



TEIGNBRIDGE DISTRICT COUNCIL

COUNCIL TAX REDUCTION SCHEME

VULNERABILITY/ INCENTIVISING WORK STATEMENT

Version control

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1. INTRODUCTION

Section 9 of The Local Government Finance Bill 2011 amends s13A of the Local Government Finance Act 1992 and requires all local authorities working within this legislative framework to design their own working age Council Tax Reduction scheme.

Since 1 April 2013 a local Council Tax Reduction scheme replaced the national Council Tax Benefit statutory scheme (Statutory Instrument 2006/215) as the method of supporting low income households to pay their council tax. In designing this new scheme Teignbridge District Council initially adopted the core elements of the Council Tax Benefit scheme, which was a proven and robust system of support, which afforded financial support to the most vulnerable. Since 1ST April 2020, the Council made changes to a simpler but similarly supportive, banded scheme.

The Government has been clear that, in developing local Council Tax Reduction schemes, vulnerable groups should be protected. Other than statutory protection for low income pensioners the Government has not prescribed other groups that local Councils should support. Each Council must tailor their schemes to take account of the various statutes that currently protect vulnerable people.

2. PURPOSE OF THE VULNERABILITY STATEMENT

This statement sets out Teignbridge District Council's approach to defining and assisting those deemed as vulnerable. In doing so it seeks to:

- Protect those who are state pension credit age
- Ensure the main protections and support provided for vulnerable persons within the national council tax benefit scheme are adopted into its Council Tax Reduction scheme
- Encourage and support people both into employment and those already in employment

3. ACCESSIBILITY OF THE COUNCIL TAX REDUCTION SCHEME

- In order to ensure that all customers have equal access to Council Tax Reduction, and other Council services the Council in place an Access to Services Strategy To support accessibility we: aim to make all information about our Council Tax Reduction scheme available in alternative formats and languages.
- Provide claim forms for Council Tax Reduction, which can be completed on line with support and advice available from our Customer Support Service.
- Ensure that customers can contact us by telephone or email/contact us form, or arrange face-to-face contact at one of our offices or at their home if necessary (subject to covid restrictions).
- Provide additional information about our Council Tax Reduction scheme on our website and publicised locally.
- work closely with welfare groups and other agencies who support customers to ensure customers can access the Council Tax Reduction they are entitled to.

4. STATUTORY FRAMEWORK AND OTHER CONSIDERATIONS

In developing this policy the Council has taken account of the following statutes:

- Local Government Finance Bill 2011 (protection for low income pensioners)
- Equality Act 2010 (public sector equality duty)
- Child Poverty Act 2010 (duty to mitigate the effects of child poverty)
- Housing Act 1996 (the duty to prevent homelessness)

It also takes account of:

- Work incentive principles set out in the Welfare Reform Act 2012
- Armed Forces Covenant 2011

5. LOCAL GOVERNMENT FINANCE BILL 2011 – STATE PENSION CREDIT AGE APPLICANTS

5.1 DEFINITION

The Local Government Finance Bill 2011 sets out that the requirement to fully protect the support provided under the current Council Tax Benefit statutory scheme (S.I. 2006/216) to low income pensioners in the Council Tax Reduction scheme:

5.2 ELIGIBILITY UNDER THE LOCAL GOVERNMENT FINANCE BILL & DRAFT COUNCIL TAX REDUCTION SCHEMES (PRESCRIBED REQUIREMENTS) REGULATIONS

- Applicants in receipt of guaranteed pension credit and who have income below their applicable amount will receive full Council Tax Reduction subject to non-dependent deductions (Class A)
- Those applicants who have income in excess of their applicable amount will have 20% of the excess income deducted from their maximum support and will also be subject to non-dependent deductions (Class B).
- Someone who has attained the qualifying age for state pension credit and has at least one second adult living with them will qualify for Second Adult Rebate. A second adult is someone who is not the applicant's partner and not someone who pays rent on a commercial basis. Typically a second adult is an adult friend or relative who is on a low wage and/or other welfare benefits (Class C).
- Council Tax Reduction for state pension credit age applicants and Second Adult Rebate cannot be paid together; it will be the highest entitlement that will determine which support is paid.

