

COUNCIL

MONDAY, 29TH JANUARY, 2018

At 7.30 pm

in the

DESBOROUGH SUITE - TOWN HALL,

SUPPLEMENTARY AGENDA

PART I

<u>ITEM</u>	<u>SUBJECT</u>	<u>PAGE NO</u>
5.	<u>COUNCIL TAX SUPPORT SCHEME</u> To consider the above report	3 - 16

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Agenda Item 5

Report Title:	Council Tax Support Scheme
Contains Confidential or Exempt Information?	NO - Part I
Member reporting:	Cllr S Rayner, Lead Member for Culture and Communities including Resident and Business Services
Meeting and Date:	Extraordinary Full Council – 29 January 2018
Responsible Officer(s):	Andy Jeffs, Executive Director
Wards affected:	All



REPORT SUMMARY

1. Council Tax Support (CTS) provides financial assistance to working age council tax payers on a low income.
2. In December 2017 Cabinet recommended a reduction in the current 10% contribution towards council tax under the CTS scheme to 8.5% from 1 April 2018.
3. Following this recommendation a public consultation on the proposed change was carried out and this report seeks to provide the results of that consultation.
4. The report further requests that Council considers Cabinet's recommendation and approves the proposed change in the CTS scheme from 1 April 2018.

1 DETAILS OF RECOMMENDATION(S)

RECOMMENDATION: That Council:

- i) Notes the outcome of the consultation exercise undertaken with regard to the proposed change to the CTS scheme.
- ii) Approves Cabinet's recommendation to reduce the contribution under the CTS scheme from 10% to 8.5% with effect from 1 April 2018.

2 REASON(S) FOR RECOMMENDATION(S) AND OPTIONS CONSIDERED

- 2.1 Since April 2013, billing authorities have been responsible for devising their own CTS schemes to assist working age council tax payers who are on a low income.
- 2.2 Local CTS schemes replaced the national scheme of Council Tax Benefit. While the Royal Borough was able to design its own scheme to support working age applicants, the Government's desire to protect those of state pension credit age results in centrally provided legislation covering those in this group.
- 2.3 These Prescribed Regulations introduced a Statutory Scheme, similar to the previous Council Tax Benefit scheme, for those of pensionable age which

means that they may still receive up to 100% of their Council Tax paid via this scheme of assistance. These regulations maintain previous provisions with regard to limiting entitlement to those classed as Persons From Abroad and deal with minor administrative issues. These provisions are replicated for 2018/19 subject to any legislative amendments that may be imposed by Central Government.

- 2.4 The Royal Borough decided in 2013 that all working age customers should be expected to pay something towards their Council Tax bill. However, in order to introduce this change for residents as gradually as possible, the council initially set the maximum level of help available at 91.5% (8.5% contribution) for 2013/14 and then at 90% (10% contribution) for 2014/15 which is where it currently remains.
- 2.5 Cabinet is now recommending to Council that it re-instates the level of help for working age customers, back to a maximum of 91.5% (8.5% contribution), from 1 April 2018.
- 2.6 While Scotland and Wales have national CTS schemes, it is open to each English authority to design its own scheme for working age customers.
- 2.7 In 2017/18, 264 of the 326 English councils require working age customers to pay something towards their council tax charge. This “minimum charge” varies by area:
- In 45 councils it is 10% or less, as in the Royal Borough
 - In 60 councils it is 10-20%
 - In 140 councils it is 20-30%
 - In 19 councils it is 30% or more with the highest minimum payment, in 1 council, being 45%.
- 2.8 Until recently, once made, a CTS scheme could only be changed once a year and those changes proposed needed to be approved by full Council prior to 31 January preceding their introduction. This date has been amended to now be 11th March in the year preceding their introduction.

