
COUNCIL TAX SUPPORT – SCHEME APPROVAL

**Responsible Cabinet Member - Councillor Stephen Harker
Efficiency and Resources Portfolio**

**Responsible Director - Paul Wildsmith,
Director of Neighbourhood Services and Resources**

SUMMARY REPORT

Purpose of the Report

1. To seek approval for the draft Council Tax Support (CTS) scheme for 2016/17 following consultation with residents.

Summary

2. On 4 December 2014, Council approved the local CTS scheme for 2015/16 and the scheme became operational on 1 April 2015.
3. Councils are required to set a CTS scheme each year and as part of that exercise:
 - (a) Consider whether any changes should be made to the existing scheme, and
 - (b) Where changes are made, consider what transitional protection, if any, should apply to anyone affected by those changes.
4. This report sets out the outcome of consultation with residents and recommends a number of changes to the scheme for 2016/17, in paragraph 43 of the main report.

Recommendation

5. It is recommended that Cabinet recommend the draft CTS scheme for 2016/17 at **Appendix 1** to Council.

Reasons

6. The recommendation is supported by the following reasons :-
 - (a) The Council is required to publish a local CTS scheme for 2016/17 by 31 January 2016.
 - (b) The CTS schemes for 2013/14, 2014/15 and 2015/16 have all been implemented successfully without any major challenges.

- (c) The financial position of the Council has not improved and therefore the continued application of a reduced entitlement for working aged people is still appropriate.

Paul Wildsmith
Director of Neighbourhood Services and Resources

Background Papers

- (i) Local Government Finance Bill 2012
- (ii) Council Tax Reduction Schemes (Prescribed Requirements) Regulations 2012
- (iii) Council Tax Reduction Schemes (Prescribed Requirements and Default Scheme) (England) (Amendment) Regulations 2012
- (iv) Council Tax Reduction Schemes (Prescribed Requirements) (England) (Amendment) Regulations 2013
- (v) Council Tax Reduction Schemes (Prescribed Requirements) (England) (Amendment) Regulations 2014

Anthony Sandys: Extension 6926

S17 Crime and Disorder	There are no issues
Health and Well Being	The CTS scheme may have an adverse impact on the health and well-being of low income groups
Sustainability	There is no environmental impact in this report
Diversity	Working aged recipients of CTS are treated differently to pensioners. An equality impact assessment was undertaken before the existing scheme was approved
Wards Affected	All wards are affected, but in particular those with higher numbers of people claiming CTS
Groups Affected	Anyone of working age receiving CTS is affected by the local scheme. Pensioners are protected from any cuts under a national set of regulations.
Budget and Policy Framework	The issues contained within this report do not represent change to Council budget or the Council's policy framework
Key Decision	This is a key decision
Urgent Decision	For the purpose of the 'Call-in' procedure this does not represent an urgent decision.
One Darlington: Perfectly Placed	This report has implications for the 'Healthy Darlington' and 'Prosperous Darlington' themes of the Sustainable Community Strategy.
Efficiency	The operation of the local CTS scheme continues to represent a significant financial challenge to the Council and other precepting authorities.

MAIN REPORT

Information and Analysis

Background

7. From April 2013, the Government replaced the national Council Tax Benefit (CTB) scheme with new local CTS schemes, designed and administered by local authorities. Grants are paid to local authorities to fund the new scheme, but the overall amount has been cut from actual expenditure levels.
8. The Council was required to design and publish a new scheme by 31 January 2013, in time to implement for annual Council Tax billing in 2013/14. A full public consultation exercise and an equality impact assessment were undertaken on the proposals.
9. On 24 January 2013, members approved the CTS scheme for 2013/14, which included a 20% reduction in the amount of Council Tax relief available for working age people on low incomes. Pensioners are protected from any cuts under a national set of regulations.
10. On 28 November 2013, members approved the CTS scheme for 2014/15, with no significant changes from the 2013/14 scheme. On 4 December 2014, members approved the CTS scheme for 2015/16, again with no significant changes from the 2014/15 scheme.

The CTS Scheme for 2016/2017

11. A number of welfare reforms were announced in the 2015 summer budget that could potentially impact on CTS expenditure in 2016/17. These are:
 - (a) A freeze on working age benefits, Tax Credits and Local Housing Allowance rates for four years, to take effect from April 2016.
 - (b) A reduction in the Benefit Cap from £26,000 to £20,000 per year (for couples, lone parents and families) and from £18,200 to £13,400 per year (for single people). The effective date of this change has not yet been set, although it is thought that it will be rolled out during 2016/17.
 - (c) A decrease in the threshold at which Working Tax Credits are withdrawn from £6,420 to £3,850 per year, to take effect from April 2016.
 - (d) An increase in the income taper in Working Tax Credits from 41% to 48%, to take effect from April 2016.
 - (e) An increase in the minimum wage from £6.50 per hour to £7.20 per hour (for people aged 21 and over), to take effect from April 2016.
 - (f) Removal of the Family Premium in Housing Benefit for new claims or where the first child is born after April 2016.
12. A number of other changes were announced that won't take effect until April 2017. These include:
 - (a) Families with a third or subsequent child after April 2017 will not receive additional Tax Credit, Housing Benefit or Universal Credit support for this child.

- (b) Those starting a family after April 2017 will no longer be eligible for the family element in Tax Credits, nor will new births or new claims be eligible for the first child premium in Universal Credit.
- (c) The Housing Costs element of Universal Credit to be removed for 18-21 year olds. However, there are likely to be some exemptions to this change including, care leavers, people in employment, people in supported accommodation and people who have responsibility for a child.

13. Full details of the number of households potentially affected and the estimated costs are given at **Appendix 4**.

Freeze on Working Age Benefits

14. This change has the potential to increase entitlement to CTS, if the applicable amounts in CTS are uprated from April 2016.

15. Working age applicable amounts in CTS are part of the local scheme and have previously been increased by rates of inflation that have been used to increase other welfare benefits and are set by the government. However, the government has announced that these rates will be frozen for the next 4 years. Pensioners (who make up 42% of households receiving CTS) will have their applicable amounts increased by the government, for which the Council has no control. However, as pensioner's incomes will also generally increase by the same percentage, the impact on CTS expenditure is likely to be minimal.

16. This change does not impact on CTS entitlement for those working age households on a passported benefit (such as income based Jobseekers Allowance or Income Support), as they will already be receiving their maximum CTS entitlement (up to 80% of their Council Tax). These make up 40% of households receiving CTS.

17. The Council could decide to uprate the applicable amounts for the remaining working age non-passported CTS claims by inflation from April 2016, although inflation rates are currently very low anyway. However, it is estimated that a 2% increase in applicable amounts for these households could potentially increase CTS expenditure by £158k.

18. CTS will be increased for all recipients to take into account any increase in the Council Tax in 2016/17.

Changes to Working Tax Credits

19. These changes have the potential to increase entitlement to CTS. The households potentially affected will be working age non-passported CTS claims where the claimant or partner works at least 16 hours per week. This represents 11% of the households receiving CTS.

20. It is estimated that this change has the potential to increase CTS entitlement by £228k. However, some of this increase will be offset by changes to income tax personal allowances and increases to the minimum wage (see below). It will be difficult to reduce the financial impact of this change without significantly changing the way the CTS scheme operates, which could affect other households and may be difficult given restrictions to the way claims are calculated by the IT software.

Increase to the Minimum Wage

21. This change has the potential to decrease entitlement to CTS. The households potentially affected will be working age non-passported CTS claims where the claimant or partner works at or below the minimum wage. This represents 7% of the households receiving CTS, although some of these will be self-employed and therefore there is no guarantee incomes will actually increase.
22. It is estimated that this change has the potential to decrease CTS entitlement by £121k.

Removal of the Family Premium

23. This change has the potential to decrease entitlement to CTS. The Family Premium is part of the applicable amount used to calculate CTS entitlement to households with dependant children. Again, this change does not impact on CTS recipients who are receiving passported benefits that entitles them to the maximum 80% support. The government plans to remove the Family Premium from Housing Benefit entitlement for working aged people making a new claim from April 2016 or where the first child is born after that date. This would represent an estimated 4% of CTS claims in 2016/17. Existing CTS recipients entitled to the Family Premium will be unaffected by this change.
24. It is estimated that this change has the potential to decrease CTS entitlement by £41k.

Reduction in the Benefit Cap Threshold

25. The benefit cap is an overall limit that has been set by government on the maximum amount of benefit that some working age people can receive, which is currently £26k per year for couples, lone parents and families.
26. This change will not have any direct impact on CTS entitlement, although affected households will see reductions in their Housing Benefit or Universal Credit, which may affect their ability to pay Council Tax. In some cases there may be significant reductions with some households losing nearly all of their Housing Benefit.
27. Currently, only 25 households are subject to the Benefit Cap threshold of £26k per year in Darlington. The majority of these are large families (5 or more children), 11 in Council accommodation, 2 in Housing Association and 12 in privately rented accommodation.
28. However, when the Benefit Cap threshold is reduced to £20k per year, significantly more households in Darlington will be affected. Initial analysis has identified 200 households will be affected by this change, including some families with 3 or more children; 56 in Council accommodation, 25 in Housing Association accommodation and 119 in privately rented accommodation.
29. The Benefit Cap only applies to working age households and doesn't apply if they receive certain benefits including:
 - (a) Working Tax Credits
 - (b) Disability Living Allowance
 - (c) Personal Independence Payment

- (d) Attendance Allowance
 - (e) Industrial Injuries Benefit
 - (f) Employment and Support Allowance (support component)
 - (g) War pensions.
30. The government has announced that the Discretionary Housing Payment (DHP) grant available to Councils to help with shortfalls in Housing Benefit will be increased in 2016/17, so could potentially be used to offset some of the decreases as a result of this change. However, DHPs can only be used to top-up Housing Benefit, not CTS.
31. Protection (by allowing up to 100% CTS) could be achieved by formally protecting this group within the CTS scheme. Alternatively, the Discretionary Council Tax Discounts scheme could be used to make up the shortfall in these cases and entitlement would be assessed on an individual basis.
32. The 200 households affected are mainly living in 3 or 4 bedroomed properties. Therefore, if they are currently paying 20% of a Council Tax band C charge (assuming a 2% increase in Council Tax) this would cost approximately £55k for 2016/17.

Universal Credit

33. Universal Credit will start to be rolled out in Darlington from 23 November 2015. Only new claims for single people who would otherwise have claimed Jobseekers Allowance will initially be able to claim Universal Credit and numbers are expected to be low in the first year. The Department for Work and Pensions has estimated that 688 people will be receiving Universal Credit by March 2015, although the majority of these will not be liable for Council Tax (i.e. adults living at home with parents).
34. The CTS scheme for 2016/17 will need to be amended to take into account people receiving Universal Credit. Working aged people not in receipt of a passporting benefit (income based Jobseekers Allowance, Income Support or income related Employment and Support Allowance) have their CTS calculated by comparing their income with their applicable amount. It is suggested that people in receipt of Universal Credit should have their CTS calculated by taking their income, as provided by Universal Credit, plus their Universal Credit award, and comparing this with their Universal Credit maximum award. This is not expected to significantly affect CTS expenditure. As most CTS recipients claiming Universal Credit in 2016/17 will be Jobseekers Allowance type of claims, it is likely that the impact of this change will be minimal.

Outcome of Consultation

35. Consultation with residents on some of the potential changes to the CTS scheme was undertaken by survey in August 2015 and the outcome of this is given below. The comments made by respondents to the survey is given at **Appendix 2**.
36. Question 1 of the survey asked; "The Government has recently announced that it will freeze the rates for most welfare benefits for working age people over the next 4 years. This means that benefits won't go up in 2016-2017. Do you think the Council should freeze the rates for Council Tax Support for working age people in 2016-2017?". 80 respondents answered this question as follows:

- (a) Yes, the Council should freeze the rates of Council Tax Support for working age people in 2016-2017 (70%).
- (b) No, the Council should increase the rates for Council Tax Support for working age people in 2016-2017 (30%).

37. Question 2 of the survey asked; “The Government has recently announced that the Family Premium in Housing Benefit will not be paid for people who make a new claim after April 2016 or for existing claims where the first child is born after April 2016. Do you think the Council should apply the same rules to the Council Tax Support scheme for 2016-2017?”. 69 respondents answered this question as follows:

- (a) Yes, the Council should remove the Family Premium in Council Tax Support for people making a new claim after April 2016 or for existing claims where the first child is born after April 2016 (59%).
- (b) No, the Council should continue to apply the Family Premium in Council Tax Support for everyone who qualifies in 2016-2017 (41%).

38. Question 3 of the survey asked; “A Benefit Cap currently applies to working age people, which limits the amount of benefits they can receive to £26,000 each year. People affected by this cap will have their Housing Benefit reduced by the Council. The Government has recently announced that this Benefit Cap will be reduced to £20,000 for couples and families. This means that more people in Darlington will see a reduction in their Housing Benefit. The Council could help those affected by allowing them up to 100% of their Council Tax to be paid through the Council Tax Support scheme (currently working age people can only receive up to 80% support). Do you think the Council should give more support to people affected by the Benefit Cap?”. 65 respondents answered this question as follows:

- (a) Yes, the Council should give more support to people affected by the Benefit Cap by allowing up to 100% Council Tax Support (38%).
- (b) No, the Council should continue to limit the amount of Council Tax Support to 80% for all working age people (62%).

