

# Policy for the Award of Discretionary Reductions in Council Tax Liability under Section 13A(1)(c) Local Government Finance Act 1992

## 1. Introduction

- 1.1 Section 13a(1)(c) of the Local Government Finance Act 1992 allows the Council to reduce the amount of council tax that a person is liable to pay to such an extent as it thinks fit, or if the amount has already been reduced under the Haringey Council Tax Reduction Scheme, by such further extent as it thinks fit. This includes the power to reduce the amount to nil.
- 1.2 This relief is discretionary. The Council has specified a class of cases for Care Leavers. Additionally it will consider requests on an individual basis.

## 2. Scope and Definition

- 2.1 A reduction under section 13A(1)(c) may be awarded to council taxpayers who are experiencing financial hardship due to extenuating circumstances. As a discretionary reduction each situation will be assessed on its individual merits.
- 2.2 The cost of section 13A(1)(c) reductions are met entirely by Haringey Council and therefore Haringey council tax payers. The granting of such reductions must therefore be considered against their financial impact to residents and will only be granted in exceptional circumstances.

## 3. How to apply for a discretionary reduction

- 3.1 A request must be received in writing by either:
  - a) The council taxpayer(s)
  - b) A representative of the council taxpayer
  - c) A Council Officer assisting either of the above
- 3.2 Where a request for reduction is submitted by the council taxpayer(s) or a representative of the council taxpayers, this must be submitted via application. Our application form can be found in appendix 1 of this document. Once completed, the application should be sent to [counciltax@haringey.gov.uk](mailto:counciltax@haringey.gov.uk) and clearly marked **Council Tax Discretionary Reduction**.
- 3.3 Where an appropriate officer of the council has identified that a Taxpayer is a potentially suitable candidate for Discretionary Relief, the appropriate officer must submit the request via a decision report to the decision maker.
- 3.4 All requests must be supported by evidence. The maximum award that may be applied is the annual Council Tax relevant to the address for which the request is made. The Council can only assess an application based on the information before it. If the information is insufficient, it is likely that an application will be refused.

#### 4. How claims for a discretionary reduction will be assessed

- 4.1 The Council will consider each application for a discretionary reduction on its merits and the Council will make a decision taking into account:
- Information about the financial hardship and/or exceptional personal circumstances.
  - Details of any attempts the council taxpayer(s) has made to meet council tax payments prior to application.
  - Whether an application for the Haringey Council Tax Reduction Scheme has been made and assessed.
  - Whether all other eligible reductions, discounts, and relief in respect of council tax have been considered and awarded.
  - The council tax payer(s) could not reasonably access other assets that could be used to pay council tax.
  - Whether the Council can meet the financial cost of the award.
  - Whether the amount outstanding is the result of wilful refusal or culpable neglect.
- 4.2 Requests will be assessed together with all supporting evidence. A reduction may only be applied in respect of the financial year(s) in which the request is made or to which it relates. Any reduction awarded may meet part or all of the council tax liability for that financial year.
- 4.3 Applications will be considered by the Revenues Team Lead, and recommendations submitted to the Revenues Manager for authorisation within one calendar month of receipt of all information. Once a decision is made, the council taxpayer(s) will be notified. An application submitted is not an entitlement to withhold payment of council tax.

#### 5. Review of Decision

- 5.1 The Council will accept a written request for a further review of its decision if it is supported by further information or evidence and is made within one calendar month of the decision.
- 5.2 Any review will be carried out by a different person from the person who made the decision to which the review relates and shall normally be completed within 30 days from the date the written request for a review is received by the Council.
- 5.3 If after a further review the applicant remains unhappy with the Council's decision and wish to appeal the matter further, they may consider an appeal to the Valuation Tribunal Service (VTS). Further information can be found at [www.valuationtribunal.gov.uk](http://www.valuationtribunal.gov.uk)

#### 6. Ending or Cancelling the Reduction

- 6.1 In all cases the reduction will end either; at the end of the financial year or; on the same day as the closing of the council tax payer's account or, where information indicates the council tax payer's circumstances have changed, on the date of the change.

- 6.2 Where it transpires that a reduction has been awarded based on false information or evidence the decision will be revoked and the Council reserves the right to recover any council tax outstanding.

## 7. Decision Making

- 7.1 The levels of decision making are outlined in the table below. In addition the annual audit of council tax will encompass the application and award of reductions.

Task	Responsibility
To review and consider cases submitted in accordance with the policy.	Revenues Team Lead
To submit a decision report to the Revenues Manager Recommending either Award or Refusal of the case submitted.	Revenues Team Lead
To monitor and ensure compliance with policy.	Revenues Manager
To authorise or reject cases where a decision report has been received.	Revenues Manager
To review and control expenditure.	Revenues Manager
To review any re-applications	Revenues Team Lead (different person from the person who made the original decision)

## 8. Equalities and Diversity

- 8.1 This policy is discretionary and therefore all council taxpayers will be eligible to apply for reductions. The policy has been written with due regard to the public sector equality duty.

## 9. Review of Policy

- 9.1 This policy will be monitored and any revisions necessary will be brought back to Cabinet at a future date.

## Appendix 1 – Application Form

**Council Tax Discretionary Reduction: Application Form****Your personal details**

Name of Council Taxpayer/s:

Council Tax Account Number:

Property Address:

Telephone Number:

Email Address:

**Your financial circumstances:**

1. Do you own or rent this property?	
2. Have you ever owned a property? Please give details.	
3. Do you have any savings or other assets (for example, shares in a company?)	
4. Please provide details of the circumstances causing hardship?	
5. Please advise what steps you are taking to improve your circumstances outside	

<b>of this application.</b>	
<b>6. Are you receiving financial help from any other source? If yes, please provide details.</b>	
<b>5. Please provide any additional information in support of your claim</b>	

In addition to completing the form above, you must include evidence to support your claim. As a minimum, the following is required:

- Completed Standard Financial Statement or income and expenditure form (Appendix 2)
- Evidence of all household income & expenditure in the form of bank statements for at least the past two months

Your application will be considered in line with the policy and the evidence provided. Once a decision has been made you will be notified within 14 days.

Please note that any existing repayment plans remain in place and therefore you should continue to pay your council tax as set out in your bill or notification of repayment plan.

## Appendix 2 – Expenditure Form

Please note: You MUST supply supporting evidence for any items marked with a \* and your last 2 months bank statements.

<b>Income</b>	How much (£)	How often	<b>Outgoings</b>	How much (£)	How often	Office use only
Net Wages (for you)			Mortgage / Rent*			
Net Wages (for your partner)			Rent Arrears*			
Self Employed Earnings			Council Tax			
Working Tax Credit			Council Tax arrears			
Child Tax Credit			Electricity*			
Child Benefit			Gas*			
JSA (IB)			Arrears of fuel bills*			
Income Support			Water rates			
Pension Credit (Guarantee)			Child Minding*			
Pension Credit (Savings)			Food			
State Retirement Pension			School Meals			
Occupational / Private Pension			Housekeeping			
Maintenance received (for children)			Clothing			
Maintenance received (for self or partner)			Laundry			
Incapacity benefit			Telephone/ Internet			
Employment Support Allowance			Satellite / cable tv			
Disability Living Allowance			Travelling Expenses			
Personal Independence Payment			Road Tax / Car Insurance			
Carers Allowance			Vehicle fuel / servicing			
Housing Benefit			Court fines*			
Universal Credit			Prescriptions			
Contributions from children living at home			Maintenance Paid*			
Contributions from any other resident			Credit Card*			
Any Other Income			Loans / Hire Purchase			

Appendix 1

Vouchers or token in lieu of payment			Deduction for social fund			
			Other deductions from benefit			
			Catalogue			
			Endowment / Life Insurance*			
			Mortgage Protection*			
			Home Insurance*			
			Medical / disability related outgoing (please specify)			
			Any other Outgoings			
Total Income (monthly)			Total Outgoings (monthly)			