

## Council Tax Additional Discretionary Hardship Fund

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Created by	Operational Benefits and Corporate Fraud manager	Chris Corker	Adopted Date	16/6/2020	Version	1
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## Overview

Due to Covid 19 the Government has provided Crawley Borough Council (CBC) with £988,656 to help local residents with their Council Tax (CT) liabilities for the financial year 2020/21 only through the Section 13A of the Local Government Finance Act 1992.

Section 13A enables Local Authorities to reduce the amount of Council Tax payable 'as it sees fit'.

## Eligibility

The government has stipulated that all residents in receipt of Council Tax Reduction (CTR) during 2020/21 will automatically qualify for up to £150 towards their CT liability from the new additional funds provided.

All other awards will be at the discretion of CBC.

When considering an award the following should be taken into account:

- There must be evidence of financial hardship or unforeseen circumstances
- Has the taxpayer maximised their income before their application by applying for welfare benefits or income which would be available to them
- Has the taxpayer considered mortgage or loan holidays which might be available to them
- Applications relating to sole or main residence only will be considered
- The taxpayer does not have access to any other funds or assets that could be used to pay their Council Tax
- They have no capital over £9,000

## Circumstances where we would consider an award

Circumstances	Calculation of award
Customer has been awarded CTR part way through the year but would have been entitled from 1 April 2020 had they applied. (Backdating of CTR award)	Generally an award of the same rate as the CTR award for either 12 weeks or back to 1 April 2020 at the earliest. Discretion to award more than 12 weeks and more than CTR award (up to full liability). But not back further than 1 April 2020. Less any hardship award already awarded.
Customer has made an application for CTR but falls under the deminimis award and would have been entitled to up to £5 per week were it not for the deminimis award.	Award of a one off £150 for the whole of the financial year. Discretion to award more, up to full deminimis award (£5 per week)

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Customer is in receipt of Universal Credit and is self-employed. The assessment period that they receive the 3 month self-employed income support grant will take them out of UC yet the grant covers three months of income.	Award hardship payment equal to the CTR to cover gap in CTR as a result of the UC break in entitlement due to income support payment.
Customer already in receipt of CTR and temporarily out of the UK for up to 4 weeks, prevented from returning due to travel lockdown. CTR would stop as no longer eligible as out of the UK.	Amount payable at discretion for a period up to 12 weeks. Expected to be at the same rate as any CTR award and to replace any lost CTR as a result of the lockdown.
Customers who have suffered a bereavement within the immediate family home as a direct result of Covid 19 which has left other family members living there. Consider death certificate cause of death or letter from clinician.	Consider £150 one off payment
Customers who have no recourse to public funds and have been placed in self-contained nightly paid accommodation by CBC homelessness and are unable to claim CTR.	Reduction in whole liability for the entirety of their stay.
Customers who are suffering any further financial hardship after CTR has been awarded. Mirror any Discretionary Housing payment awards	Consider further reduction subject to seeing evidence of maximising income, reducing spending and getting necessary advice if applicable.

This list is not exhaustive and each application will be considered on its own merits.

### Administration

These awards to be administered by Corporate Finance (Revenues & Benefits). Once the additional funds are exhausted no new applications will be considered under this scheme.

### Notification of award

In the majority of cases where the customer is in receipt of council tax reduction they will be notified through the council tax billing process. The hardship payment will show on the bill.

In cases where the customer is required to make an application the customer will be notified if they are unsuccessful.

### Changes to this policy

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This policy can have minor amendments throughout the year by the Chief Executive of Crawley Borough Council, based on the sums remaining available in the scheme. These changes will be reported to Councillors.

### **Disputes regarding section 13A**

As a section 13A reduction is purely discretionary, there is no statutory right of appeal, however, Crawley Borough Council does recognise that applicants should be entitled to have a decision reviewed objectively if they are dissatisfied with the outcome of their application.

Requests for reconsideration can only be made by the original applicant.

Requests for reconsideration must be in writing and include reasons as to why the decision should be amended and include any new or additional information relevant to the decision making process.

Reconsiderations will be considered by a different officer than the one who made the initial decision.

Requests for considerations must be made within a calendar month of the original decision being made.

If we have requested further information and evidence to support the reconsideration and this has not been received within the specified time scale, the reconsideration will be refused on the grounds of lack of supporting evidence.

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