39. Question 4 of the survey asked; “Universal Credit will start to replace a number of welfare benefits for working age people in Darlington from November 2015. The Council could change the way it works out Council Tax Support for people receiving Universal Credit, by using the same figures used to work out their Universal Credit award. Do you think the Council should change the way it works out Council Tax Support for people receiving Universal Credit?”. 58 respondents answered this question as follows:

- (a) Yes, the Council should change the way it works out Council Tax Support for people receiving Universal Credit (62%).
- (b) No, the Council should continue to work out Council Tax Support for people receiving Universal Credit using the existing rules (38%).

Equality Impact Assessment

40. An Equality Impact Assessment has been carried out on the proposals, which is given at **Appendix 3**. A summary of the findings are as follows:
41. Although all working age people will potentially be impacted by these changes:
- (a) Disabled people are treated differently from other people as some of their income, such as Disability Living Allowance and Personal Independence Payments are disregarded in the assessment of CTS entitlement. In addition, receipt of these benefits exempts them from the effects of the Benefit Cap.
 - (b) Households with children may be treated differently from other people as some of their income, such as child maintenance and Child Benefit are disregarded in the assessment of CTS entitlement. However, the removal of the Family Premium will affect some households with children and more families will be affected by the Benefit Cap.
 - (c) War pensioners and people leaving the armed forces due to a disability may be treated differently from other people as some of their income, such as War Widows Pension, War Disablement Pension and other armed forces compensation schemes are disregarded in the assessment of CTS entitlement. In addition, receipt of these benefits exempts them from the effects of the Benefit Cap.
42. Potentially the Council does have the option to protect certain groups who are negatively impacted by these proposals, although this could have an even greater impact on other non-protected groups, and may increase CTS expenditure, impacting on all residents of Darlington.

Recommendations

43. The following recommendations are made to the CTS scheme for 2016/17:
- (a) No uprating to be applied to CTS applicable amounts for working aged people. This does not represent a change in the way CTS claims are uprated, as they have previously been amended in line with the CTS Prescribed Requirements Regulations and Housing Benefit Uprating Orders, which for 2016/17 is likely to be 0%. Therefore, this mirrors the way Housing Benefit claims will be treated in 2016/17. CTS will be increased to take into account any increase in Council Tax.
 - (b) No changes are to be made to the CTS scheme in 2016/17 in relation to the way Tax Credits and wages are taken into account.
 - (c) Remove the Family Premium for CTS claims from April 2016, in line with the way Housing Benefit will be changed from that date. This will mean that the Family Premium will not apply to new CTS claims or existing claims where the first child is born after April 2016, where the Family Premium would have previously applied.
 - (d) No changes to be made to the CTS scheme for households affected by the change to the Benefit Cap threshold. However, affected households will be invited to claim a Council Tax Discretionary Discount and applications will be assessed individually.
 - (e) Change the way CTS claims are decided for people receiving Universal Credit by taking their income, as provided by Universal Credit, plus their Universal Credit award, and comparing this with their Universal Credit maximum award.

Financial implications

44. The recommendations at paragraph 43 would have the following estimated financial implications:

Recommendation	Estimated (Saving) / Cost
No uprating to be applied to CTS applicable amounts for working aged people.	£0k
No changes are to be made to the CTS scheme in 2016/17 in relation to the way Tax Credits and wages are taken into account.	£107k
Remove the Family Premium for CTS claims from April 2016, in line with the way Housing Benefit will be changed from that date.	(£41k)
No changes to be made to the CTS scheme for households affected by the change to the Benefit Cap threshold.	£0k
Change the way CTS claims are decided for people receiving Universal Credit	£0k

45. Although there may be an overall net cost to the Council as a result of these recommendations, it is not intended to amend the budget in the MTFP. CTS expenditure is demand driven and the estimated expenditure for 2014/15 is £7.5 million. In addition, the CTS caseload and overall expenditure has decreased since the scheme started in 2013.

Darlington Borough Council

Council Tax Support scheme

2016 - 2017

1 Introduction

- 1.1.1 Council Tax Support (also referred to as Council Tax Reduction) is the means of helping people on low incomes pay their Council Tax. Each Council Tax billing authority is responsible for setting its own local Council Tax Support scheme every year.
- 1.1.2 Pensioners are protected from the effects of local schemes by a national framework of rules and eligibility. Working aged people however are subject to the provisions of the locally defined scheme.
- 1.1.3 On 4th December 2014, Darlington Borough Council approved the Council Tax Support scheme for 2015/2016, which became operational from 1st April 2015.
- 1.1.4 This document sets out Darlington Borough Council's scheme for 2016/2017, which will replace the existing scheme from 1st April 2016 and should be read in conjunction with:
 - 1.1.4.1 The Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012.
 - 1.1.4.2 The Council Tax Reduction Schemes (Prescribed Requirements and Default Scheme) (England) (Amendment) Regulations 2012.
 - 1.1.4.3 The Council Tax Reduction Schemes (Prescribed Requirements) (England) (Amendment) Regulations 2013.
 - 1.1.4.4 The Council Tax Reduction Schemes (Prescribed Requirements) (England) (Amendment) Regulations 2014.
 - 1.1.4.5 The Council Tax Reduction Schemes (Prescribed Requirements) (England) (Amendment) (No. 2) Regulations 2014.

2 Executive Summary

2.1 Prescribed requirements

2.1.1 There are a number of prescribed requirements that will apply to all local Council Tax Support schemes and are therefore not included in Darlington's local scheme. These are set out in the regulations referred to in 1.1.4.1 to 1.1.4.5, copies of which can be found at:

2.1.2 www.legislation.gov.uk/uksi/2012/2885/contents/made
www.legislation.gov.uk/uksi/2012/3085/contents/made
www.legislation.gov.uk/uksi/2013/3181/contents/made
www.legislation.gov.uk/uksi/2014/448/contents/made
www.legislation.gov.uk/uksi/2014/3312/contents/made

2.1.3 Where the prescribed regulations apply, reference has been made to the relevant parts in the Council Tax Support scheme. For the purpose of this document, "the regulations" are the Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012, as amended. A summary of the key features of the regulations are as follows:

2.1.4 There is a prescribed scheme for persons who have reached the qualifying age for state pension credit.

2.1.5 There are restrictions excluding foreign nationals with limited immigration status and non-economically active European Union individuals.

2.1.6 Individuals with refugee status, humanitarian protection, discretionary or exceptional leave to remain granted outside the immigration rules and who are exempt from the habitual residence test are entitled to support with their Council Tax.

2.1.7 Regulations allow arrangements for a person to act on behalf of another, for example where a person has been granted a power of attorney over a liable Council Tax payer.

2.1.8 Formal rights of appeal are set out in the regulations and appeals are heard by Valuation Tribunals.

2.1.9 Billing authorities are required to consider whether to revise or replace their Council Tax Support schemes each year and under such circumstances, to consider what transitional arrangements may be required to move from an existing local scheme to a replacement scheme. Schemes cannot be amended within a financial year.

2.2 Key features of Darlington's Council Tax Support scheme

- 2.2.1 The requirements for Council Tax Support schemes are set out in an amendment to the Local Government Finance Act 1992, under schedule 1A.
- 2.2.2 Council Tax Support for working aged claimants will be based on 80% of their Council Tax liability (as opposed to pensioners, where entitlement is based on 100%).
- 2.2.3 Entitlement to Council Tax Support will be means tested. The amount of Council Tax Support awarded will depend on:
 - 2.2.3.1 The circumstances of the claimant and their family, such as their income and savings.
 - 2.2.3.2 The number of children who live in the household and their circumstances.
 - 2.2.3.3 The number of other adults who live in the household and their circumstances.
 - 2.2.3.4 The amount of Council Tax, less any other discounts or reliefs.

2.3 Temporary absence from home

- 2.3.1 There are no temporary absence rules in the Council Tax Support scheme. Anyone who is liable for Council Tax on a dwelling which is their sole or main residence and not subject to a Council Tax exemption is able to claim Council Tax Support.

2.4 Students

- 2.4.1 There are no specific exclusions for students in the Council Tax Support scheme. Anyone who is liable for Council Tax and not subject to the Council Tax student exemption is able to claim Council Tax Support.

2.5 Extended payments

- 2.5.1 Under the Council Tax Support scheme, anyone losing entitlement to a qualifying benefit, such as Income Support or income-based Jobseekers Allowance due to moving into work or increasing their hours or pay, automatically qualifies for a 4 week run on of their Council Tax Support.

2.6 Backdating

- 2.6.1 An automatic backdating rule exists for Council Tax Support claims, although backdated Council Tax Support is limited to a maximum of one month only.
- 2.6.2 There is no requirement for a person to show 'good cause' as to why they didn't claim earlier.

2.7 Overpayments

- 2.7.1 All overpayments of Council Tax Support, however they were caused, are recoverable, although the Council has the discretion not to recover an overpayment.

2.8 Discretionary discounts

- 2.8.1 The Council has the power under section 13A of the Local Government Finance Act 1992, to reduce the Council Tax liability of a person “to such an extent as it thinks fit”. This includes the power to reduce the amount to nil.
- 2.8.2 The Council has a Council Tax Discretionary Discount policy, details of which can be found at: [Darlington Borough Council - Discounts and Exemptions](#).

3 People who can claim Council Tax Support

3.1 Who can claim

3.1.1 The rules for making an application to Council Tax Support is set out in schedule 8, part 2, paragraph 4 of the regulations. These state:

- 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 apply or, in default of agreement, by such one of them as the council decides.
- Where the person who is liable for Council Tax is unable to act the Council will accept or appoint a person who may make an application on their behalf, in accordance with the provisions contained within this part of the regulations.

3.1.2 The classes of working aged people entitled to a reduction under the Council's scheme are as follows:

3.2 People in receipt of a qualifying benefit

People in receipt of a qualifying benefit are classed as:

- Working aged
- Liable to pay Council Tax on a dwelling they occupy as their sole or main residence
- Entitled to Income Support, income-based Jobseekers Allowance or income-related Employment and Support Allowance.

3.2.1 Having claimed Council Tax Support, this class of people will be entitled to the maximum support of 80% of their eligible Council Tax, less any deductions for non-dependants.

3.3 People with income equal to or less than their applicable amount

People with income equal to or less than their applicable amount are classed as:

- Working aged
- Liable to pay Council Tax on a dwelling they occupy as their sole or main residence
- Capital is less than £16,000
- Income is equal to or less than their applicable amount.

3.3.1 Having claimed Council Tax Support, this class of people will be entitled to the maximum support of 80% of their eligible Council Tax, less any deductions for non-dependants.

3.4 People with income more than their applicable amount

People with income more than their applicable amount are classed as:

- Working aged
- Liable to pay Council Tax on a dwelling they occupy as their sole or main residence

- Capital is less than £16,000
- Income is more than their applicable amount

3.4.1 Having claimed Council Tax Support, this class of people will have their income compared to their applicable amount. The amount of Council Tax Support will be reduced by 20% of the amount the income exceeds the applicable amount. Entitlement will be up to a maximum of 80% of their eligible Council Tax, less any deductions for non-dependants

3.5 People receiving Universal Credit with income equal to or less than their Universal Credit maximum award

People receiving Universal Credit with income equal to or less than their Universal Credit maximum award are classed as:

- Working aged
- Liable to pay Council Tax on a dwelling they occupy as their sole or main residence
- Capital is less than £16,000
- In receipt of Universal Credit
- Assessment of income provided by Universal Credit plus the award of Universal Credit is equal to or less than their Universal Credit maximum award.

3.5.1 Having claimed Council Tax Support, this class of people will be entitled to the maximum support of 80% of their eligible Council Tax, less any deductions for non-dependants.

3.6 People receiving Universal Credit with income more than their Universal Credit maximum award

People receiving Universal Credit with income more than their Universal Credit maximum award are classed as:

- Working aged
- Liable to pay Council Tax on a dwelling they occupy as their sole or main residence
- Capital is less than £16,000
- In receipt of Universal Credit
- Assessment of income provided by Universal Credit plus the award of Universal Credit is more than their Universal Credit maximum award.

3.6.1 Having claimed Council Tax Support, this class of people will have their assessment of income provided by Universal Credit plus the award of Universal Credit compared to their Universal Credit maximum award. The amount of Council Tax Support will be reduced by 20% of the amount the income exceeds the Universal Credit maximum award. Entitlement will be up to a maximum of 80% of their eligible Council Tax, less any deductions for non-dependants.

3.7 The classes of pensioners who are entitled to a Council Tax reduction are set out in schedule 1 of the regulations.

3.8 Pensioners with war pensions

Pensioners with war pensions are classed as:

- Pension aged
- Liable to pay Council Tax on a dwelling they occupy as their sole or main residence
- In receipt of War Disablement Pension, War Widow's Pension or War Widower's Pension

3.8.1 Having claimed Council Tax Support, this class of people will be assessed in accordance with the prescribed regulations for pensioners. War Disablement Pension, War Widow's Pension and War Widower's Pension will be fully disregarded.