6. EQUALITY ACT 2010 (PROTECTED CHARACTERISTICS INCLUDING APPLICANTS DEFINED AS CHRONICALLY SICK AND DISABLED)

6.1 DEFINITION

As part of the Equality Act 2010 (section 149) the Council has paid due regard to the following in designing its Council Tax Reduction scheme:

- eliminate discrimination, harassment, victimisation and any other prohibited conduct
- advance equality of opportunity between those people who share a relevant protected characteristic and people who do not share it
- foster good relations between those who share a relevant protected characteristic and people who do not share it

The relevant protected characteristics, as defined by the Equality Duty, are:

- Age (including children and young people):
- Disability:
- Gender reassignment:
- Pregnancy and maternity:
- Race:
- Religion or belief:
- Sex:
- Sexual orientation:
- Marriage or civil partnership status (in respect of the requirement to have due regard to eliminate discrimination)

In developing the Council Tax Reduction scheme and this statement Teignbridge District Council has undertaken an Equality Impact Assessment and given 'due regard' to its findings to ensure it does not lead to unlawful discrimination.

The definition of disability is set out in the following statutes:

- Disabled Persons (Services, Consultations and Representation) Act 1986
- Chronically Sick and Disabled Persons Act 1970
- Disability Discrimination Act 1995 (s.1 and Sch 1)
- Equality Act 2010

6.2 HOW THE COUNCIL'S STATEMENT ADDRESSES THE ISSUES OF DISABILITY

Teignbridge District Council's Council Tax Reduction Scheme maintains the key principals of the Council Tax Benefit scheme, and as such provides protection in the overall calculation of support for disabled customers.

Our main Council Tax Reduction scheme will continue to disregard income received specifically relating to disability in the financial assessment as defined in the historical Council Tax Benefit statutory scheme. This means that all income received from Disability Living Allowance and Personal Independence Payments is not included. The effect of this is that these customers will be able to retain more of their income before their Council Tax Reduction is reduced.

Regardless of their disability needs or care needs requirements, where a customer or their partner (if any) have someone other than a dependent child or young person, living with them, then no non-dependant deductions will be made.

7. CHILD POVERTY ACT 2010

7.1 DEFINITION

The Child Poverty Act 2010 places the following duties on local authorities and their partners to:

- Co-operate to tackle child poverty in their area
- Prepare and publish a local child poverty needs assessment
- Prepare a joint local child poverty strategy
- Take child poverty into account when preparing or revising their Sustainable Communities Strategy

In partnership, Devon County Council and all the district councils, including Teignbridge has signed up to the Devon Strategic Partnership's Child Poverty Strategy. In developing the Council Tax Reduction scheme and this statement Teignbridge District Council has taken into account the Devon Strategic Partnership's Child Poverty Strategy [Tackling poverty and inequality | Strategic Plan | Devon County Council](#)

Furthermore, Teignbridge District Council takes into account the UK government's current Poverty and Inequality Strategy for tackling child poverty: *tackling poverty and securing social justice with key principals of work, fairness, responsibility and support for the most vulnerable* The definition used within this policy is as follows:

- households with children in which income is less than 60% of the national median

The authority is mindful of the proportion of dependent children within its area who live in households whose equivalised income is below 60% of the national median.

7.2 HOW THE COUNCIL'S STATEMENT ADDRESSES THE ISSUE OF CHILD POVERTY

Teignbridge District Council recognises the importance of maintaining the components within the Council Tax Benefit statutory scheme that gives additional protection to families.

These allow for the following incomes not to be included in the financial assessment of Council Tax Reduction:

- All Child Benefit
- All Child Maintenance
- All other income payable to children
- Up to £175.00 per week for one child and £300.00 per week for two or more children towards childcare payments, for working families under defined criteria.

When deciding what level of reduction to give the families with dependent children have higher income bands and more opportunities to qualify for a reduction.

CHILD CARE DISREGARDS

To support families who are working and going into work, allowances can be made from earnings and other benefits in respect of eligible childcare costs when defined criteria (below) are met and the childcare is provided by a registered childcare provider or after school club.

A weekly child care disregard will be applied under the following criteria:

Where a customer is a lone parent and works 16 or more hours each week:

Where a couple both work 16 hours or more each week:

Where one partner works 16 or more hours each week and the other partner is incapacitated, a hospital in-patient or is in prison.

Where a customer is a lone parent or part of a couple and either the lone parent works 16 or more hours; or both members of the couple work 16 hours or more or where one of the couple is incapacitated, a maximum weekly disregard will be set annually.

