.1 The total cost of the relief proposed cannot be determined precisely as the number of care leavers who would continue to reside in the Borough cannot be accurately determined and neither can the value of any national discounts and exemptions or CTS they would be entitled to.

5.2.1 In a reported by Office for Standards in Education (Ofsted) into the "Inspection of services for children in need of help and protection, children looked after and care leavers" they noted there were 216 care leavers in the whole of Leicestershire. If this number were dispersed on the same basis as the general population, HBBC can expect to have approximately 35 care leavers within its boundary.

5.2.2 Taking into consideration these uncertainties this relief is expected to cost the council less than £5,000 a year, not including the County Council element.

6. LEGAL IMPLICATIONS (MR)

6.1 Under section 13A of the Local Government Finance Act 1992 the council has a general discretionary power to reduce liability for council tax in relation to individual cases or class(es) of cases that it may determine where national discounts and exemptions cannot be applied.

7. CORPORATE PLAN IMPLICATIONS

7.1 To ensure the Council's governance arrangements are robust

8. CONSULTATION

8.1 All precepting authorities in the Leicestershire area.

9. RISK IMPLICATIONS

9.1 It is the council's policy to proactively identify and manage significant risks which may prevent delivery of business objectives.

9.2 It is not possible to eliminate or manage all risks all of the time and risks will remain which have not been identified. However, it is the officer's opinion based on the information available, that the significant risks associated with this decision / project have been identified, assessed and that controls are in place to manage them effectively.

- 9.3 The following significant risks associated with this report / decisions were identified from this assessment:

Management of significant (Net Red) Risks		
Risk Description	Mitigating actions	Owner
None		

10. KNOWING YOUR COMMUNITY – EQUALITY AND RURAL IMPLICATIONS

Various reliefs are available for council tax under national and local regulations.

11. CORPORATE IMPLICATIONS

By submitting this report, the report author has taken the following into account:

- Community Safety implications
- Environmental implications
- ICT implications
- Asset Management implications
- Human Resources implications
- Planning Implications
- Voluntary Sector

Background Papers: Revenues and Benefits Monitoring Reports

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Hinckley & Bosworth Borough Council

Care Leavers Council Tax Relief Policy

POLICY FOR DETERMINING APPLICATIONS IN RESPECT OF CARE LEAVERS RELIEF.

Background

- 1.0 The council understands that the transition out of care for young peoples can be very problematic. Without the support of a family and being inexperienced in managing their own finances, which means care leavers can be more susceptible to fall into debt. Therefore, Hinckley and Bosworth Borough Council can give financial support to these young people by giving additional relief, on top of any other reliefs that may be available, to those leaving care by reducing their net liability for council tax zero until age 25.
- 1.2 Under Section 13A(1-3) of the Local Government Finance Act 1992 (as amended), the Council has the power to reduce liability for Council Tax in relation to individual cases or class(es) of cases that it may determine. It says:
- Where a person is liable to pay council tax in respect of any chargeable dwelling and day, the billing authority for the area in which the dwelling is situated may reduce the amount which he is liable to pay as respects the dwelling and the day to such extent as it thinks fit. This allows for a further reduction where a reduction under council tax support has been applied
 - The power under subsection 1) above includes the power to reduce an amount to nil
 - The power under subsection 1) may be exercised in relation to particular cases or by determining a class of case in which liability is to be reduced to an extent provided by the determination.
- 1.3 There are financial implications to awarding any discounts other than those currently available under the statutory legislation and the financial burden of Section 13A discounts has to be met through an increase in the general level of Council Tax for other payers or from the general fund.
- 1.4 In addition to this:
- The granting of Section 13A discounts would reduce income from Council Tax;
 - The Council Tax Support scheme exists to ensure that those on low incomes receive financial assistance with their Council Tax.
- 1.5 In order to provide further support for care leavers, the Council has created a new class of council tax charge payer known as ‘Care Leavers’ and has decided to reduce the council tax bill for Care Leavers to zero, after any other national reliefs have been applied.
- 1.6 This policy will apply up to and including the date of the day before the care leavers 25th birthday.

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

CARER LEAVERS RELIEF APPLICATION PROCESS

- 2.1 Care leavers relief can be accessed through either:
- direct request from the care leaver, with evidence they have left care
 - the identification and nomination of a care leaver by the Leicestershire County Council's Children's Services to the Council's Council Tax Service (or other Council's Children's Services if previously resident outside the Leicestershire area).
 - the identification and nomination by any other public body or professional organisation that confirms that the care leaver was in care (being 'looked after' as a result of a statutory obligation).
- 2.2 The award can be made for any period from 1st April 2019 where the care leaver is liable for council tax.
- 2.3 Any award given to an individual case will end on the day before their 25th birthday.

ELIGIBILITY CRITERIA

The following will be assessed when making a decision:

- 3.1 Care leavers who are liable to pay Council Tax will have their bill reduced to nil, this will apply where the care leaver is in a multi-person household. The only exception to this is for a situation when the Care Leaver is in a House in Multiple Occupation (HMO) where the landlord is responsible for paying the Council Tax liability. For HMO's where the landlord is responsible for paying the Council Tax no relief will be given.
- 3.2 The care leaver relief will be given after all other eligible reliefs have been taken into account.
- 3.4 The date of the day before the care leaver's 25th birthday determines the last day of the period of the award
- 3.5 Leicestershire County Council (or other Council's) Children's or Social Services or other public body or professional organisation have confirmed that the care leaver was in their care (being 'looked after').
- 3.6 That HBBC is the council tax billing authority the care leaver is liable to make council tax payments.

- 3.7 The Care leaver is resident in the HBBC area, if permanent residency in the HBBC area is discontinued relief will be stopped and require re-application upon return to the area.
- 3.8 The individual must have been in care on their 16th birthday and for at least 13 weeks from the age of 14.

Review Process

- 4.0 Under the Local Government Finance Act 1992, there is no right of appeal against the Council's use of discretionary powers. The Council will however accept a written request for a review of its decision. The request should include the reasons for requesting a review and any supporting information.
- 4.1 Reviews will be considered by an officer independent of the original decision maker.
- 4.2 If an application is refused the Council will provide the reason for refusal and instructions on how to request a review and the address where any request may be sent.
- 4.3 The applicant will be notified of the outcome of the review in writing.

EQUALITIES IMPLICATIONS

- 5.0 Granting a discount to care leavers would result in preferential treatment but would aim to counter some of the acknowledged disadvantage that this group experiences compared to their peers.
- 5.1 An equalities impact assessment has been completed. No adverse impacts were identified.

POLICY REVIEW

- 5.1 This policy can be reviewed at any stage by the Senior Leadership Board and amended by recommendation to the Executive.

Application for discount for care leavers

Full name:	Date of birth:
Current address: .	NI number:
	Council tax account reference (if known):
	Care leaver reference (if known):
Any other address you may owe council tax for:	
Email address(es):	
Telephone number(s):	
If you would like us to be able to talk directly with a friend, relative, case worker or adviser about your council tax, please give their details below:	
Name	Relationship to you
Please answer the following questions	
Were you in care on your 16 th birthday	Yes
Were you in care for at least 13 weeks from the age of 14	Yes
Where you were in care (Full Address needed)	
If you were in care with a council other than Leicestershire County Council, please provide contact.	
Declaration: I confirm that the information contained in this application is true and correct to the best of my knowledge and belief.	
Signed:	Date:
Post your completed application to: The Revenues Section The Leicestershire Partnership PO Box 10004 Hinckley Leicestershire LE10 9EJ	