3.9 Pensioners

3.9.1 The provisions for pensioners are set out in Schedules 1 to 6 of the regulations.

3.9.2 The meaning of who is and who is not a pensioner is set out in paragraph 3 of the regulations. These state:

- A person is a 'pensioner' if they have attained the qualifying age for state Pension Credit; and
- They, or their partner are not in receipt of Income Support, income-based Jobseekers Allowance, income related Employment and Support Allowance, or Universal Credit
- A person is 'not a pensioner' if they have not attained the qualifying age for state Pension Credit; or
- They have attained the qualifying age for state Pension Credit and they, or their partner are in receipt of Income Support, income-based Jobseekers Allowance, income related Employment and Support Allowance, or Universal Credit.

3.10 Membership of a family

3.10.1 The meaning of a 'couple' is set out in paragraph 4 of the regulations. These state a 'couple' is:

- A man and woman who are married to each other and are members of the same household,
- A man and a woman who are not married to each other but are living together as husband and wife,
- Two people of the same sex who are civil partners of each other and are members of the same household; or
- Two people of the same sex who are not civil partners of each other but are living together as if they were civil partners.

3.10.2 The rules for polygamous marriages are set out in paragraph 5 of the regulations.

This regulation applies to:

- A person who is a husband or wife by virtue of a marriage entered into under a law which permits polygamy, and
- Either party to the marriage has for the time being any spouse additional to the other party.

3.10.3 The meaning of 'family' is set out in paragraph 6 of the regulations. These state a 'family' is:

- A couple
- A couple and a member of the same household for whom one of them is or both responsible and who is a child or a young person
- A person who is not a member of a couple and a member of the same household for whom one of them is or both responsible and who is a child or a young person
- A child or young person includes those in respect of whom section 145A of the Social Security Child Benefit Act 2005 applies for the purposes of entitlement to Child Benefit
- A young person does not include those who are in receipt of Income Support, income-based Jobseekers Allowance, income related Employment and Support Allowance, Universal Credit; or a person to whom section 6 of the Children (Leaving Care) Act 2000 applies.

3.10.4 The rules for circumstances in which a person is to be treated as responsible or not responsible for another are set out in paragraph 7 of the regulations. These state:

- A person is to be treated as responsible for a child or young person who is normally living with them.
- Where a child or young person spends equal amounts of time in different households, or where there is a question as to which household they are living in, they will be treated as normally living with;
 - the person who receives Child Benefit in respect of that child or young person, or
 - if there is no such person, the person who has claimed Child Benefit, or the person who has the primary responsibility for them.

3.10.5 The rules for membership of a household are set out in paragraph 8 of the regulations. These state:

- The claimant and any partner who are treated as responsible for a child or young person, that child or young person and any child of that child or young person, are to be treated as members of the same household.
- A child or young person is not treated as a member of the claimant's household where they are;
 - placed with the claimant or their partner by a local authority under section 22C or 23(2)(a) of the Children Act 2002 or by a voluntary organisation under section 59(1)(a) of that Act, or
 - placed with the claimant or their partner prior to adoption, or
 - placed with the claimant or their partner in accordance with the Adoption and Children Act 2002
- A child or young person is not treated as a member of the claimant's household where they are not living with the claimant as they are;
 - being looked after by a local authority under a relevant enactment, unless they live with the claimant for part or all of a relevant week or the authority considers it reasonable to do so taking into account the nature and frequency of that child's or young person's visits, or
 - placed with a person other than the claimant prior to adoption, or
 - placed for adoption in accordance with the Adoption and Children Act 2002.

3.11 Non-dependants

3.11.1 The meaning of non-dependants is set out in paragraph 9 of the regulations. These state a 'non-dependant' is:

- Any person who normally resides with the claimant or with whom the claimant normally resides.
- This excludes;
 - any member of the claimant's family,
 - a child or young person who is living with the claimant but is not classed as a member of their household,
 - any person who is jointly and severally liable to pay Council Tax in respect of the dwelling,
 - any person who is liable to make payments on a commercial basis to the claimant or their partner in respect of occupation of the dwelling, unless that person is a close relative of the claimant or their partner, or the tenancy or other agreement between them is other than on a commercial basis, or where it appears to the authority to have been created to take advantage of a scheme
 - a person who lives with the claimant in order to care for them or their partner and who is engaged with a charitable or voluntary organisation which makes a charge to the claimant or their partner for the services provided by that person.

3.12 Persons from Abroad

3.12.1 The rules for persons treated as not being in Great Britain are set out in paragraph 12 of the regulations. These state:

- 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 the Council's scheme.

- 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, except;
 - a qualified person (or their family member), for the purposes of regulation 6 of the EEA regulations 2006 as a worker or self-employed person,
 - 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 2006,
 - 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, as extended by Article 1(2) of the Protocol relating to the Status of Refugees,
 - a person who has been granted leave outside of the rules under section 3(2) of the Immigration Act 1971 where that leave is discretionary leave to enter or remain in the United Kingdom, leave to remain under the Destitution Domestic Violence concession, or leave deemed to have been granted by virtue of regulation 3 of the Displaced Persons (Temporary Protection) Regulations 2005,
 - a person who has humanitarian protection granted under those rules,
 - a person who is not 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 their deportation, expulsion or other removal by compulsion of law from another country to the United Kingdom,
 - a person in receipt of Income Support or income related Employment and Support Allowance,
 - a person in receipt of income based Jobseekers Allowance and has a right to reside in the United Kingdom, the Channel Islands, the Isle of Man or the Republic of Ireland,
 - a person who is treated as a worker for the purpose of the definition of a 'qualified person' in regulation 6(1) of the EEA regulations 2006 pursuant to regulation 5 of the Accession of Croatia (Immigration and Worker Authorisation) Regulations 2013 (right of residence of a Croatian who is an "accession state national subject to worker authorisation"),
 - a Crown servant or member of HM forces posted overseas and 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.
- 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.
- A right to reside does not include a right which exists by virtue of, or in accordance with;
 - regulation 13 of the EEA regulations 2006 or Article 6 of Council Directive 2004/38/EC,
 - regulation 14 of the EEA regulations 2006, but only in a case where the rights exist under that regulation because the person, or a family member, is a jobseeker for the purpose of the definition of a 'qualified person' in regulation 6(1) of those regulations,
 - article 45 of the Treaty on the functioning of the EU (in a case where the person is seeking work in the United Kingdom, the Channel Islands, the Isle of Man or the Republic of Ireland)
 - regulation 15A(1) of the EEA regulations 2006, but only in a case where the right exists under that regulation because the claimant satisfies the

criteria in paragraph (4A) of that regulation or Article 20 of the Treaty on the Functioning of the EU (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).

3.12.2 The rules for persons subject to immigration control are set out in paragraph 13 of the regulations. These state:

- 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 the Council's scheme, except;
 - a person who is a national of a state which has ratified the European Convention on Social and Medical Assistance, or a state which has ratified the Council of Europe Social Charter and who is lawfully present in the United Kingdom.
- 'Persons subject to immigration control' has the same meaning as in section 115(9) of the Immigration and Asylum Act 1999.

3.13 Applicable amounts

3.13.1 The applicable amount will be made up of a number of elements. These may include, depending upon individual circumstances:

- A personal allowance for the claimant and their partner.
- An amount for every child or young person who is a member of the family.
- A family premium where at least one child or young person is part of the household.
- Premiums for people in receipt of Employment and Support Allowance.
- Premiums which may apply in special circumstances.

3.13.2 The weekly amounts to be included in the applicable amount are detailed below. The qualifying conditions for each of these personal allowances and premiums are set out in Schedule 3 of The Council Tax Reduction Schemes (Default Scheme) (England) Regulations 2012. These are summarised in **Table 1**. The applicable amounts for pensioners are set out in schedule 2 of the regulations.

3.13.3 The amounts detailed below in **Table 1** are those stated within the 2015/2016 scheme and will be updated for 2016/2017. The updated amounts will be calculated with reference to the amended prescribed requirement regulations and Social Security Benefits uprating order for 2015

3.13.4 People in receipt of Universal Credit will have their Council Tax Support calculated based on their Universal Credit maximum award.

Table 1: Applicable Amounts

Personal allowances	Weekly amount 2015/2016	Weekly amount 2016/2017
Single claimant aged 18 to 24	£57.90	
Single claimant entitled to main phase Employment and Support Allowance	£73.10	
Single claimant aged 25 or over	£73.10	
Lone parent	£73.10	
Couple	£114.85	
A child or young person until the day before their twentieth birthday	£66.90	
Family premium*	Weekly amount 2015/2016	Weekly amount 2016/2017
A household which includes at least one child or young person	£17.45	
Employment and Support Allowance premiums	Weekly amount 2015/2016	Weekly amount 2016/2017
The claimant or their partner are in receipt of the work related activity component of Employment and Support Allowance	£29.05	
The claimant or their partner are in receipt of the support component of Employment and Support Allowance	£36.20	
Special circumstances premiums (entitlement limited to only one of the premiums below)	Weekly amount 2015/2016	Weekly amount 2016/2017
Disability premium (single) – the claimant is registered blind, or in receipt of one or more of the following: <ul style="list-style-type: none"> • Attendance Allowance • Disability Living Allowance • Mobility Supplement • Long term Incapacity Benefit • Severe Disablement Allowance • The disability or severe disability element of working tax credit • Personal Independence Payment • Armed Forces Independence Payment 	£32.25	
Disability premium (couple) – the claimant or partner is registered blind, or in receipt of one or more of the following:	£45.95	

<ul style="list-style-type: none"> • Attendance Allowance • Disability Living Allowance • Mobility Supplement • Long term Incapacity Benefit • Severe Disablement Allowance • The disability or severe disability element of working tax credit • Personal Independence Payment • Armed Forces Independence Payment 		
Carers premium – the claimant or partner is entitled to Carers Allowance	£34.60	
Special circumstances premiums (entitlement can be applied on top of any other premiums awarded)	Weekly amount 2015/2016	Weekly amount 2016/2017
<p>Severe disability premium (single rate) - for a single claimant, lone parent or couple where:</p> <ul style="list-style-type: none"> • The claimant or partner is receiving Attendance Allowance, or the care component of Disability Living Allowance at the higher or middle rate, or the daily living component of Personal Independence Payment, or Armed Forces Independence Payment, and • No non-dependants aged 18 or over reside with them, and • No one is in receipt of a Carers Allowance for looking after them. 	£61.85	
<p>Severe disability premium (double rate) - for a couple where:</p> <ul style="list-style-type: none"> • Both the claimant and partner are receiving Attendance Allowance, or the care component of Disability Living Allowance at the higher or middle rate, or the daily living component of Personal Independence Payment, or Armed Forces Independence Payment, and • No non-dependants aged 18 or over reside with them, and • No one receives Carers Allowance for looking after both of them. 	£123.70	
<p>Enhanced disability premium (single) – where:</p> <ul style="list-style-type: none"> • The claimant has limited capability for work 	£15.75	

<ul style="list-style-type: none"> related activity, or The highest rate care component of Disability Living Allowance is payable for the claimant or any member of the claimant's family, or The daily living component of Personal Independence Payment is payable for the claimant or any member of the claimant's family. 		
<p>Enhanced disability premium (couple) – where:</p> <ul style="list-style-type: none"> The claimant or partner has limited capability for work related activity, or The highest rate care component of Disability Living Allowance is payable for the claimant or any member of the claimant's family. 	£22.60	
<p>Enhanced disability premium (disabled child) – where:</p> <ul style="list-style-type: none"> The highest rate care component of Disability Living Allowance is payable for a child or young person, or The daily living component of Personal Independence Payment is payable for a child or young person. 	£24.43	
<p>Disabled child premium – where a child or young person:</p> <ul style="list-style-type: none"> Receives Disability Living Allowance, or Receives Personal Independence Payment, or Is registered blind. 	£60.06	

*The Family Premium does not apply from 1st April 2016 for:

- New claims made on or after that date
- The first dependant child born on or after that date

where the Family Premium would have applied under this scheme.

4 Making a claim

- 4.1.1 The rules by which a person may apply for a reduction under an authority's scheme are set out in Schedule 7, Part 1 of the regulations. These state that:
- The claim may be made in writing, by electronic communication means or by telephone.
 - A claim made in writing must be made to the Council on a properly completed form.
 - A claim is considered properly completed if it has been completed in accordance with the instructions on the form, including any instructions to provide information and evidence in connection with the claim.
 - Where a claim is defective because it is not accepted as being properly completed or has not been made on a form approved for the purpose, the Council may request the claimant to complete an approved form or supply other information and evidence.
 - The Council must provide the claimant with sufficient opportunity to correct any defect with their claim.

4.2 Time and manner of making a claim

- 4.2.1 A claim for Council Tax Support will be made with the Council on a form prescribed and provided by the Council. Where the Council holds sufficient information to decide entitlement to Council Tax Support, the claim may be made by telephone.
- 4.2.2 Where the Council becomes aware that a person may be entitled to Council Tax Support, or where a claim form has been requested, they will invite a claim by sending the person a claim form or by contacting them by telephone.
- 4.2.3 The Council will offer assistance to the claimant to make their claim for Council Tax Support, where this is required.

4.3 Evidence and information

- 4.3.1 The rules for the evidence and information required to support a claim or ongoing award of Council Tax Support is set out in Schedule 8, Part 2, paragraph 7 of the regulations. These state:
- The claim must be accompanied by a statement of the person's national insurance number and information or evidence to establish that that number has been allocated to that person.
 - Where the person has applied for a national insurance number, the claim must be accompanied by evidence of the application for a national insurance number to be allocated.
 - The claim must be accompanied by any certificates, documents, information and evidence in connection with the claim or an award as may reasonably be required by the Council to decide the claim or a continuing award.
 - The claimant must provide the Council with the information and evidence it requires to decide the claim or a continuing award within one month of a request to do so, or such longer time as the Council may consider reasonable.

