

## Agenda Item

**REPORT OF**    **Head of Legal and Governance**

**To:**            **Full Council**

**Subject:**      **Localisation of Council Tax Support**

**Date:**         **13<sup>th</sup> December 2021**

**Reference:**

### **PURPOSE OF REPORT:**

1. To update Members on the Council Tax Support Scheme for 2021/22
2. To obtain approval for the current scheme 2021/22 to roll over to 2022/23
3. To obtain approval for the current Exceptional Hardship Policy to roll over to 2022/23

## **1. INTRODUCTION**

Localised Council Tax Support Schemes were introduced for the working age in England from April 2013. Billing authorities are required to design their own schemes to administer Council Tax Support working within a framework set out in legislation. The Government has been clear that pensioners (a pensioner for this purpose is anyone who has reached the age where they would qualify for State Pension Credit) should be protected and that any changes should support work incentives. In addition, Councils are required to consider vulnerable groups when setting their scheme.

Torrige District Council's Council Tax Support Scheme has not changed since implementation in April 2013 and only affects customers who are of working age.

Pensioners are subject to a national Council Tax Support Scheme set by Government.

## **2. REPORT**

The purpose of this report is for Members to agree the rollover of the 2021/22 Scheme and the Exceptional Hardship Policy (appendix 2) to 2022/23.

The Devon authorities have historically worked in partnership in an attempt to provide a common and consistent approach to the individual schemes across Devon. Although, the partnership continues to collaborate and share good practice, there is little commonality left within the schemes due to changes adopted by other Councils that were previously rejected by Torrige. (A summary of the 2021/22 Devon schemes can be seen as appendix 1.) None of the Devon Authorities are looking at making any changes to their Schemes for the financial year 2022/23.

South Hams/West Devon moved to an income banded scheme in 2019/20; Teignbridge, North, East and Mid Devon moved to an income banded scheme in 2020/21.

Exeter were planning to move to an income banded scheme from 2021/22; however, they deferred any changes to their Scheme and continue to do so for the foreseeable future whilst the impact of the coronavirus pandemic is evaluated.

Torrige were of the same mindset as Exeter and in March 2019 a Member/officer working group (Leader, Deputy Leader and Lead Member for Customer Support, supported by the Customer Support Manager and Benefits Team Leader) was established after Members approved this in a



previous Council meeting. The group's purpose was to consider the possibility of implementing an income banded scheme.

The group last met in November 2019 and unfortunately, due to key officers leaving the Authority's employment in February 2020 and March 2020 and the ongoing Coronavirus pandemic, work on producing a new Scheme for 2022/23 has not been possible.

Resources have had to be utilised elsewhere in order to implement and maintain the various initiatives that the Government have announced, at short notice, since March 2020 and ongoing.

Below is a summary of the schemes we have had to administer, in addition to the 'normal' day-to-day work, using the resource we have. The amount paid for the various initiatives from the start of the pandemic in 2020 up to the end of October 2021 totals nearly £56 million (£55,951,500.34).

A new Household Support Fund has been finalised and gone 'live' from w/c 15.11.2021 to assist vulnerable households over the winter period.

### Test and Trace payment scheme (ongoing until at least 31.03.2022)

	No of apps rec'd	No successful	Paid from Main Scheme	Paid from discretionary	Total paid (£500 one-off payment)
2020/2021	152	72	44	28	£ 36,000.00
2021/2022 Up to & inclu 31.10.21	619	324	173	151	£162,000.00
				<b>Total:</b>	<b>£198,000.00</b>

