

Haringey Care Leavers

Relief Scheme Policy

Policy for determining applications for council tax reduction under Section 13A of the Local Government Finance Act 1992 in respect of Care Leavers in Haringey

1. Introduction

- 1.1. The Council agree that young people transitioning out of care can often face a myriad of challenges. They are often for the first time having to manage money which can prove extremely difficult without the assistance of family. The Council is committed to keeping care leavers safe, ensuring their experiences moving into independent living are positive, and improving their life chances. There is clear evidence that care leavers are at considerable risk of falling into debt, including council tax debt.
- 1.2. The Council has a statutory role as a corporate parent and will where possible seek the same outcomes for care leavers that any parent would want for their own children. Given the Council's commitment to the welfare of care leavers, the Council has decided to offer council tax support to care leavers in the borough. The scheme will reduce council tax liability for care leavers residing in Haringey to nil until their 25th birthday.
- 1.3. Under Section 13A(c) of the Local Government Finance Act 1992, the Council has the power to reduce liability for council tax in relation to individual cases or class(es) of cases that it may determine. The relevant section of the Act is set out below:
 - i. *Where a person is liable to pay council tax in respect of any chargeable dwelling and day, the billing authority for the area in which the dwelling is situated may reduce the amount which he is liable to pay as respects the dwelling and the day to such extent as it thinks fit. This allows for a further reduction where a reduction under council tax support has been applied;*
 - ii. *The power under subsection 1) above includes the power to reduce an amount to nil; and*
 - iii. *The power under subsection 1) may be exercised in relation to particular cases or by determining a class of case in which liability is to be reduced to an extent provided by the determination.*
- 1.4. The Council has a Council Tax Reduction Scheme (CTRS) policy that allows the Council to offer 100% relief to 'vulnerable' individuals as defined under the government's default council tax support scheme. Additionally, the Haringey CTRS provides some relief (up to 80.2%) on council tax liability to other persons that are on low income. The Care Leavers Relief scheme is in addition to the

council tax reduction scheme and specifically targets assistance to care leavers in the borough.

- 1.5. In order to provide further support for care leavers Cabinet has created a new class of beneficiaries of council tax discount as it is permitted to do under section 13A of the Local Government Finance Act 1992. The Council has agreed to reduce the council tax bill for care leavers to nil, after any other national reliefs and council tax support reliefs have been applied. This relief will be referred to as the “Care Leavers Relief Scheme” (CLRS).
- 1.6. Care leavers relief on council tax liability can be awarded for any period from 1st April 2018 as long as the beneficiary is liable for council tax in the borough.
- 1.7. Any relief provided under the CLRS will be discontinued a day before the beneficiaries 25th birthday or on the last day of the financial year (31st March) prior to their 25th birthday whichever of the two comes first.
- 1.8. There are financial implications to providing discounts other than those currently available under the council tax reduction scheme and the financial burden of Section 13A discounts has to be met through an increase in the general level of council tax for other payers or from the General Fund. The cost of funding this scheme will be met through the General Fund as a result of a reduction in council tax income to the Council.

2. **Application Process**

- 2.1. Award of relief under the CLRS can be granted:
 - a. through the identification and nomination of a care leaver by the Council’s Children’s Services to the Council’s council tax service/Revenues Team or where this information is already held by the council tax service/Revenues Team.
 - b. through the identification and nomination by any other public body or professional organisation including the social services team of a local authority that confirms that the care leaver was in care (was being ‘looked after’ as a result of a statutory obligation).
 - c. through application for relief under the council tax reduction scheme or the council’s discretionary award scheme where an applicant has been identified as a care leaver. Applications submitted by a verified care leaver under the council tax reduction scheme or the general discretionary policy scheme should automatically be discounted to nil under the CLRS after adjusting for any discounts from national/CTRS have been applied.

- 2.2. The award comes into effect from 1st April 2018 and can be made for any period after 1st April 2018 where the care leaver is liable for council tax charge to Haringey.
- 2.3. Any award given to an individual case will end on the day before their 25th birthday or by March 31st of the financial year whichever date comes first. Subsequent applications will be considered for additional periods of council tax liability that occur after the end of the financial year due to above criteria. Any award in such a case will be limited to a period up to the care leaver's 25th birthday, but not beyond.
- 2.4. A care leaver could still be eligible for council tax discount under the council tax reduction scheme, but any entitlement under the care leavers relief will end a day before the claimants 25th birthday.

3. Eligibility Criteria

- 3.1. For the purposes of this policy, a care leaver is defined as a person or persons younger than 25 years old who were previously in care, but now live independently.
- 3.2. The following will be assessed prior to the award of relief under the Haringey CLRS:
 - a. Has the care leaver applied for or qualify for any national reliefs, exemptions or discounts (e.g. single person's discount)? National reliefs must be applied prior to award of care leavers relief.
 - b. Has the care leaver applied for or qualify for relief under the Council Tax Reduction Scheme (CTRS) - e.g. as a vulnerable person? CTRS reliefs must be applied prior to award of care leavers relief.
- 3.3. A care leaver must be under 25 years old to qualify for relief under the care leavers relief scheme. Therefore, the last day of relief under this scheme will be the day before a care leaver's 25th birthday. However, a care leaver may still qualify for relief under the national or CTRS beyond their 25th birthday.
- 3.4. Confirmation that a claimant was previously in care (i.e. was being 'looked after') must be received from Haringey Council's Children's, or other public body or professional organisation including the social services team of another local authority prior to award of relief under the Haringey CLRS.
- 3.5. The care leaver must be liable for payment of council tax in Haringey (i.e. Haringey Council is the billing authority) to qualify for relief under the Haringey CLRS.

- 3.6. Where an overpayment has been made to a care leaver due to a reduction in council tax liability to Haringey or for any other reason during the period of award, any care leavers relief overpayments shall be recovered by the Council through any legal means at its disposal. This may include offsetting the overpaid amount against any future reliefs provided under the Haringey CLRS. Alternatively, the overpaid amount may be added to future council tax bills.