4.4 Amendment and withdrawal of claim

4.4.1 The rules for the amendment and withdrawal of a claim for Council tax Support is set out in Schedule 8, Part 2, paragraph 8 of the regulations. These state:

- A person who has made a claim may amend it at any time before a decision has been made on it.
- A person who has made a claim may withdraw it at any time before a decision has been made on it.

5 Income and capital

5.1 Treatment of income

- 5.1.1 The income of the claimant and their partner will be added together, for the purpose of calculating entitlement to Council Tax Support. Where the person is receiving Universal Credit, the income will be the assessment of income provided by Universal Credit, plus the award of Universal Credit.
- 5.1.2 Income will be calculated on a weekly basis. Any income paid for a period other than on a weekly basis, will be converted to a weekly figure. All income will be taken into account in full, unless a disregard applies.
- 5.1.3 The income to be taken into account will be the likely average weekly income of the claimant and partner. This will be calculated over such a period as is likely, in the opinion of the Council, to provide the most accurate estimate.
- 5.1.4 In the case of earnings from employment, where employment is due to commence, an estimate of likely earnings will be based on whatever information is available from the person or the person's employer.
- 5.1.5 The treatment of income for a pensioner is set out in schedule 1 of the regulations.

5.2 Earnings

- 5.2.1 The meaning of remunerative work is set out in paragraph 10 of the regulations. These state:
- A person must be treated as in remunerative work if they are engaged on average, for not less than 16 hours a week, in work for which payment is made or expected.
 - Where a person's working hours fluctuate, regard must be had to the normal cycle of work, the number of hours they are expected to work, or the 5 weeks immediately prior to the date of claim or such other length of time that may allow the person's weekly average hours of work to be determined.
 - Where a person works at a school or other educational establishment, any vacation periods or holidays where they are not required to work will be disregarded for establishing the average hours for which they are working.
 - Any periods of absence from work, such as holiday, will be disregarded for establishing the average hours for which the person is working.
 - A person will not be treated as engaged in remunerative work if they are on maternity leave, paternity leave, adoption leave, or if they are absent from work because they are ill.
- 5.2.2 A claimant or partner's net earnings will be the gross earnings less:
- Income Tax
 - National Insurance contributions
 - Half of any sum paid by the employee towards an occupational or personal pension scheme.

5.2.3 Where the person is receiving Universal Credit, the earnings will be the assessment of earnings provided by Universal Credit.

5.2.4 The calculation of earned income for pensioners is set out in schedule 1 of the regulations.

5.2.5 The following sums will also be disregarded in the calculation of earnings:

- Temporary care provision payments in the calculation of earnings.
- Any payment relating to former employment paid after retirement.
- Compensation payments for loss of employment.
- Guarantee payments on medical or maternity grounds.
- Any payments for items wholly, exclusively and necessarily incurred in the performance of the employment.
- For a single person, the first £5 per week of any earnings.
- For a couple, the first £10 per week of any earnings.
- For a lone parent, the first £25 per week of any earnings.
- For people in receipt of contribution-based Employment and Support Allowance, Incapacity Benefit or Severe Disablement Allowance, where a permitted earnings disregard applies, the first £104.00 per week of any earnings. This amount will be uprated in October 2016 in line with the amended Housing Benefit Regulations for working aged people.
- For people entitled to the disability premium, the severe disability premium or one of the Employment and Support Allowance premiums, the first £20 per week of any earnings, except where the permitted earnings disregard applies.
- For people entitled to the carers premium, the first £20 per week of any earnings.
- For people in certain special occupations, the first £20 per week of any earnings. These are:
 - Part-time fire-fighters.
 - Auxiliary coastguards.
 - Part-time life-boat workers.
 - Members of the Territorial Army or similar reserve force.
- For people in receipt of the additional earnings disregard in Working Tax Credit, an additional disregard of £17.10 per week of any earnings. If the additional disregard would result in a negative earned income figure, the disregard will be made from their Working Tax Credit.
- Child care charges (see below).

5.2.6 The sums disregarded from pensioner's earnings is set out in schedule 4 of the regulations.

5.3 Child care charges

5.3.1 Child care charges up to a maximum of £175 per week for one child, or £300 per week for two or more children, will be deducted from earned income, plus any Working Tax Credit and Child Tax Credit where:

- A lone parent works 16 hours per week or more, or
- Both members of a couple work 16 hours per week or more, or
- One member of a couple works 16 hours per week or more and the other member of the couple is disabled, and the disability premium or one of the Employment and Support Allowance premiums is included in the couple's applicable amount due to this disability, or

- One member of a couple works 16 hours per week or more and the other member of the couple is on maternity leave and receiving Statutory Maternity Pay or Maternity Allowance
- One member of a couple works 16 hours per week or more and the other member of the couple is in hospital or prison.

5.3.2 The child must be under 15 years of age, or 16 if they are disabled, and the care must be provided by one of the following:

- A registered child minder.
- A registered nursery or play scheme.
- An out of hours scheme run by an approved provider.
- An out of hours club provided by a school on school premises (this applies only if the child is aged 8 or over).

5.3.3 The treatment of child care charges for pensioners is set out in schedule 1 of the regulations.

5.4 Self-employed earnings

5.4.1 The weekly earnings of a self-employed claimant or partner will be calculated based on:

- The most recent year's trading accounts, if the claimant or partner have been self-employed for one year or more, or
- The estimated net weekly profit figure provided by the claimant or partner, if they have been self-employed for less than a year, together with any evidence of their recent actual income and expenses.

5.4.2 In calculating the estimated net weekly profit figure, the Council will include any expenses which are wholly and reasonably incurred for the purpose of the business. The following will not be allowable in the calculation of the estimated net weekly profit figure:

- Sums employed or intended to be employed in setting up or expanding the business.
- Capital repayments on business loans, except where these are for replacing business equipment or machinery.
- Any other capital expenditure.
- Depreciation of any capital asset.
- Losses incurred before the beginning of the assessment period.
- Debts, other than proven bad debts.
- Business entertainment.
- Any sum for domestic or private use.
- Drawings from the business.

5.4.3 For child minders, one third of the gross profit will be used to calculate the gross income.

5.4.4 The net income will then be calculated by deducting an amount for tax, national insurance contributions and half of any pension contributions from the gross pre-tax profits.

5.4.5 In cases where the actual tax and national insurance contributions are not provided, the Council will estimate the likely tax and national insurance contributions payable.

5.4.6 The treatment and calculation of self-employed earnings for pensioners is set out in schedule 1 of the regulations.

5.5 Student income

5.6 Student grant

5.6.1 The whole amount of a person's grant income will be taken into account, with the exception of the following:

- Payments for tuition fees or examination fees.
- Payments in relation to the student's disability.
- Payments for term-time residential study away from the student's educational establishment.
- Payments for another home at a place other than which the student resides during the course.
- Payments for books and equipment.
- Payments for travel expenses to attend the course.
- Payments for child care costs.
- Any special support grant, education maintenances allowances, 16-19 bursary fund payments, higher education grant, or higher education bursary for care leavers.
- Any other amounts intended for expenditure necessary to attend the course.

5.6.2 A student's grant income will be apportioned over the period of study the grant relates to.

5.7 Covenant income

5.7.1 Where a student is receiving a grant and a contribution has been assessed, the whole of the covenant income will be taken into account.

5.7.2 A student's covenant income will be apportioned over the whole calendar year and an amount of £5 per week will be disregarded.

5.7.3 Where a student is not receiving a grant, the whole of the covenant income will be taken into account. In these circumstances, a student's covenant income will be apportioned as follows:

5.7.3.1 Any covenant income up to the amount of the standard maintenance grant will be apportioned over the period of study, less any amounts to be disregarded as set out above in 'Student grant'.

5.7.3.2 Any covenant income over the amount of the standard maintenance grant will be apportioned over the whole calendar year and an amount of £5 per week will be disregarded.

5.8 Student loans

5.8.1 The whole amount of a person's student loan will be taken into account, less any amounts to be disregarded as set out above in 'Student grant'. A student's loan will be apportioned over the period of study the loan relates to and an amount of £10 per week will be disregarded.

5.8.2 A person will be treated as having a student loan in respect of an academic year where:

- A student loan has been made to them for that year, or
- They could have taken reasonable steps to acquire a loan. In these cases, the amount to be taken into account will be the maximum amount they could have acquired for that year.

5.8.3 A loan for fees, known as a fee loan or a fee contribution loan will be fully disregarded.

5.9 Payments from access funds

5.9.1 A payment from access funds will be disregarded as income, with the exception of any payments intended for:

- Food
- Ordinary clothing or footwear
- Household fuel
- Water charges
- Rent
- Council Tax

5.9.2 In these circumstances, the whole amount will be taken into account and an amount of £20 per week will be disregarded.

5.9.3 Where a payment from access funds is made to bridge the period until a student loan is received, the whole amount will be disregarded.

5.10 Student income treated as capital

5.10.1 The following amounts paid to students will be treated as capital:

- A refund of tax deducted from a student's covenant income.
- An amount paid from access funds as a single lump sum, whatever the purpose of the payment.

5.11 Notional income

5.11.1 A claimant will be treated as possessing income of which they or their partner have deliberately deprived themselves of, to qualify for Council Tax Support.

5.11.2 The treatment of notional income for pensioners is set out in schedule 1 of the regulations.

5.12 Tariff income from capital

5.12.1 Where the claimant and their partner have capital in excess of £6,000 (but less than £16,000), a tariff income of £1 per week will be taken into account for every £250, or part of £250, over £6,000.

5.12.2 The calculation of tariff income from capital for pensioners is set out in schedule 1 of the regulations.

5.13 Other income

5.13.1 Any other income of the claimant or partner will be taken fully into account, with the exception of 'income disregarded' below.

5.13.2 Where deductions are being made from income in the recovery of overpayments or taxes, by public bodies, the gross income amount will be taken into account.

5.14 Income disregarded

5.14.1 The following income paid to the claimant or partner will be disregarded in full, unless otherwise stated:

- Any payment of expenses for participation in 'work for your benefit' schemes.
- Any payment of expenses for attending mandatory work activity, employment, skills or enterprise schemes.
- Any payment of expenses for a person who is a volunteer for a charitable or voluntary organisation.
- Any payment of expenses for a person who participates as a service user.
- Certain state benefits and pensions:
 - Attendance Allowance.
 - Child Benefit.
 - Disability Living Allowance.
 - Discretionary Housing Payments.
 - Education Maintenance Allowance.
 - Guardian's Allowance.
 - Housing Benefit.
 - Income Support.
 - Income based Jobseekers Allowance.
 - Income related Employment and Support Allowance.
 - Mobility supplements.
 - Personal Independence Payments.
 - Armed Forces Independence Payments.
 - War Disablement Pensions.
 - War Widow's Pensions.
 - War Widower's Pensions.
 - Widowed Mother's Allowance.
 - Widowed Parent's Allowance.
- The income of a person in receipt of Income Support, income based Jobseekers Allowance or income related Employment and Support Allowance.
- Any payment made to a person as a holder of the Victoria Cross or George Cross.
- Charitable or voluntary payments.
- Any income from capital.
- Any payments received from dependants or non-dependants.

- The first £20 per week of any rental payments from a person, other than a non-dependant, who occupies the claimant's home.
- The first £20 per week, and then 50% of any income over £20 per week, of any rental payments from a boarder, other than a non-dependant, who occupies the claimant's home.
- Any payment in kind made by a charity.
- Any income payable outside the United Kingdom where there is a prohibition against the transfer to the United Kingdom of that income.
- Any payment made for adoption, fostering, guardianship support or supported lodgings.
- Any payment made for a person who is not normally a member of the claimant's household, but is temporarily in their care.
- Any payment made by a Local Authority under section 17 of the Children's Act 1989.
- Any payment ordered by a court for a personal injury, accident or disease in respect of the claimant or their family.
- Any payment made under an agreement to settle a claim for personal injury.
- Any payment received under an insurance policy taken out to insure against the risk of being unable to maintain repayments of a loan.
- Any income treated as capital.
- Social Fund payments or its equivalent.
- Any payment for banking charges or commission, to convert a payment of income to sterling.
- Any payment made under the Eileen Trust, the Independent Living Fund, the Skipton Funds, the London Bombing Relief Charitable Fund, or the Variant Creutzfeldt-Jacob Disease Trust.
- Any payment of expenses for jurors, witnesses or prison visitors.
- Any refund of Council Tax.
- Any payment of child maintenance.
- The first £15 per week of any maintenance, other than child maintenance.
- Sports awards.

5.14.2 The income disregarded for pensioners is set out in schedule 5 of the regulations.

5.15 Capital

5.15.1 The capital of the claimant and their partner will be added together, for the purpose of calculating entitlement to Council Tax Support. Where the person is receiving Universal Credit, the capital will be the assessment of capital provided by Universal Credit.

5.15.2 All capital of the claimant or partner will be taken fully into account, with the exception of 'capital disregarded' below.