### Business rates grants:

Scheme Name	Scheme Dates	No of Grants		Discretionary	Main	Year
		Paid				
Small Business (SBG) & Retail Hospitality & Leisure (RHLG) Grants	Apr 20 - Sept 20	2,483			£ 27,155,000.00	20/21
Local Authority Discretionary Grant Fund (LADGF)	Apr 20 - Sept 20	228		£ 1,238,500.00		20/21
Xmas Support (Wet Led Pubs)	03/12 – 31/12/20	38			£ 38,000.00	20/21
National Restrictions (Nov-Dec Lockdown)	05/11 – 02/12/20	1,495			£ 2,087,252.00	20/21
Local Restrictions Closed (Dec-Jan 5)	03/12/20 - 04/01/21	50			£ 31,724.00	20/21
Local Restrictions Sector (Nightclubs)	03/12 – 31/12/20	4			£ 3,334.00	20/21
Local Restrictions Open (Dec-Jan 5)	03/12 – 04/01/21	597		£ 589,306.00		20/21
Closed Business Lockdown Payments	05/01 - 15/02/21	1,460			£ 6,146,000.00	20/21
National Restrictions (Jan - Feb Lockdown)	05/01/21 -15/02/21	1,460			£ 3,074,337.00	20/21
National Restrictions (Feb - Mar Lockdown)	16/02 - 31/03/21	1,447			£ 3,191,019.00	20/21
Additional Restrictions Grant (ARG) Discretionary	20/21 - 21/22	868		£ 1,459,829.00		20/21
Additional Restrictions Grant (ARG) Discretionary	20/21 - 21/22	525		£ 796,100.00		21/22
Restart (Retail & Leisure)	01/04 - 30/06/21	1,316			£ 9,850,066.00	21/22
<b>TOTAL:</b>		<b>11,971</b>		<b>£ 4,083,735.00</b>	<b>£ 51,576,732.00</b>	



## Covid winter support funds (economically vulnerable DCC – food vouchers etc)

	No. of grants paid	Total paid	Monies given to individuals & partner orgs, such as encompass
01.05.20 to 31.03.21	113	£57,670.37	Includes £18k
01.04.21 – 31.08.21	56	£35,362.97	Includes £4k
		<b>Total:</b>	<b>£93,033.34</b>

Claims for universal credit have increased since the Pandemic - Bideford Job centre had 2,026 'live' claims at week commencing 04 November 2019, compared to 4,114 at the end of September 2020, and 5,038 at the end of October 2021.

The increase in UC claims has an impact on the number of notifications received by the benefits team which need to be dealt with:

	2019 / 2020	2020 / 2021	2021/2022
UC notifications (Annual)	9,249	16,310	13,216 w/e 21.11.21
Up to 31 <sup>st</sup> October	4,573	9,273	11,929

The changes recently announced with regards to UC will continue to have an impact on the teams' workload.

- There are 5,038 'live' UC claimants in the Torridge District; all claims will be affected by the £20 temporary uplift being removed.

However, DWP don't know from this data who is in receipt of any UC, there could be people on a nil award, therefore the uplift ending may not affect them. People can have a 'live' claim for up to 6 months but for a variety of reasons do not receive any monies, for example, excess income.

The other main UC change effective from 24<sup>th</sup> November 2021 is to the work allowances - the amount a claimant can earn before their Universal Credit is reduced. This will increase by £500 per year meaning many families will be able to earn over £500 per month before their benefits are tapered off. Simultaneously, the taper rate, the amount that a person's Universal Credit is reduced by when their earnings are more than their work allowance, will drop from 63% to 55%.

The DWP state that taken together, the changes mean almost two million families will be better off by £1,000 a year, on average. There are 2,267 people in Torridge claiming UC and showing as being in employment; these claims would be affected by the taper. However, as previously stated it does not mean these claims are being paid UC.

Although these are the numbers of 'live' claims within the Torridge area, these figures relate to people and not households. There may be multiple UC claimants in one household (customer, partner, adult son/daughter), however this does not negate the fact that an increase in notifications of UC changes will be received by the team and need actioning.



The ongoing pandemic continues to have an impact on the team and their work; the following tables provide a year-on-year overview of the scheme.

#### Overall collection rate for council tax

Date	Oct 2016	Oct 2017	Oct 2018	Oct 2019	Oct 2020	Oct 2021
	66.60%	66.35%	66.26%	65.81%	64.78%	65.24%

#### Overall collection rate from CTS claim accounts

Date	Oct 2016	Oct 2017	Oct 2018	Oct 2019	Oct 2020	Oct 2021
	56.50%	56.90%	58.02%	57.04%	55.86%	57.22%

#### Recovery – Number of Summonses issued and amount

Date	Oct 2016 - Oct 2017		Oct 2017 - Oct 2018		Oct 2018 – Oct 2019	
	Number	£	Number	£	Number	£
Max CTS	356	158,098	385	148,888	337	155,460
Part CTS	79	46,269	79	38,461	82	39,900
Non CTS	2,394	1,647,790	3,575	1,860,129	3,612	2,058,390

Date	Oct 2019 to Oct 2020 **		Oct 2020 to Oct 2021	
	Number	£	Number	£
Max CTS	45	15,706	380	204,079.91
Part CTS	13	3,154	81	48,114.19
Non CTS	892	342,721	4,379	3,255,398.16

\*\* No summonses were issued between February 2020 and October 2020 due to the pandemic. Recovery for the year 2020/21 recommenced in October 2020, with the first summonses being issued 16 November 2020.

#### CTS Caseload Statistics

Date	Oct 2016	Oct 2017	Oct 2018	Oct 2019	Oct 2020	Oct 2021	Diff 20/21
W/A	2,647	2,504	2,083	2,013	1,997	1,772	-225
P/A	2,194	2,176	2,374	2,292	2,173	2,088	-85
Total	4,841	4,680	4,457	4,305	4,170	3,860	-310

#### CTS Spend

Date	Oct 2016 £	Oct 2017 £	Oct 2018 £	Oct 2019 £	Oct 2020 £	Oct 2021 £
	4,038,318	4,042,168	4,046,000	4,053,174	4,153,893	4,065,862



## CTS COVID-19 hardship fund 2020/21

Funding allocation	Figures based on caseload number	Amount spent 2020/21
£419,266	1,941	£364,583

### EXCEPTIONAL HARDSHIP FUND - Applications and Awards

	No of applications	successful	unsuccessful	Allowance	Amount spent
2016/17	10	7	3	£27,000	£ 704.00
2017/18	19	12	7	£27,000	£1,185.00
2018/19	15	8	7	£27,000	£ 647.46
2019/20	15	7	8	£27,000	£ 542.91
2020/21	14	10	4	£27,000	£1,867.00
Up to Nov 2021	6	4	2	£27,000	£ 859.57

Reason for Refusal 2021/22 up to Nov 2021	Number
Income exceeds	1
Not short-term need	1

There is still the intention to investigate moving to an income banded scheme, the benefits of which are:

- To mitigate the impact of variable Universal Credit awards;
- Simplified application process;
- Simplified scheme;
- Simplified administration.

The working group believed there are significant benefits to the customer and the Council of moving to an income banded scheme and would have liked to have seen the introduction of such a scheme, unfortunately, as mentioned previously this has not been possible during the current climate.

Financial modelling is due to re-commence in the new year, along with reconvening meetings with the working group. The principal modelling will be based on the possibility of moving to an income banded scheme where we could increase the maximum support from 75% without incurring additional expense to the Council. This would require Members making some fundamental changes that have previously been rejected and includes the introduction of a minimum income floor for self-employed claimants.

Any change to the existing scheme will be subject to an extensive consultation exercise, normally around 12 weeks.



### **3. IMPLICATIONS**

#### Legal Implications

Any significant change to the scheme would be subject to an extensive public consultation process and agreement of Council and the principal preceptors.

#### Financial Implications

The Council no longer receives a specific grant for the Council Tax Support Scheme as it is included within the general government grant.

The total annual cost of the Torridge scheme is currently near to £4.1 million per annum.

Any change to the scheme that offers a higher level of financial support will be a cost to the Council and our precepting authorities, who may be opposed to any such changes.