8. PREVENTION OF HOMELESSNESS

8.1 DEFINITION

Under the Housing Act Teignbridge District Council has a duty to help homeless people defined as in priority need within vulnerable groups. Where people apply to Teignbridge District Council for assistance we will give careful consideration to the circumstances that have led to homelessness and make our decisions on accommodation provision accordingly. Under the Homelessness Act 2002 Teignbridge District Council has a duty to prevent homelessness and provide a homelessness advice service. Further information on this can be found in [Teignbridge housing strategy](#) Teignbridge District Council has given consideration to the threat of homelessness in the development of the local Council Tax Reduction scheme.

8.2 HOW THE COUNCIL'S STATEMENT ADDRESSES THE ISSUES WITHIN THE HOUSING & HOMELESSNESS ACTS

- Teignbridge District Council will ensure that any applicant who is supported under our Homelessness Policy, will also be supported to apply for Council Tax Reduction once they have secured accommodation
- Teignbridge District Council will ensure that any applicant at risk of homelessness and who is vulnerable will be assisted to apply for Council Tax Reduction

9. ARMED FORCES COVENANT 2011

9.1 DEFINITION

In 2011 the Government launched the tri-service armed services covenant which it intends to enshrine in the Armed Forces Bill

A Community Covenant is a voluntary statement of mutual support between a civilian community and its local Armed Forces Community. It is intended to complement, at local level, the Armed Forces Covenant, which outlines the moral obligation between the Nation, the Government and the Armed Forces.

The aims of the Armed Forces Community Covenant are to:

- encourage local communities to support the Armed Forces community in their areas
- nurture public understanding and awareness amongst the public of issues affecting the Armed Forces community
- recognise and remember the sacrifices faced by the Armed Forces Community
- encourage activities which help to integrate the Armed Forces Community into local life
- to encourage the Armed Forces Community to help and support the wider community, whether through participation in events and joint projects, or other forms of engagement

(Above extract from <http://devonarmedforces.wordpress.com/covenant/>)

Teignbridge District Council has signed up to the Armed Forces Covenant and has considered this obligation in developing the Council Tax Reduction scheme

9.2 HOW THE COUNCIL'S STATEMENT MEETS THE ARMED FORCES COVENANT

- Teignbridge District Council will continue to disregard War Disablement Pension or War Widows payments from the calculation of Council Tax Reduction under the provision of s.139 of the Social Security Administration Act 1992 as currently applied under the Council Tax Benefit statutory scheme.

10. WORK INCENTIVE

10.1 DEFINITION

As part of the Council Tax Reduction scheme Teignbridge District Council wishes to support and provide incentives for applicants to return to work or to support those already working to increase the hours they work, wherever possible.

The Council Tax Reduction scheme reflects the following principles:

- People should get more overall income in work than out of work.
- People should get more overall income from working more and earning more.
- People should be confident that support will be provided whether they are in or out of work, that it will be timely and correct, and that claiming will not be a complicated and frustrating experience.

10.2 HOW THE COUNCIL'S STATEMENT PROVIDES WORK INCENTIVES

Teignbridge District Council is keen to support applicants back into work. The Council Tax Reduction scheme will achieve this by supporting both customers in receipt of benefits or on low income.

The Council is retaining the key principals of the prescribed scheme.

- When calculating weekly earned income a net figure will be used, this will be gross earnings less all Income Tax, National Insurance and half of any pension contribution. In addition, a further disregard will be applied:
 - £25.00 of weekly earnings for net earned income
- A childcare costs disregard of up to £175.00 for one child or up to £300.00 for two or more children can be given where the applicant or their partner is working and meet the specified criteria. Please see Childcare Disregards above.
- An additional four week extended payment of support can be awarded when the customer moves into work, and meets specified conditions. The extended payment will give support at the pre-work entitlement to allow for additional costs incurred when starting work.

11 DISCRETIONARY DISCOUNT AND EXCEPTIONAL HARDSHIP POLICY

Teignbridge District Council recognises that there may be exceptional circumstances where customers are unable to meet the shortfall between their Council Tax and the Council Tax Reduction they receive.

Teignbridge Council's Discretionary Discount and Exceptional Hardship Policy ensures that those who are most vulnerable and in greatest financial hardship can access additional financial assistance in accordance with the Exceptional Hardship provisions.

Prior to 1st April 2017 Teignbridge District Council used its discretionary powers under S13A(1)(c) Local Government Finance Act 1992 to award a reduction in council tax where it considered it appropriate to do so. These powers may still be used for persons who are not eligible to apply under the Exceptional Hardship part of the policy. For further information please refer to the current Council's Discretionary Discount and Exceptional Hardship Policy.