5.15.3 Where capital is jointly held by the claimant or partner and one or more other persons, the Council will apportion the capital to decide what share is held by the claimant or partner.

5.15.4 Where the value of the capital item is not known, the Council will calculate the value of the capital item using the information available to provide the most accurate estimate, including:

- The current market or surrender value of the capital item.
- Less any costs for selling the capital item.
- Less any debt or charge secured against the capital item

5.15.5 The treatment and calculation of capital for pensioners is set out in schedule 1 of the regulations.

5.16 Income treated as capital

5.16.1 The following payments will be treated as capital:

- Holiday pay, paid 4 weeks or more after termination of employment.
- Tax refunds.
- Lump sum charitable or subsistence payments.
- Arrears of Tax Credits.

5.17 Notional capital

5.17.1 A claimant will be treated as possessing capital of which they or their partner have deliberately deprived themselves of, to qualify for Council Tax Support.

5.17.2 The treatment of notional capital for pensioners is set out in schedule 1 of the regulations.

5.18 Capital disregarded

5.18.1 The following capital held by the claimant or partner will be disregarded in full, unless otherwise stated:

- The dwelling normally occupied by the claimant as their home.
- Any property which is actively being sold.
- Any property acquired by the claimant which they intend to occupy as their home, whilst they are preparing for occupation.
- Any property acquired by the claimant, which they intend to occupy as their home, which is undergoing essential repairs or alterations.
- The proceeds of sale of any property formerly occupied by the claimant as their home, which is to be used for the purchase of another property intended for occupation.
- Any property occupied by a partner or relative of the claimant or any member of their family, where that person is a pensioner or is disabled.
- Any property occupied by the former partner of the claimant as their home, where the former partner is a lone parent, or where the property is actively being sold.
- The capital of a person in receipt of Income Support, income based Jobseekers Allowance or income related Employment and Support Allowance.
- Any future interest in property, other than land or premises where the claimant has granted a lease or tenancy.
- The assets of any business owned by the claimant for the purpose of their self-employment.
- Any arrears of state pensions, benefits or tax credits.
- Any amount paid to the claimant, or acquired by the claimant as a loan, as a result of damage or loss of the home or personal possessions and intended for its repair or replacement.

- Any amount deposited with a Registered Provider, which is to be used for the purchase of another property intended for occupation.
- Any personal possessions.
- The value of the right to receive any income under an annuity or the surrender value of an annuity.
- Where the funds of a trust resulted from a payment for a personal injury to the claimant or their partner, the value of the trust fund and the right to receive any payment under that trust.
- The value of the right to receive any income under a life interest or from a life rent.
- The value of the right to receive any income payable in a country outside the United Kingdom where there is a prohibition against the transfer to the United Kingdom of that income.
- The surrender value of any life insurance policy.
- Where payments of capital are made by instalments, the value of the right to receive any outstanding instalments.
- Any payment made by a local authority under section 17 of the Children Act 1989.
- Any payment made for adoption, fostering, guardianship support or supported lodgings.
- Any social fund payment or its equivalent.
- Any refund of tax deducted on a payment of loan interest for the purpose of acquiring a home or carrying out repairs or improvement to the home.
- Where a payment of capital is made in a currency other than sterling, any banking charge or commission payable in converting that payment into sterling.
- Any payment made under the Eileen Trust, the Independent Living Fund, the Skipton Funds, the London Bombing Relief Charitable Fund, or the Variant Creutzfeldt-Jacob Disease Trust.
- The value of the right to receive any rent.
- Any payment in kind made by a charity.
- Any refund of Council Tax.
- Any payment made by a local authority to the claimant, to be used to purchase a property for occupation as their home, or to carry out repairs or alterations to the home.
- Any payments for:
 - travel expenses for hospital visits
 - medical supplies and vouchers
 - health in pregnancy grants
- Home Office payments for prison visits.
- Any payment made to assist a disabled person to obtain or retain their employment.
- Any payment made by a local authority under the Blind Homeworkers' Scheme.
- Any capital administered on behalf of a person by the High Court, County Court, or the Court of Protection.
- Any payment to the claimant as a holder of the Victoria Cross or George Cross.
- Any payment made to assist a person under the self-employment route.
- Any payment of a sports award.
- Any payment of an education maintenance allowance.
- Any payment made by a contractor for a person participating in an employment zone programme.
- Any arrears of subsistence allowance.

- Any payment made by a local authority for a service which is provided to develop or sustain the capacity of the claimant or their partner to live independently in their accommodation, including personal budgets.

5.18.2 The capital disregarded for pensioners is set out in schedule 6 of the regulations.

6 Calculation of entitlement

6.1 Maximum Council Tax Support

6.1.1 The amount of a person's maximum Council Tax Support for a day which they are liable to pay Council Tax will be 80%.

6.1.2 The amount of Council Tax Support will be calculated as A divided by B and multiplied by 80% where:

- A is the amount of Council Tax set for the financial year for the dwelling the person resides in and for which they are liable, less any discount which applies
- B is the number of days in that financial year
- Less any non-dependant deductions.

6.1.3 Where a person is jointly and severally liable for Council Tax, which they are liable with one or more other persons, the maximum amount of Council Tax Support will be the amount in A divided by the number of people who are jointly and severally liable. This will not apply if the only person they are jointly and severally liable with is their partner.

6.1.4 The maximum Council Tax Support for pensioners is set out in schedule 1 of the regulations.

6.2 Council Tax Support taper

6.2.1 The percentage of excess income over the applicable amount (or Universal Credit maximum award) which will be deducted from the weekly maximum Council Tax Support will be 20%.

6.3 Non-dependant deductions

6.3.1 A deduction from a person's maximum Council Tax Support will be made for non-dependants, as follows. The amounts detailed below are those stated within the 2015/2016 scheme (**Table 2**) and will be updated for 2016/2017 with reference to the amended prescribed requirement regulations for 2015.

Table 2: Non-dependant deductions 2015/2016

Non-dependant type	Weekly amount 2014/2015
A non-dependant aged 18 or over in remunerative work where their normal gross weekly income is:	
• Less than £189.00	£3.74
• Between £189.00 and £327.99	£7.52
• Between £328.00 and £407.99	£9.49
• £408.00 or over	£11.36
A non-dependant aged 18 or over not in remunerative work	£3.74

- 6.3.2 In calculating the gross income of a non-dependant, any amounts which would normally be disregarded for a Council Tax Support claimant, will also be disregarded for a non-dependant.
- 6.3.3 Only one non-dependant deduction will be made for a couple, and the amount deducted will be based on their joint income, calculated as above.
- 6.3.4 Where a person is jointly and severally liable for Council Tax for a dwelling they reside in, which they are liable with one or more other persons, the amount of the non-dependant deduction will be apportioned equally between those liable persons.
- 6.3.5 Non-dependant deductions will not be made in the following circumstances:
- Where the claimant or their partner is blind
 - Where the claimant or their partner receives Attendance Allowance, or the care component of Disability Living Allowance, or the daily living component of Personal Independence Payment, or Armed Forces Independence Payment.
 - Where the non-dependant normally resides elsewhere
 - Where the non-dependant receives a training allowance
 - Where the non-dependant is a full-time student
 - Where the non-dependant is not residing with the claimant because they have been an in-patient for more than 52 weeks (without any break exceeding 28 days)
 - Where the non-dependant receives Income Support, income based Jobseekers Allowance, income related Employment and Support Allowance, or Pension Credit
 - Where the non-dependant receives Universal Credit, where the award has been calculated on the basis that they do not have any earned income
 - Where the non-dependant is aged under 18
 - Where the non-dependant is not residing with the claimant because they are a member of the armed forces and they are absent, while on operations, from the dwelling usually occupied as their home.
- 6.3.6 Where the income of the non-dependant is not known or has not been provided, the Council will assume that the maximum deduction will apply.
- 6.3.7 The rules for non-dependant deductions for pensioners are set out in schedule 1 of the regulations.

6.4 Date on which a claim is made and entitlement begins

- 6.4.1 Entitlement to Council Tax Support will begin on the Monday following the date the claim is received by the Council, unless the claim is treated as being made from a different date. Schedule 8, Part 2, paragraph 5 of the regulations sets out the rules for the date on which a claim is made. These state:
- Where an award of Pension Credit (guarantee credit), Income Support, income-based Jobseekers Allowance, income-related Employment and Support Allowance, or Universal Credit has been made to the claimant or their partner; and the claim for Council Tax Support is made within one month of the date of the claim for one of those benefits; the date of claim will be the first day of entitlement to those benefits.

- Where the claimant or their partner is receiving Pension Credit (guarantee credit), Income Support, income-based Jobseekers Allowance, income-related Employment and Support Allowance, or Universal Credit; and they become liable for Council Tax for the first time; and the claim for Council Tax Support is made within one month of the date of the change; the date of claim will be the date on which the change takes place.
- Where the claimant is the former partner of a person who was entitled to Council Tax Support before the date of death or separation; and the claimant makes a claim for Council Tax Support within one month of the date of death or separation; the date of claim will be the date of death or separation.
- Where the claim for Council Tax Support is made within one month of a request to claim Council Tax Support, or such longer period as the Council considers reasonable, the date of claim will be the date on which the request was made.
- In all other cases, the date of claim for Council Tax Support will be the date the claim form is received by the Council.

6.4.2 Council Tax Support will be paid for an earlier period, up to a maximum of one month before the claim is made, where:

- Council Tax liability starts within one month before the claim is made.
- The claimant requests the claim is paid earlier than the claim is made.

Providing that the claimant has supplied sufficient information and evidence for the Council to calculate entitlement to Council Tax Support for the earlier period.

6.5 Duration of award and reviews

6.5.1 Council Tax Support will be awarded for an indefinite period, until:

- Council Tax liability ends.
- A change in the claimant or partner's circumstances results in Council Tax Support ending.
- The claimant fails to respond to a request for information or evidence in connection with their claim or an award.

6.5.2 The Council may review a person's entitlement to Council Tax Support at any time.

6.6 Extended reductions

6.6.1 A person who is entitled to Council Tax Support will be entitled to an extended reduction where:

- The claimant or their partner were entitled to a qualifying benefit or any combination of those benefits of either;
 - Income Support, or
 - Jobseekers Allowance (income based or contributory), or
 - Employment and Support Allowance (income related or contributory), or
 - Universal Credit, or
 - Incapacity Benefit, or
 - Severe Disablement Allowance.
- Entitlement to a qualifying benefit ceased because the claimant or their partner;
 - Commenced employment as an employed or self-employed earner, or
 - Increased their earnings from their employment, or
 - Increased the number of hours in their employment.

- 6.6.2 Providing that the claimant remains liable for Council Tax at the dwelling in which they reside during the extended reduction period.
- 6.6.3 The extended reduction period will start on the day after Council Tax Support would normally have ended after the qualifying benefit has ceased and will last for 4 weeks or up to the day Council Tax liability at the dwelling in which they reside ends, if this is earlier.
- 6.6.4 The amount of the extended reduction will be the higher of:
- The amount of Council Tax Support which the claimant was entitled to before the qualifying benefit ceased, or
 - The amount of Council Tax Support which the claimant is entitled to after the qualifying benefit ceased.
- 6.6.5 The rules for extended reductions for pensioners is set out in schedule 1 of the regulations.
- 6.7 Extended reductions – movers into Darlington
- 6.7.1 The rules covering people who move into Darlington who are in receipt of an extended reduction is set out in Schedule 8, Part 1 of the regulations. These state:
- Where a claim for Council Tax Support is made and the claimant or their partner is in receipt of an extended reduction from another authority, the Council must reduce any entitlement to Council Tax Support by the amount of that extended reduction.

7 Decision making and notifications

7.1 Decisions and notification

7.1.1 The rules by which the Council must make and notify decisions for Council Tax Support are set out in Schedule 8, Part 3 of the regulations. These state:

- The Council must make a decision on a Council Tax Support claim within 14 days of receiving all the information and evidence for that claim, or as soon as reasonably practicable after that date.
- The Council must notify the claimant in writing of any decision relating to a Council Tax Support claim within 14 days of making the decision, or as soon as reasonably practicable after that date.
- The decision notice must include a statement informing the claimant of their duty to notify changes of circumstances, explaining the consequences of failing to comply with that duty, and setting out the changes which may affect entitlement to Council Tax Support.
- Where the decision is to award Council Tax Support, the notice must include a statement as to how it will be paid.
- The decision notice must include the procedure by which an appeal may be made.
- The claimant may request a statement of reasons about the notification, within one month of the date of the notification. The statement of reasons must then be sent to the claimant within 14 days of the request, or as soon as reasonably practicable after that date.
- A person affected by a decision relating to Council Tax Support will be the claimant, or where the person who is liable for Council Tax is unable to act, the accepted or appointed person who has made an application on their behalf.

7.2 Payment of Council Tax Support

7.2.1 The rules for the payment of Council Tax Support are set out in Schedule 8, Part 4 of the regulations. These state:

- Payment of Council Tax Support will be made to the person entitled to the reduction of their Council Tax liability.
- Where a person is jointly and severally liable for Council Tax, payment of Council Tax Support will be paid to the person entitled to the reduction of an appropriate amount of their Council Tax liability, rounded to the nearest penny.

7.2.2 Payment of Council Tax Support will be made by reducing the Council Tax liability of the person entitled to the reduction.

7.3 Electronic communications

7.3.1 The rules by which the Council can undertake electronic communications is set out in Schedule 7, Part 4 of the regulations. These state:

- The Council must meet certain conditions to allow electronic communication in relation to its Council Tax Support scheme.
- The Council may use intermediaries in connection with electronic communication in relation to its Council Tax Support scheme.
- Any information delivered by the Council by electronic means must meet all the other conditions relating to its Council Tax Support scheme.
- Proof of identity of the sender or recipient of information will need to be verified where information is sent or received by electronic means.
- The Council will need to establish procedures to verify delivery of information by electronic means.

8 Changes in decisions

8.1 Duty to notify changes of circumstances

- 8.1.1 The duty to notify changes of circumstances is set out in Schedule 8, Part 2, paragraph 9 of the regulations. These state:
- The claimant, or a person acting on their behalf, must notify the Council of any changes of circumstances which they might reasonably be expected to know may affect their entitlement to Council Tax Support.
 - Notification of a change of circumstances may be made in writing or by telephone and within 21 days of the change occurring, or as soon as reasonably practicable after that date.

8.2 Date on which a change of circumstances will affect Council Tax Support

- 8.2.1 The Council will review the amount of Council Tax Support, following a change of circumstances, as follows:
- Where entitlement to Council Tax Support continues after the change, Council Tax Support will change on the Monday following the date the change occurred.
 - Where entitlement to Council Tax Support ends after the change, Council Tax Support will end on the Sunday of the week in which the change occurred.
 - Where Council Tax liability changes or ends, Council Tax Support will be changed or ended on the same day.
 - Where the claimant has delayed notifying the Council of a change in their circumstances, which results in more Council Tax Support being awarded, the change will be treated as occurring on the date the Council was notified of the change. A delay is counted as being more than one month after the change occurred.

8.3 Ending Council Tax Support

- 8.3.1 Council Tax Support will end in the following circumstances:
- Council Tax liability ends.
 - A Council Tax exemption applies.
 - A change of circumstances occurs, which ends entitlement to Council Tax Support.
 - A change of circumstances occurs, but there is insufficient information or evidence to decide if entitlement to Council Tax Support will continue.
 - The claimant fails to provide, when requested, sufficient information or evidence to decide if entitlement to Council Tax Support will continue, one month following the date of the request or such longer time as the Council considers reasonable.

8.4 Revisions

- 8.4.1 An original decision relating to a claim for Council Tax Support may be revised by the Council at any time.

8.5 Appeals

- 8.5.1 The rules by which a person may make an appeal against certain decisions of the authority are set out in Schedule 7, Part 2 of the regulations. These state:
- A person who disagrees with a decision in relation to their Council Tax Support claim may appeal in writing, stating their grounds for appeal.
 - The Council must consider the appeal and notify the person in writing of the outcome of their appeal and the reasons for the decision, within 2 months of the appeal being received.
 - If the person is still aggrieved or if the Council fails to notify the person of the outcome of their appeal within 2 months of receiving their appeal, they may appeal to a valuation tribunal under section 16 of the 1992 Act.

8.6 Discretionary reductions

- 8.6.1 The rules for an application for a discretionary reduction are set out in Schedule 7, Part 3 of the regulations. These state:
- An application for a reduction under section 13A(1)(c)(a) of the 1992 Act may be made in writing, by telephone, or by electronic means.
 - A claim for Council Tax Support may also be treated as an application for a reduction under section 13A(1)(c) of the 1992 Act.

9 Overpayments

9.1 Meaning of overpayment

9.1.1 Overpayment means any amount which has been paid as Council Tax Support and to which there is no entitlement.

9.2 Recovery of overpayments

9.2.1 All overpayments of Council Tax Support, however they were caused, will be recoverable.

9.2.2 Overpaid Council Tax Support will be recovered by an addition being made to the liable person's Council Tax account.

9.2.3 Claimants will have the right of appeal about how an overpayment has been calculated or the decision to recover an overpayment. The Council will have the discretion not to recover an overpayment of Council Tax Support.

Question 1

“The Government has recently announced that it will freeze the rates for most welfare benefits for working age people over the next 4 years. This means that benefits won't go up in 2016-2017. Do you think the Council should freeze the rates for Council Tax Support for working age people in 2016-2017?”.

Stop wasting money on non-essentials.
But only if that does not then result in people being made homeless.
This will reduce admin costs and be in line with government policy.
They're not able to freeze the cost of living!
People who work part time and people on the minimum wage should be given all the help they can get.
Central Government cutbacks mean that money is short enough. It should be spent on other things.
It's already a hard bill to pay, increasing it when their money hasn't increased in line would be ridiculous.
We all need to pull together. Working pay hasn't increased.
Its only fair.
Most working people have had frozen wages for a good few years.
The council needs to stop spending money.
No increase in benefit but an increase in council tax would be morally wrong.
I personally pay a lot towards it and I am single person who does not get much help and that's me working too.
The council are unable to financially sustain further support.
If people are willing to go out and work at a low rate of pay they should be helped. I work 7 days a week and don't earn lots but provide the public with a service at an affordable price in today's economy.
Everyone needs to take their share of the pain in tough financial times.
Increases would only increase the poverty levels people are on, therefore creating more financial problems for individuals.
I think it should stay the same for working people. It's bad enough that we have to pay more when we work.
It makes sense to follow national changes.
The people requiring assistance won't be able to pay increases in their contributions.
The rates should be increased for working age people on disability benefits (i.e. DLA).
To encourage people to work not just in part time work but full time, as many people do as little hours as possible so still been eligible for CTS.
It should rise in line with the Council Tax. For example, if it goes up by 2%, so should the support.
No, there are plenty of working families that haven't received increase in their salaries. These people will be out of pocket if increases are applied.
All rules should be the same for everyone.
I've just been made redundant, not my fault the governments, so why should I suffer further due to their polices.
Despite benefits being frozen, the cost of living continues to climb.
It should mean those in need get more help not less as their benefits are cut unfairly.

Question 2

“The Government has recently announced that the Family Premium in Housing Benefit will not be paid for people who make a new claim after April 2016 or for existing claims where the first child is born after April 2016. Do you think the Council should apply the same rules to the Council Tax Support scheme for 2016-2017?”.

I don't know what this is so don't really know how to answer, but I guess, as far as possible, we should stay in line with national decisions.
Families with young children are vulnerable and are restricted in the work they can apply for.
Did not know which one I prefer.
Again, cutbacks are reducing available funds dramatically.
Keep it in line with government. Will be more of an incentive for them to get into work.
Hitting the poorest in society is not morally acceptable.
This should be evaluated and personally reduced as some personal circumstances are encouraged by these benefits.
The council needs to save money where it can.
Removing this section of benefit would only cause hardship to these families.
Unless there is plenty of money in the budget (!) follow national guidelines.
Claimants won't be able to afford the extra contributions.
It all has to follow government rules.

Question 3

“A Benefit Cap currently applies to working age people, which limits the amount of benefits they can receive to £26,000 each year. People affected by this cap will have their Housing Benefit reduced by the Council. The Government has recently announced that this Benefit Cap will be reduced to £20,000 for couples and families. This means that more people in Darlington will see a reduction in their Housing Benefit. The Council could help those affected by allowing them up to 100% of their Council Tax to be paid through the Council Tax Support scheme (currently working age people can only receive up to 80% support). Do you think the Council should give more support to people affected by the Benefit Cap?”.

People claim benefits because they can't afford not to, wake up and smell the coffee.
I have never received benefits and £20,000 sounds an awful lot of money to me.
100% is easier to administer and will result in less arrears to collect.
No one should get 100% support.
I am a single parent who earns just over 21k and I get NO help. Why should people getting just under 1k less than me get theirs paid?
Even with a benefit cap, large families still have a huge disposable income as remember they won't hardly pay any rent.
£20k net is what someone earning a wage of £25k would take home. Giving £20k to someone not working is a disincentive to them finding a job
There should be no discrimination on whether someone is affected by the benefit cap - the CTS maximum percentage should be the same for all.
Everybody gets 80% or everybody gets 100%, no differentiating.
That benefit is more than I earn for working full time.
This should apply on the genuine circumstances that they are in a low income situation.

We don't have enough money in the pot to afford to spend at previous rates.
Each person affected by the cap should be calculated individually.
Maybe for the first year then reduce it in stages?
Only for disabled people of working age.
Where would the money come from? Other tax payers? Or reduction of services?
The council doesn't have the money for this scheme.
£20,000 income is equal to most people who work.
They need the help.

Question 4

“Universal Credit will start to replace a number of welfare benefits for working age people in Darlington from November 2015. The Council could change the way it works out Council Tax Support for people receiving Universal Credit, by using the same figures used to work out their Universal Credit award. Do you think the Council should change the way it works out Council Tax Support for people receiving Universal Credit?”.

Uuniversal Credit is flawed, well proven.
It makes economic and manpower sense to use one lot of calculations, but as I don't understand how any of these other benefits work I don't really feel qualified to comment.
Again this is in line with government policy and will in future be easier to understand.
I think the government is cutting too much and far too quick.
New system, new rules.
It depends what these changes would mean, i.e. savings for the council / tax payer?
For most cases it would be easier to use the UC figures but there should be exceptions that allow calculations to take place using the current scheme if the UC scheme would cause a hardship.
Well if one scheme benefits the claimant use that one, if it benefits the council, use the one which benefits the claimant.
Council support needs to be addressed within categories to assist people, especially individuals rather than families that have more support.
Changing to Universal Credit could mean some people are better off, therefore the calculation must change to reflect this
There is not enough information to base an accurate answer to this question.

Question 5

“Do you have any other comments about the local Council Tax Support scheme, or any other suggestions to change the scheme? “

As already stated, I don't really know what these benefits are, how they are calculated or who gets them and on what basis, so am not really qualified to comment on changes. I certainly wouldn't like to see people made homeless because they can't afford their Council Tax, but I'd also want to know why they couldn't and whether they could afford to smoke and drink and have holidays - none of which I can afford to do.
It should be paid at 100% after the first 6 months of claiming with a run on for 8 weeks but it should for single people with no dependants not be paid for the first month of any claim.
These people should be going out to work not receiving these benefits. My husband and I have worked all our lives and still working at the age of 61 years and have

received no benefits at all. It can be done if you have self respect.
It needs seriously looking at. Councils can ill afford to keep spoon-feeding the workshy in the community. The problem is that the majority of these people have a "It's up to the council to look after me" attitude.
In an equal society everyone should pay what they can. I believe the burden on the working man is too heavy and should be rebalanced so that those in receipt of benefits should also shoulder some of the burden.
The council should cut down on the high wages for execs and the waste in the council. This money should be used for other services, ones that people need.
Online submission of income evidence - rather than having to queue for 30+ minutes.
Getting rid of the CEO might help a lot of people claiming benefits. This is a Labour run council and should be getting back to its roots about helping the working classes, including those having to claim benefits.
I see a lot of people struggling now and I'm in the same boat.
I pay full Council Tax. 2 adults that work full time with 3 children but still struggle to pay it each month. Would be nice for a little break or reduction now and then to allow treats for my kids. Why should people on benefits get it paid and leave more money for themselves to smoke and drink because I can't afford that.
I am currently trying to sort my Council Tax since April due to me having a mortgage that means I cannot receive any Housing Benefit from low income. My property is currently on the market for sale and has for three months. I have no interest in a sale, so it has forced me to rent the property out again and rent somewhere else where at a greater expense to assist in my lower income, so that I have somewhere to live. I have currently been told that I'm not entitled to any reduction in Council Tax for single occupancy. Darlington Borough Council have been very difficult to work with. I have provided every piece of information that was requested from me, I have to appeal the case and now I have to wait two weeks because the Team Leader is currently away. I am a local tradesmen within the Shildon area which costs a lot in fuel expenses, but no support from the local council would help me and my business, as I moved in due to bad tenant experience previously and a change of circumstances.
People in the West End pay a fortune in Council Tax but see very little in return. Compare the state of the roads and pavements in the West End with those in Eastbourne - sorry but it's not fair to continually bleed middle income homes to support the have nots. If the Council needs to save money, everyone should take their share of the cuts - equally.
I'd like to know the percentage of all DBC Council Tax payers who pay in full?
Disabled people of working age are being dragged into the same bracket as working age people who choose not to work. Careful consideration needs to be given to disabled people, to prevent them from being pushed further into poverty.
Working people on low incomes are bearing the brunt of cuts, why should they be made to suffer more, they do their best, but as in my case, to no avail!!!
They should help working people more and not people on benefits !!!!!
Give those who need the help more help, not less and some feeling that they have it.
My opinion is they are bad enough already for the poorest, increasing them will only add undue hardship on those already struggling! I say NO to any increase!



Equality Impact Assessment Record Form 2012-16

This form is to be used for recording the Equality Impact Assessment (EIA) of Council activities. It should be used in conjunction with the guidance on carrying out EIA in **Annex 2** of the Equality Scheme. The activities that may be subject to EIA are set out in the guidance.

EIA is particularly important in supporting the Council to make fair decisions. The Public Sector Equality Duty requires the Council to have regard to the need to eliminate discrimination, harassment and victimisation, advance equality of opportunity and foster good relations.

Using this form will help Council officers to carry out EIA in an effective and transparent way and provide decision-makers with full information on the potential impact of their decisions. The purpose is to avoid inadvertent disadvantage or discrimination resulting from decisions.

EIA is not a fixed process – it will vary according to the scale and type of activity. The form and guidance are designed to cover all eventualities. Officers should not be discouraged by the form, but should use their discretion in using it flexibly according to the activity they are assessing.

EIA does not happen at a single point in time. It is an ongoing and integral part of the development of the activity or proposal. This EIA template should be kept open and live as a planning document, and updated as the activity or proposal progresses.

Section 1 – Service Details and Summary of EIA Activity

Title of activity:	Council Tax Support (CTS) scheme 2016/17
Lead Officer responsible for this EIA:	Anthony Sandys, Head of Revenues and Benefits
Telephone:	X6926
Service Group:	Neighbourhood Services and Resources
Service or Team:	Revenues and Benefits
Assistant Director accountable for this EIA	Pauline Mitchell, AD Housing and Building Services
Who else will be involved in carrying out the EIA:	Wendy Tarelli, Revenues and Benefits Manager

What stage has the EIA reached?

This table provides a 'cover note' of progress to be maintained as the EIA is developed over time.

Stage categories 1-3 listed below refer to the funnel model. Note the stage reached and any consultation or engagement carried out. Simple activities may not need all these stages. Provide details of population/individuals affected in Section 2

Stage	Date	Summary of position
Stage 1: Initial Officer Assessment. Whole Population likely to be affected identified		<i>All residents within Darlington who are liable to pay Council Tax</i>
Stage 2: Further Assessment. Target Population likely to be affected identified		<i>All current working aged CTS recipients</i>
Stage 3: Further Assessment. Individuals likely to be affected identified		<i>All current working aged CTS recipients affected by the welfare reforms from April 2016</i>
Stage 4: Analysis of Findings		There was a mix of responses from the people who responded to the survey about the proposed changes to

		<p>the CTS scheme in 2016/17. Some respondents believe that it is unfair that some individuals will be negatively impacted by these proposals. Other respondents believe that any changes to government policy should be mirrored in the CTS scheme and that the impact on other Council Tax payers should be taken into account, if the changes would increase CTS expenditure. Some groups are treated differently in the assessment of their CTS entitlement, as certain types of income are disregarded in the process and these proposals will only affect certain groups of people. However, the Council takes a fair and equitable approach to Council Tax recovery and will take into account a person's means to pay, where they are making reasonable attempts to pay their Council Tax. In addition, a discretionary Council Tax discount scheme is available to people receiving CTS who are suffering hardship and applications for this are dealt with on an individual basis.</p>
Stage 5: Sign-Off		
Stage 6: Reporting and Action Planning		

Section 2 – The Activity and Supporting Information

Details of the activity (including the main purpose and aims)

From April 2013, the Government replaced the national Council Tax Benefit scheme with new local CTS schemes, designed and administered by local authorities. Grants are paid to local authorities to fund the new scheme, but the overall amount has been cut from projected expenditure levels.

The Council were required to design and publish a new scheme by 31 January 2013, in time to implement for annual Council Tax billing in 2013/14. A full public consultation exercise and an equality impact assessment were undertaken on the proposals.

On 24 January 2013, members approved the CTS scheme for 2013/14, which included a 20% reduction in the amount of Council Tax relief available for working age people on low incomes. Pensioners are protected from any cuts under a national set of regulations.

On 28 November 2013, members approved the CTS scheme for 2014/15, with no significant changes from the 2013/14 scheme. On 4 December 2014, members approved the CTS scheme for 2015/16, again with no significant changes from the 2014/15 scheme.

A number of welfare reforms were announced in the 2015 summer budget that could potentially impact on CTS recipients and expenditure in 2016/17.

A number of questions were put to residents as part of the consultation exercise about the proposals to change the CTS scheme for 2016/17. These were:

- Whether to freeze working age CTS applicable amount rates
- Whether to remove the Family Premium for new CTS claims and changes
- Whether to give protection for people affected by a change in the Benefit Cap threshold
- Whether to change the way CTS is worked out for people claiming Universal Credit

Who will be affected by the activity?

See the guidance on carrying out equality impact assessment within the Equality Scheme 2012-16. Provide details of the groups and numbers of people affected below, updating the table as the EIA develops and the understanding of who will be affected emerges in more detail.

Whole population

Potentially all residents in Darlington who are liable for Council Tax could be affected by these proposals. If the Council were to decide to protect individuals from these reforms, the additional CTS expenditure would be met by the Council. Other Council budgets may then need to be reduced to accommodate the additional expenditure. This could result in a reduction in services and/or an increase in Council Tax to meet the shortfall.

Target population

Some of the current recipients of CTS would be affected by the changes, although pensioners are protected by any reduction in support. Not all working aged CTS recipients would be affected as some are receiving passported benefits that entitles them to the maximum 80% support.

Individuals

Certain working age recipients of CTS could be affected by the changes, if the Council decides to change the scheme in 2016/17 (see below).

What data, research and other evidence or information is available which is relevant to the EIA?

The following information is currently available:

A freeze on working age CTS rates

Working age applicable amounts in CTS are part of the local scheme and have previously been increased by rates of inflation that have been used to increase other welfare benefits set by the government. However, the government has announced that these rates will be frozen for the next 4 years. This change does not impact on CTS recipients who are receiving passported benefits that entitles them to the maximum 80% support. The change will impact on working aged people receiving CTS, where their total income is above the applicable amount in CTS. Although their CTS will be increased to cover any increase in the Council Tax in 2016/17, their applicable amounts (which are used to calculate CTS entitlement) will not be increased.

Potentially up to 1,999 current CTS recipients could be affected by this change (18% of all CTS recipients) including 459 with children under 5, 888 working 16 hours or more each week and 652 other households, including those with disabilities.

If CTS applicable amounts were increased by 2%, for example, the increase in CTS expenditure is estimated as £158k in 2016/17.

Removal of the Family Premium for new CTS claims and changes

The Family Premium is part of the applicable amount used to calculate CTS entitlement to households with dependant children. Again, this change does not impact on CTS recipients who are receiving passported benefits that entitles them to the maximum 80% support. The government plans to remove the Family Premium from Housing Benefit entitlement for working aged people making a new claim from April 2016 or where the first child is born after that date. Existing CTS recipients entitled to the Family Premium will be unaffected by this change.

Potentially up to 458 new working aged CTS recipients could be affected by this change (4% of all CTS recipients) including 208 with children under 5, 186 working 16 hours or more each week and 64 other households, including those with disabilities.

If the Family Premium were to be removed in this way, the decrease in CTS expenditure is estimated as £41k in 2016/17. If no changes were made to the scheme, CTS expenditure would be unaffected, although Housing Benefit and CTS for affected recipients would be administered differently.

Protection for people affected by a change in the Benefit Cap threshold

The benefit cap is an overall limit that has been set by government on the maximum amount of benefit that some working age people can receive, which is currently £26k per year for couples, lone parents and families.

This change will not have any direct impact on CTS entitlement, although affected households will see reductions in their Housing Benefit or Universal Credit, which may affect their ability to pay Council Tax. In some cases there may be significant reductions with some households losing nearly all of their Housing Benefit.

Currently, only 25 households are subject to the Benefit Cap in Darlington. The majority of these are large families (5 or more children), 11 in Council accommodation, 2 in Housing Association accommodation and 12 in privately rented accommodation.

However, when the Benefit Cap threshold is reduced to £20k per year, significantly more households in Darlington will be affected. Initial analysis has identified 200 households will be affected by this change, including some families with 3 or more children; 56 in Council accommodation, 25 in Housing Association accommodation and 119 in privately rented accommodation.

The Benefit Cap only applies to working age households and doesn't apply if they receive certain benefits including Disability Living Allowance and Personal Independence Payments.

The government has announced that the Discretionary Housing Payment (DHP) grant available to Councils to help with shortfalls in Housing Benefit will be increased in 2016/17, so could potentially be used to offset some of the decreases as a result of this change. DHPs can only be used to top-up Housing Benefit, not CTS.

Protection (by allowing up to 100% CTS) could be achieved by formally protecting this group within the CTS scheme. Alternatively, the Discretionary Council Tax Discounts scheme could be used to make up the shortfall in these cases and entitlement would be assessed on an individual basis.

The 200 households affected are mainly living in 3 or 4 bedroomed properties. Therefore, if they are currently paying 20% of a Council Tax band C charge (assuming a 2% increase in Council Tax) this would increase CTS expenditure by approximately £55k for 2016/17.

Changes for people claiming Universal Credit

Universal Credit will start to be rolled out in Darlington from 23 November 2015. Only new claims for single people who would otherwise have claimed Jobseekers Allowance will initially be able to claim Universal Credit and numbers are expected to be low in the first year. The Department for Work and Pensions has estimated that 688 people will be receiving Universal Credit by March 2015, although the majority of these will not be liable for Council Tax (i.e. adults living at home with parents).

The CTS scheme for 2016/17 will need to be amended to take into account people receiving Universal Credit. Working aged people not in receipt of a passporting benefit (income based Jobseekers Allowance, Income Support or income related Employment and Support Allowance) have their CTS calculated by comparing their income with their applicable amount. It is suggested that people in receipt of Universal Credit should have their CTS calculated by comparing their income, as provided by Universal Credit, plus their Universal Credit award, with their Universal Credit maximum award. This is not expected to significantly affect CTS expenditure. As most CTS recipients claiming Universal Credit in 2016/17 will be Jobseekers Allowance type of claims, it is likely that the impact of this change will be minimal.

Check: before proceeding to the officer assessment, have you obtained all the data and information that is currently available?

Section 3: Officer Assessment

Use this table to record your views on potential impact on Protected Characteristics. As the activity and the assessment develop your views may change – record them here. It is important to be searching and honest about this – many Council activities are planned to be of positive benefit to identified target groups but can often have the potential for inadvertent effects on other groups.

Protected Characteristics	Potential Impact Positive/Negative/ Not Applicable			Potential level of impact				Summary of Impact
Age		N			M			Pensioners are not affected by the CTS scheme and are protected from any reduction in entitlement. Pensioners are defined as people who have not yet attained the qualifying age of state pension credit, which will be 63 in April 2016. Therefore, everyone of working age are treated differently from pensioners, although only certain groups of working aged CTS recipients will be negatively impacted by these changes.
Race			NA				nil	There are no impacts specifically relating to a person's race.
Sex			NA				nil	There are no impacts specifically relating to a person's gender.
Gender Reassignment			NA				nil	There are no impacts specifically relating to a person's gender.
Disability (summary of detail on next page)		N			M		nil	Potentially, anyone of working age with a disability could be affected by these changes. However, disabled people are treated differently in the assessment of CTS, as some incomes, such as Disability Living Allowance and Personal Independence Payments are disregarded in the assessment of CTS entitlement. In addition, receipt of these benefits exempt them from the effects of the Benefit Cap.
Religion or belief			NA				nil	There are no impacts specifically relating to a person's religion or beliefs.
Sexual Orientation			NA				nil	There are no impacts specifically relating to a person's sexual orientation.

Pregnancy or maternity		N			M		<p>Potentially, anyone of working age could be affected by these proposals. However, families with children are treated differently in the assessment of CTS, as some incomes, such as child maintenance and Child Benefit are disregarded in the assessment of CTS entitlement. Withdrawal of the Family Premium in CTS will impact on some CTS with children, although existing recipients will be protected. The lowering of the Benefit Cap threshold will impact on larger families with 3 or more children.</p>
Marriage/ Civil Partnership			NA			nil	<p>There are no impacts specifically relating to a person's marital status.</p>

Section 3: Officer Assessment - continued

The Council must have due regard to disabled people’s impairments when making decisions about ‘activities’. This list is provided only as a starting point to assist officers with the assessment process. It is important to remember that people with similar impairments may in reality experience completely different impacts. Consider the potential impacts and summarise in the Disability section on the previous page. Officers should consider how the ‘activity’ may affect a disabled person.