Additional costs would also be incurred in conducting the consultation exercise, software changes and administration.

#### Human Resources Implications

There are no human resource implications for the 2021/22 scheme to be rolled over to 2022/23.

However, should changes be sought to the scheme then this will require urgent additional resource and finances to deliver the changes and public consultation in time to meet the statutory deadline of 11 March 2022.

#### Sustainability Implications

There are no direct implications from these proposals.

#### Equality/Diversity

An equality impact assessment will need to be carried out on any proposed changes.

#### Risk Management

The change from a national benefit scheme to a local Council Tax Support scheme has always represented a major change in Government Policy and in practice transferred all the significant risks from Central to Local Government. This at a time when public spending is being reduced which exposes the Council to considerable financial risk.

#### Compliance with Policies and Strategies

The Scheme complies with policies and strategies.

#### Ward Member and Leader Member Views

Cllr David Hurley – Lead Member for Legal and Democratic Support – 3 December 2021

It is a little disappointing that we have been unable to review and consider a revised scheme. However, this is understandable given that the impact of the pandemic has not gone away and the workloads within the Revenues and Benefits team during the year have been such that was insufficient resource to progress this area of work. The report to Full Council indicated that the review would be subject to available resource. I am pleased though that dates have already been



put in the diaries for work on this to start in January 2022 and a detailed project timeline put in place.

#### **4. CONCLUSIONS**

The Council is required to have its own local Council Tax Support scheme as part of the wider Welfare Reform proposals introduced by Central Government, whilst at the same time being required to generate savings compared to historical council tax benefit expenditure. In doing so, the Council must consider prescribed vulnerability cases (Pensioners) and other vulnerable groups as well as incentivising work.

The working group, which met prior to the pandemic, believed that an income banded scheme which does not increase the cost of the scheme and reduces the minimum liability customers must meet should be developed and introduced. However, as previously stated this has not been possible due to resource reallocation because of the additional initiatives having to be implemented as a result of the ongoing Coronavirus pandemic.

This report sets out the proposal for rolling over the current Scheme for Council Tax Support to the financial year 2022/23, along with an Exceptional Hardship Policy and related delegated powers.

#### **5. RECOMMENDATIONS**

It is recommended that:

- i) The 2021/22 Scheme and Exceptional Hardship Scheme is rolled over to 2022/23
- ii) The working group reconvene with a view to working towards and introducing an income banded scheme which would be developed and presented to Council in 2022. This will be dependent on the continuing impact of the Coronavirus pandemic and resource permitting.

#### **SUPPORTING INFORMATION**

Consultations: Chief Executive, Head of Legal and Governance, Finance Manager (S151)

Contact Officer: Staci Dorey

Background Papers:



## Appendix 1

CTS Schemes for Devon LA's 2021/22								
scheme details	Torridge	East	Exeter	Mid	North	Teignbridge	South Hams	West
<b>banded scheme</b>	no	yes	no	yes	yes	yes	yes	yes
<b>Remove family premium</b>	no	yes	no	yes	yes	yes	n/a	n/a
<b>Limit backdating to 1 month</b>	no	yes	yes	no	no	yes	no	no
<b>Min income floor for s/e</b>	no	yes	yes	yes	yes	yes	yes	yes
<b>4 week absence</b>	no	no	yes	yes	yes	yes	yes	yes
<b>Remove WRAC</b>	no	yes	yes	yes	yes	yes	no	no
<b>limit dep children to 2</b>	no	yes	no	yes	yes	yes	n/a	n/a
<b>UC carer element</b>	no	yes	yes	yes	no	yes	yes	yes
<b>remove additional earnings disregard for UC</b>	no	yes	yes	yes	yes	yes	yes	yes
<b>Capital limit</b>	£6,000	6,000	£6,000	£6,000	£6,000	£6,000	£6,000	£6,000
<b>Band restriction</b>	D	D	no	D	D	no	D	D
<b>liability reduction</b>	75%	85%	80%	85%	80%	100%	85%	85%
<b>abolish SAR</b>	yes	yes	yes	yes	yes	yes	yes	yes
<b>Excep hardship scheme</b>	yes	yes	yes	yes	yes	yes	yes	yes
Proposed CTS Schemes for Devon LA's 2022/23								
scheme details	Torridge	East	Exeter	Mid	North	Teignbridge	South Hams	West
<b>Same as current year</b>	yes	yes	yes	yes	yes	yes	yes	yes
<b>proposed changes</b>	none **	none	none	none	none	none	none	none
** Torridge will be looking to review the scheme for implementation in 2023/24								

