

REPORT OF Head of Legal and Governance & Monitoring Officer

To: Full Council

Subject: Council Tax - Care Leavers Discount Policy

Date: 22nd August 2023

Reference:

PURPOSE OF REPORT:

For Members to approve, in principle, for a Council Tax Care Leaver Discount Policy to be drafted and adopted

1. INTRODUCTION

The Council has a statutory duty with regards to corporate parenting responsibilities and it is because of this that care leavers have been the subject of joint working discussions within the Devon District.

Devon Leaders and Finance Officers have discussed one way to support care leavers is by operating a council tax discount scheme. Within S13a (1) (c) of the Local Government Finance Act 1992, Local Authorities are able to set local discounts that apply to certain properties and/or certain groups of people thus reducing liability in relation to these individuals or class(es) of cases.

This report is requesting that Torridge District Council adopts a Council Tax Care Leavers Discount Policy.

2. REPORT

Section 13A(1)(c) of the Local Government Finance Act 1992 (as amended) gives the Council discretionary powers to reduce the amount of Council Tax payable for individual cases or categories. This includes reducing the amount payable to zero.

The Government made recommendations in its care leavers strategy “Keep on Caring” that local authorities should consider exempting carer leavers from Council Tax, using their existing discretionary powers under Section 13A. As a result, many Councils have introduced a council tax discount for care leavers.

Care leavers are considered a particularly vulnerable group for Council Tax debt. Moving to independent accommodation and managing their finances for the first time is challenging, as care leavers do so without the family support or the wider network that most young people can rely on.

The Devon billing authorities and Devon County Council have been working together to agree a common Council Tax discount scheme for care leavers with the same qualifying criteria and level of discount across Devon. Any discount awarded using this discretionary power must be funded by the billing authority.



It should be noted that the success of the scheme is contingent on the Council receiving accurate data from Devon County Council, initially and on an ongoing basis.

The latest information provided by Devon County Council, below, confirms that there are 58 care leavers living in the Torridge District Council area and potentially liable for Council Tax.

District	Recent Contact	Shared Accommodation (Recent)	No Recent Contact	Total
East Devon	43	14	29	86
Exeter	61	60	65	186
Mid Devon	15	9	18	42
North Devon	35	20	37	92
South Hams	7	4	11	22
Teignbridge	47	3	39	89
Torridge	23	3	32	58
West Devon	11	2	16	29
Sub-Total	242	115	247	604
Out of County	174	-	95	269
Total	416	115	342	873

After cross referencing the information submitted by Devon County Council with our records, the number of care leavers who are affected by a council tax charge is currently 12.

After investigating the accounts, ensuring relevant national discounts/exemptions have been applied, should a Policy be agreed to grant a 100% discount, the cost to Torridge District Council for the billing year 2023/2024 would be £8,130.19.

There will, of course, be an ongoing financial impact as young people enter and leave the care system and go on to become care leavers. The discount policy would only be applied up to the care leaver reaching the age of 25 years old.

It is critical that DCC provides age profiled data to enable all districts to plan well in advance, providing an understanding of future costs to be factored into annual budget planning processes.

Devon Revenues and Benefits Managers will continue to work together with Devon County Council to implement an effective and consistent process.

As stated, it is proposed that the Council will award a council tax discretionary discount of 100% up to the care leaver's 25th birthday. The discount will be awarded after the entitlement to all other national discounts and exemptions has been assessed. The discount will only apply to care leavers living in Devon, with Devon County Council supporting the care leavers who live outside of the county.

By taking a uniform approach, we will be supporting all Devon care leavers by implementing a scheme which does not stigmatise them and provides a simple process which all care leavers can access.



3. IMPLICATIONS

Legal Implications

It is considered that the approval, in principle, for this policy accords with the Council's statutory responsibility as a corporate parent under the Children's Act, 2004

Section 13A(1)(c) of the Local Government Finance Act 1992 (as amended) gives the Council discretion to reduce the amount of Council Tax payable by individual cases or by class.

Financial Implications

These are contained in the report

Human Resources Implications

None directly applicable to this report

Sustainability/Biodiversity Implications

None directly applicable to this report

Equality/Diversity

Looked after children and care leavers are some of the most vulnerable residents in our society and can experience some of the worst outcomes as children and moving into adulthood. They are not one of the protected groups outlined in the Equality Act 2010.

Risk Management

None directly applicable to this report

Compliance with Policies and Strategies

A Council Tax Care Leavers Discount Policy will be in line with Torridge District Council's corporate parenting responsibilities

Data Protection (GDPR) Implications

Suitable Data Sharing Agreements will need to be set up between Torridge District Council and Devon County Council

Climate Change

None directly applicable to this report

Lead Member Views

Date of Consultation - 22.08.23

By Cllr Simon Newton, Lead Member for Legal and Democratic Support:

I fully support this initiative



4. RECOMMENDATIONS

That Members agree, in principle, for a Council Tax Care Leavers Policy. Should agreement be reached, the final Policy will be submitted to Full Council for approval prior to implementation.

SUPPORTING INFORMATION

Consultations:	Officers Consulted	Steve Hearse, Chief Executive; Sean Kearney, Head of Communities & Place; Gordon Bryant, Finance Manager (S151); Sandra Mounce, Revenues & Benefits Team Leader; Jo Wells, Revenues & Benefits Manager
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Contact Officer:	Staci Dorey, Head of Legal and Governance & Monitoring Officer
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Background Papers:

