



St. Helens
Council

Council Tax Discretionary Discount Policy

(under Section 13A(1)c of Local Government Finance Act 1992)

Version 1.2

February 2020

Version	Date	Reference	Comment / Amendments
1.0	26/03/2013	DED 0197 2012/13	
1.1	23/05/2018	CORP000326	Care leavers added. Minor drafting changes.
1.2	26/02/2019	Cabinet	Amended criteria for care leavers, minor drafting changes and amended job titles.



Council Tax Discretionary Discount Policy

1. Introduction

- 1.1. The Local Government Finance Act 1992 (amended), provides billing authorities with additional discretionary powers to reduce Council Tax liability where national discounts and exemptions cannot be applied. This can relate to individuals or groups of taxpayers who have similar circumstances.
- 1.2. Council Tax legislation provides a range of discounts, exemptions and reductions that have the effect of reducing the amount of Council Tax due. Applicants should claim these discounts first before making an application under this policy.
- 1.3. The cost of this policy is borne by the local authority and the decision to provide a discount will be considered against the needs of other local taxpayers. This policy covers the following circumstances:
 - (a) Exceptional financial hardship
 - (b) Care leavers
 - (c) Uninhabitable properties damaged by fire or flooding
 - (d) Other circumstances

2. Exceptional Financial Hardship

- 2.1. St Helens Council has a local Council Tax Reduction scheme which provides support, through a discount, to those deemed to be within financial need. The scheme has been designed to consider the financial and specific circumstances of households through the use of applicable amounts, premiums and income disregards.
- 2.2. Applicants are expected to have applied and qualified for Council Tax Reduction before making an application for exceptional financial hardship. They will also be expected, where possible, to be taking proactive action to alleviate their current financial hardship, including:
 - (a) seeking new employment opportunities;
 - (b) working additional hours;
 - (c) moving to a lower banded property;
 - (d) reducing outgoings; or
 - (e) maximising benefit entitlement.

As such, priority will be given to applicants who are unable to work due to long-term sickness, disability or caring responsibilities.

- 2.3. Applications for exceptional financial hardship should be made in writing, using the approved online form at www.sthelens.gov.uk/council-tax. Information provided on other application forms for financial support, including Discretionary Housing Payments (DHP) or local welfare assistance, may also be used to assess help under this policy.

- 2.4. Applications will be considered on a case by case basis taking into account the following factors:
- (a) Current household composition and specific circumstances including disability or caring responsibilities.
 - (b) Current financial circumstances. The applicant will be expected to provide details of their income and outgoings. In considering an applicant's financial circumstances it is expected that priority debt, such as: Council Tax, rent or mortgage payments, is prioritised over unsecured loans.
 - (c) Action(s) being taken by the applicant to alleviate any shortfall between income and outgoings.
 - (d) Alternative means of support that may be available to the applicant, including:
 - (i) re-profiling Council Tax payments or other debts;
 - (ii) applying a Discretionary Housing Payment;
 - (iii) maximising entitlement to other welfare benefits;
 - (iv) reassessing spending priorities.
- 2.5. The period and level of the discretionary discount will be determined based on the criteria in section 2.4 above. In certain circumstances, it may be appropriate to refer the applicant for financial literacy, money advice or a debt advice service prior to making a decision.

3. Care Leavers

- 3.1. From 1 March 2020, a discretionary Council Tax discount is available to all care leavers aged between 18 and 24 years living in the borough. The discount will cease on a care leaver's 25th birthday.
- 3.2. A care leaver has the same meaning as that given by: section 23A(2); section 23C(1); section 23CZB(1); and paragraph 19B of Schedule 2, of the Children Act 1989 (as amended).
- 3.3. Discounts will be awarded as follows:
- (a) Sole occupancy - a 100% discount, (75% discretionary and 25% sole occupancy discount) will be available to care leavers where they are the only adult, aged 18 years or over, living in a property.
 - (b) Joint occupancy - a 25% discount will apply to Council Tax accounts where a single occupancy discount or similar relief could have been applied, had the care leaver not been resident.
- 3.4. Applicants will be required to complete a *Care Leaver's Discount Form*. The application will be verified with information held by the People's Services Department or the relevant local authority.
- 3.5. The discount will normally apply from the date of application. Backdate requests will be considered based on an applicant's individual circumstances including the level of Council Tax arrears.

3.6. Transitional protection for existing claimant:

- 3.6.1. Care leavers who received support under the previous scheme (v1.1), as at 1 March 2020, will be transitionally protected based on the existing criteria if they are adversely affected.
- 3.6.2. The previous scheme provided a 100% discount to care leavers where St Helens Council had corporate parenting responsibilities and the care leaver was liable or jointly liable for Council Tax within the borough. The maximum award period was 36 months and ceased on the care leaver's 25th birthday.
- 3.6.3. Should a care leaver remain eligible for an award after 36 months they will be assessed based on the revised criteria at section 3.3 above.

4. Uninhabitable properties damaged by fire or flooding

- 4.1. St Helens Council will consider requests for relief from other persons, who through no fault of their own have experienced a crisis or event that has made their property uninhabitable (e.g. fire, flood or other natural disaster), where the taxpayer remains liable to pay Council Tax and for which they have no recourse for compensation. Applications under this category will normally require a property to be inspected prior to relief being awarded.
- 4.2. The Executive Director of Corporate Services, or nominee, will consider applications based on an individual's circumstances. In reaching a decision, consideration will be made whether it is appropriate to award a discretionary discount having considered the needs of local taxpayers.

5. Other circumstances

- 5.1. The Council will consider other applications on a case by case basis. Applications should be made in writing detailing the reasons why a discretionary discount should be awarded.
- 5.2. The Executive Director of Corporate Services, or nominee, will consider applications based on an individual's circumstances. In reaching a decision, consideration will be made whether it is appropriate to award a discretionary discount having considered the needs of local taxpayers.

6. Decisions and appeals

- 6.1. The Council will notify the applicant within 28 days of receiving enough information to make a decision.
- 6.2. If an applicant is not satisfied with the decision, they can request in writing within 28 days for the decision to be independently reviewed.
- 6.3. If they are still not satisfied with the decision they may, in certain circumstances, be allowed to make an appeal to the Valuation Tribunal Service.

7. Reporting changes in circumstances

- 7.1 Applicants must report relevant changes in their circumstances within 21 days of a change occurring. Failure to promptly report a relevant change in circumstance may result in a fine being issued.

8. Fraudulent Claims

- 8.1. Anyone who tries to claim a discretionary discount under this policy by falsely declaring their circumstances or providing a false statement or evidence may have committed an offence under the Fraud Act 2006. The Council will investigate all allegations of fraud and may take criminal proceedings or apply other sanctions in appropriate circumstances.

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