Table 1: Options considered

Option	Comments
Do not amend the 2018/19 CTS scheme Not the recommended option.	The current CTS scheme means that all working age customers are expected to pay at least 10% of their Council Tax Bill. The maximum level of assistance they are able to receive is 90%.
Amend the CTS scheme for 2018/19 by agreeing the change proposed. The recommended option.	The CTS scheme proposed for 2018/19 would see the maximum level of support for working age customers increase from 90% to 91.5% thereby providing further financial assistance for the most financially vulnerable residents.

3 KEY IMPLICATIONS

Table 2: Key implications

Outcome	Unmet	Met	Exceeded	Significantly Exceeded	Date of delivery
Working age CTS scheme amended	Working age CTS scheme remains as is	Scheme updated by 31 march 2018	Scheme updated by 31 January 2018	N/A	1 April 2018

4 FINANCIAL DETAILS / VALUE FOR MONEY

- 4.1 The primary purpose of these changes is to increase the maximum level of financial assistance available to those working age customers who are on the lowest incomes and therefore financially vulnerable.
- 4.2 At present, there are 2,686 working age residents receiving CTS within the Royal Borough. Their average Council Tax liability is £18.07 per week and they receive, on average, £14.23 assistance against this per week.
- 4.3 While it is not possible to accurately reflect future numbers of customers entitled to CTS, it is estimated that this change would increase the level of support awarded by the Royal Borough to its most vulnerable customers by approximately £50,000 for the year 2018/19.
- 4.4 This proposal would see the level of assistance increase for both existing and new customers.
- 4.5 The additional collection fund cost of the proposed changes to the CTS scheme will be met through reductions in those claiming a Single Persons Discount (SPD) following a thorough review of eligibility to claim carried out in 2017-18.

5 LEGAL IMPLICATIONS

- 5.1 The Local Government Finance Act requires an authority proposing any changes to its CTS scheme to undertake a public consultation exercise even where that change is beneficial to the customers.

6 RISK MANAGEMENT

Table 4: Impact of risk and mitigation

Risks	Uncontrolled Risk	Controls	Controlled Risk
The reduction in those claiming a SPD does not cover the £50,000 additional cost to	Reduction of £50,000 income to the collection fund.	A thorough SPD review has been carried out and those no longer eligible have had their SPD	The £50,000 additional cost to the collection fund is fully covered.

Risks	Uncontrolled Risk	Controls	Controlled Risk
the collection fund.		removed.	

7 POTENTIAL IMPACTS

- 7.1 The council has to give due regard to its Equalities Duties, in particular with respect to general duties arising pursuant to the Equality Act 2010, section 149. Having due regard to the need to advance equality involves, in particular, to the need to remove or minimize disadvantages suffered by persons who share a relevant characteristic that are connected to that characteristic.
- 7.2 The council's tax system is programmed to identify all CTS accounts. There is no evidence to indicate that groups with protected characteristics have been disproportionately affected by the operation of the scheme previously. The change proposed would in fact potentially provide further financial support rather than less to all working age customers.
- 7.3 Standard questions relating to Equality and Diversity were included on the survey but it was made clear that answering these was not compulsory. While 71 responses were received, not all respondents chose to complete the questions regarding their circumstances or ethnic background.

Age profile

- 7.4 Overall, 53 respondents confirmed their age with the breakdown is in table 5A.

Table 5A: Age profile

Age	Number of respondents	% of respondents
18-24	0	0
25-34	9	16
35-44	17	32
45-54	12	23
55-64	9	16
65 and over	7	13

Ethnic background

- 7.5 35 respondents confirmed their ethnic background with the majority of respondents, 91% describing themselves as White/British/English, see table 5B.

Table 5B: Ethnic background

Description	Number of respondents	% of respondents
White/British/English	32	91
Arab	0	
Chinese	0	
Eastern European	0	
Pakistani	1	3
Polish	0	
White/Black African	2	6

White/Irish	0	
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Disability and Gender

7.6 43 respondents were happy to confirm whether they were disabled or not and 50 to confirm their gender. The analysis is shown in table 5C and D.

Table 5C: Disability

Disabled	Number of respondents	% of respondents
Yes	9	19
No	34	71

Table 5D: Gender

Gender	Number of respondents	% of respondents
Female	30	60
Male	20	40

8 CONSULTATION

- 8.1 A public consultation exercise was undertaken for the 2018/19 CTS during the period from 20 December 2017 to 18 January 2018. The survey was available through a variety of channels:
- A link was available on the Royal Borough’s website
 - All visitors to the library were made aware of both the electronic version and offered a paper copy to complete during their visit
 - All visitors to the Housing Benefit/Council Tax Support counters were offered a paper copy to complete during their visit
 - A paper flyer was enclosed with all Council Tax bills sent during this period containing CTS advising of the link on the website.
- 8.2 In total there were 72 responses received split with 64 received via the webform and 8 via the paper form.
- 8.3 Supplementary questions were asked, for monitoring purposes, to determine whether respondents were currently in receipt of Council Tax Support or were completing the consultation on behalf of a representative body.
- 8.4 Of those who chose to respond to these questions, 8% stated that they were currently in receipt of CTS.
- 8.5 The consultation exercise was based on one primary question to residents of the Royal Borough which required a simple “agree” or “disagree” response, with a follow up question for those choosing to disagree allowing them an opportunity to elaborate on why.
- 8.6 A second question allowed free text responses and ask whether residents wished to see any other changes to the scheme considered.

Consultation responses

8.7 Details of the full consultation question and analysis responses, both overall and broken down, are detailed in the rest of this section. The survey advised:

Q1. Following the introduction of Council Tax Support in 2013, the council decided that everyone of working age should be expected to pay something towards their Council Tax bill. However, in order to introduce this change for residents as gradually as possible, the council initially set the maximum level of help available at 91.5% for 2013/14 and then at 90% for 2014/15 which is where it currently remains.

The council is now proposing to re-instate the level of help for working age customers, back to a maximum of 91.5%, for the financial year 2018/19.

Do you agree with this proposal to increase the level of support available?

- Agree**
- Disagree**

If you disagree please write your answer here:

.....

Response.

Of those who responded the *overall* outcome was that the majority of recipients (68%) were **in favour** of making this change.

Of these, where details were provided:

- 8% advised that they were in receipt of CTS currently;
- 87% advised that they were of working age.

Q2 Are there any other changes you would like to see to the Council Tax Support scheme for 2018/19 or general comments regarding CTS?

Please write your answer here:

.....

Details of all the narrative responses, to this question and others, have been included at Appendix A.

9 TIMETABLE FOR IMPLEMENTATION

9.1 If approved, the changes to the CTS scheme would have effect from 1 April 2018.

10 APPENDICES

10.1 There are two appendices

- Appendix A – Narrative Consultation Responses
- Appendix B – Consultation Questionnaire

11 BACKGROUND DOCUMENTS

11.1 None.

12 CONSULTATION (MANDATORY)

Name of consultee	Post held	Date sent	Commented & returned
Cllr S Rayner	Lead Member for Culture and Communities including Resident and Business Services	22 January 2018	24 January 2018
Alison Alexander	Managing Director	22 January 2018	23 January 2018
Russell O'Keefe	Executive Director	22 January 2018	
Andy Jeffs	Executive Director	22 January 2018	22 January 2018
Rob Stubbs	Section 151 Officer	22 January 2018	23 January 2018
Terry Baldwin	Head of HR	22 January 2018	23 January 2018
Mary Kilner	Head of Law and Governance	22 January 2018	
Louisa Dean	Communications and Marketing Manager	22 January 2018	
	Other e.g. external		

REPORT HISTORY

Decision type: Non-key decision	Urgency item? No
Report Author: Louise Freeth, Head of Revenues and Benefits	

Appendix A – Narrative Consultation Responses

It should be shown that even if the decision to validate discounts is right or a state's duty, the cost of validation does not exceed the potential benefit in regards of CT support. Is there benefit to RBWWM in discovering numbers of those eligible for CT Support?

I still hope the single persons discount will be available for those who are in such a position, and any other support that someone can get, if they do not earn as much as everyone else i.e. shopworkers/retail warehouse workers! Need support in these ever increasing cost of living in Berkshire.

No reference to implications for persons/their families or carer-supporters, who are registered disabled or/and have severe disability benefits. Are they part of the 'everyone' cohort?

Do not understand why you sent this as I am an OAP

I would wish to pay less council tax. I live alone as an OAP widow in a Housing one bedroom rented Bungalow. When burgled the police did not come out. Disappointed in the price charged for so little.

Appendix B – Consultation Questionnaire

Housing Benefit & Council Tax Support

Louise Freeth
Interim Head of Revenues and Benefits
Communities Directorate
Royal Borough Windsor & Maidenhead
PO Box 3464, Town Hall
Maidenhead
SL6 1XP

www.rbwm.gov.uk



Have Your Say - Consultation on Council Tax Support Scheme : Consultation Closes 18th January 2018.

Section A – Possible Council Tax Support Scheme adaptations.

Possible Council Tax Support Scheme adaptations.

Following the introduction of Council Tax Support in 2013, the Council decided that everyone of working age should be expected to pay something towards their Council Tax bill. However, in order to introduce this change for residents as gradually as possible, the Council initially set the maximum level of help available at 91.5% for 2013/14 and then at 90% for 2014/15 which is where it currently remains.

The Council is now proposing to re-instate the level of help for working age customers, back to a maximum of 91.5%, for the financial year 2018/19.

This scheme does not apply to retirement age pensioners who continue to receive the same level of assistance they would have received had the national Council Tax Benefit scheme continued i.e. a maximum of 100%.

There will be an additional financial cost to the Council, estimated to be £50,000, which would have to be met elsewhere. This could mean:

- raising Council Tax *; or
- reducing Council services and using compensatory savings to fund Council Tax Support; or
- using the Council's one-off reserves which does not resolve the underlying funding requirement; or
- increasing the Council Tax available to be collected by ensuring that only those entitled to discounts (such as Single Persons Discount) receive them.
- a combination of these.

In order to fund this increase in support, the Royal Borough intends to ensure that only those entitled to discounts receive them.

* In recent years the Government has restricted the level by which Local Authorities can increase Council Tax without holding a referendum.

Following the introduction of Council Tax Support in 2013, the council decided that everyone of working age should be expected to pay something towards their Council Tax bill. However, in order to introduce this change for residents as gradually as possible, the council initially set the maximum level of help available at 91.5% for 2013/14 and then at 90% for 2014/15 which is where it currently remains.

The council is now proposing to re-instate the level of help for working age customers, back to a maximum of 91.5%, for the financial year 2018/19.

Do you agree with this proposal to increase the level of support available?

- Agree**
- Disagree**

If you disagree please write your answer here:

.....

.....

.....

.....

.....

Q2 Are there any other changes you would like to see to the Council Tax Support scheme 2018/19 or general comments regarding CTS?

Please write your answer here:

.....

.....

.....

.....

.....

Q3	Please choose any of these that apply:	Yes	No
	a. Are you currently in receipt of Council Tax Support?	<input type="checkbox"/>	<input type="checkbox"/>
	If you answered yes to (6a) please tick one of the following:		
	bi. Are you a pensioner?	<input type="checkbox"/>	<input type="checkbox"/>

bii. Are you of working age?

Q4 Are you completing this on behalf of a representative body such as the Citizen Advice Bureau or Age Concern?

Yes

No

Which group in the community do you represent?

.....

.....

.....

.....

.....