Mobility Impairment		<p>N</p>			<p>M</p>		<p>Working age people with mobility impairments and in receipt of CTS may be negatively impacted by these proposals as all working age people could potentially see a reduction in CTS entitlement. People with mobility impairments may find it more difficult to obtain paid work to improve their income. However, the mobility elements of Disability Living Allowance and Personal Independence Payments are fully disregarded in the assessment of CTS entitlement. In addition, receipt of these benefits exempts them from the effects of the Benefit Cap.</p>
Visual impairment		<p>N</p>			<p>M</p>		<p>Working age people with visual impairments and in receipt of CTS may be negatively impacted by these proposals as all working age people could potentially see a reduction in CTS entitlement. People with visual impairments may find it more difficult to obtain paid work to improve their income. However, the care elements of Disability Living Allowance and Personal Independence Payments are fully disregarded in the assessment of CTS entitlement. In addition, receipt of these benefits exempts them from the effects of the Benefit Cap.</p>
Hearing impairment		<p>N</p>			<p>M</p>		<p>Working age people with hearing impairments and in receipt of CTS may be negatively impacted by these proposals as all working age people could potentially see a reduction in CTS entitlement. People with hearing impairments may find it more difficult to obtain paid work to improve their income. However, the care elements of Disability Living Allowance and Personal Independence Payments are fully disregarded in the assessment of CTS entitlement. In addition, receipt of these benefits exempts them from the effects of</p>

							the Benefit Cap.
Learning Disability		N			M		Working age people with a learning disability and in receipt of CTS may be negatively impacted by these proposals as all working age people could potentially see a reduction in CTS entitlement. People with a learning disability may find it more difficult to obtain paid work to improve their income. However, the care elements of Disability Living Allowance and Personal Independence Payments are fully disregarded in the assessment of CTS entitlement. In addition, receipt of these benefits exempts them from the effects of the Benefit Cap. Many people with a learning disability are exempt from paying Council Tax.
Mental Health		N			M		Working age people with mental health problems and in receipt of CTS may be negatively impacted by these proposals as all working age people could potentially see a reduction in CTS entitlement. People with mental health problems may find it more difficult to obtain paid work to improve their income. However, the care elements of Disability Living Allowance and Personal Independence Payments are fully disregarded in the assessment of CTS entitlement. In addition, receipt of these benefits exempts them from the effects of the Benefit Cap. Some people with mental health problems are exempt from paying Council Tax.
Long Term Limiting Illness		N			M		Working age people with long-term limiting illnesses and in receipt of CTS may be negatively impacted by these proposals as all working age people could potentially see a reduction in CTS entitlement. People with long-term limiting illnesses may find it more difficult to obtain paid work to improve their income. However, the care elements of Disability Living Allowance and Personal Independence Payments are fully disregarded in the assessment of CTS entitlement. In addition, receipt of these benefits exempts them from the effects of the Benefit Cap. Some people who receive long term care may be exempt from paying Council Tax.
Multiple		N			M		Working age people with multiple impairments and in receipt of CTS may be

Impairments							negatively impacted by these proposals as all working age people could potentially see a reduction in CTS entitlement. People with multiple impairments may find it more difficult to obtain paid work to improve their income. However, the care elements of Disability Living Allowance and Personal Independence Payments are fully disregarded in the assessment of CTS entitlement. In addition, receipt of these benefits exempts them from the effects of the Benefit Cap. Some people with multiple impairments may be exempt from paying Council Tax.
Other – Specify (war disabled)		N			M		Working age ex-forces personnel with disabilities and in receipt of CTS may be negatively impacted by these proposals as all working age people could potentially see a reduction in CTS entitlement. People with disabilities may find it more difficult to obtain paid work to improve their income. However, War Disablement Pensions are fully disregarded in the assessment of CTS entitlement. In addition, receipt of War Disablement Pension exempts them from the effects of the Benefit Cap.

Cumulative Impacts	
<p>The officer responsible for this EIA should seek input from the Corporate Equalities Group on the potential for this activity to combine with other recent, current or proposed activities, both Council and in the external environment, to result in more severe impacts on people with Protected Characteristics through their cumulative effects. The Corporate Equalities Group will advise on the content for this section of the EIA.</p>	
Change activities	Potential cumulative impacts
Welfare reforms from April 2016	<ul style="list-style-type: none"> • Tax Credits taper rate increased to 48% • Tax Credits income threshold decreased to £3,850 per year • Jobseekers Allowance, Income Support and Employment and Support Allowance work-related activity group rates frozen for 4 years • Child Benefit rates frozen for 4 years • Housing Benefit applicable amounts and Local Housing Allowance rates frozen for 4 years • Family Premium removed from Housing Benefit for new claims and certain changes of circumstances • Benefit Cap threshold reduced to £20,000 per year for couples, lone parents and families, and to £13,400 per year for single people.

Where a person's income reduces as a result of these changes (such as a reduction in Tax Credits), this could increase CTS entitlement (even if CTS applicable amounts are frozen).

Section 4: Engagement Decision

The decision about who to engage with, and how and when to engage, is the key to effective EIA. Please see Annex 2 of the Equality Scheme for guidance on the engagement decision.

Is engagement with affected people with Protected Characteristics required, now or during the further development of the activity?	Yes
If YES, proceed to the next section. If NO, briefly summarise below the reasons why you have reached this conclusion.	

If you have come to the conclusion that engagement is not required, seek ratification from the Corporate Equalities Group through your service Equalities Co-ordinator.

If engagement is not required but the officer assessment has identified changes that should be made to the activity, please complete Sections 7 and 8. If not the assessment can be signed-off at Section 9.

Any reports to decision-makers during the development of the activity, for example feasibility or options appraisal reports, should include content on the latest thinking and findings of the EIA even though, like the activity, further development of the EIA may be required before final reporting.

The findings of the officer assessment should be included in any reports to decision-makers. These may be feasibility or options appraisal reports where the activity is at an early stage of development, but it is essential that any equality findings are taken into account in formal decisions at all stages of development of the activity.

11 Section 5 – Involvement and Engagement Planning

Has the assessment shown that the activity will treat any groups of people with Protected Characteristics differently from other people? Yes

If yes, please state which groups and how

Although all working age people will potentially be impacted by these changes;

- **Disabled people are treated differently from other people as some of their income, such as Disability Living Allowance and Personal Independence Payments are disregarded in the assessment of CTS entitlement. In addition, receipt of these benefits exempts them from the effects of the Benefit Cap.**
- **Households with children may be treated differently from other people as some of their income, such as child maintenance and Child Benefit are disregarded in the assessment of CTS entitlement. However, the removal of the Family Premium will affect some households with children and more families will be affected by the Benefit Cap.**
- **War pensioners and people leaving the armed forces due to a disability may be treated differently from other people as some of their income, such as War Widows Pension, War Disablement Pension and other armed forces compensation schemes are disregarded in the assessment of CTS entitlement. In addition, receipt of these benefits exempts them from the effects of the Benefit Cap**

Potentially the Council does have the option to protect certain groups who are negatively impacted by these proposals, although this could have an even greater impact on other non-protected groups, and may increase CTS expenditure, impacting on all residents of Darlington.

Will the differential treatment advance equality for people with Protected Characteristics? Yes

If yes, please state which groups and how

As above.

Will the differential treatment cause or increase disadvantage for people with Protected Characteristics? No

If yes, please state which groups and how

From the above, prepare a simple plan using the template overleaf for involving and engaging with the organisations, groups and individuals likely to be affected by the activity.

There may be several stages of involvement and engagement, particularly for more complex activities. Initially it may be possible to identify and engage only with

stakeholder and representative organisations for the people with Protected Characteristics who may be affected. Further development of the activity may be required before the individuals who will be affected can be identified.

The Involvement and Engagement Plan should evolve accordingly, with new engagement proposals added as they are identified.

Section 6: Engagement Findings

	Date/summary of engagement carried out	Summary of impacts identified
Age	August to September 2015	There were no impacts identified. Pensioners are already protected from any changes to the CTS scheme as their entitlement is calculated using national rules. Potentially all working aged CTS recipients could be affected by these changes, but there were no specific issues raised about a particular age group.
Disability	August to September 2015	There were no specific impacts identified. Some of the comments from respondents indicated that disabled people should be protected from the negative impacts of the changes, although no specific details were given.
Mobility Impairment	August to September 2015	
Visual impairment	August to September 2015	
Hearing impairment	August to September 2015	
Learning Disability	August to September 2015	
Mental Health	August to September 2015	
Long Term Limiting Illness	August to September 2015	
Multiple Impairments	August to September 2015	
Other - Specify		
Race	August to September 2015	There were no impacts identified
Sex	August to September 2015	There were no impacts identified
Gender Reassignment	August to September 2015	There were no impacts identified
Religion or belief	August to September 2015	There were no impacts identified
Sexual Orientation	August to September 2015	There were no impacts identified
Pregnancy or maternity	August to September 2015	There were no impacts specifically identified for women who are pregnant. Some of the comments from respondents indicated that families would be adversely affected by the changes and that they are restricted in the work they can apply for.
Marriage / Civil Partnership	August to September 2015	There were no impacts identified

Section 6: Engagement Findings – Continued

Drawing on the engagement findings and your understanding of the effects of the activity, indicate how it will contribute, if at all, to the three strands of the Public Sector Equality Duty.

a) How will the proposal help to eliminate discrimination, harassment and victimisation?

These changes recognise that some people with protected characteristics may need to continue to be treated differently and disregards to certain disability benefits, child related benefits and war pensions will continue to apply.

b) How will the proposal help to advance equality of opportunity?

The CTS scheme is the same for everyone of working age, although it is recognised that some of the welfare reforms being introduced from April 2016 will affect certain working age groups differently. However, there is a discretionary Council Tax discount scheme in place for anyone experiencing hardship who is unable to pay their Council tax and all claims are treated individually.

c) How will the proposal help to foster good relations?

As above.

During the engagement process were there any suggestions on how to avoid, minimise or mitigate any negative impacts? If so, please give details.

None, although some of the respondents recognised that these changes could cause hardship.

This completes the assessment, but there will be further work to do to contribute to the reporting and implementation stages of the activity. First though, it is important to draw a line under the assessment to maintain a separation between assessment of impacts and any proposals to manage those impacts. The assessment should therefore be signed-off at this stage.

Section 7 - Sign-off when assessment is completed

Officer Completing the Form:		
Signed	Name:	
	Date:	
	Job Title:	
Assistant Director:		
Signed	Name:	
	Date:	
	Service:	

Section 8 – Reporting of Findings and Recommendations to Decision Makers

The findings of the EIA may be reported to decision-makers at several stages during the development of an activity. For example, the initial officer assessment findings may be included in a feasibility report or options appraisal to be considered by the Transformation Board or Chief Officers' Executive.

Any report for formal decisions by Cabinet or Council should include the latest findings of the EIA, even if these are at a relatively early stage. The report recommending final approval of the activity should await and include the findings of the completed EIA. The report should present clearly the impacts that have been identified through the engagement process, including potential cumulative impacts.

The report may include recommendations based on the findings of the EIA, but these should be separate from the reporting of impacts. Recommendations will be developed separately from the EIA and arise from considering equalities impacts combined with other aspects of the activity such as finance, the benefits of the activity, and so on.

Based on the EIA findings, the report may consider the options in the table below, but the report must contain a clear statement of the impacts so that decision-makers can understand the effects of the decision that is being recommended.

What does the review of the information show?	
a)	No negative impact on people because of their Protected Characteristics - continue with the activity and monitor progress on implementation
b)	Negative impact identified – recommend continuing with the activity; clearly specify the people affected and the impacts, and providing reasons and supporting evidence for the decision to continue
c)	Negative impact identified - adjust the activity in light of the identified impact to avoid, minimise or mitigate the impact
d)	Negative impact identified - stop activity and provide an explanation why

Section 9 – Action Plan and Performance Management

The report to decision-makers, and the decision made may require actions to be taken to avoid, minimise or mitigate the negative impacts of the activity. Option C in the table in Section 8, combined with mitigation measures that may have been highlighted during engagement and listed in Section 6 (if adopted) will require action planning to implement them.

Any actions to address equalities impacts should be listed below, with performance management review proposals, to complete the full EIA.

What is the negative impact?	Actions required to reduce/eliminate the negative impact (if applicable)	Who will lead on action	Target completion date
Certain groups will be negatively impacted by these changes to the CTS scheme	<ul style="list-style-type: none"> Proactively promote the availability of discretionary discounts to affected people and ensure Council Tax accounts are reviewed by recovery staff before commencing enforcement action Target increased DHP grant to households affected by the lowering of the Benefit Cap threshold 	Anthony Sandys	April 2016 onwards
Recovery actions for unpaid Council Tax will impact on those affected by these proposals	<ul style="list-style-type: none"> Ensure payment arrangements are as flexible as possible Minimise court actions where customers are making genuine attempts to pay Consider writing off court costs where payment arrangements are made 	Anthony Sandys	April 2016 onwards

Performance Management	
Date of the next review of the EIA	September 2016
How often will the EIA action plan be reviewed?	Annually
Who will carry out this review?	Anthony Sandys

Number of households receiving CTS (September 2015)

	Pensioners	Working age			Totals
		With children under 5 years	Working 16 hours or more each week	Other	
Receiving a passported benefit <ul style="list-style-type: none"> • PC(GC) • JSA(IB) • IS • ESA(IR) 	2,745	939	39	3,361	7,084
Standard non-earner cases	1,837	79	0	494	2,410
Standard earner cases (minimum wage)	18	159	604	58	839
Standard earner cases (above minimum wage)	18	221	284	100	623
Totals	4,618	1,398	927	4,013	10,956

Estimated number of households receiving CTS affected by welfare reforms

	Pensioners	Working age			Totals
		With children under 5 years	Working 16 hours or more each week	Other	
Freeze on CTS uprating	0	459	888	652	1,999
Minimum wage increase	18	159	604	58	839
Reductions in Working Tax Credits	0	348	734	97	1,179
Removal of the Family Premium for new claims	0	208	186	64	458
Affected by the Benefit Cap	0	-	-	-	200

Estimated additional CTS expenditure as a result of the welfare reforms

	Pensioners	Working age			Totals
		With children under 5 years	Working 16 hours or more each week	Other	
2% CTS uprating for working age households	0	£38.6k	£62.3k	£57.4k	£158.3k
Minimum wage increase	-£2.5k	-£22.0k	-£92.3k	-£5.1k	-£121.9k
Reductions in Working Tax Credits	0	£79.3k	£139.6k	£9.5k	£228.4k
Removal of the Family Premium for new claims	0	-£18.9k	-£16.9k	-£5.8k	-£41.6k
100% protection for households affected by the Benefit Cap	0	-	-	-	£55.0k