Below are examples of household circumstances with comparison of CTS awards according to current schemes.

	<b>Annual charge</b>	<b>Torridge</b> (Maximum liability 75%)	<b>Mid Devon</b> (85%)	<b>Teignbridge</b> (100%)	<b>South Hams</b> (85%)
Single on ESA IR	£1,405.36	£790.52	£1,194.56 (+£404.04)	£1,405.36 (+£614.84)	£1,194.56 (+£404.04)
Single working 16+ hours	£2,138.15	£1,545.29	£962.17 (-£583.12)	£1,069.08 (-£476.21)	£534.54 (-£1,010.75)
Self-employed lone parent	£1,405.36	£1,054.02	£913.48 (-£140.54)	£702.68 (-£351.34)	£702.68 (-£351.34)
Self-employed couple & 2 children	£1,639.59	£1,116.96	£0.00 (-£1,116.96)	£409.89 (-£707.07)	409.89 (-£707.07)





**COUNCIL TAX  
SUPPORT-  
EXCEPTIONAL  
HARDSHIP FUND  
POLICY**



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## **1. Background**

The Exceptional Hardship Fund (EHF) has been set up by Torridge District Council to cover the shortfall between Council Tax liability and payments of Council Tax Support.

Every customer who is entitled to Council Tax Support and who has a shortfall is entitled to make a claim for help from the Fund.

The main features of the Fund are that:

- Exceptional Hardship Fund awards are discretionary;
- Customers do not have a statutory right to an award;
- The Exceptional Hardship Fund Policy is held within the main Council Tax Support scheme;
- Exceptional Hardship Fund awards are not a payment of the main Council Tax Support scheme;
- The Revenues and Benefits Service, in conjunction with the Services' Lead Member, decides how the Fund is administered;
- Council Tax Support must be in payment in the week in which an Exceptional Hardship Fund award is made;
- Torridge District Council may decide that a backdated Exceptional Hardship award is appropriate; which could then settle council tax arrears. This would be the only circumstance where the Exceptional Hardship Fund could be used to facilitate payment of Council Tax arrears.

In addition to this fund there is a Discretionary Housing Payments scheme which covers the shortfall between rent and Housing Benefit or housing costs within Universal Credit.

## **2. Exceptional Hardship Fund and Equalities**

The creation of an Exceptional Hardship Fund facility meets Torridge District Council's obligations under the Equalities Act.

The Government has been clear that, in developing a local Council Tax Support scheme, vulnerable groups should be protected. Other than statutory protection for low income pensioners the Government has not prescribed the other groups that local Councils should support. Torridge District Council has designed their Council Tax Support scheme to take account of the various statutes that currently protect vulnerable people.

We recognise the importance of protecting our most vulnerable customers and the impact these changes have. We have created an Exceptional Hardship Fund to ensure that we protect and support those most in need. The Exceptional Hardship Fund is intended to help in cases of extreme financial hardship and not support a lifestyle.



### **3. Purpose of this Policy**

The purpose of this policy is to specify how Torridge District Council's Revenues and Benefits Service, in conjunction with the Services' Lead Member, will operate the scheme, and to indicate some of the factors which will be considered when deciding if an Exceptional Hardship Fund payment can be made.