Section B – equality and diversity

The Council is committed to equality and diversity in service delivery. To enable us to ensure that all our residents are receiving fair treatment and equality of opportunity we aim to collect monitoring data that informs us about the accessibility of our services (that is, who uses them and who doesn't).

Providing this information is voluntary and if you do not want to answer any of the questions you do not have to.

Any information you provide will be treated confidentially and used only for monitoring purposes. The data will be held securely on the Council's information systems in accordance with the principles of the Data Protection Act 1998 and will not be published on an individual basis.

Please choose one of the following:

- Age**
Please select your age group
- | | | | |
|--------------------------|-------------------|--------------------------|-------|
| <input type="checkbox"/> | Prefer not to say | <input type="checkbox"/> | 40-44 |
| <input type="checkbox"/> | Under 18 | <input type="checkbox"/> | 45-49 |
| <input type="checkbox"/> | 18-24 | <input type="checkbox"/> | 50-54 |
| <input type="checkbox"/> | 25-29 | <input type="checkbox"/> | 55-59 |
| <input type="checkbox"/> | 30-34 | <input type="checkbox"/> | 60-64 |
| <input type="checkbox"/> | 35-39 | <input type="checkbox"/> | 65+ |

Please choose one of the following:

- Race/Ethnicity**
What is your ethnic group?
- | | | |
|--------------------------------|--------------------------|---|
| White | <input type="checkbox"/> | Prefer not to say |
| | <input type="checkbox"/> | English / Welsh / Scottish / Northern Irish / British |
| | <input type="checkbox"/> | Irish |
| | <input type="checkbox"/> | Gypsy or Irish Traveller |
| | <input type="checkbox"/> | Any other White background - please specify below |
| | | |
| Mixed / multiple ethnic groups | <input type="checkbox"/> | White and Black Caribbean |
| | <input type="checkbox"/> | White and Black African |
| | <input type="checkbox"/> | White and Asian |
| | <input type="checkbox"/> | Any other mixed / multiple ethnic background - please specify below |
| | | |
| Asian / Asian British | <input type="checkbox"/> | Indian |
| | <input type="checkbox"/> | Pakistani |
| | <input type="checkbox"/> | Bangladeshi |
| | <input type="checkbox"/> | Chinese |
| | <input type="checkbox"/> | Any other Asian background - please specify below |
| | | |

- Black / African / Caribbean / Black British African
- Caribbean
- Any other Black / African / Caribbean background - please specify below

.....

- Other ethnic group Arab
- Any other ethnic group (write in)

.....

Disability

Under the Equality Act 2010 a person is considered to have a disability if he/she has a physical or mental impairment which has a sustained and long-term adverse effect on his/her ability to carry out normal day to day activities. Since 2005 this also includes people with HIV, cancer and multiple sclerosis (MS).

- Do you consider yourself to be a disabled person?**
- Prefer not to say
 - Yes
 - No

Please state the type of impairment that applies to you. Please indicate as many that may apply. If none of the categories apply, please mark 'Other' and specify the type of impairment.

- Physical impairment, such as difficulty using your arms or mobility issues which means using a wheelchair or crutches
- Sensory impairment, such as being blind/ having a serious visual impairment or being deaf/ having a serious hearing impairment
- Mental health condition, such as depression or schizophrenia
- Learning disability/difficulty, such as Down's Syndrome or dyslexia or cognitive impairment, such as autistic spectrum disorder
- Long-standing illness or health condition such as cancer, HIV, diabetes, chronic heart disease or epilepsy
- Other (please specify)

.....

- Gender**
- Are you:
- Prefer not to say
 - Female
 - Male
 - Transgender

Thank you for completing this survey. The information you provide will be treated confidentially and will be collated and fed back to the Council as part of their decision process.

If you want any further information on the Council Tax Support Scheme please visit https://www3.rbwm.gov.uk/info/200123/benefits/342/housing_benefit_and_council_tax_support

Any questions on this consultation can be sent to benefits@rbwm.gov.uk

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