Each case will be treated on its own merits and all customers will be treated fairly and equally in the accessibility to the Fund and the decisions made with applications.

Where a customer is not claiming a Council Tax discount or exemption to which they may be entitled; a welfare benefit or additional financial assistance, they will be advised, and where necessary assisted, in making a claim to maximise their income, before their claim for Exceptional Hardship Funds will be decided.

### **4. Statement of objectives**

The Revenues and Benefits Service, in conjunction with the Services' Lead Member, will seek through the operation of this policy to:

- Allow a short period of time for someone to adjust to unforeseen short-term circumstances and to enable them to "bridge the gap" during this time;
- Support people in managing their finances;
- Help customers through personal crises and difficult events that affect their finances;
- Aim to help prevent exceptional hardship;
- Support vulnerable young people in the transition to adult life;
- Help those who are trying to help themselves financially;
- Help to alleviate poverty;
- Help to sustain tenancies and assist with the prevention of homelessness;
- Keep families together;
- Encourage and support people to obtain and sustain employment;
- Give support to those who are financially vulnerable.

The Exceptional Hardship Fund is a short-term emergency fund, awarded whilst the customer seeks alternative solutions.

It cannot be awarded for the following circumstances:

- Where full Council Tax liability is being met by Council Tax Support;
- For any other reason, other than to reduce Council Tax liability;
- Where the Council considers that there are unnecessary expenses/debts etc which the customer has not taken reasonable steps to reduce;
- To reduce any Council Tax Support recoverable overpayment;



- To cover previous years Council Tax arrears;
- Where there is a shortfall caused by a Department for Work and Pensions sanction or suspension being applied because the customer has turned down work/interview/training opportunities etc.;
- When Council Tax Support is suspended.

## **5. Awarding an Exceptional Hardship Fund payment**

The Revenues and Benefits Service, in conjunction with the Services' Lead Member, will decide whether or not to make an Exceptional Hardship Fund award, and how much any award might be.

When making this decision consideration will be given to:

- The shortfall between Council Tax Support and Council Tax liability;
- The steps taken by the customer to reduce their Council Tax liability;
- Changing payment methods, reprofiling Council Tax instalments or setting alternative payment arrangements in order to make them affordable;
- Ensure all discounts, exemptions and reductions are granted;
- Steps taken by the customer to establish whether they are entitled to other welfare benefits;
- Steps taken by the customer in considering and identifying where possible the most economical tariffs for supply of utilities;
- Whether a Discretionary Housing Payment has already been awarded to meet a shortfall in rent;
- The personal circumstances, age and medical circumstances (including ill health and disabilities) of the customer, their partner and any dependants and any other occupants of the customer's home;
- The difficulty experienced by the customer, which prohibits them from being able to meet their Council Tax liability, and the length of time this difficulty will exist;
- Shortfalls due to non-dependant deductions;
- The income and expenditure of the customer, their partner, any dependants or other occupants of the customer's home;
- How deemed reasonable expenditure exceeds income;
- That all income may be taken into account, including those which are disregarded when calculating Council Tax Support;
- Any savings or capital that might be held by the customer and their partner;
- Other debts outstanding for the customer and their partner;



- Whether the customer has already accessed or is engaging for assistance with budgeting and financial/debt management advice. An Exceptional Hardship Fund award may not be made until the customer has accepted assistance either from the Council or third party, such as the Citizens Advice or similar organisations, to enable them to manage their finances more effectively, including the termination of non-essential expenditure;
- The exceptional nature of the customer and/or their family's circumstances that impact on finances;
- The length of time they have lived in the property;

The list is not exhaustive and other relevant factors and special circumstances will be considered.

An award from the Exceptional Hardship Fund does not guarantee that a further award will be made at a later date, even if the customer's circumstances have not changed.

An Exceptional Hardship Fund award may be less than the difference between the Council Tax liability and the amount of Council Tax Support paid.

## **6. Publicity**

The Council will publicise this Fund and will work with interested parties to achieve this. A copy of this policy is available for inspection and is published on the Council's website.

## **7. Making a claim**

A customer must make a claim for an Exceptional Hardship Fund award by submitting an application to Torridge District Council. The application form can be obtained via the internet, telephone or in person at the Council office. Customers can get assistance with the completion of the form from the Revenues and Benefits Service, Customer Services or Housing Services at the Council.

The application form must be fully completed and supporting information or evidence provided, as reasonably requested by the Council.

In most cases the person who claims the Exceptional Hardship Fund award will be the person entitled to Council Tax Support. However, a claim can be accepted from someone acting on another's behalf, such as an appointee, if it is considered reasonable.

## **8. Change of circumstances**

The Revenues and Benefits Service, in conjunction with the Services' Lead Member, may revise an award from the Exceptional Hardship Fund where the customer's circumstances have changed which either increases or reduces their Council Tax Support entitlement.



## **9. Duties of the customer**

A person claiming an Exceptional Hardship Fund Payment is required to:

- Give the Council such information as it may require to make a decision;
- Tell the Council of any changes in circumstances that may be relevant to their ongoing claim;
- Give the Council such other information as it may require in connection with their claim.

## **10. Amount and duration of award**

Both the amount and duration of the award are determined at the discretion of the Council and will be done so based on evidence supplied and the circumstances of the claim.

- The start date will usually be the Monday after the written claim for an Exceptional Hardship Fund award is received by the Revenues and Benefits Service, although in some cases it may be possible to backdate this award, based upon individual circumstances of each case.
- The Exceptional Hardship Fund will normally be awarded for a minimum of one week.
- The maximum length of the award will not exceed the end of the financial year in which the award is given.

## **11. Payment of award**

Any Exceptional Hardship Fund award will be made directly into the customer's Council Tax account, thus reducing the amount of Council Tax payable.

## **12. Overpaid Exceptional Hardship Fund awards**

Overpaid Exceptional Hardship Fund awards will generally be recovered directly from the customers council tax account, thus increasing the amount of Council Tax due and payable.

## **13. Notification of an award**

The Council will notify the outcome of each application for Exceptional Hardship Fund awards in writing. The notification will include the reason for the decision and advise the customer of their appeal rights.



#### **14. The right of appeal**

If the customer is not satisfied with the decision in respect of an application for an Exceptional Hardship Fund award; a decision to a reduced amount of Exceptional Hardship Fund award; a decision not to backdate an Exceptional Hardship Fund award or a decision that there has been an overpayment of an Exceptional Hardship Fund award, they must make written representation to the Council setting out their grounds of appeal.

Torrige District Council will consider the appeal and respond in writing, setting out the decision and associated reasons for the decision.

Any request for an appeal must be made within one month of the date of the notification letter confirming the original decision.

#### **15. Fraud**

The Revenues and Benefits Service is committed to protect public funds and ensure funds are awarded to the people who are rightfully eligible to them.

A customer who tries to fraudulently claim an Exceptional Hardship Fund award by falsely declaring their circumstances, providing a false statement or evidence in support of their application, may have committed an offence under The Fraud Act 2006.

Where the Revenues and Benefits Service suspects that such a fraud may have been committed, this matter will be investigated as appropriate and may lead to criminal proceedings being instigated.

#### **16. Legislation**

The Local Government Finance Act 2012 amends Section 13A of the Local Government Finance Act 1992 and sets out the requirement for Councils to develop and adopt a localised Council Tax Support Scheme. This Exceptional Hardship Fund Policy forms part of this Scheme.

#### **17. Complaints**

The Council's 'Compliments and Complaints Procedure' (available on the Councils website) will be applied in the event of any complaint received about this policy.

#### **18. Policy Review**

This policy will be reviewed at least every 3 years and updated as appropriate to ensure it remains fit for purpose. However, the review may take place sooner should there be any significant changes in legislation.

